

Extracts from The Code of Safe Working Practices for the Construction and Use of 15m Length Overall (LOA) to less than 24m Registered Length (L) Fishing Vessels

Extracts from The Code of Safe Working Practice for the Construction and Use of Fishing Vessels of 15m Length Overall (LOA) to less than 24m Registered Length (L)

1.3.3 Arrangements for Vessels Operating Solely within Categorised Waters

1.3.3.1 Vessels operated solely within categorised waters, as defined in Merchant Shipping Notice No. M1837(M) – Categorisation of Waters, may, as an alternative to complying with this Code, comply with the requirements of The Small Fishing Vessel Code of Practice MSN 1871 or any subsequent amendments and have equipment provided onboard, as required for a decked vessel of the maximum length that is covered by that Code.

1.3.4 Surveys, Inspections and Certification

1.3.4.1 Every vessel shall be surveyed and inspected in accordance with the requirements of this Section:

- (i) an initial survey during and on completion of construction, or on transfer to the UK register prior to the issue of a UK Fishing Vessel Certificate;
- (ii) certificate renewal surveys at intervals not exceeding 5 years;
- (iii) an inspection in accordance with section 1.3.6 below;
- (iv) surveys during major repairs or modifications;
- (v) annual self-certification by the owner or a delegated representative.

1.3.4.2 Applications for survey or inspection shall be made by or on behalf of the owner of the vessel to MCA giving reasonable notice, for the survey or inspection to be carried out, at the port agreed with the MCA.

1.3.4.3 A vessel may be examined by MCA at any time to verify compliance with Code requirements.

1.3.4.4 An organisation authorised or recognised by the Secretary of State to perform the survey of radio equipment shall carry out a survey at intervals not exceeding five years to ascertain whether the vessel complies with the requirements of the Merchant Shipping (Radio) (Fishing Vessels) Regulations 1999 and this Code. On completion of the Radio Survey the surveyor of the authorised or recognised organisation shall provide the MCA with a declaration of radio survey.

1.3.4.5 Every vessel in respect of which an United Kingdom Fishing Vessel Certificate is in force may be inspected at any time to ascertain that the installations and equipment required by the Merchant Shipping (Radio) Regulations 1999 and this Code are in an effective condition and comply with the applicable requirements regulations.

1.3.4.6 The surveyor from that organisation, if satisfied after each radio inspection that the vessel complies with the requirements shall provide the Secretary of State with a declaration of inspection to that effect.

1.3.5 Initial Surveys, Surveys for Renewal of Certificates and Surveys during Repairs

1.3.5.1 At Initial survey, during construction and at completion of build, a Certifying Authority shall survey the vessel in order to verify that the vessel complies with the requirements of such Construction and Outfit Standards as may apply to it. The surveyor may require the vessel and any of its machinery, fittings, equipment or arrangements to be submitted to such tests and examinations as are considered necessary to demonstrate compliance with the requirements of the Standards and Code.

1.3.5.2 At Initial Survey for the United Kingdom Fishing Vessel Certificate, and at any subsequent survey, a surveyor, appointed by the MCA shall survey the vessel in order to verify that the vessel complies with the requirements of the Code and such regulations as may apply to it. The surveyor may require the vessel and any of its machinery, fittings, equipment or arrangements to be submitted to such tests and examinations as are considered necessary to demonstrate compliance with the requirements of the Code.

1.3.5.3 On completion of the survey, the surveyor shall provide MCA with a declaration of survey and a record of particulars in an agreed format.

1.3.5.4 Two copies of the record of particulars shall be sent to the owner of the vessel on completion of survey, one copy of which shall be placed on board for inspection at subsequent surveys.

1.3.5.5 Substantial repairs, modifications, either funded through grants or other means, or alterations carried out to the structure or machinery of a vessel, shall only be undertaken after consultation and with MCAs approval to ensure it complies with the requirements of this Code, as applicable to a new vessel, to the satisfaction of MCA.

