

Class B Accident Report

St Jude & Dimple II

Near Approach

Town Reef, Napier on 1 November
2004

KEEPING YOUR SEA SAFE FOR LIFE



Maritime Safety

MARITIME SAFETY AUTHORITY OF NEW ZEALAND
Kia Maanu Kia Ora



REPORT NO: 04 3603

ST JUDE & DIMPLE II – NEAR APPROACH

The fishing vessel *St Jude* and the recreational vessel *Dimple II* had a near approach situation whilst *St Jude* investigated what looked like a recreational vessel having difficulty on 1 November 2004.

Details of Vessel, Owner & Management, Classification, Navigational Equipment, Manning & Crew:

Name of Vessel:	<i>St Jude</i>
Vessel Type:	Commercial Fishing
Flag:	New Zealand
MSA No.:	101400
Built:	1969
Construction Material:	Steel
Length Overall (m):	11.60
Maximum Breadth (m):	3.98
Gross Tonnage:	21
Net Tonnage:	5.68
Propulsion:	A single medium speed diesel engine. Drive single fixed pitch propeller.
Safe Ship Management (SSM) Company:	Nortel
Accident Investigator:	Domonic Venz

- **Owner Details**

Owner: Hawkes Bay Seafoods Napier

- **SSM Certificate**

The vessel's SSM Certificate was issued by Nortel on 17 June 2004. The vessel was fit to ply coastal restricted limits.

- **Skipper Details**

The Skipper holds a Skipper Coastal Fishing Boat Certificate.

Name of Vessel:	<i>Dimple II</i>
Vessel Type:	Recreational
Flag:	New Zealand
Built:	1973 (approximately)
Construction Material:	Fibreglass
Length Overall (m):	4
Propulsion:	A single 40 Hp outboard engine.

NARRATIVE

On Monday 1 November 2004 at about 1500 hours New Zealand Daylight Time (NZDT), *St Jude*, whilst returning from a day of trawling south of Napier, altered course to investigate a vessel seemingly in trouble.

The Skipper and crew both observed a recreational vessel, which subsequently proved to be *Dimple II*, in the Town Reef area, that appeared to be having difficulty with a man overboard situation.

The Skipper and crew said that they closed to within about 40 metres of the vessel and then turned away as they could make out that *Dimple II* was just getting a scuba diver back aboard. *St Jude* continued on towards the Port of Napier. Both the Skipper and crew of *St Jude* remarked that it was quite sloppy for a vessel the size of *Dimple II* and that they went to investigate due to being aware of recent drownings in the immediate area.

While *St Jude* was approaching, the owner of *Dimple II* was trying to retrieve the anchor which had become entangled on the bottom. He had pulled in the slack and had made this fast on a cleat on the foredeck. *In commenting on the draft report, the Skipper stated that he had not tied off the anchor rope and that he was still trying to pull it on board so that he could get out of the way of St Jude.*

The owner of *Dimple II* said that he did have the dive flag displayed up until he started pulling in the anchor, he said he took it down at that point. The diver, when interviewed, said that when they departed the owner's property that they left the dive flag on the lawn and they never had it onboard or displayed at anytime that day.

The diver surfaced about 20 metres away and started swimming on the surface to *Dimple II*. He saw *St Jude* to the south but thought nothing of it at that time. He got to the boat and handed over his weight belt. At this point he saw that *St Jude* was a lot closer so decided to move around to the stern of the vessel. The diver and the owner of *Dimple II* said that the *St Jude* came within 5 metres of them and the bow wave splashed over the bow and into the vessel.

Another fishing vessel had passed by the recreational vessel about 10 minutes earlier and they had also looked at them with concern at such a small vessel being out in sloppy conditions. They said the wind was about 15 to 18 knots of north east and quite sloppy at this time. The Skipper of this vessel said he was very nervous due to the recent drownings in the area and had a good long look at them through the binoculars. *In commenting on the draft report, the Skipper of Dimple II stated that he had no recollection of observing this vessel. The Skipper did not consider the sea conditions to be marginal for his vessel. He stated he was only 1 mile from the shore and had suitable means of communication in the event that any help was required.*

FINDINGS

St Jude passed by close to *Dimple II* in an attempt to ascertain whether they were in difficulty. The Skipper and crew of *St Jude* acted entirely appropriately in coming closer to *Dimple II* to check to see whether they were in difficulty. From the recreational vessel the fishing vessel would have looked to have passed close.

A second fishing vessel had already become concerned at why the recreational vessel was out in the weather conditions at the time.

SAFETY RECOMMENDATIONS

- That the Maritime Safety Authority write to the owners of *Dimple II* making them aware of the need to always have a dive flag and that this situation could have had very serious and tragic repercussions.
- That the owner of *Dimple II* be provided with a copy of Report No. 04 1063 which investigates the circumstances surrounding the death of a diver.