

Grounding and subsequent loss of the prawn trawler *Sustain* (UL 45) on Rubha Camas a' Mhaoraich, Loch Broom, Scotland on 16 November 2023

Extract from The United Kingdom Merchant Shipping (Accident Reporting and Investigation) Regulations 2012 – Regulation 5:

“The sole objective of the investigation of an accident under the Merchant Shipping (Accident Reporting and Investigation) Regulations 2012 shall be the prevention of future accidents through the ascertainment of its causes and circumstances. It shall not be the purpose of an such investigation to determine liability nor, except so far as is necessary to achieve its objective, to apportion blame.”

NOTE

This report is not written with litigation in mind and, pursuant to Regulation 14(14) of the Merchant Shipping (Accident Reporting and Investigation) Regulations 2012, shall be inadmissible in any judicial proceedings whose purpose, or one of whose purposes is to attribute or apportion liability or blame.

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SUMMARY

On the evening of 16 November 2023, the fishing vessel *Sustain* went aground on rocks at the entrance to Loch Broom, north-west Scotland, while on the way back to dock in Ullapool. The crew were safely evacuated unharmed the following day. The vessel had departed Ullapool in the early hours of that morning to complete day 4 of its fishing run. *Sustain* remained aground despite the crew's efforts to refloat the vessel and attempts by the Royal National Lifeboat Institution to establish a tow. The vessel was eventually declared a constructive total loss after being damaged in poor weather. It was broken up and removed by a team of specialist divers in early 2024.

Image courtesy of Graeme MacIennan (MarineTraffic.com)



Sustain

The investigation found that:

- The skipper, who was alone in the wheelhouse at the time of the accident, had fallen asleep.
- The skipper was fatigued due to working through the night before the accident to carry out repairs on board and a sleep debt accumulated in the days and weeks before the accident.
- The risks associated with lone navigational watchkeeping had been identified in on board risk assessments, but the control measures had not been implemented.
- Before the accident, the vessel was being navigated by eye rather than with a properly documented and executed passage plan.

No recommendations have been made in this report as the operating company no longer owns or operates any vessels.

FACTUAL INFORMATION

Narrative

At about 1900¹ on 15 November 2023, the crew of the fishing vessel *Sustain* landed their catch at Ullapool, Loch Broom, Scotland and then cooked dinner. Following the meal, the skipper remained on board to repair a deck wash pump, and the two deckhands went home to rest before the next day's work. At about 0200 on 16 November, having taken longer than anticipated, the skipper completed the repair and recalled the deckhands to the vessel. *Sustain* was underway about 30 minutes later, heading towards the fishing grounds west of the Summer Isles (**Figure 1**) to begin the fourth day of a planned eight to nine-day fishing run. At 0300, the skipper went below to sleep after handing over the watch to the two deckhands to complete the passage out to the fishing grounds.

At 0710, the skipper was woken by the deckhands to take the watch so that they could prepare to shoot the net for the first tow of the day. The skipper remained on watch from 0730, when the tow began, until about midday, when the crew hauled the net up and shot it away again at 1230. Following this, the skipper had a light lunch and took the afternoon watch. At 1730, the second tow was hauled. At about 1800, having recovered the net and catch, the skipper set a course back towards Ullapool.

Sustain transited through the Summer Isles and past the Carn Skerries, marking the entrance to Loch Broom. At about 1930, as the vessel steamed past Annat Bay, the skipper felt tired so opened the wheelhouse windows to let some fresh air in, had a cup of coffee, then sat in the wheelhouse chair. Sometime later, the skipper fell asleep.

At 1946, *Sustain* grounded on rocks at Rubha Camas a' Mhaoraich in Loch Broom (**Figure 1**) while making 7.7 knots (kts). The skipper awoke and took the vessel's engine out of gear and the deckhands, who were working below, came up to see what had happened. The skipper and one deckhand checked the area around the vessel to determine what the vessel had struck. The other deckhand checked the forepeak for damage or water ingress. The crew tried to move the vessel with its engine and by adjusting the power block and trawl doors, but were unable to do so.

