

LOSS OF TUG "SECURITY"

"Not Due to Default of Anyone"

COURT'S CRITICAL FINDINGS

The Court of Inquiry which investigated the loss of the steam tug *Security*, which sank off Anvil Point, Dorset, on Dec. 8, 1946, when, with the tugs *Contest* and *Watercock*, she was towing the Anglo-Saxon tanker *Kelletia*, announced its findings in London yesterday. The Court found that the loss of the vessel was not due to the wrongful act or default of anyone, but it comments unfavourably on the superintendent of the Elliott Steam Tug Company, the owners of the *Security*, for destroying note books and documents relating to the vessel, when he retired in December, 1946; the master of the *Security* for not notifying the owners of incidents affecting the vessel's seaworthiness which occurred on the voyage from Gravesend to Falmouth; the master of the *Kelletia* for not consulting the tug masters about the weather, before ordering them to start the tow; and the Ministry of Transport for the delay in holding the inquiry.

The inquiry was conducted by Mr. Kenneth S. Carpmael, K.C., sitting as Wreck Commissioner, assisted by Captain J. P. Thomson, Lieut.-Commander C. V. Groves and Mr. E. F. Spanner as assessors. The proceedings were reported in LLOYD'S LIST of Jan. 11, 12, 13, 14, 15, 18, 19 and 22.

MISSING EVIDENCE

The COMMISSIONER described the case as a difficult and unsatisfactory one to investigate, and he pointed to the fact that although the *Security* sank on Dec. 8, 1946, the inquiry did not start until Jan. 10, 1949. "It should have been clear to everyone from the outset that an inquiry of this kind must be held, and that it would be necessary to have available all the information that could be obtained as to the condition of the vessel at the time of her loss," said Mr. Carpmael. "Nevertheless, the owners' superintendent thought fit, on retiring at the end of December, 1946, to destroy all note books and documents relating to the vessels that had been under his superintendence. The superintendent was an elderly man, aged 82, and appeared to regard these papers as his own private property, although they had come into existence in the course of carrying out his duties to his employers. As the condition of the vessel on sailing from the Thames was bound to be very much in issue, these note books and other documents might have been expected to contain valuable evidence, both positive and negative, on this question. The Court is of the opinion that there was no justification for the superintendent's action."

Criticising the Ministry of Transport, Mr. Carpmael said that since it was obvious that an Inquiry must be held, the Ministry of Transport should have given instant notice to the owners that all relevant documents must be preserved. It was of the utmost importance too, that statements should be taken at the earliest possible moment by someone experienced in the matter, from all witnesses who could throw any light on what happened.

Although the condition of the *Security* was a matter into which it was vital to inquire, little, if any attempt had been made to collate the various repair accounts and survey reports. It was only on the last day of the inquiry that certain survey reports regarding

the wastage in the ship's bottom plating were forthcoming, these having been filed at Lloyd's Register under the name of *Stoke*, which had been the name of the vessel while under requisition to the Admiralty. But because the change of name was known to those in charge of investigating the matter on behalf of the Minister, the Court was of the opinion that these documents could and ought to have been discovered much sooner. Had they been discovered they must, or ought to have, led—in conjunction with the relevant repair accounts which were held at the Ministry to further inquiries.

CAUSE OF SINKING

On the design of the vessel, it was stated that the result of having a long forecastle was to create a comparatively narrow alleyway on each side of the ship. On the inboard side of each alleyway there was a fiddley door with a cill 19 in. high, and it was the practice of those on board, at the time in question, to leave the doors open when at sea. But as the top of the cill was brought to water level with a list of about 30 deg., there was obvious danger in such a practice with the vessel in a rough sea from abeam to right aft. There appears to be no doubt that the final cause of the sinking of the *Security* was entry of water down the port fiddley door, which was open, and possibly, also, down the door from the engine-room to the after-deck. Once that started to happen there can have been little or no chance of any recovery.

