

No. S.406
s.t. "RED GAUNTLET"
THE MERCHANT SHIPPING ACT, 1894
REPORT OF COURT

In the matter of a Formal Investigation held at the Town Hall, Fleetwood, on the 17th, 18th and 19th days of December, 1947, before J. V. Naisby, Esq., K.C., assisted by Captain H. A. Moore, O.B.E., R.D., R.N.R., Captain C. E. Rathkins, R.D., R.N.R., and F. Bee, Esq., into the circumstances attending the stranding and total loss of the steam trawler "Red Gauntlet" at Sorkapp, Spitzbergen, on the 10th August, 1947.

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 loss of the "Red Gauntlet" was caused by the fault or default of the skipper, William Henry Hicks, and by the fault or default of the second hand, Richard Wright, and the Court suspends the Certificate of William Henry Hicks for six months and the certificate of Richard Wright for three months from today, and orders William Henry Hicks to pay £100 and Richard Wright £25 towards the costs of this Inquiry.

Dated this 19th day of December, 1947.

J. V. NAISBY, *Judge.*

We concur in the above Report.

H. A. MOORE C. E. RATHKINS F. BEE	}	Assessors.
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QUESTIONS AND ANSWERS

The Court's Answers to the Questions submitted by the Ministry of Transport are as follows:—

- Q. 1. By whom was the s.t. "Red Gauntlet" owned?
 A. Iago Steam Trawler Company, Limited.
- Q. 2. (a) With what compasses was the s.t. "Red Gauntlet" fitted?
 (b) Where were they placed on board?
 A. (a) Three magnetic compasses.
 (b) One on a pole on the bridge; one let into the deck head of the wheelhouse; one in the skipper's cabin (not used or supplied for navigational purposes).
- Q. 3. (a) When were the compasses last professionally adjusted?
 (b) Were deviation cards then supplied?
 (c) Was a deviation book kept?
 A. (a) Early May, 1947.
 (b) Yes.
 (c) No.
- Q. 4. (a) What sounding appliances were carried by the s.t. "Red Gauntlet" on the 10th August last?
 (b) Were such sounding appliances in working order on the last voyage?
 A. (a) One Marconi echometer, Type 441; one Hughes Mark II Depth Recorder.
 (b) Yes.
- Q. 5. (a) Did the s.t. "Red Gauntlet" carry a wireless transmitter?
 (b) If so, of what range?
 (c) Was it in working order at the time of the casualty?
 A. (a) Yes.
 (b) 250 to 300 miles by day. Up to 1,700 miles by night.
 (c) Yes.

Q. 6. With what charts and publications relating to navigation in the waters off Spitzbergen was the vessel supplied?

- A. One set of Close's Iceland charts.
 One set of Admiralty Norwegian charts.
 One Scotland to Iceland chart. (Imray).
 One All Round Iceland chart. (Imray).
 Three Close's White Sea charts.
 One West Coast of Scotland chart.
 One White Sea chart, No. 105B.
 One White Sea chart, No. 99B.
 One British Isles to White Sea chart.
 One Close's Irish Sea chart.
 Two Norway Pilots.
 Two Arctic Pilots.

Q. 7. Was the s.t. "Red Gauntlet" seaworthy when she left her home port (Fleetwood) on her last fishing voyage?

A. Yes.

Q. 8. Was the s.t. "Red Gauntlet" properly equipped with regard to navigational aids when she left her home port (Fleetwood) on her last fishing voyage?

A. Yes.

Q. 9. From what port and at what time on what day did the s.t. "Red Gauntlet" sail previous to the stranding?

A. The "Red Gauntlet" sailed from Fleetwood about 8 a.m. on the 26th July, 1947, on her fishing voyage.

Q. 10. At about 12 noon on Sunday, 10th August last, after hauling in nets did the skipper, William Henry Hicks, of the s.t. "Red Gauntlet" decide to change fishing grounds and intend to make for the area between Bear Island and Hope Island?

A. Yes.

Q. 11. For the purpose of navigating to the new fishing ground did the skipper, William Henry Hicks, endeavour to ascertain his position and set a course?

A. He stated in evidence that he did endeavour to ascertain his position. This matter is dealt with in the Annex to the Report. He did set a course.

Q. 12. How did the skipper, William Henry Hicks, endeavour to obtain his noon position on 10th August last, and what course did he set?

A. The Court is not satisfied as to what steps the skipper took to ascertain his position. See below. The course set was S.E. \times E. $\frac{1}{2}$ E. nothing southerly by steering compass.

Q. 13. Did the skipper, William Henry Hicks, take every proper and seamanlike precaution in fixing his noon position on 10th August last, and was the course set a proper one?

A. No. The course set was a proper one from the position in which the skipper thought the vessel was, but an improper one from the position in which she in fact was.

