ACCIDENT REPORT

MAIB

MARINE ACCIDENT INVESTIGATION BRANCH

Report on the investigation of

the collision between the crude oil tanker ***Apache*** and

the stern trawler ***Serinah*** **(GH 116)**

in the Firth of Clyde, Scotland

on 25 April 2024

VERY SERIOUS MARINE CASUALTY REPORT NO 4/2026 FEBRUARY 2026

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 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.

Front cover images courtesy of Nereus Shipping S.A. and Iain Cameron (SmugMug).

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GLOSSARY OF ABBREVIATIONS AND ACRONYMS

°C	-	degrees Celsius
2/O	-	second officer
AIS	-	automatic identification system
ALB	-	all-weather lifeboat
C/O	-	chief officer
cm	-	centimetre
CoC	-	Certificate of Competency
COLREGs	-	see IRPCS
CPA	-	closest point of approach
DOC	-	Document of Compliance
DWT	-	deadweight tonnage
ECDIS	-	Electronic Chart Display and Information System
GHz	-	gigahertz
HMCG	-	His Majesty's Coastguard
ILB	-	inshore lifeboat
IMO	-	International Maritime Organization
IRPCS	-	International Regulations for Preventing Collisions at Sea, 1972, as amended (also referred to as the COLREGs)
ISM Code	-	International Safety Management Code
kts	-	knots
kW	-	kilowatt
LPS	-	Local Port Services
m	-	metre
MAIB	-	Marine Accident Investigation Branch
MGN	-	Marine Guidance Note
nm	-	nautical miles
OOW	-	officer of the watch
PFD	-	personal flotation device
PMSC	-	Port Marine Safety Code
RNLI	-	Royal National Lifeboat Institution
Seafish	-	Seafish Industry Authority

SHA	-	Statutory Harbour Authority
SMS	-	safety management system
SOLAS	-	International Convention for the Safety of Life at Sea, 1974, as amended
STCW	-	International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STCW Convention)
TCPA	-	time to closest point of approach
UK	-	United Kingdom
UNCLOS	-	United Nations Convention on the Law of the Sea
UTC	-	universal time coordinated
VHF	-	very high frequency
VTS	-	vessel traffic services

TIMES: all times used in this report are UTC +1 unless otherwise stated.

Image courtesy of Nereus Shipping S.A.

Image courtesy of Iain Cameron (SmugMug)

Apache and *Serinah*

SYNOPSIS

At about 1503 on 25 April 2024, the crude oil tanker *Apache* and the stern trawler *Serinah* collided in the Firth of Clyde resulting in *Serinah* sinking rapidly. All three of the fishing vessel's crew were able to abandon ship to the liferaft and were uninjured.

When the collision happened *Serinah* was fishing a seabed depression in the middle of the Firth of Clyde, making circular clockwise tows; *Apache* was inbound to the Finnart Oil Terminal and making preparations to board a pilot. *Serinah* sustained damage during the collision and sank rapidly. All three of *Serinah*'s crew entered the water, two of whom quickly boarded an inflated liferaft. The skipper remained in the water for around 15 minutes before being rescued by the two crew in the liferaft.

Apache did not stop after the collision and continued towards the pilot boarding station until the crew were reminded by Belfast coastguard of their responsibility to render assistance to the crew of *Serinah*. By the time *Apache*'s fast rescue craft was launched *Serinah*'s crew had boarded their liferaft, from where they were taken ashore by a Royal National Lifeboat Institution lifeboat.

The investigation found that neither vessel took avoiding action in line with the International Regulations for Preventing Collisions at Sea, 1972, as amended, and that assumptions were made about the intended actions of the other vessel. *Serinah* was engaged in fishing, making *Apache* the give-way vessel. When it became apparent to *Serinah*'s watchkeeper that *Apache* was not taking appropriate avoiding action, the collision could not be avoided by *Serinah*'s actions alone. Further, neither of *Serinah*'s deckhands had completed any formal navigational training so were ill-equipped to understand the developing situation or the need for pre-emptive action to help avoid a collision. The investigation also identified that Clydeport Local Port Services did not have capability to monitor the traffic situation in the Firth of Clyde.

Following the accident *Apache*'s managers, Nereus Shipping S.A., audited the navigational practices on board its vessels, revised its watchkeeping procedures and delivered in-house training to its navigational watchkeeping officers. Peel Ports Group Limited has developed a plan to upgrade Clyde Port's monitoring capability to vessel traffic service standards.

Nereus Shipping S.A. has been recommended to engage with a fisheries liaison officer to better understand fishing vessel behaviour globally and to promulgate the information gained to its fleet. *Serinah*'s operator, S & B Fish (Agency) Limited, has been recommended to ensure that all crew expected to hold a navigational watch are sufficiently experienced and have a working knowledge of the International Regulations for Preventing Collisions at Sea, 1972, as amended. A recommendation has also been made to the Maritime and Coastguard Agency to implement measures to improve navigational watchkeeping standards on UK commercial fishing vessels from 7m to 16.5m in length. This recommendation requires that all skippers and watchkeepers complete approved navigational training aimed at ensuring they are competent to hold a navigational watch in line with regulatory expectations.