There was no doubt that the *Security* had ample initial stability, but her condition, partly due to war conditions, was unsatisfactory. Reference is made to the fact that when the vessel underwent her third No. 3 Special Survey in November, 1942, about a third of her side plating was drilled but not the strake next to the bar keel. This was important because the two plates, port and starboard in this strake amidships, were found in March, 1944, to be so badly wasted that two large doubling plates had to be fitted on the outside. Unfortunately, this was one of the matters which came to light only on the sixth day of the inquiry and, in consequence, it was impossible to get any exact information as to the extent of the wastage owing to the lapse of time and to the illness of the Lloyd's Register surveyor, who examined the vessel in dry dock.

Regarding the off-survey of the vessel on Aug. 10, 1944, when she was handed back by the Admiralty to the owners, reference is made to the fact that the vessel was on the hard at the time and, it is stated, it was unlikely that, owing to the depth of the mud, there was any real examination below the turn of the bilge. There was thus no opportunity for the owners' superintendent or anyone else to observe that doubling plates had been fitted, and most unfortunately, the superintendent received no information on the point either from Messrs. Watkins' consulting engineers (William Watkins, Ltd., managed the vessel for the Admiralty when she was requisitioned) or from the master of the tug who was in the employ of her owners.

The Court recalled that the vessel was examined on behalf of Lloyd's Register in March, 1946, when the condition of the side scuttles was certified as "good," and it was, therefore, somewhat surprising that, only about a fortnight later, when the crew were engaged in chipping the side inside the crew space, one of the chipping hammers went through the side, near but below the water line and below the after side light or scuttle on the starboard side. The plating was wasted to the thickness of paper in the way of

the hole. This hole had been repaired by welding a plate about a foot square on the outside, but the owner's superintendent, who gave orders for the plate to be welded on, did not call in Lloyd's Register surveyor and gave an unsatisfactory reason for this omission. The Court also criticised the superintendent for not giving sufficient attention to complaints regarding steering gear.

NOT SEAWORTHY

Having listed various other factors which affected the seaworthiness of the vessel, the Court concluded that the *Security* was in "ripe" condition and expressed the opinion that although this condition could have developed fairly rapidly in the last year or two, that more care and supervision would have revealed her state. The vessel was not seaworthy when she sailed from Gravesend for Falmouth. The Court commented on the fact that the master of the *Security* made no report to his owners about the damage to the vessel when she ranged, together with the *Watercock*, at Dover, when part of the fender on her port side was broken away, or of the fact that, on arrival in the Solent, about three tons of water was found under the crew space. "The master of the *Security* lost his life when the vessel sank and there is no evidence as to why he failed to report these matters, but the Court has felt itself bound to regard his failure as a most regrettable error of judgment."

The master of the *Kelletia* was found to be guilty of an error of judgment in deciding to sail without any consultation with the tug masters. The Court recalled that early on Saturday, Dec. 7, the master of the *Kelletia*, after consulting the master of the *Contest*, who was the senior of the three tug masters, cancelled the sailing. But not long afterwards, without apparently any consultation with anybody, he gave orders to leave, even though at this time the South Cone was flying, indicating a southerly gale. There was no doubt that the final cause of the sinking of the *Security* was the entry of sea water into the engine-room and stokehold spaces through the open doors, which should have been closed in the weather conditions prevailing.

But the Court had to consider also how it was that the vessel got into a position where water was able to get below in such a fashion and this must remain a matter of conjecture in view of the possibility of her becoming unmanageable without fault on the part of anyone in the very bad weather existing. It would be wrong, therefore, to conclude that the loss of the vessel was caused or contributed to by the wrongful act or default of anyone. The Court was of the opinion, however, that the actions and inactions of the owners' superintendent could not escape criticism.

When Mr. PETER BUCKNILL, for the owners of the *Security*, applied for costs, or part of the costs, Mr. CARPMAEL refused to make an order, saying it was obvious to all concerned that the condition of the tug, on sailing, was vital, and that, in these circumstances, the owners ought to have got together all the information possible for the purposes of the inquiry. If they had realised that at the outset, it was possible that the note books in the possession of the superintendent would not have been destroyed. The owners were responsible for their employees.

Lloyd's Register
Confession in memory of the Court
between side scuttles and
plating under side scuttles.

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