The crew of the fishing vessel *Nordic Way* called *Sustain* to offer help at high water, which was at 2133. *Nordic Way* arrived at about 2200, but could not reach *Sustain* as it was too close to shore. Two hours later, the tide had receded and *Sustain's* crew could see the vessel was caught in a gully in the rocks. The skipper then telephoned the coastguard to report the situation.

Early on the morning of 17 November, *Sustain's* crew were transferred to Ullapool in a Royal National Lifeboat Institution all-weather lifeboat following unsuccessful attempts to tow the fishing vessel off the rocks.

By 18 November, *Sustain's* hull had breached and was partially submerged at high water. On 21 November, all remaining fuel and salvageable gear was removed from the vessel. The following week the wind increased and the vessel sustained further damage before being declared a constructive total loss at the end of November. The wreck was located in a narrow gully (**Figure 2**), close to a ferry route. In early 2024, over a period of weeks, *Sustain* was dismantled piece by piece and removed from the site by a team of specialist divers.

¹ All times are universal time coordinated.



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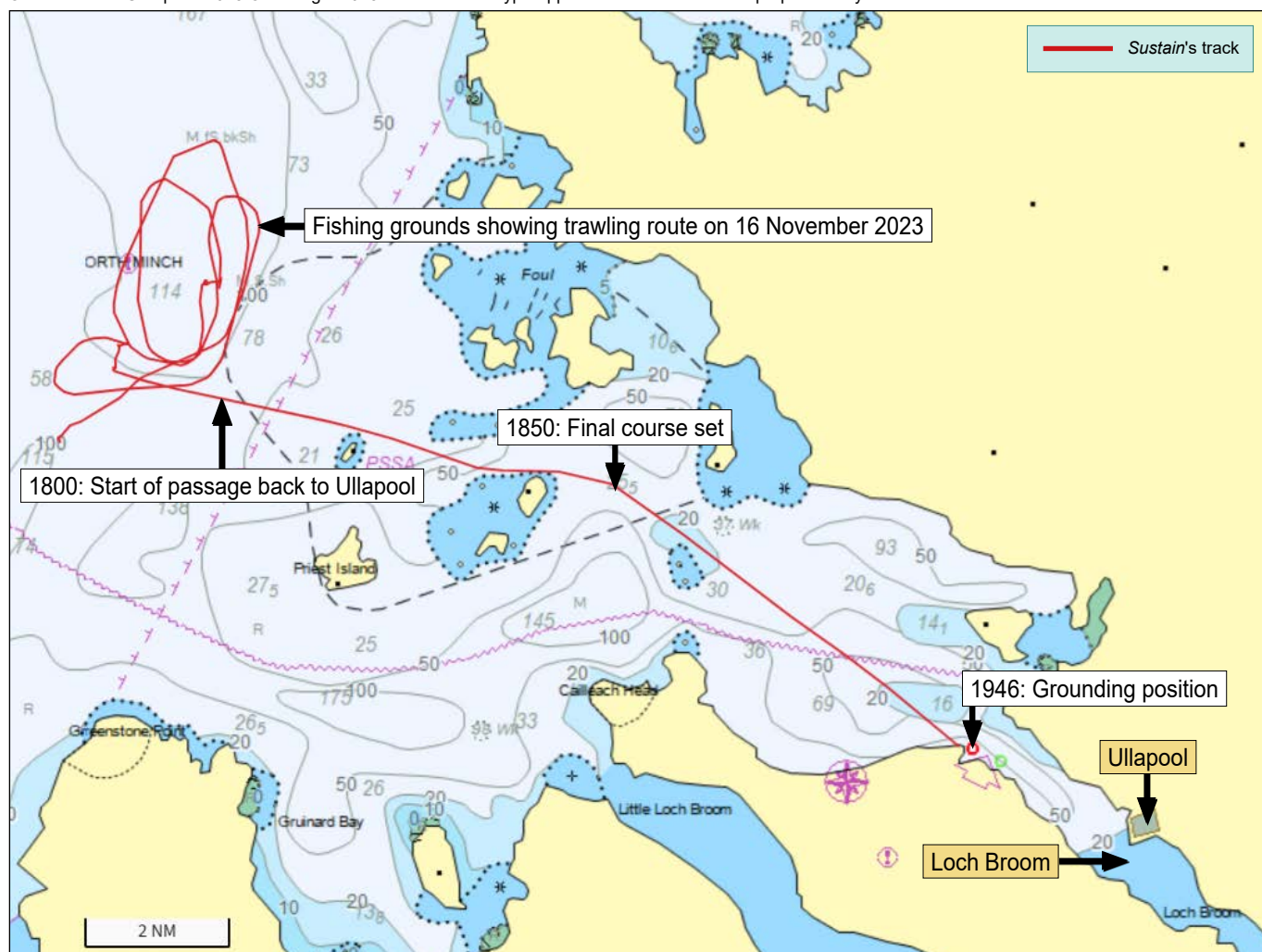