SECTION 1 – FACTUAL INFORMATION

1.1 PARTICULARS OF *APACHE* AND *SERINAH* AND ACCIDENT

VESSEL PARTICULARS		
Vessel's name	*Apache*	*Serinah*
Flag	Greece	UK
Classification society	American Bureau of Shipping	Not applicable
IMO number/fishing numbers	9749489	GH 116
Type	Crude oil tanker	Stern trawler
Registered owner	Bayview Shipping Co. S.A.	S & B Fish (Agency) Limited
Manager(s)	Nereus Shipping S.A.	S & B Fish (Agency) Limited
Construction	Steel	Steel
Year of build	2016	2000
Length overall	274.17m	9.9m
Registered length	263.14m	9.15m
Gross tonnage	81,413	13.3
Minimum safe manning	12	Not applicable
Authorised cargo	Crude oil	Prawns

VOYAGE PARTICULARS		
Port of departure	Escravos, Nigeria	Troon, Scotland
Port of arrival	Finnart, Scotland (intended)	Troon, Scotland (intended)
Type of voyage	International	Coastal
Cargo information	129,000 tonnes of light crude oil	Not applicable
Manning	26	3

MARINE CASUALTY INFORMATION		
Date and time	25 April 2024 at about 1503	
Type of marine casualty or incident	Very Serious Marine Casualty	
Location of incident	Firth of Clyde	
Place on board	Not applicable	Not applicable
Injuries/fatalities	None	None
Damage/environmental impact	Minor damage, no pollution	Loss of vessel, minor pollution
Ship operation	On passage	On passage
Voyage segment	Transit	Fishing
External & internal environment	Light airs; smooth sea; air temperature 15°C, sea temperature 9.6°C; good visibility	
Persons on board	26	3

1.2 NARRATIVE

1.2.1 Events leading to the collision

At about 0820 on 25 April 2024, the UK registered 9.9m prawn trawler *Serinah* departed its home port of Troon, Scotland for a 2-day fishing trip with three crew on board. *Serinah* headed to the northern section of the Firth of Clyde and had completed two trawls by lunchtime. These trawls were unsuccessful, so the skipper decided to fish a depression on the seabed in the middle of the Firth of Clyde known locally as the North Hole **(Figure 1)**. *Serinah* arrived at the North Hole at about 1300 and planned to complete three clockwise laps of it. Each lap of the hole would take about an hour.

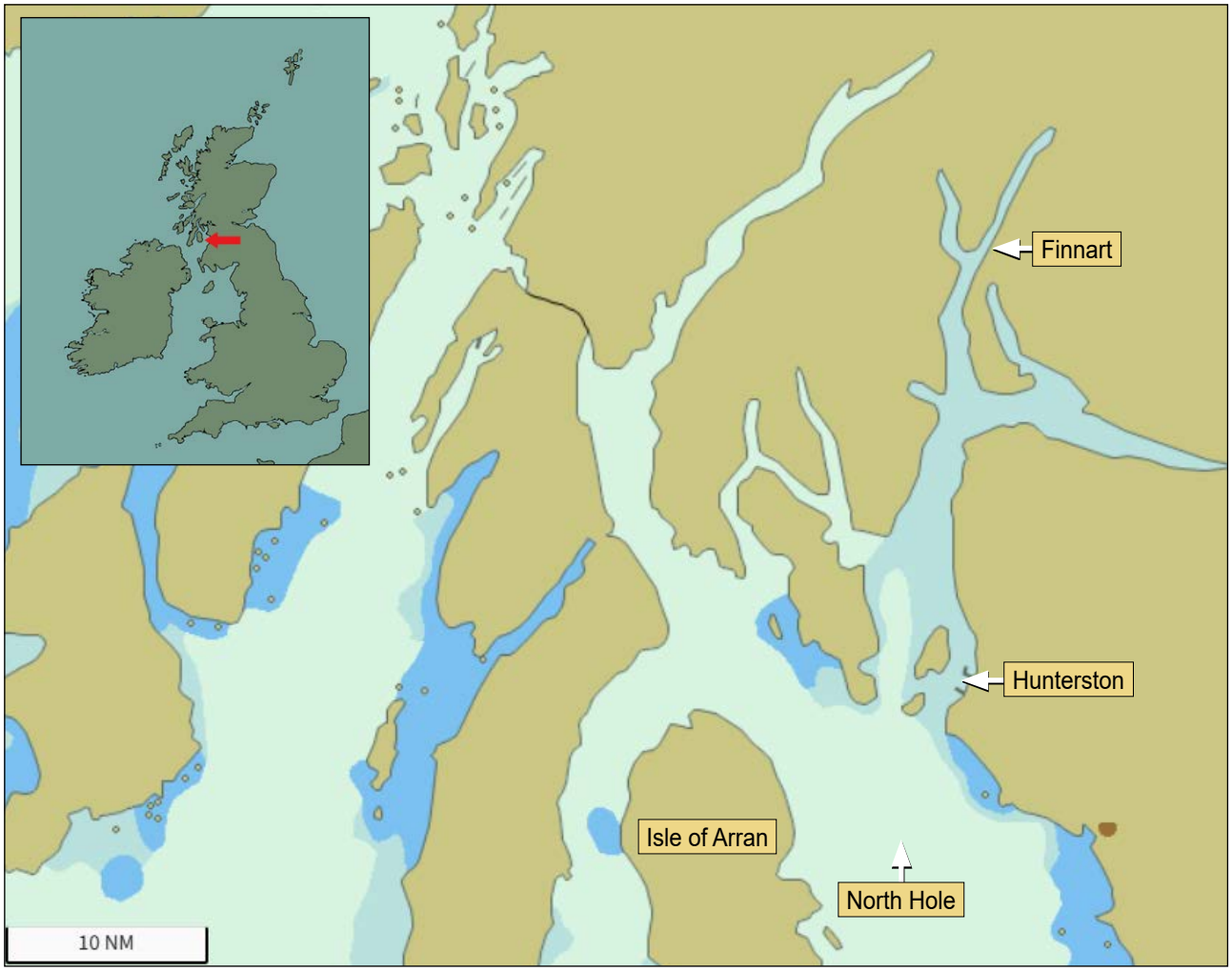

Figure 1: Location of the collision

At 1431 on the same day, the Greece registered crude oil tanker *Apache*, was making its approach at 9.2 knots (kts) towards the Clydeport pilot boarding area, bound for the Finnart Oil Terminal. On the bridge of *Apache* were the master, second officer (2/O), who was the officer of the watch (OOW), and a helmsman, who was manually steering the vessel. The master and the 2/O were completing the pre-arrival checklist and had contacted Clydeport Local Port Service (LPS) to confirm a pilot boarding time of 1600.

