

Collision statement of case

High Court of Justice
Business and Property Courts of
England and Wales
King's Bench Division
Admiralty Court

Claim number

Claimant(s)

Defendant(s)

Collision statement of case on behalf of

Part 1

1. The names of the ships which came into collision and their ports of registry

2. The length, breadth, gross tonnage, horsepower and draught at the material time of the ship and the nature and tonnage of any cargo carried by the ship

- 3.** The date and time (including the time zone) of the collision (referred to in the questions below as 'C')

Day

Month

Year

Time

Time zone

- 4.** The place of the collision

- 5.** The direction and force of the wind

- 6.** The state of the weather

- 7.** The state, direction and force of the tidal or other current

8. The position, the course steered and speed through the water of the ship when the other ship was first seen or immediately before any measures were taken with reference to her presence, whichever was the earlier.

9. The lights or shapes (if any) carried by the ship

10. (a) The distance and bearing of the other ship if and when her echo was first observed by radar

(b) The distance, bearing and approximate heading of the other ship when first seen

11. What light or shape or combination of lights or shapes (if any) of the other ship was first seen

12. What other lights or shapes or combinations of lights or shapes (if any) of the other ship were subsequently seen before the collision, and when

13. What alterations (if any) were made to the course and speed of the ship after the earlier of the two times referred to in article 8 up to the time of collision, and when, and what measures (if any) other than alterations of course or speed, were taken to avoid the collision, and when

14. The heading of the ship, the parts of each ship which first came into contact and the approximate angle between the two ships at the moment of contact

15. What sound signals (if any) were given, and when

16. What sound signals (if any) were heard from the other ship, and when?

17. Who was on the bridge in the period from at least 'C -30' minutes to C?

Give their names, nationality, rank and respective role in the navigation of the vessel.

18. Describe the navigational equipment on the bridge and whether it was in use at the time of the collision?

(If radar was in use, state what type, its range and the display settings at the time of the collision.)

19. Was the vessel equipped with VDR and/or ECDIS and/or other equipment capturing electronic track data?

If so, state the type and model of each item of such equipment, and whether it was in use at the time of the collision (and, if not, why not).

20. State what electronic track data was available at the time of the collision and whether it has been retained and disclosed (if not, why not).

21. Is there an audio recording of what was said on the bridge or in the wheelhouse in the period 'C -30' minutes to 'C +30' minutes (or any part thereof)?

If so, state the duration of that audio recording by reference to C.

22. Was the vessel required to broadcast AIS data in the period from at least 'C -30' minutes to C?

If so, was it broadcasting such data, and, if not, why not?

23. Was the vessel engaged in fishing?

If so, state what fishing gear was deployed at the time of the collision.

24. Was the vessel power-driven and restricted in its ability to manoeuvre (otherwise than being engaged in fishing)?

If so, describe the restriction on the vessel's ability to manoeuvre at the time of the collision.

Part 2

State:

- (1) that the information in Part 1 is incorporated in Part 2;
- (2) full particulars of:
 - (a) the sequence of material events leading up to the collision;
 - (b) all allegations of causative negligence or other fault which the party filing this collision statement of case makes;
 - (c) any other material facts and matters on which the party filing this collision statement of case relies;
- (3) the relief or remedy which the party filing this collision statement of case claims.

Statement of truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I believe that the facts stated in this form and any attached sheets are true.

The claimant believes that the facts stated in this form and any attached sheets are true. **I am authorised** by the claimant to sign this statement.

The defendant believes that the facts stated in this form and any attached sheets are true. **I am authorised** by the defendant to sign this statement.

Signature

Claimant

Claimant's legal representative (as defined by CPR 2.3(1))

Defendant

Defendant's legal representative (as defined by CPR 2.3(1))

Date

Day

Month

Year

Full name

Name of legal representative's firm

If signing on behalf of firm or company give position or office held