Figure 1: Fishing grounds and Sustain's passage back to Loch Broom



Figure 2: *Sustain* grounded in gully on Rubha Camas a' Mhaoraich

Environmental conditions

At the time of the accident, the conditions in the area were light winds from the south-south-west, with a weak tidal stream setting east into Loch Broom. As forecast, the wind increased significantly the following week, peaking a week after the accident at over 40kts.

Sustain

Sustain was a wooden fishing trawler built in 1970. The skipper's father bought the vessel in 2016 and operated it as a prawn trawler out of Ullapool. The vessel fished on grounds beyond the Summer Isles into the northern Minch, landing its catches in Ullapool.

Sustain's general arrangement included a forepeak tank, fish hold, engine room, crew cabin and wheelhouse. The wheelhouse was equipped with a plotter that fulfilled basic navigation functions but did not meet the Mini Electronic Chart Display and Information System (Mini-ECDIS) standard and did not have any navigational warning or alarm functionality. There was no watch alarm fitted. The engine exhaust ran through the wheelhouse, making it warm in all weather conditions.

Inshore prawn fishing in the area was a year-round activity, except during September/October when catch availability dipped. In September 2023, *Sustain* was docked for four weeks of maintenance to coincide with this cycle. Following this, the skipper reported that there had been a steep increase in fuel prices and that the prawns were smaller than usual for the time of year.

The crew

Sustain's skipper was a career fisherman who had held a Seafish Under 16.5m Skipper's Certificate for 12 years and had worked on board fishing vessels operating around the UK.

The two deckhands had completed the 1-day Seafish courses in basic sea survival, firefighting, and first aid. One of the deckhands had also completed the 1-day health and safety course. Neither had completed the 1-day safety awareness course. The skipper was content with the deckhands' ability to work together to stand a navigational watch when transiting to, from and between fishing grounds and when trawling.

Navigation

The skipper of *Sustain* set courses on the plotter for the crew to follow but navigated by eye except when operating in unfamiliar areas. When the skipper was not navigating the vessel the two deckhands would take the watch together and follow the courses between waypoints on the plotter. The skipper permitted them to navigate the vessel while trawling and on transit but not during shooting and hauling of nets or arrival to and departure from port. The skipper would often be alone in the wheelhouse while the deckhands attended to other tasks or rested. Regular passages were stored in the plotter's memory, loaded, and made into active routes as required.

Sustain's autopilot was configured to follow magnetic compass courses set by the user. The autopilot did not interface with the vessel's plotter to allow for the automatic following of a course over ground (COG). On the evening of the accident, the skipper was using the autopilot and adjusting the set course to navigate back to Ullapool by eye.

A download of the vessel's plotter data indicated that, after passing the island of Eilean Dubh, the skipper set a course into the autopilot that would take *Sustain* into Loch Broom and pass about 2 cables² north-east of the Rubha Camas a' Mhaoraich. After passing the Carn Skerries, the COG drifted 3° to starboard.