Q. 14. What was the nature of the weather, wind and sea at the time the skipper, William Henry Hicks, fixed his noon position on Sunday, 10th August last, and set a course for a new fishing ground?

A. Weather clear except that there was probably fog round Sorkapp; little wind; smooth sea.

Q. 15. At what time on 10th August last did the skipper, William Henry Hicks, take his midday meal, and at what time thereafter did he return to the bridge ?

A. Probably from about 12.20 p.m. to 12.50 p.m. He returned to the bridge about the latter time.

Q. 16. Was the skipper called by the second hand, Richard Wright, during the afternoon of 10th August last ?

A. Yes.

Q. 17. Did the skipper, William Henry Hicks, go at once when called to the wheelhouse, or was he called on more than one occasion ?

A. The second hand called the skipper twice, but the Court is satisfied that on the first occasion the skipper was not really awakened, although he answered the second hand. The skipper was usually easy to wake and we do not think any blame should be attributed to the second hand for thinking that the skipper was sufficiently awake. On the second occasion that he was called the skipper immediately started to go to the wheelhouse.

Q. 18. At what time and in what position did the s.t. "Red Gauntlet" strand ?

A. About 3.15 p.m. on the 10th August, 1947, on the southern tip of the rocks south of Sorkapp.

Q. 19. What was the cause of the stranding ?

A. The position from which the skipper set his course was wrong and the course set brought the vessel to the point of stranding, but there was an insufficient look-out and an insufficient appreciation of the danger in which the vessel was by the second hand, first upon it being reported to him that there was a rock visible fairly fine on the port bow, and later on running into fog.

Q. 20. What were the conditions of weather, wind and sea at the time the skipper, William Henry Hicks, was called by the second hand ?

A. The vessel was running into a bank of fog. There was little wind or sea.

Q. 21. When the skipper, William Henry Hicks, came on deck after being called in the afternoon of 10th August last by the second hand, what action did he take ?

A. As soon as he was called on the second occasion the skipper ordered the engines full astern, but there was no time to carry out the order before the stranding. The stranding occurred before he got on the bridge.

Q. 22. Did the s.t. "Red Gauntlet" strike the rocks before the skipper, William Henry Hicks, reached the Bridge ?

A. Yes.

Q. 23. What visibility was there at the time the s.t. "Red Gauntlet" stranded ?

A. Thick fog.

Q. 24. What action, if any, had the second hand, Richard Wright, taken before calling the skipper, William Henry Hicks ?

A. The second hand before calling the skipper the first time had taken soundings and obtained 15-17 fathoms. After the first call he blew a fog signal on the whistle, took a further sounding and obtained 20 fathoms. As the skipper was on his way up to the bridge the second hand stopped the engines, and about the same time the man at the wheel began to put his helm to starboard.

Q. 25. How were the 22 persons on board the s.t. "Red Gauntlet" saved when the vessel stranded ?

A. All on board the "Red Gauntlet" were saved by getting into the trawler's own lifeboat and rowing off to the trawler "Northern Spray," which had responded to an S.O.S. message sent out on the radio telephone set of the "Red Gauntlet."

Q. 26. Was the stranding of the s.t. "Red Gauntlet" caused or contributed to by the wrongful act or default of her second hand, Richard Wright ?

A. Yes.

Q. 27. Was the stranding of the s.t. "Red Gauntlet" caused or contributed to by the wrongful act or default of her skipper, William Henry Hicks ?

A. Yes.

Q. 28. Was the stranding of the s.t. "Red Gauntlet" caused or contributed to by the wrongful act or default of any other person ?

A. No.

Annex to the Report

At this Inquiry Mr. S. E. Pitts appeared for the Minister of Transport, Mr. Lawrence Jones (of Lawrence Jones and Company) for the Owners of the "Red Gauntlet," Mr. Leo Gradwell (instructed by Messrs. Hill, Dickinson and Company, Liverpool) for the skipper, and Mr. R. Blackburn (of Blackburn and Company, Fleetwood) for the second hand.

The steam trawler "Red Gauntlet," official number 163160, was a single screw, single deck vessel, built of steel in 1933 at Beverley. She was owned by the Iago Steam Trawler Company Limited, of Fleetwood; her gross tonnage was 410.03 and her length 154.6 feet. She was fitted with hand and steam steering gear, and at all material times was in hand gear. Her engines were triple expansion steam engines driven by an oil fired boiler. She carried the necessary life-saving appliances including a life-boat, all of which were appropriate to a vessel of her size and class and were in good order and in accordance with the regulations. She was fitted with wireless telegraphy including a direction finder, and with radio telephony. She was also equipped with two sounding machines, one on each forward corner of the bridge, and they also were in good working order.

