



THE MERCHANT SHIPPING ACT, 1894

REPORT OF COURT

(No. S. 467)

m.f.v. "HAWFINCH" O.N. 187854

In the matter of a Formal Investigation held at the Council Chamber, Town Hall, Fleetwood, on the 14th and 15th days of April, 1964, before Mr. P. T. Bucknill, Q.C., assisted by Captain F. E. Jackson, O.B.E., Captain G. Ayre and A. Robinson, Esq., into the circumstances attending the stranding of the motor trawler "Hawfinch" on the 19th September, 1963, near Holm Point, Stornoway Harbour.

The Court having carefully inquired into the circumstances attending the above-mentioned shipping casualty, finds for the reasons stated in the Annex hereto, that the stranding was caused by the wrongful act or default of her skipper, Peter William Cowell Chard, as set out in the Annex, and suspends the Certificate of Competency as Skipper (No. 27694) for a period of two years from the 15th April, 1964.

Dated this 15th day of April, 1964.

P. T. BUCKNILL, *Judge.*

We concur in the above Report.

F. E. JACKSON }
G. AYRE } *Assessors.*
A. ROBINSON }

ANNEX TO THE REPORT

This Inquiry was held in the Council Chamber, Town Hall, Fleetwood, on the 14th and 15th April, 1964.

The parties to the Inquiry were:—

The Owners of the "Hawfinch", Brixham Trawlers Limited, Fleetwood, and the manager designate;
The Skipper of the "Hawfinch", Peter William Cowell Chard;

Mr. Barry Sheen (instructed by the Treasury Solicitor) appeared on behalf of the Minister of Transport;

Mr. Jeffreys Collinson (instructed by Messrs. Hill, Dickinson & Company) appeared for the owners and the manager designate;

Mr. Walter Clegg (instructed by Messrs. Charles Ingham, Clegg and Crowther) appeared for the Skipper.

The "Hawfinch" is a single screw motor trawler built in 1956 and registered at the Port of Fleetwood, of 314 gross tons, fitted with a British "Polar" diesel engine of 750 BHP, giving her an estimated full speed of 10 knots.

A full description of the "Hawfinch" is set out in the appendix attached hereto.

The "Hawfinch" left Fleetwood about 1.30 a.m. on the 18th September, 1963, bound for the northern fishing grounds with a crew of 16 hands all told. On the same day she called at Ballycastle for stores and continued her voyage.

In the afternoon of the 19th September, the Bosun complained of feeling ill. The vessel was off the Butt of Lewis. The Skipper reported the complaint to owners by R.T. who agreed to the vessel putting into Stornoway.

She arrived at Stornoway about 5 p.m. on the 19th September. The Skipper went ashore to see the Ship's Agent. He returned thereafter and found that a doctor had treated the Bosun. The Skipper went ashore again.

The Skipper appears to have gone to one or two public houses. Whilst there the Ship's Agent handed to the Skipper one pound per head of the crew as "sub". The Skipper gave the pound to such members of the crew as he saw.

The Skipper returned to the "Hawfinch" about 10 p.m. on the 19th. He had previously given orders that the vessel would not sail before this time. The reason he gave to the Court for the time of departure was that the public houses shut at this time.

She sailed about 10.50 p.m. on the 19th. The Skipper was on the bridge and Second Hand Benjamin Emsley was at the wheel. The vessel proceeded from the wharf with engines running at dead slow speed ahead. The engines remained running at dead slow speed ahead until she stranded. With engines running at said speed she appeared to make about 2 to 3 knots speed through the water.

The vessel was apparently conned by the Skipper until she passed Goat Island on the port hand. Thereafter she was steered to keep Reef Rock Beacon fine

on the starboard bow. She passed Reef Rock Beacon close to on the starboard hand. Course was then altered to S.E. by Compass and thereafter to E.S.E. by Compass.

About 11.15 p.m. on the 19th September, she stranded slightly north of Holm Point. Attempts then made to refloat her by working engines full astern on a falling tide were unsuccessful. About 8.45 a.m. on the 20th September, on the rising tide, with engines working full speed astern she was refloated.

She returned to Stornoway for inspection. She was not leaking. After inspection she left for fishing. She returned to Fleetwood in October, 1963.

Damage caused by the stranding was to her bottom plating and keel bar necessitating the renewal of three sections of shell plating, the cropping and part renewal of the keel bar, the cutting and welding of flooring in the way of the damage and the insertion of one new frame angle. The cost of the same amounted to £1,472 10s. 8d.

The Court feels that it has not received a full and true account of the happenings leading up to the stranding. The Skipper and Second Hand strongly denied being in any way influenced by the consumption of alcohol. The Court feels, however, that the only explanation of the extraordinary careless navigation by the Skipper leading to this stranding is that his judgment was very seriously impaired.