Working pattern

In winter months *Sustain* fished for 8 to 9 days with a break of 4 to 5 days between each run. Subject to the planned fishing location the vessel would leave Ullapool between 0500 and 0600, arrive at the

² A unit of distance in navigation, equal to one tenth of a sea mile: 1 cable = 0.1 nautical miles or 185.2m.

fishing grounds at 0700, and start the first tow 30 minutes later. The vessel would then tow for 4 hours; the skipper would sometimes, but not always, rest during this period. At 1230, the net would be hauled and the second tow started shortly after. If needed, the crew would take further rest during the afternoon. At 1700, the net would be hauled again, with the vessel setting course for the return passage to Ullapool at 1730. *Sustain* usually arrived in port between 1900 and 2000 to unload its catch, allowing for 7 to 9 hours of rest before starting the next day's fishing.

The skipper had completed 3 days of prawn fishing on board *Sustain* leading up to the day of the accident. The day before the accident the skipper had been awake from about 0600 to 0300 (over 21 hours) and had slept for approximately 4 hours immediately before taking the morning, afternoon and evening watches. The skipper felt tired on waking at 0710 but, as this was normal for them at this point in a fishing run, felt capable of taking the watch. The skipper had taken a 2-day rest period over the weekend before the accident.

Risk assessment

Sustain had a safety folder containing risk assessments that were regularly reviewed. The vessel safety risk assessment was last reviewed on 21 June 2023, identifying the risk of ineffective watchkeeping leading to grounding and the control measures of calling another crew member if tired and ensuring a watch alarm was fitted and working correctly (**Figure 3**).

Risk id	Hazard Area/Activity	Risk	Controls in place	Risk Outcomes	Risk Level
Version - 4 21/06/2023	Fire	Fire hazards not controlled leading to fire, vessel loss, death or serious injury Fire detection systems not functions leading to fire spread vessel loss, death or serious injury Poorly maintained fire fighting equipment leading to fire spread vessel loss, death or serious injury	Fire hazards controlled correctly aboard vessel fire detection systems checked monthly all fire fighting equipment serviced annually. all crew aware of fire fighting equipments location and uses.	loss of vessel serious injury	Low Risk
Version - 3 20/06/2023	Watchkeeping	Ineffective watchkeeping leading to grounding, vessel loss, death or serious injury Ineffective navigation leading to grounding, vessel loss, death or serious injury Ineffective navigation leading to collisions, vessel loss, death or serious injury	Drew training provided on equipments use crew if tired are to call another crewmember to wheelhouse to take over watch watch alarm fitted and made sure to be working correctly. if inexperienced crewman in wheelhouse an experienced crew man is to be present until he is trained to take a watch alone.	vessel loss death	Medium Risk

Figure 3: Vessel safety risk assessment from *Sustain*'s safety folder

Regulations and guidance

The International Maritime Organization (IMO) defined fatigue³ as:

A state of physical and/or mental impairment resulting from factors such as inadequate sleep, extended wakefulness, work/rest requirements out of sync with circadian rhythms and physical, mental or emotional exertion that can impair alertness and the ability to safely operate a ship or perform safety-related duties.

Maritime and Coastguard Agency (MCA) fishing health and safety guidance⁴ highlighted *regular 12 hours or more working days* as a prominent cause of fatigue leading to accidents among fishing vessel crews.

Merchant Shipping Notice (MSN) 1884 (F) International Labour Organization Work In Fishing Convention (No. 188): Working Time highlighted the dangers of building up a sleep debt by not achieving 1 hour

³ Maritime Safety Committee Circular MSC.1/Circ.1598 – Guidelines on Fatigue.

⁴ <https://www.gov.uk/guidance/fishing-vessel-health-and-safety#avoiding-accidents-from-fatigue-or-overwork>

of sleep for every 2 hours awake. The consequences of a sleep debt included failure to stay alert and unintentionally falling asleep. MSN 1884 (F) also stated that all fishermen have responsibility for their own health and safety including ensuring that they are adequately rested before starting work.

MSN 1884 (F) contained requirements to *ensure that the crews of fishing vessels receive adequate rest*, entitling them to a minimum of 10 hours in any 24-hour period and 77 hours in any 7-day period. The regulations allowed for authorised exceptions if a compensatory rest equal to the shortfall was taken within set periods.