She sailed from Fleetwood on the 26th July, 1947, manned by a crew of 20 hands all told, but before the stranding two Norwegian fish gutters had been shipped so that at the time of the casualty there were 22 persons on board. On the morning of the 10th August, 1947, the "Red Gauntlet" was fishing to the West of the Southern end of Spitzbergen, and had been fishing there for some four or five days. During the morning of the 10th August her skipper decided to change fishing grounds and move to an area between Bear Island and Hope Island. The trawl was hauled about 11.45 a.m., and about noon, or shortly after, dinner was served for the first sitting. The number of people on board necessitated two sittings.

The procedure on the "Red Gauntlet" was that whilst the vessel was fishing the skipper was always on the bridge, the remainder of the crew being divided into five watches of which four were on duty at one time, and that whilst steaming there were three watches in charge, respectively, of the second hand, who had a skipper's Certificate, the bosun, who also had a skipper's Certificate, and one of the deck hands named Pook, who was stated to be an experienced man. The second hand, the bosun and Pook were all included in the first sitting for dinner, and before they had finished their meal they were joined by the skipper. Just before going down to dinner the second hand ordered one of the deck hands named Hudson to go on the bridge and relieve the skipper. On reaching the bridge, Hudson went to the wheel and was given a course to steer of S.E. by E. half E. nothing southerly. The skipper supervised Hudson's bringing the ship on to that course and ensured that the vessel was on the course before going down for his dinner. The engines at that time were working full speed ahead.

About 12.50 p.m. the skipper returned to the bridge, ascertained that the vessel was still on the course that he had ordered, and the weather being clear, with good visibility and little wind or sea, told Hudson to tell the second hand when he came up that he, the skipper had turned in and to tell him the course.

Whilst they were having dinner together the skipper told the second hand to have the trawl overhauled during the afternoon, and when he had finished his dinner the second hand detailed a deck hand named Stables to go and relieve Hudson, and the second hand, with some of the other hands, proceeded to overhaul the gear. The second hand was in fact working just forward of the bridge and not far from it and within easy hailing distance therefrom. The work of overhauling the trawl lasted till 2.30 p.m. or a little later, and the second hand thereupon proceeded to go and wash his hands before going on to the bridge. About this time Stables, who had been relieved at the wheel by Hudson, came to the second hand and told him that there was a rock visible sharp on the port bow about 8 miles away. Hudson's evidence was that when he went to the bridge to relieve Stables he found him looking out of one of the windows through binoculars at a rock, and that at that time the wheel was free and the vessel was heading about E. by S. Hudson thereupon put the vessel back on her course and continued to steer that course until a few moments before the stranding, as will appear later.

Upon arrival on the bridge the second hand saw the rock which Stables had reported to him and estimated that the vessel would pass well clear of it. The land was still visible on the port side from right aft to about four points on the port bow, but there was a bank of fog lying ahead. The second hand took soundings which gave 15 and 17 fathoms and went below to the skipper's berth to call him. His evidence was that he went to the doorway of the skipper's cabin and called him, the skipper mumbling something that sounded like "Hello." The second hand reported the soundings he had had and that the weather was very thick. The skipper replied "All right" and the second hand returned to the bridge, expecting the skipper to follow him very quickly.

Upon his return to the bridge the second hand blew a prolonged blast on the whistle for fog, took another sounding and got 20 fathoms and, as the skipper had not appeared, went down to his berth and called him again. This time the skipper was really awakened, and about the same time the man at the wheel called out to the second hand to come on to the bridge quickly, and upon arriving on the bridge the second hand saw a rock close to, forward of the port beam, and found Hudson, the man at the wheel, pulling his wheel over to starboard. The second hand stopped the engines. Very shortly afterwards the skipper shouted to him to put them full astern, but before this could be done the vessel stranded. She struck the rocks once, and a few seconds later struck again and remained fast, swinging round on to a heading stated to have been about south west. An S.O.S. message was sent by radio telephone and replied to by the trawler "Northern Spray," which was in the vicinity. The "Red Gauntlet" pounded, and shortly afterwards all on board got into the lifeboat, and after remaining in the vicinity of the vessel for some little time the fog cleared and they rowed to the "Northern Spray," which had not been able to approach the near vicinity of the stranded vessel by reason of the rocks. An attempt was made by part of the crew of the "Red Gauntlet" shortly afterwards to reboard the vessel, but this was unsuccessful. The "Red Gauntlet" became a total loss.