Apache's X-band[1] radar was set to a range of 6 nautical miles (nm) with true trails selected. The vessel's S-band[2] radar was set to a 12nm range. The scale on *Apache*'s Electronic Chart Display and Information System (ECDIS) corresponded to a range of 6nm. *Serinah* was visible on the radar at a distance of 4.4nm, fine on the port bow proceeding north on a parallel track to *Apache* **(Figure 2)**. *Serinah* was visible to the bridge team on *Apache*. The fishing vessel *Fair Morn* was tracking to the south-east.

In *Serinah*'s wheelhouse, a deckhand (deckhand 1) was on watch and manually steering the vessel. The radar in the wheelhouse was set to a 6nm range. An off-watch deckhand (deckhand 2) was also in the wheelhouse. The skipper was below deck, resting in their cabin. *Serinah* was towing a single trawl of 220 fathoms (402m) in length at a speed of 2.7kts. Deckhand 1 could see *Apache*, which was about 5nm away. The overlay of information from *Apache*'s automatic identification system (AIS) showed the tanker's name and speed on *Serinah*'s radar display.

At about 1440, *Serinah* started a turn to starboard to start trawling clockwise around the North Hole. *Apache*'s 2/O was aware of *Serinah* and was monitoring its position visually. The two vessels were now 3.5nm apart.

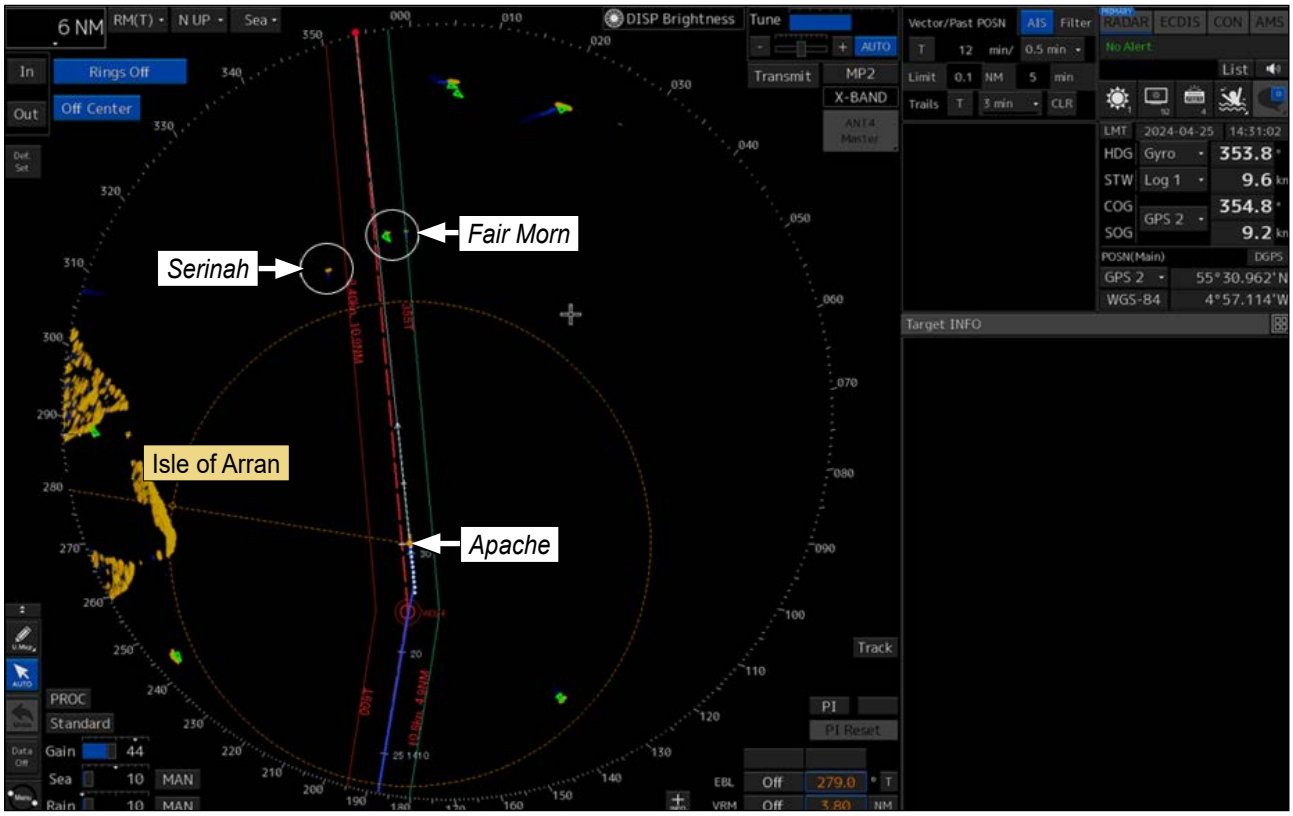

Figure 2: *Apache*'s radar at 1431

[1] X-band operates in the 8 gigahertz (GHz) to 12 GHz frequency range with a wavelength of about 3cm and is used to achieve a sharp image and good target resolution.

[2] S-band operates in the 2 GHz to 4 GHz frequency range with a wavelength of about 10cm. S-band has a larger antenna than an X-band radar and is capable of 'seeing' through heavy rain or fog.