1.3.6 Inspections of Fishing Vessels

1.3.6.1 Every vessel having a valid United Kingdom Fishing Vessel Certificate shall be inspected at the mid-point of the Certificate by a surveyor or inspector of MCA. The inspection shall verify that the vessel continues to comply with the requirements of the Code. The inspections shall take place in accordance with the following:

- (i) Vessels issued with Certificates of 3 years or more shall be inspected within 6 months either side of the mid-point date between the initial survey date of the Certificate and its expiry;
- (ii) Vessels issued with Certificates of 2 years but less than 3 years shall be inspected within 3 months either side of the mid-point date between the initial survey date of the Certificate and its expiry;
- (iii) Vessels issued with Certificates of less than 2 years shall be inspected within 1 month either side of the mid-point date between the initial survey date of the certificate and its expiry.

1.3.6.2 When a satisfactory inspection has been carried out, the inspector shall endorse the United Kingdom Fishing Vessel Certificate accordingly.

1.3.7 Annual Self-Certification

1.3.7.1 In addition to compliance with the survey and inspection requirements that are detailed in sections 1.3.4 and 1.3.5 and 1.3.6 above, the owner or a delegated representative shall check the vessel annually, at intervals of not more than 12 months, to confirm that:

- (i) all fire fighting appliances, life saving appliances and safety equipment that are carried on board the vessel have been suitably maintained and are within date;
- (ii) the Radio equipment is functioning correctly;
- (iii) the shipborne navigational equipment, nautical publications and lights, shapes and sound signal appliances, that are required for compliance with The Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996, No.75, as amended, or any subsequent documents, are carried on board and are functioning correctly;
- (iv) the risk assessment (see section 6.1.2) remains appropriate to the vessel's fishing method and mode of operation;
- (v) no known alteration, damage or deterioration to the vessel or its equipment has occurred in service that would affect the vessel's compliance with the requirements of the Code or the vessel's stability;
- (vi) weathertight doors and hatches are functioning correctly; and
- (vii) crew training and certification are valid.

1.3.7.2 On completion of each annual check, the owner shall sign a declaration (in the format detailed in Annex 2) confirming compliance with section 1.3.7.1 above and retain the declaration for subsequent inspection.

1.3.8 Certification

1.3.8.1 Issue and form of UK Fishing Vessel Certificates

1.3.8.1.1 If the MCA is satisfied that a vessel has been duly surveyed in accordance with the provisions of this Code and is found to comply with the requirements of the Code and other relevant regulations issued under the powers of the Merchant Shipping Act 1995; a UK Fishing Vessel Certificate, in the format set out in Annex 1, will be issued by MCA to the owner of the vessel.

1.3.8.2 Duration of certificates

1.3.8.2.1 A United Kingdom Fishing Vessel Certificate may remain in force for 5 years from the date of its issue or such shorter period as may be specified by the MCA, unless extended or cancelled under sections 1.3.8.3 or 1.3.8.4 respectively.

1.3.9 Change of Ownership

1.3.9.1 Risk assessments of the vessel are particular to each owner. When a vessel is sold, the new owner shall complete, or arrange for the completion of, a new risk assessment and new annual self-certification.

6.1 PROTECTION OF PERSONNEL

6.1.1 General

6.1.1.1 Owners have a duty of care to ensure that their vessels are operated without endangering the safety and health of the crew and any other persons legitimately on board the vessel.

6.1.1.2 The crew shall be given training and instructions on health and safety matters on board fishing vessels, and in particular, on accident prevention.

6.1.1.3 MGN 571 contains guidance on preventing Man Overboard. However, all crew, whilst working on the open decks of fishing vessels at sea, or in categorised waters are strongly recommended to wear Personal Flotation Devices (PFD) and/or use Safety Lines. The following is provided as guidance on Personal Flotation Devices and statutory lifejackets:

(i) A vessel is required to carry life-saving appliances (LSA) including lifejackets for all persons on-board through regulation forming part of the "Statutory LSA". These Statutory Lifejackets are of a type designed tested and maintained to a standard appropriate to the vessel type and area of operation. These lifejackets are to provide persons buoyancy in an abandon ship scenario.