In spite of the Skipper's denial, the Court finds that the most probable cause of his serious impairment of judgment was the effect of consuming alcohol. The Court feels that the alternative view, namely that the Skipper's fault was due to professional incompetence would be unfair to him and unjust in view of his previous excellent record.

Having carefully considered the whole matter, the Court has come to the conclusion that the Skipper's certificate of Competency should be suspended for two years from the 15th April, 1964.

APPENDIX

Motor Trawler "Hawfinch"

Official Number 187854

Port of Registry—FLEETWOOD

DESCRIPTION OF SHIP

General

The "Hawfinch" is a steel single screw motor trawler of welded construction.

Builders

The "Hawfinch" was built in 1956 at Hessle, East Yorkshire, by Messrs. Henry Scarr Limited of Hessle, East Yorkshire.

Owners

The owners are Brixham Trawlers Limited of 238 Dock Street, Fleetwood, Lancs.

Dimensions and Tonnages

The registered dimensions and tonnages of "Hawfinch" are as follows:—

Length 127.5 feet,
Breadth 26.8 feet,
Depth 10.45 feet,
Gross tons 314.1 tons,
Net tons 104.11 tons,
Underdeck tons 241.67 tons.

Bulkheads

The vessel has four watertight bulkheads separating the following compartments:—

Fore peak,
Chain locker, freshwater tank and store,
Fish room,
Machinery space,
After peak.

Machinery

The main engine is a British "Polar" diesel engine type M45M having 5 cylinders of 13.39" diameter and 22.44" stroke and developing 750 BHP at 230 RPM with an estimated full speed of 10 knots.

Steering gear

The steering gear is a Donkin hydraulic ram gear operated by a telemotor transmitter unit in the wheelhouse.

Life-saving appliances

The "Hawfinch" is provided with the following life-saving appliances:—

One 18 feet wood lifeboat certified for 16 persons and housed under a Schat single-arm mechanical davit on the after deck.
One R.F.D. 10-man Mk. I inflatable liferaft No. 743 stowed on boat deck.
One R.F.D. 10-man Mk. II inflatable liferaft No. 2551 stowed on boat deck.
Ten "Victory" Type kapok lifejackets.
Six "Standard" kapok lifejackets.
Twelve "Wessex" bridge distress rockets.
One "Schermuly" (International) line-throwing appliance.

The vessel was last surveyed by a Ministry of Transport Surveyor at Grimsby on 17th May, 1961, and a Form 183A was then issued.

Electronic navigation aids

The following electronic aids to navigation are provided on the "Hawfinch":—

Decca Mk. V Navigator.
Decca Track Recorder.
Decca Radar Type D404.
Marconi "Fishgraph" Echo Sounder.
Marconi "Graphette" Echo Sounder.
Marconi "Gannet" R/T Transmitter.
Marconi "Guardian" R/T Receiver having D/F Attachment.

The above items of equipment were inspected and surveyed on 16th September, 1963, just prior to leaving on the voyage during which the casualty occurred.

Compasses

The "Hawfinch" is provided with a Pole standard magnetic compass and a magnetic overhead steering compass in the wheelhouse. The compasses were last adjusted on 6th May, 1963, and a deviation card was then issued.

Logs and leads

The "Hawfinch" is provided with one Walker "Cherub" log complete and one 14 lbs. lead and line.

Classification

The "Hawfinch" is classed 100 A1 and LMC at Lloyd's for hull and machinery respectively and certificates were issued on 21st July, 1961, which certificates remain valid.

QUESTIONS A

- Q. 1. (a) By whom was she surveyed at the time of the stranding?
(b) Who was her commanding officer?
- A. (a) Brixham Trawlers Limited, Fleetwood.
(b) Her Manager, Mr. Arthur Parkes.
- Q. 2. Where, when and how was the "Hawfinch" built?
- A. Hessle, 1956, Messrs. Henry Scarr of Hessle.
- Q. 3. (a) With what equipment was the "Hawfinch" fitted?
(b) When was this equipment last adjusted?
(c) Were the appliances working on 19th September 1963?
- A. (a) (See Appendix).
(b) 6th May, 1963.
(c) Yes.
- Q. 4. (a) With what equipment was the "Hawfinch" fitted?
(b) Were all the appliances efficient when she started her voyage up to the stranding?
- A. (a) (See Appendix).
(b) Yes.
- Q. 5. Was the "Hawfinch" fitted with charts and publications which she stranded with?
- A. Yes.
- Q. 6. Was the "Hawfinch" fitted with equipment worthy when she stranded with which she stranded with?
- A. Yes.
- Q. 7. (a) How many hands were on board the "Hawfinch" at the time of the stranding?
(b) Who was in command?
- A. (a) 16 hands all told.
(b) Peter Williams.
- Q. 8. (a) When did the "Hawfinch" strand on the 19th September 1963?
(b) What was the cause of the stranding of the "Hawfinch"?
- A. (a) About 1.30 p.m. on 19th September 1963.
(b) Northern drift.
- Q. 9. (a) Did the "Hawfinch" strand on the 19th September 1963?
(b) Did the "Hawfinch" strand in the way (with reference to the Owners) for the Boson?
- A. (a) Yes.
(b) Yes.

