

## **Prosecution Report 2019**

### **Threat of legal action leads to payment of fine over Humber incident**

**Defendant:**

**Date of Hearing:** 14<sup>th</sup> June 2019

**Offence:** Breaching the International Safety Management (ISM) Code

**Details:** A company and one of its ship masters have paid up fines after being warned their boat could be seized if they didn't pay.

On the 14<sup>th</sup> June 2018, the Master of a Russian oil tanker was fined a total of £25761.99 at Hull Magistrates Court for breaching the International Safety Management (ISM) Code in a prosecution brought by the Maritime & Coastguard Agency (MCA).

The Russian-registered 85m long tanker Tecoil Polaris arrived at Humber Port on the evening of June 5 2018 to load lubricating oil. Concerns were raised about the master and crew's competency as the vessel approached and berthed at Immingham Docks, Humber. As a result the vessel was inspected by MCA Inspectors on the morning of 6 June 2018. They found a catalogue of deficiencies in navigation and safety equipment, together with significant non-compliance with the ISM Code. The vessel was subsequently detained and its safety certificate cancelled.

The Master of the vessel was subsequently prosecuted to an offence of breaching the ISM Code. Captain Vitaliy Trofimov pleaded guilty to the offence. He was fined £1400 and ordered to pay £24,361.99 in costs. The court ordered that fines and costs were to be paid within 56 days but a follow-up hearing about non-payment was due to be held today (28 February) at Hull Magistrates Court.

However, all fines and costs were paid in full by 3.30pm on 27 February avoiding the potential seizure of the vessel in settlement of the debt.

Captain Andrew Phillips, enforcement officer with the Maritime & Coastguard Agency said: 'This sends out a clear message: if you don't pay your fines and costs, we will come after you and we will – if we have to – use the law to seize your vessel or other assets to cover it.'