(ii) A PFD can be a lifejacket or a buoyancy aid or wearable buoyancy device that provides buoyancy in the water. The intended use of a PFD is to be constantly worn in the case of falling overboard, rather than for intentionally entering the water or survival craft during an abandon ship scenario.

(iii) A statutory lifejacket can be very bulky in nature and cumbersome when worn on deck, however once in the water, they provide a high level of buoyancy for the wearer awaiting rescue after abandoning ship. A PFD can be much smaller and more streamlined such as a waistcoat styled buoyancy aid enabling the user to continue to perform tasks whilst wearing it on deck, with the added level of safety that should they fall overboard, the PFD will offer them added buoyancy and increase the chances of survival until recovered.

(iv) In the event of an abandon ship scenario, individuals should, if time permits, remove their PFDs and don the statutory lifejacket provided on the vessel, which will offer them a higher level of buoyancy than their PFD and a greater chance of survival.

(v) A lifeline and harness attaching the person to the vessel may be worn, instead of or in addition to the PFD.

6.1.2 Risk Assessment

6.1.2.1 The Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997 require employers to make a suitable and sufficient assessment of the risks to the health and safety of workers arising in the normal course of their activities or duties. Guidance on these regulations and on the principals of risk assessment is contained in a Marine Guidance Note (currently MGN 20 (M&F)), or any superseding document.

6.1.2.2 A risk assessment is intended to be a careful examination of the vessel's procedures or operations which could cause harm, so that decisions can be made as to whether adequate control measures are in place to reduce those risks to an acceptable level or whether more shall be done.

6.1.2.3 The assessment shall first identify the hazards that are present and then establish whether a hazard is significant and whether it is already covered by satisfactory precautions to control the risk, including consideration of the likelihood of the failure of those precautions that are already in place.

6.1.2.4 The health and safety risk assessment must also be reviewed regularly, (at least annually) to ensure that it remains appropriate to the vessel's fishing method and operation. If there has been a change of fishing method or of operational practice, the assessment must also be reviewed accordingly.

6.1.2.5 Risk assessments of the vessel are particular to each employer. When a vessel is sold, the new owner must complete, or arrange the completion of, a new risk assessment and self-certification.

6.1.2.6 All members of the crew shall be informed of all measures to be taken regarding health and safety on board the vessel. Such information must be easily understood and promulgated for all to see by the persons concerned. All members of the crew must sign the aforementioned Risk Assessment to agree it has been understood.

6.1.2.7 Where risks to the health and safety of the crew cannot be prevented or sufficiently controlled by collective or technical means of protection, they must be provided with personal protective equipment.

6.1.2.8 Personal protective equipment in the form of clothing or over clothing shall be in bright colours, contrasting with the marine environment and clearly visible. Reference must be made to The Merchant

Shipping and Fishing Vessels (Personal Protective Equipment) Regulations 1999, No 2205, MSN 1870, MGN 331 or any superseding documents.

8.1.2 Drills

8.1.2.1 The skipper shall ensure that the crew are trained in the use of all lifesaving and fire appliances and equipment with which the vessel is provided and shall ensure that all members of the crew know where the equipment is stowed. Such training shall be carried out in drills, held in port or at sea, at intervals of not more than one month. Flooding drills shall also be incorporated.

8.1.2.2 The drills referred to in section 8.1.2.1 shall ensure that the crew thoroughly understand and are exercised in the duties which they have to perform with respect to the handling and operation of all life-saving, fire fighting, flooding control and survival equipment.

8.1.2.3 If a vessel carries 5 or more crew, a muster list shall be provided with clear instructions for each member of the crew, which shall be followed in case of emergency.

8.1.2.4 Further Guidance is contained in MGN 570 Fishing Vessels: Emergency Drills, or any superseding documents.

8.1.3 Records

8.1.3.1 The times, dates and particulars of inspections and drills shall be recorded and available for future inspection.