1.2.2 The collision

At 1454, *Fair Morn* passed *Apache* 0.5nm to its starboard side. By 1500, *Serinah* and *Apache* were 0.8nm apart, with *Serinah* fine on *Apache*'s port bow, when deckhand 1 put *Serinah*'s helm hard over to starboard. This increased the fishing vessel's rate of turn slightly, but its towed gear prevented it turning any faster. *Apache* maintained its course and speed. *Apache*'s master asked the 2/O what *Serinah* was doing, and the 2/O replied that they did not think that the fishing vessel would try and cross their bow. The master and 2/O did not discuss any action they could take. Due to the land on both sides and ahead of the vessel the master felt that *Apache* was in constricted waters; there was about 4nm of navigable sea room to the port and starboard of *Apache*.

By 1501, the two vessels were 0.6nm apart on a steady bearing with a risk of collision. At 1502:52 *Apache*'s 2/O acquired *Serinah* as a target on the radar **(Figure 3)**. The closest point of approach (CPA) alarm immediately sounded, showing a CPA of 0.3nm with a time to closest point of approach (TCPA) of 1.49 minutes. After consulting with the master the 2/O sounded one long blast on *Apache*'s forward whistle. *Serinah* then disappeared from view under the bow of *Apache*, as the two vessels were about 100m apart.

On *Serinah*, deckhand 1 told deckhand 2 to go below and call the skipper to come to the wheelhouse. The skipper quickly dressed and made their way to the wheelhouse. On arrival, the skipper saw that the bow of *Apache* was very close on *Serinah*'s starboard side.

Apache's master reduced the main engine speed to dead slow ahead, then to stop, before sounding the whistle for a second long blast. *Serinah*'s crew heard the second long blast of the whistle moments before the two vessels collided at 1503:30.

Image courtesy of UK Hydrographic Office

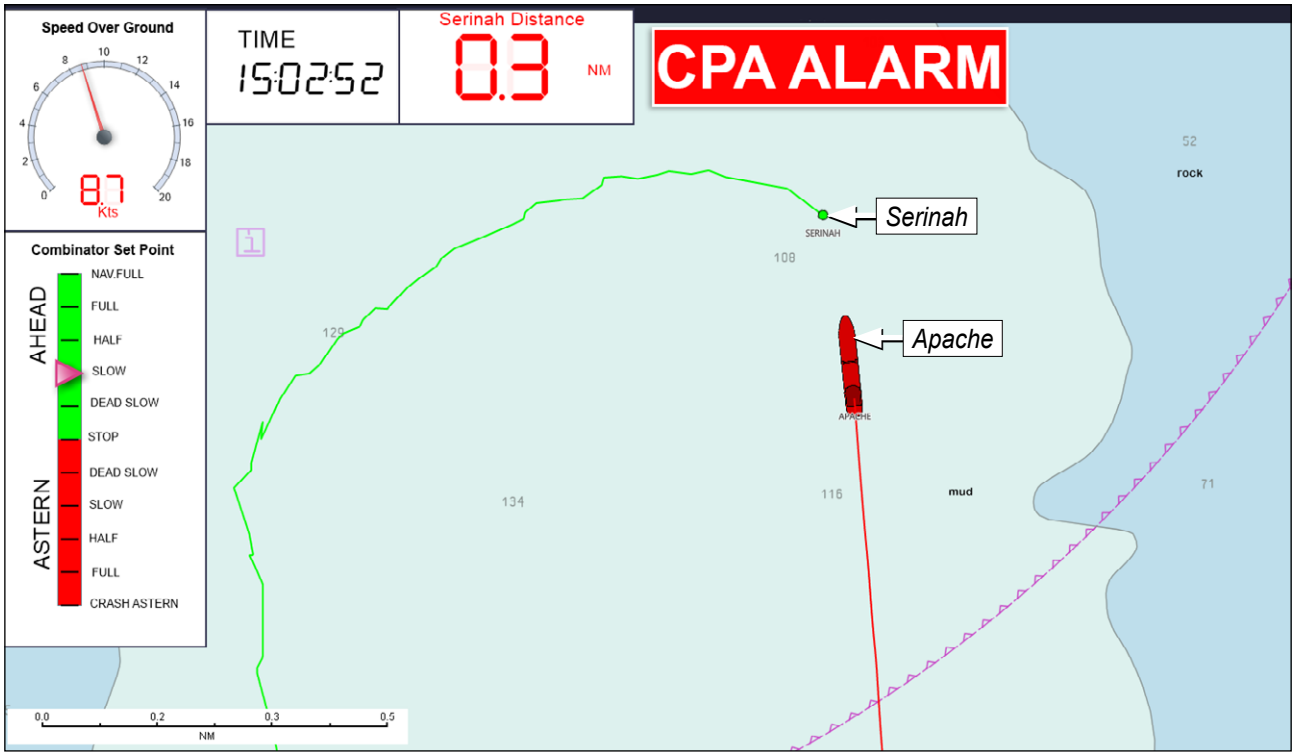

Figure 3: Positions of *Apache* and *Serinah* at 1502:52

1.2.3 Post-collision events

Apache's starboard anchor contacted *Serinah*'s bow, penetrating its hull above the waterline. As *Apache* continued to move ahead, its bulbous bow ran over *Serinah*'s trawl wires, pulling the stern of the vessel under the water. Deckhand 1 and deckhand 2 left *Serinah*'s wheelhouse, exited through the accommodation onto the aft deck and scrambled up onto the wheelhouse roof. The two deckhands released the vessel's liferaft from its cradle and the liferaft fell into the water. Once the liferaft's painter line became tight, the liferaft automatically inflated. *Serinah* listed to starboard and scraped down the side of *Apache*.

Serinah's hull penetration was pushed underwater and the vessel started to flood. *Serinah*'s skipper was still in the wheelhouse and, seeing that the egress route through the accommodation was flooded, grabbed a personal flotation device (PFD) and climbed out of the wheelhouse through an aft window **(Figure 4)**.