The risk of falling asleep on watch was addressed in Marine Guidance Note (MGN) 313 (F) Keeping a Safe Navigational Watch on Fishing Vessels, which stated that:

...watchkeepers should take full account of the quality and quantity of rest taken when determining fitness for duty. Particular dangers may exist when the watchkeeper is alone. It is all too easy to fall asleep, especially while sitting down in an enclosed wheelhouse. Watchkeepers should ensure they remain alert by moving around frequently, and ensuring good ventilation.

The Merchant Shipping (Safety of Navigation) Regulations 2020 required vessels to comply with the guidelines for voyage planning outlined in the IMO Resolution A.893(21). These included the planning and plotting of the vessel's route and the subsequent monitoring of its progress when on passage.

A fishing vessel using a plotter or electronic chart display to fulfil chart carriage requirements⁵ was expected to comply with the Sea Fish Industry Authority (SFIA) Mini-ECDIS Performance and Specification Standard for Electronic Navigation⁶.

On keeping a proper lookout during periods of darkness, MGN 137 (M+F) strongly advised against the watchkeeper acting as sole lookout during night time. The guidance in MGN 313 (F) recommended that a watch alarm⁷ was fitted on all vessels where only one person might be keeping a navigational watch.

Previous accidents

On 24 October 2023, the stern trawler *Ocean Maid* ran aground and was lost on Cairnbulg Point, Aberdeenshire, Scotland (MAIB report 15/2024⁸). The investigation found that the watchkeeper was probably fatigued, and became disorientated due to leaving the wheelhouse during the watch and the presence of domestic media degrading their night vision. There was no formal passage plan, and the watchkeeper had not taken opportunities to rest.

On 7 September 2011, the fishing vessel *Golden Promise* ran aground on the island of Stroma, Scotland after the skipper fell asleep and failed to alter course (MAIB report 3/2012⁹). The investigation established that the skipper was fatigued by the vessel's fishing pattern, which was exacerbated by long working hours and a warm and dark wheelhouse. It was also found that the watch alarm was probably not functioning at the time of the accident and navigational aids such as plotter alarms were not fully used.

Between 2014 and 2023, a total of 175 fishing vessel groundings were reported to the MAIB, resulting in four investigations. Of these, 54 involved vessels of 15m to 24m in length, the same category as *Sustain*, and 9 groundings occurred in 2023.

⁵ See MSN 1872 (F) Amendment 1 *The Code of Safe Working Practice for the Construction and Use of Fishing Vessels of 15m Length Overall to Less than 24m Registered Length*, paragraph 9.5.3.5 and MGN 319 (M+F) Amendment 1 *Acceptance of Electronic Chart Plotting Systems for Fishing Vessels under 24 Metres and Small Vessels in Commercial Use (Code Boats) up to 24 Metres Load Line Length*.

⁶ <https://www.mini-ecdis.org.uk/>

⁷ Watch alarms detect inactivity in the wheelhouse and sound an audible alert both locally at other locations on the vessel.

⁸ <https://www.gov.uk/maib-reports/grounding-and-subsequent-loss-of-stern-trawler-ocean-maid>

⁹ <https://www.gov.uk/maib-reports/grounding-of-scallop-dredger-golden-promise-on-the-island-of-stroma>

ANALYSIS

Overview

Sustain ran aground after the skipper fell asleep on watch while the vessel was on passage back to Ullapool, Scotland at the end of a day's fishing. The skipper had been working until 0200 the night before, mending a defective deck wash pump. Once grounded, *Sustain* became lodged in a gully that prevented refloating and was declared a constructive total loss after the vessel's hull was damaged in poor weather.

The accident

As the autopilot steered the vessel using a feed from the magnetic compass, the skipper needed to make adjustments to maintain the correct COG as environmental forces around the vessel changed. Analysis of the course set after passing Eilean Dubh indicated that, had the set course been maintained, *Sustain* would have passed only 1 cable clear of dangerously shallow water. When setting this course, full use was not made of the available width of navigable water at the entrance to Loch Broom. This was due to not following a defined passage plan, which would ordinarily be used to guide the vessel between predefined waypoints. Navigating in confined waters in close proximity to navigational hazards should typically engender a heightened state of awareness that was absent in the lead-up to the accident.