QUESTIONS AND ANSWERS

- Q. 1. (a) By whom was the "Hawfinch" owned at the time of her stranding?
(b) Who was her Designated Manager?
- A. (a) Brixham Trawlers Limited of Fleetwood.
(b) Her Manager Designate was Basil Arthur Parkes.
- Q. 2. Where, when and by whom was the "Hawfinch" built?
- A. Hessle, 1956, Messrs. Henry Scarr Limited of Hessle.
- Q. 3. (a) With what compasses was the "Hawfinch" fitted?
(b) When were the compasses last adjusted?
(c) Were the compasses in satisfactory working order on the 19th September, 1963?
- A. (a) (See Appendix).
(b) 6th May, 1963.
(c) Yes.
- Q. 4. (a) With what other navigational aids was the "Hawfinch" fitted?
(b) Were all such navigational aids in efficient working order during the voyage up to the time of her stranding?
- A. (a) (See Appendix).
(b) Yes.
- Q. 5. Was the "Hawfinch" supplied with adequate charts and publications for the voyage on which she stranded?
- A. Yes.
- Q. 6. Was the "Hawfinch" in all respects seaworthy when she sailed on the voyage on which she stranded?
- A. Yes.
- Q. 7. (a) How many officers and men did the "Hawfinch" carry on that voyage?
(b) Who was in command?
- A. (a) 16 hands all told.
(b) Peter William Cowell Chard.
- Q. 8. (a) When did the "Hawfinch" leave Fleetwood on the voyage on which she stranded?
(b) What was the destination of the "Hawfinch"?
- A. (a) About 1.30 a.m. on the 18th September, 1963.
(b) Northern fishing grounds.
- Q. 9. (a) Did the Bosun ask for medical attention on the 19th September, 1963?
(b) Did the "Hawfinch" put in to Stornoway (with the concurrence of her Owners) for medical attention for the Bosun?
- A. (a) Yes.
(b) Yes.
- Q. 10. At about what time did the vessel reach Stornoway?
- A. About 5 p.m.
- Q. 11. At about what time did the vessel leave Stornoway on the 19th September?
- About 10.50 p.m.
- Q. 12. After casting off, what instructions were given by the Skipper to the Second Hand with reference to:
(i) Goat Island?
(ii) Beacon Rocks Light?
- A. (i) Pass a safe distance off.
(ii) Keep Reef Rock Beacon fine on the starboard bow.
- Q. 13. (i) On what course was the "Hawfinch" when she was approaching Beacon Rocks Light?
(ii) At what distance did the "Hawfinch" pass the Beacon Rocks Light?
(iii) What alterations of course and speed were subsequently made (and when) up to the time of the stranding?
- A. (i) See 12. (ii) above.
(ii) Close to on the starboard hand.
(iii) (See Annex).
- Q. 14. (a) Where and when did the "Hawfinch" strand?
(b) What was the course and speed of the vessel at stranding?
(c) What was the state of the weather, wind, sea, tide and visibility at the time of stranding?
- A. (a) Slightly north of Holm Point.
(b) E.S.E. by Compass. About 2 to 3 knots through the water.
(c) Drizzling rain, south easterly force 2 to 3, no sea, ebb tide, good to moderate visibility.
- Q. 15. After the stranding, were all proper steps taken by the Skipper for the preservation of his vessel?
- A. Yes.
- Q. 16. (a) What attempts were made to refloat the "Hawfinch" on the 19th September, 1963?
(b) What attempts were made to refloat the "Hawfinch" on the 20th September, 1963?
- A. (a) Engines worked full astern on falling tide.
(b) Engines worked full astern on rising tide.
- Q. 17. When was the "Hawfinch" refloated?
- A. About 8.45 a.m. on the 20th September, 1963.
- Q. 18. After inspection did the "Hawfinch" continue on her voyage to the fishing grounds?
- A. Yes.

- Q. 19. What damage did the vessel sustain as a result of the stranding? (a) Her Skipper, Peter William Cowell Chard?
- A. Considerable bottom damage to plates and keel. (See Annex). A. Yes.
- Q. 20. What was the cause of the stranding of the "Hawfinch"? A. No.
- A. (See Annex).
- Q. 21. Was the stranding of the "Hawfinch" caused or contributed to by the wrongful act or default of

P. BUCKNILL, *Judge*.

F. E. JACKSON }
 G. AYRE } *Assessors*.
 A. ROBINSON }

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