When the two vessels collided *Apache*'s master used a very high frequency (VHF) radio to call "*fishing boat*", then ran to the starboard bridge wing. The master saw *Serinah* listing to starboard and the crew releasing the liferaft. As *Serinah* passed down the starboard side of *Apache* the master shouted "*Are you crazy! Are you crazy! Are you crazy!*" down to *Serinah*'s crew before returning inside the wheelhouse and putting the engine back to slow ahead.

Serinah sank shortly afterwards, and all three of its crew entered the water. Deckhand 1 and deckhand 2 quickly boarded the liferaft but the wash from *Apache*'s propeller pushed the skipper away from it. The skipper put one arm through the PFD and remained in the water. A gas cylinder from *Serinah* rose to the surface nearby and the skipper held onto it for additional buoyancy.

Image courtesy of Iain Cameron (SmugMug)

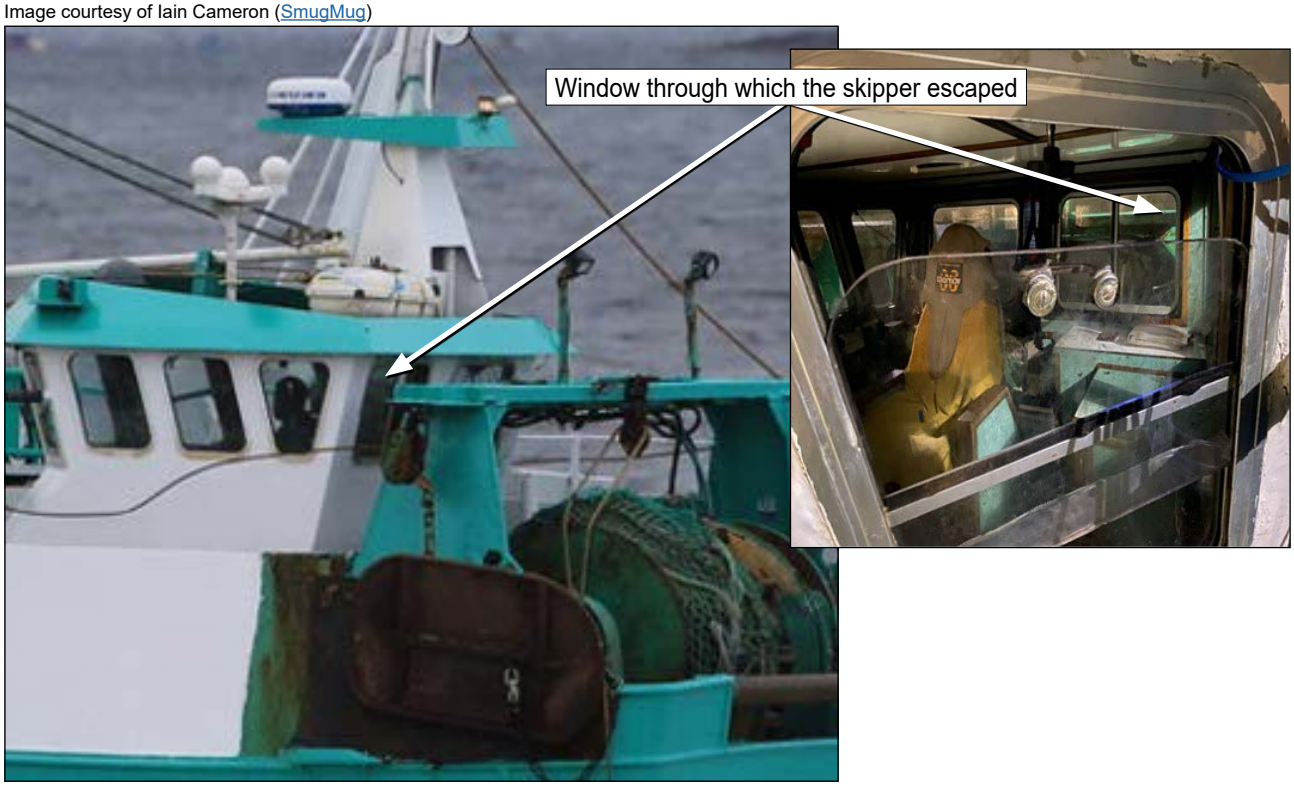

Figure 4: Aft windows in *Serinah*'s wheelhouse

At 1507:11, *Apache*'s master transmitted "*Port state control, port state control, this is Apache*" on VHF channel 12. There was no response. Thirty seconds later the master transmitted "*Lifeboat control, lifeboat control, Apache*" on the same channel. Clydeport LPS replied, and the master reported that a fishing boat had hit *Apache*'s bow and three people were getting into a liferaft. The master continued "*I proceed to the pilot station*", to which Clydeport LPS replied "*Standby*".

The Clydeport LPS operator alerted the watch manager and initiated their collision checklist. The operator informed His Majesty's Coastguard (HMCG) Belfast Maritime Rescue Coordination Centre of the incident using a landline telephone. At 1517, the HMCG operator tasked the Royal National Lifeboat Institution (RNLI) all-weather lifeboat (ALB) based at Troon, Scotland to assist.

At 1518, *Apache*'s master called Clydeport LPS to ask if the vessel should continue to the pilot boarding area. The Clydeport LPS operator was still on the call with HMCG so the Clydeport LPS watch manager passed on a request from HMCG to the master to stop *Apache* and call HMCG directly on VHF channel 16. At around this time, *Serinah*'s skipper boarded the liferaft after about 15 minutes in the water. The skipper immediately activated a smoke float canister and threw it into the water. Shortly afterwards, the skipper discharged two rocket parachute flares.