The small course drift of 3° to starboard after passing Carn Skerries, likely caused by a change in the tidal stream or wind, was enough to put the vessel on course with rocks at the southern entrance to Loch Broom.

Fatigue and rest

The skipper was responsible for managing their own rest hours to ensure the health and safety of the vessel, but was not fully compliant with MSN 1884 (F) at the time of the accident in that: in the 24 hours before, the skipper had not rested for at least 10 hours; the interval between rest periods had been greater than the maximum 14 hours; and there had been no rest period of at least 6 hours. At the time of the accident, the skipper met the requirement for at least 77 hours of rest in a 7-day period because there had been two non-fishing days before the start of the fishing run. However, it is unlikely that the skipper's rest hours would have been compliant with the 77-hour requirement by the end of an 8-day to 9-day fishing run.

As highlighted in MCA guidance, a consequence of sleep debt is an increased likelihood of unintentionally falling asleep. Analysis of the skipper's sleep showed that they had accumulated 7.8 hours of sleep debt over the 4 days of the fishing run leading up to the accident. This was in addition to 10.25 hours carried over from the previous fishing run, resulting in a chronic sleep debt of 18 hours. The 2-day rest period between runs, which was shorter than the usual 4 days, provided insufficient recovery time to reduce the skipper's sleep debt before starting the next fishing run.

Before the accident, the skipper had only slept for approximately 4 hours of the previous 36 hours. Coupled with the pre-existing chronic sleep debt, this caused the skipper to feel tired and fall asleep on watch, which resulted in *Sustain* grounding.

Two unused opportunities for additional rest during the morning and afternoon tows meant 7 hours of sleep were potentially missed when the skipper decided to carry on working. This was likely due to the body's natural circadian cycle¹⁰ and the skipper being mindful that the crew also needed to rest having started earlier than usual that morning. The circadian cycle produces a peak in alertness towards midday (**Figure 4**), which coincided with the start of the second tow.

Other factors that influenced the skipper falling asleep were the wheelhouse environment being warm and comfortable and the darkness outside. The skipper felt tired shortly before the accident and took

¹⁰ See MGN 505 (M) Amendment 1 *HUMAN ELEMENT GUIDANCE – PART 1 Fatigue and Fitness for Duty: Statutory Duties, Causes of Fatigue and Guidance on Good Practice*, Annex B for further information on the body's circadian cycles.

steps to counter this by opening the wheelhouse window and making a cup of coffee. This was in line with the guidance in MGN 313 (F) but was not enough to overcome the skipper's chronically fatigued state and prevent them falling asleep.

While the regulations provide a minimum standard to ensure all fishermen obtain enough rest to maintain their health and wellbeing, compliance does not guarantee that all individuals' sleep needs are sufficiently met to ensure safety on board. This is particularly evident when rest periods are not used for the purposes of sleep, as found in previous cases such as *Ocean Maid*.