The skipper of the "Red Gauntlet" gave a position in which he said the vessel was at the time when his course of S.E. x E. $\frac{1}{2}$ E. nothing southerly was set. He gave this position as being Latitude $76^{\circ} 28\frac{1}{2}' N.$, Longitude $14^{\circ} 45' E.$, and stated that he fixed this position partly with reference to the bank on the edge of which he had been fishing, and partly by a bearing which he stated was E. $\frac{1}{2}$ S. taken, as he said, of the southern edge of the mainland of Spitzbergen. The Court is not satisfied that the position spoken to by the skipper is correct. Indeed, we are satisfied that it is wrong. The bearing spoken to by him does not fit with the position given by him, and the Court is satisfied that in fact the vessel was substantially further to the northward than the skipper says when he set his course. It is unlikely that he would be able to see the southern end of the mainland or had studied the chart

sufficiently to estimate where the end of the mainland was from the high ground which he did see. In any event, this bearing ought to have raised in his mind a doubt as to the accuracy of the position he had estimated. The Court is satisfied that from this point of departure the course ordered was substantially steered and that the failure of the skipper to ascertain his point of departure, and his failure to heed the warning which his own bearing gave to him, resulted in the vessel arriving at the place of the stranding, instead of clearing the rocks off Sorkapp by about 10 miles as the skipper intended to do.

From the evidence given in this Inquiry it is clear that on the "Red Gauntlet" insufficient attention was paid to navigation, and that anything connected with the catching of fish, or the storage and preservation thereof after being caught, took priority over questions of safe navigation. The second hand admitted in terms that this was so, and the Court is quite satisfied that the skipper was aware of this fact. His action in handing over the charge of the bridge to a deck hand who was told the course and told to hand it on to the second hand when he arrived on the bridge is much to be deprecated. The "Red Gauntlet" was well supplied with charts, but they were all kept in the skipper's berth and, although available for consultation, it is clear that any member of the crew including the second hand would be loth to invade the skipper's berth when he was endeavouring to obtain a much needed rest. In this case the skipper never told anyone what his point of departure was, or made available to them any information to enable them to check whether the vessel was in fact making good the course ordered by him, or not.

In the opinion of the Court the second hand, who gave his evidence well and with candour, was gravely at fault despite the lack of information which might have been given to him by the skipper in not appreciating that the presence of a rock sharp on the port bow was an indication, not only of its own presence, but of the possibility of other rocks in the vicinity, and the fact that the vessel had reached a position which was not intended by her skipper when he set his course. In the opinion of the Court the second hand was slow to realize the implications of the knowledge which was at his disposal, and his responsibility to take action. In fact no effective action was taken before the vessel struck, and whilst feeling some sympathy with the second hand because of the lack of knowledge, which it is felt he ought to have had, the Court feels that this failure on the part of the second hand to act, which undoubtedly contributed to the stranding, is inexcusable and blameworthy. Quite apart from any action required as a result of the observation of the rock, to continue to go into a fog bank at full speed was extremely imprudent. The Court is also satisfied that the second hand knew at or before noon that the vessel was steaming to a new fishing ground although he did not know how long the passage would take or exactly where she was going, and in the opinion of the Court he also knew that the skipper was likely to turn in. The failure to go on the bridge until about 2.45 p.m., in these circumstances, seems to the Court also to be culpable.

As stated above, the Court is satisfied that the course ordered by the skipper was substantially steered. The evidence given by the deck hand Hudson as to what he found on his return to the bridge not long before the vessel struck is accepted, but the Court has no doubt that what happened was that Stables, seeing the rock whilst at the wheel, took the binoculars in order to get a better sight of it and looked out of the window, an action which necessitated his letting go of the wheel for a short time, during which the vessel fell about a point and a half off her course and towards the land. This was one of the dangers inherent in one man being left alone on the bridge to perform the duties of both helmsman and look-out.

Whilst sympathising to some extent with both the skipper and the second hand, the Court is clearly of opinion that it would be failing in its duty unless it expressed the strongest disapprobation of the practice

of leaving a single hand in the wheelhouse in sole charge—a practice which is clearly consequent upon putting matters relating to fishing in priority to the paramount duty of ensuring safe navigation. It cannot be too strongly impressed upon the minds of all skippers and watchkeepers that they have in their charge, depending upon their skill and care, a number of valuable lives and a valuable property. In this case the Court is satisfied that the failure properly to organize a watch when steaming was at least one of the main causes of the stranding, and that for this failure neither the skipper nor the second hand can be acquitted of responsibility. After careful consideration the Court has decided that the least penalty which it can inflict is to suspend the certificate of skipper William Henry Hicks for six months, and of second hand Richard Wright for three months, both suspensions to run from this date.

The Court also feels that it should not be impossible to arrange that a chart is readily available for the person in charge of the watch, without his having to descend to the skipper's berth in order to consult a chart, and that it is desirable that the person in charge of the watch should also know when he takes over the watch where his ship is supposed to be, as well as the course that she is to steer.

The Court orders the skipper, William Henry Hicks, to pay £100, and the second hand, Richard Wright, £25 towards the costs of this Inquiry.

J. V. NAISBY, *Judge.*

H. A. MOORE
C. E. RATHKINS } *Assessors.*
F. BEE

*(Issued by the Minister of Transport
in London, in February, 1948)*

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