At 1521, other vessels in the area became aware of the collision when *Apache*'s master called HMCG on VHF channel 16 and explained the situation. *Apache* was now almost 2nm away from the liferaft. The HMCG operator reminded *Apache*'s master of their responsibility to assist the people in the liferaft. *Apache*'s master agreed to stop the vessel and launch its rescue boat.

Several vessels in the area offered assistance, including two ferries, another fishing boat and a sailing vessel. A nearby airborne Royal Air Force fixed-wing aircraft also offered assistance.

At 1526, HMCG tasked the RNLI inshore lifeboat (ILB) based at Lamlash, Isle of Arran to assist. By 1530, *Apache* had launched its rescue boat and the craft headed south towards the liferaft, which had drifted about 0.8nm east from the collision site. At 1547, the ILB was the first vessel to reach the liferaft **(Figure 5)**. All of *Serinah*'s crew boarded the Lamlash ILB, and were then transferred onto the Troon ALB to be taken to Troon harbour. After a medical assessment, and having tested negative for alcohol with Police Scotland, *Serinah*'s crew went home.

Apache was directed by HMCG to berth at the nearby port of Hunterston, Scotland.

Image courtesy of UK Hydrographic Office

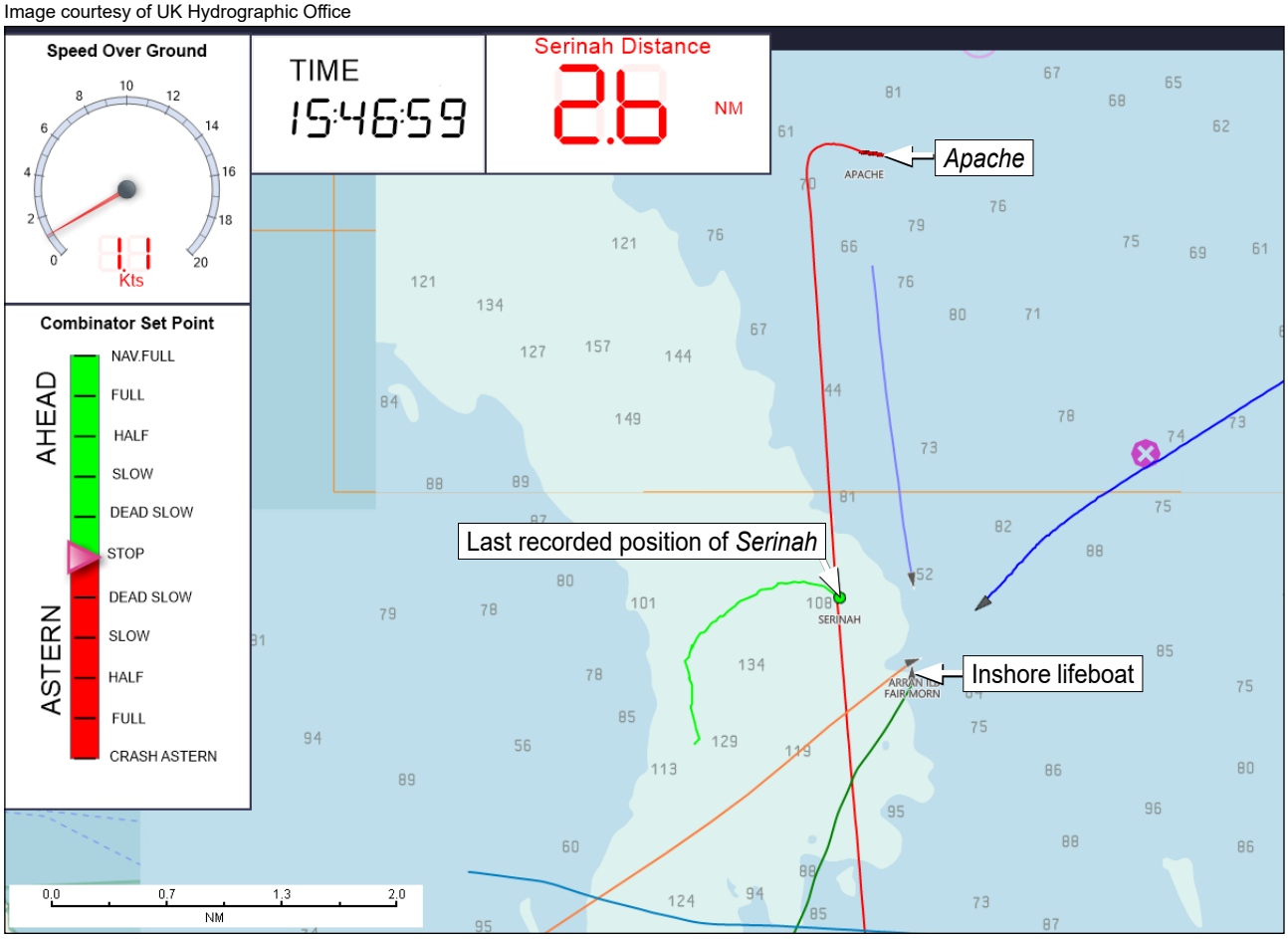

Figure 5: Positions of *Apache* and rescue vessels at 1546:59

1.3 ENVIRONMENTAL CONDITIONS

The weather on the day of the accident was good, with light airs and a smooth sea. The air temperature was 15°C and the sea temperature was 9.6°C. The visibility was over 5nm.

1.4 *APACHE*

1.4.1 General

Apache was built in 2016 and was one of 10 tankers in a fleet of 13 vessels operated by Nereus Shipping S.A. (Nereus). *Apache* had a maximum speed of 14.2kts when fully laden. At the time of the accident the vessel was loaded with 129,000 tonnes of light crude oil and had a 15m draught. *Apache* had a turning circle when loaded of about 0.8nm. Restrictions at Finnart Oil Terminal meant the vessel could only berth there during daylight hours.