For illustrative purposes only: not to scale

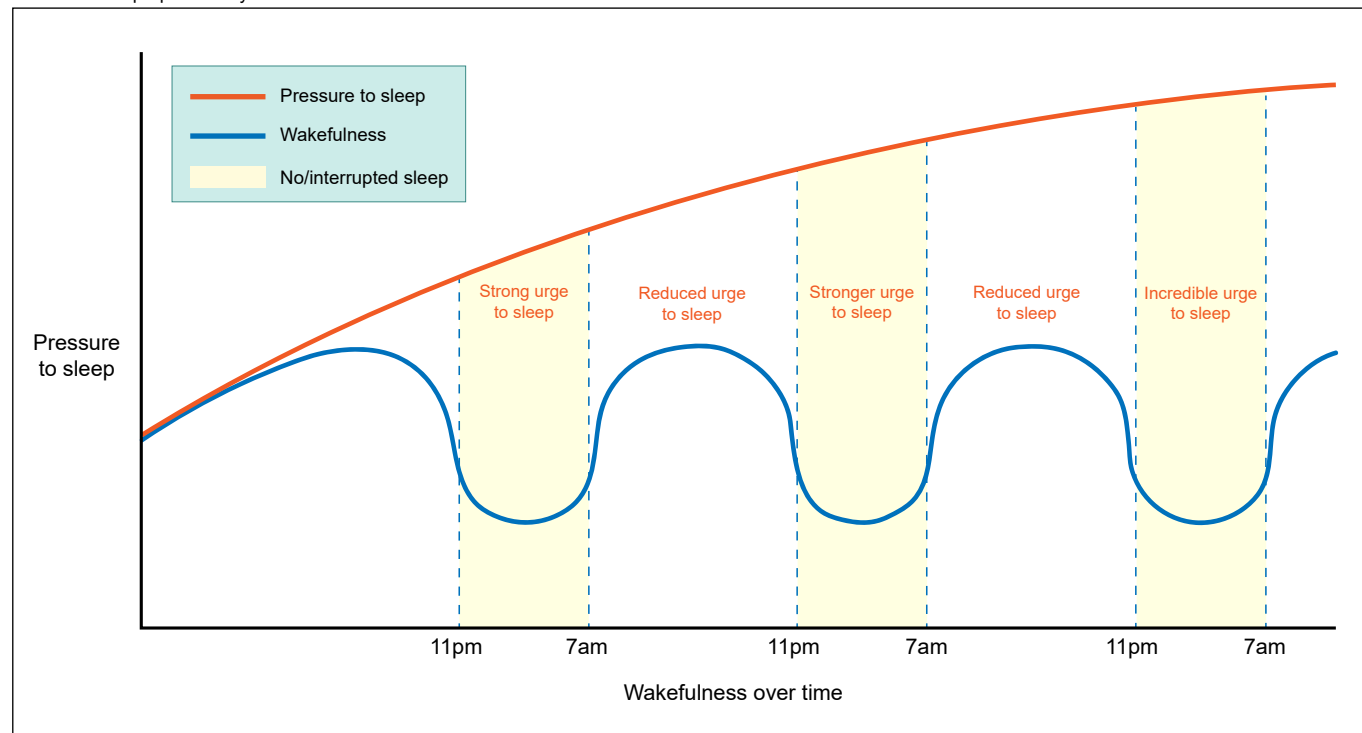


Figure 4: Pressure to sleep versus wakefulness illustration

The decision to sail

The decision to repair the deck wash pump on the night of the 15 November rather than wait until the next day made sense to the skipper at the time because it was needed for the operation of the vessel.

The skipper recalled the deckhands to the vessel and sailed after completing the pump repairs in the early hours of 16 November. *Sustain* would usually depart port at 0500 to fish beyond the Summer Isles, a passage of 15 nautical miles that lasted about 2 hours. The decision to conduct repairs and leave early rather than rest for 2 hours was important due to the financial pressures of running costs, smaller catch size and the poor weather forecast for the following week. The most workable option in the skipper's opinion was to take the vessel out of harbour (they did not allow the deckhands to do this) and then rest until after 0700 while the deckhands navigated out to the fishing grounds to shoot the net for trawling.

The early departure meant that the skipper was unable to obtain enough rest to comply with regulations and operate safely. It is likely that the skipper's decision seemed reasonable at the time because they were accustomed to feeling tired and the alternative was to miss a day's fishing. However, the decision did not factor in the chronic sleep debt the skipper and crew were already experiencing.

Risk assessment

Sustain did not have an effective means for managing and mitigating fatigue on board. The vessel's safety risk assessment did identify the risk of ineffective watchkeeping leading to grounding; however, the control measures of calling another crew member if feeling tired and having a watch alarm fitted in the wheelhouse were not implemented.

The MCA guidance recommended that watch alarms be fitted on all vessels where there might be only one person on navigational watch. While watch alarms should not be exclusively relied upon, they provide a safeguard against the risk of falling asleep by sounding audible alarms in multiple locations to wake the watchkeeper and or alert other crew members to the situation to allow them to intervene. Previous similar cases, such as *Golden Promise*, have highlighted the importance of having a functioning watch alarm to mitigate the possibility of solo watchkeepers falling asleep.