Extracts from MGN 411(M+F) - Training and Certification Requirements for the Crew of Fishing Vessels and their Applicability to Small Commercial Vessels and Large Yachts

MGN 411 (M+F) – Training and Certification Requirements for the Crew of Fishing Vessels and their Applicability to Small Commercial Vessels and Large Yachts

2.0 BASIC SAFETY TRAINING REQUIREMENTS ON ALL FISHING VESSELS

2.1 New Entrants

2.1.1 A new entrant is defined as a person who is for the first time gainfully employed or engaged as a crew member on a commercial fishing vessel registered in the United Kingdom.

2.1.2 Before starting work as a fisherman all new entrants must have completed the following course:

- 1 day Basic Sea Survival.

2.1.3 Within 3 months of starting work, all new entrant fishermen must complete the following additional courses:

- 1 day Basic Fire Fighting and Prevention;
- 1 day Basic First Aid; and
- 1 day Basic Health and Safety (only required of new entrants after 01 January 2005).

2.1.4 Upon completion of these four courses, new entrants are recommended to apply to Sea Fish Industry Authority (Seafish) for a New Entrant photo identification card verifying their compliance with these requirements.

2.2 Experienced Fishermen

2.2.1 An experienced fisherman is defined as a fisherman who has been working as a fisherman for two years or more.

2.2.2 In addition to the courses required of new entrants (above), all experienced fishermen, regardless of whether they hold a Certificate of Competency, must complete the following course:

- 1 day Safety Awareness and Risk Assessment.

2.2.3 Upon completion of this course, experienced fishermen are recommended to apply to Seafish for an Experienced Fisherman photo identification card verifying their compliance with this requirement.

North Star's risk assessments for 'general working on deck', 'shooting general' and 'potting'

How likely that harm may occur (L)	How harmful (H)
1 Very unlikely	1 Slightly harmful
2 Unlikely	2 Harmful
3 Likely	3 Very harmful

Risk Factors (L x H)	
1	- No action is needed
2	- Can be tolerated, but make sure that it does not become worse
3/4	- Take action but subject to it being reasonable and sensibly possible
6	- Must be attended to, you must reduce the risk
9	- Cannot be accepted and work/activity must not continue

Standard Risk Assessment Form			ALL VESSELS			
Activity or area	Possible hazards	Possible Consequences	L	H	LxH	Control measures necessary with respect to your vessel
Boarding and leaving the vessel	Use of ladder or gangway	Falling onto vessel or into water – serious injuries or death	1	3	3	WHENEVER POSSIBLE BOARD AT SAFE LADDER. NO GANGWAY
	Boarding via dinghy	Dinghy overwhelmed or run down – drowning				N/A
	Poor lighting	Failure to see dangers. Injuries or death	1	3	3	VESSEL ALWAYS MOORED NEXT TO GOOD LIGHTING
	Obstructions	Trips and falls – minor/serious injuries	1	2	2	DECK OF VESSEL KEPT TIDY VESSEL WELL LIT AT NIGHT
	Unprotected openings	Falls with serious injury	1	3	3	CHAINS AND RAILS PROTECTING HATCHES. VESSEL NEVER UNATTENDED
	Slippery decks	Falls with minor injuries	1	2	2	NON-SLIP DECKPAINT USED DECK CLEANED WITH BILGEX
	Unsafe handrails	Falls into water, drowning	1	3	3	HIGH HANDRAILS. NO BROKEN SPARS GOOD CONDITION
	Access across vessels	Slips, trips and falls – minor/serious injuries	1	3	3	BOAT USUALLY MOORED IN SINGLE BERTH. IF NOT SAFE ROUTE TAKEN
Other						
General working on the deck of the vessel	Wet and cold conditions	Crewmembers cold and wet	2	1	2	PROTECTIVE GEAR ADEQUATE FOR CONDITIONS. COND NOT A PROBLEM
	Objects which may be dropped onto feet	Crushed toes, permanent disability	2	1	2	STEEL TOE-CAPPED BOOTS WORN
	Handling fish and fishing gear	Cold hands and damage to hands	1	2	2	GOOD PROTECTIVE GLOVES USED DURING FISHING OPERATIONS
	Falling overboard	Drowning	1	3	3	BUOYANCY AIDS SHOULD BE WORN ON DECK. VESSEL TO HAVE SHELTER DECK
	Sudden capsize or loss of vessel	Deaths	1	3	3	SEVERAL BILGEX ALARMS FOR ADEQUATE WARNING OF WATER INLEAK