1.4.2 Crew

Apache's crew of 26 comprised mainly Greek officers and Filipino crew and exceeded the flag state's minimum safe manning requirement. The working language was English.

The master had worked at sea for 10 years and had been master for 2 years, sailing worldwide on various tankers in the Nereus fleet. The master was used to fishing vessels getting very close to their vessel then turning away at the last moment.

The 2/O had been at sea since 2014 and held an STCW[3] II/1 Watchkeeping Certificate of Competency (CoC). The 2/O had sailed in this rank for 25 months and had joined *Apache* for the first time 6 weeks before the accident.

1.4.3 Safety management system

Nereus operated a safety management system (SMS) in line with SOLAS[4] Chapter IX, which required compliance with the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code).

On 21 June 2021, *Apache* was audited against the requirements of the ISM Code by the American Bureau of Shipping and was issued with a Safety Management Certificate indicating compliance with the ISM Code. The certificate was valid until 13 September 2026.

Nereus held a Document of Compliance (DOC) certifying that the company's SMS had been audited and was compliant with the ISM Code's requirements. The DOC was valid until 13 October 2027.

Apache's SMS contained a *Navigational Instructions and Procedures Manual* that detailed the company procedures for performing a bridge navigational watch. Section 5 of the procedure listed the principal duties of the OOW, which included:

- *The vessel is following the agreed passage plan/standing orders;*
- *Regulation lights/signals displayed;*
- *Regulations for preventing collision at sea are observed;* and
- *The traffic situation is clearly understood.*

The *Master's Standing Orders for Watchkeeping Officers* referenced a wide range of regulations on the guidance and conduct of a watch. The standing orders stated that the master's presence on the bridge did not remove responsibility for the safety of the ship from the OOW unless they were formally relieved of the watch. On navigation policy, the listed standing orders included:

1. *FOLLOW THE REGULATIONS FOR THE PREVENTION OF COLLISIONS AT SEA – COLREGS*[5]
2. *Minimum BCR*[6] *- CPA / TBCR*[7] *-TCPA in Open Sea passage to at least 2 miles and 15 minutes at any time and in coastal waters the BCR – CPA to be not less than 1 mile. Please call me if the BCR - CPA or TBCR-TCPA is below minimum or if there is any doubt…*
3. *Avoid 'close quarters' by giving WIDE berth to converging vessels.*

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[3] International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STCW Convention).

[4] International Convention for the Safety of Life at Sea, 1974, as amended.

[5] An alternative term for the IRPCS.

[6] Bow crossing range.

[7] Time to bow crossing range.

4. *Further act early, make large positive course changes. Communicate.*

5. *Never hesitate to change course, reduce speed, stop engine, or call me.*

6. *The OOW has free access to navigation & communication systems and the use of Engines as well as sound signals.*

33. *ECDIS should preferably not be used for collision avoidance, which should primarily be done using ARPA*[8]*, Radar or visual means.*

35. *A good officer, when faced with any unusual circumstances, will apply COMMON SENSE AND THE GOOD PRACTICE OF SEAMEN to the situation and act accordingly. If you find yourself thinking about calling the Master then the time has clearly come to do so.* [sic]

Neither the 2/O nor the master were able to demonstrate an awareness of the appropriate sound signals contained in the International Regulations for Preventing Collisions at Sea (IRPCS, also referred to as the COLREGs[9]).

1.5 *SERINAH*

1.5.1 General

Serinah was built in 2000 and was one of nine vessels owned and managed by S & B Fish (Agency) Limited, based in Troon, Scotland. *Serinah* was operated by three permanent crew and fished for prawns in and around the Firth of Clyde. *Serinah* displayed a fishing vessel day shape and the appropriate lights when engaged in fishing. *Serinah*'s wheelhouse was equipped with a radar with an AIS overlay, a chart plotter and a fixed VHF radio. It is unknown whether the VHF radio was turned on and operational before the accident or if the crew knew how to use it.

1.5.2 Crew

Serinah's skipper had worked on fishing boats for 15 years and had been a skipper for 9 years. The skipper had completed all the Seafish[10] mandatory training courses and was working towards a Seafish Industry Authority (Seafish) Under 16.5m Skipper's Certificate (Unrestricted). The skipper had completed most of the training courses required for their CoC, including the 5-day Seafish Bridge Watchkeeping course.

Deckhand 1 and deckhand 2 had completed all the Seafish mandatory training courses to work on the vessel. Deckhand 1 had worked on fishing boats for 9 years and had not received any formal watchkeeping or radio communication training other than the introduction to navigation included in the Seafish 1-day Safety Awareness course. During this mandatory basic safety training, a fellow participant had told deckhand 1 that all other vessels had to keep out of the way while a fishing boat was engaged in fishing.

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[8] Automatic radar plotting aid.

[9] The IRPCS/COLREGs provide mariners with a common set of rules that are reinforced at every level of deck officer training and certification. They form a key component of the STCW qualification process and as such ensure that mariners have the basic ruleset for a shared mental model when operating near other vessels.

[10] Seafish is a non-departmental public body that supports and provides training to the UK seafood industry.

All three of *Serinah*'s crew had working agreements provided by S & B Fish (Agency) Limited. The crew reportedly conducted regular drills covering fire on board, man overboard and flooding. The dates when drills were completed were recorded in a safety folder that was lost with the vessel.

1.6 PORT MANAGEMENT

Peel Ports Group Limited (Peel Ports) managed eight UK ports. It used either vessel traffic services (VTS) or LPS to manage traffic in its areas of operation. It acted as the Competent Harbour Authority for Clydeport.