Making it incumbent on the watchkeeper to call an additional crew member when they feel tired is an ineffective control measure as it relies heavily on the watchkeeper's subjective judgement and their ability to assess the level of fatigue they are experiencing. MCA guidance is that vessels should not operate with the watchkeeper as the sole lookout during periods of darkness. An additional person in the wheelhouse serves to both help keep an external lookout and ensure that the watchkeeper is fit for duty.

While the two deckhands were available, they were engaged in sorting the catch at the time of the accident and removing them from this task would likely have delayed unloading in Ullapool, extending an already long and tiring day.

Despite the limited nature of the control measures identified, following the risk assessment and implementing one or both might have put safeguards in place, reducing the risk of the accident occurring.

Navigational conduct

Navigational practices on board *Sustain* did not fully comply with key guidance and regulations. As in the case of *Ocean Maid*, passages were not consistently planned or loaded onto the plotter unless navigating unfamiliar areas or when the skipper was resting and had passed the watch to the deckhands. Passage plans should ensure that a safe route is followed throughout the voyage and that areas requiring increased attention are brought to the attention of the watchkeeper.

Sustain's plotter did not comply with the Mini-ECDIS standard referred to in MGN 319 (M+F) as it was not equipped to sound navigational alarms such as exceeding off-track limits, deviation from route and crossing safety contours. Previous cases have highlighted the importance of such alarms to keep watchkeepers' attention focused and provide them with timely warnings of imminent hazards.

The final course set by the skipper after passing Eilean Dubh did not make full use of the navigable width of the entrance to Loch Broom, with its trajectory passing close to its south-westerly extent. The narrow loch entrance left little leeway for uncorrected course drift when navigating by sight, requiring the watchkeeper to adjust the vessel's course as it entered restricted waters. A properly executed passage plan on compliant equipment might have served to keep the watchkeeper's attention focused and improve the overall safety of navigation.

CONCLUSIONS

- *Sustain* grounded because the skipper fell asleep while on watch and could not therefore monitor the vessel's passage or take action to keep it on a safe course.
- The skipper fell asleep because they were fatigued from working overnight into the early hours of the next morning to repair the deck wash pump, and had reduced resilience to periods of extended wakefulness created by a build-up of sleep debt from previous days and fishing runs.
- The warm, comfortable and dark wheelhouse environment increased the risk of falling asleep.
- The skipper's decision to leave port early to carry out a day's fishing after working until 0200 was likely influenced by financial pressure to continue to land catch while working within weather and daylight time constraints.
- Although the watchkeeping risk assessment highlighted fatigue as a risk, the identified control measures were neither effective nor implemented.
- The lack of a properly executed passage plan and an approved chart plotter were not conducive to the overall safety of navigation on board.

ACTION TAKEN

MAIB actions

The MAIB has issued a safety flyer to the fishing industry highlighting the lessons learned from this accident.

RECOMMENDATIONS

In view of the operating company no longer owning or operating any fishing vessels, no recommendations are made in this report.

VESSEL PARTICULARS

Vessel's name	<i>Sustain</i>
Flag	UK
IMO number/fishing numbers	UL 45
Type	Prawn trawler
Registered owner	Privately owned
Manager(s)	Ben Stack Fishing Ltd
Year of build	1970
Construction	Wood
Length overall	16.76m
Registered length	15.09m
Gross tonnage	65.82

VOYAGE PARTICULARS

Port of departure	Ullapool, Scotland
Intended port of arrival	Ullapool, Scotland
Type of voyage	Coastal
Cargo information	None
Manning	3

MARINE CASUALTY INFORMATION

Date and time	16 November 2023 at 1946
Type of marine casualty or incident	Very Serious Marine Casualty
Location of incident	Loch Broom, Scotland
Place on board	Not applicable
Injuries/fatalities	None
Damage/environmental impact	Constructive total loss/no pollution
Ship operation	On passage
Voyage segment	Transit
External & internal environment	Wind south-south-westerly force 1; sea state calm; night; visibility good; high water at Ullapool 2133
Persons on board	3