Assessment Date 14/3/05 Review Date 25/4/14 Review Date 8/2/18
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Standard Risk Assessment Form			ALL VESSELS			
Activity or area	Possible hazards	Possible Consequences	L	H	LxH	Control measures necessary with respect to your vessel
General Working on the deck of the vessel cont.	Manual handling of fishing gear and the catch	Back injuries, sprains etc	2	2	4	WEIGHT OF GEAR WORKED NOT EXCESSIVE. IF HEAVY OBJECT TO BE MOVED INSTRUCTIONS GIVEN
	Noise	Hearing damage, misheard instructions	1	2	2	NOISE LEVELS NOT EXCESSIVE
Other						
Shooting and Hauling Operations	Clothing snagged in fishing gear	Serious injuries, man overboard	1	3	3	CREW MEMBERS INSTRUCTED NO LOOSE CLOTHING WHEN WORKING GEAR
	Unsafe deck areas	Slips, trips and falls: minor-serious injuries	1	2	2	DECK KEPT CLEAR, CLEAN WHEN ANY SPILLAGE OCCURS
	Working above deck level	Falling overboard/serious injuries	1	3	3	ONLY IN EMERGENCY WORK WITH LINE ATTACHED WITH BUCKLE AND AIR
	Poor on board communication	Serious injuries, death	1	3	3	TRIED AND PROVEN SYSTEM OF COMMUNICATIONS GOOD
	Inadequate lighting	Cannot see dangers; injuries man overboard	1	3	3	GOOD ALL ROUND LIGHTING ABOARD VESSEL. SPARE BULBS CARRIED
	Gear parting	Serious injury/death	1	3	3	GEAR WELL MAINTAINED. IF PARTS IN POOR WEATHER MEN WELL CLEAR
	Inexperience of a new fishing method	Serious injury/death	1	2	2	VESSEL DEDICATED FOR POTTER INSTRUCTION GIVEN TO NEW CREW MEMBER
Other						

Assessment Date 14/3/05

Review Date 25/4/14

Review Date 22/8

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Standard Risk Assessment Form			Netting/Potting/Longlining/Jigging			
Activity or area	Possible hazards	Possible Consequences	L	H	LxH	Control measures necessary with respect to your vessel
Shooting General	Crewmember tangled in rope	Serious injury/ dragged overboard and drowned	1	3	3	SYSTEM IN PLACE WHERE RODES SIT IN POND. EVEN WITH WATER ABOARD RODES WONT WASH OUT
	Struck by anchor/ weights/dahns	Serious injury/ death	1	2	2	CREW INSTRUCTED WITH MAN ON CONTROLS ALL TIME
	Provision for emergency action	Serious injury/ death	1	3	3	HAULER CAN BE STOPPED FROM WHEELHOUSE
Hauling General	Failure to stop hauler	Serious injury/ death	1	3	3	HAULER NEVER LEFT UNATTENDED
	Controls faulty or badly located	Serious injury	1	2	2	CONTROLS ADEQUATELY MAINTAINED AND CHECKED
	Emergency stop facilities	Serious injury	1	2	2	FOUR EMERGENCY STOPS ON DECK LEVEL / OPERATION MONITORED FROM WHEELHOUSE
	Worn hauler sheaves	Rope or line pulls back - serious injuries	1	2	2	SHEAVES CONDITION CHECKED REGULAR. SPARES CARRIED
	Damaged or missing ejector knife	Serious injuries	1	2	2	SEE ABOVE. SPARE KNIVES CARRIED ALSO.
	Guarding of hauling equipment	Serious injuries	1	2	2	ONLY EXPERIENCED MEN IN CONTACT WITH HAULING EQUIPMENT
Netting	Crewmember snagged in netting when shooting	Serious injury/ death				N/A
	Net bins fill with water	Vessel stability affected-capsize				N/A
Other						

Assessment Date 14/3/05
Signature

Review Date 25/4/14
Signature

Review Date 8/2/18
Signature

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Standard Risk Assessment Form			Netting/Potting/Longlining/Jigging			
Activity or area	Possible hazards	Possible Consequences	L	H	LxH	Control measures necessary with respect to your vessel
Potting	Crewmember tangled in back rope when shooting	Serious injury/death	1	3	3	NORMALLY NEAR ROPE WHEN SHOOTING, CREW AWARE OF DANGERS
	Out of sequence pot	Serious injury/death	1	3	3	CREW ARE ALL AWARE AND INSTRUCTED IN PROPER PROCEDURES
	Pot snagged by rope	Serious injury/death	1	3	3	POTS STAKED IN A WAY ROPE DONT SNAG
	Repeated bending and lifting when handling pots	Back injuries	1	2	2	YOUNG CREW AND FIT FOR JOB EXCESSIVE WEIGHTS NOT LIFTED
	Vessel overloaded with pots	Capsize/foundering deaths	1	3	3	THIS SITUATION WOULD NOT OCCUR
Lining	Crewmember snagged by hook when shooting	Minor to serious injury				N/A
	Hooks flying off at the fish stripper	Eye damage - minor injuries				N/A
	Mechanised lining systems	Minor to serious injury				N/A
Jigging	Entanglement with lures/hooks	Minor to serious injury				N/A
Other						

Assessment Date 14/3/05

Review Date 25/4/11

Review Date 8/2/13

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Safety flyer to the Fishing Industry

SAFETY FLYER TO THE FISHING INDUSTRY

Creel vessel *North Star* (WK 623), fatal man overboard, 5 February 2018



North Star

Narrative

At about 1815 on 5 February 2018, a crewman from the 16.46m creel fishing vessel *North Star* was dragged overboard when his leg became entangled in the back rope as the crew were shooting creels in rough seas approximately 16 miles off the coast. The crew retrieved the fishing gear and recovered him back on board about 10 minutes later. The crewman was unconscious and unresponsive. The crew completed cardiopulmonary resuscitation for over an hour, but they were unable to revive him and the rough seas prevented the rescue helicopter from providing assistance.

The accident occurred because the crewman was working in an unsafe position with no physical barrier between him and the moving back rope. Although the alarm was quickly raised on board, there was no knife readily available for the crew to cut the crewman free, and the skipper was unable to stop the vessel in time to prevent the crewman from being dragged overboard.

The investigation identified that regular drills were not completed on board, the vessel's risk controls did not reflect the operational practice on board, and some crew, including the deceased, had not completed some of the mandatory safety training courses.

North Star's owner was new to fishing vessel ownership and was unaware of the applicable regulatory requirements and published industry best practice

Safety lessons

1. Shooting creels manually is inherently hazardous as crew are often working in close proximity to running ropes, which present a risk of entanglement. While shooting operations must often be completed by hand, it is crucial that a safe system of work is developed, preferably one that effectively physically separates the crew from the ropes.
2. A sharp knife should be positioned such that it can be accessed readily. Had the crewman been carrying a knife, or if one had been readily available on the working deck, there might have been an opportunity for the crewman to be freed from the back rope before he was dragged overboard.
3. Once the crewman had entered the water, it would have been difficult, if not impossible, to free himself before drowning. However, had he been able to do so, the wearing of a PFD would have improved his chances of survival in the cold conditions.
4. Risk assessments are a useful way of ensuring that working practices take into consideration all identifiable hazards. However, they must reflect the operational practice on board and industry best practice. The crew should all be aware of the contents of the risk assessment for each operation, and comply with the applicable documented risk controls. Only then can the full value of a risk assessment be realized.
5. It is essential that owners and skippers are proactive in identifying the regulatory requirements and industry best practice applicable to their fishing operations, and that individual roles and responsibilities for implementing the vessel's health and safety policy are clearly assigned.

This safety flyer and the MAIB's investigation report are on our website: www.gov.uk/maib

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