Clydeport included about 50% of the Firth of Clyde and was managed with an LPS. The collision occurred inside the Clydeport LPS area **(Figure 6)**.

Image courtesy of Peel Ports Group

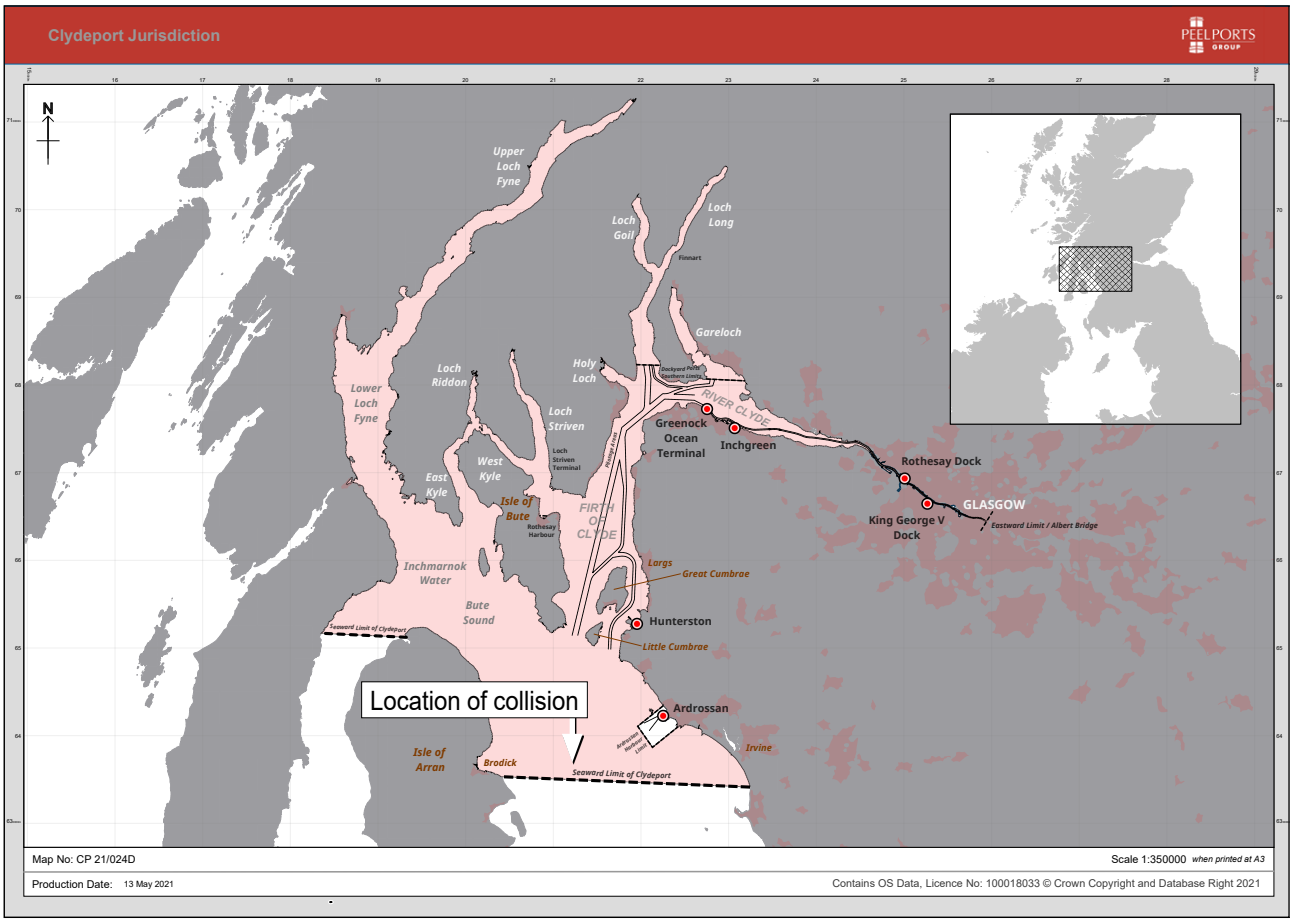

Figure 6: Clydeport Local Port Services jurisdiction area

1.7 REGULATIONS, GUIDANCE AND TRAINING

1.7.1 Company oversight

The Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997, Part II Section 5 stated that an employer had a general duty to *ensure the health and safety of workers and other persons so far as is reasonably practicable*. To fulfil this duty an employer was required to avoid or minimise risks; evaluate unavoidable risks and take action to minimise them; and adopt safe working practices.

1.7.2 The International Regulations for Preventing Collisions at Sea, 1972, as amended

Extracts from the IRPCS relevant to this accident included:

- Rule 2 – Responsibility

  (a) Nothing in these Rules shall exonerate any vessel, or the owner, master or crew thereof, from the consequences of any neglect to comply with these Rules or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

  (b) In construing and complying with these Rules due regard shall be had to all dangers of navigation and collision and to any special circumstances, including the limitations of the vessels involved, which may make a departure from these Rules necessary to avoid immediate danger.

- Rule 7 – Risk of Collision

  (a) Every vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists. If there is any doubt such risk shall be deemed to exist.

  (b) Proper use shall be made of radar equipment if fitted and operational, including long-range scanning to obtain early warning of risk of collision and radar plotting or equivalent systematic observation of detected objects.

  (c) Assumptions shall not be made on the basis of scanty information, especially scanty radar information.

  (d) In determining if risk of collision exists the following considerations shall be among those taken into account:

    (i) such risk shall be deemed to exist if the compass bearing of an approaching vessel does not appreciably change.

    (ii) such risk may sometimes exist even when an appreciable bearing change is evident, particularly when approaching a very large vessel or a tow or when approaching a vessel at close range.

- Rule 16 – Action by Give-way Vessel

  Every vessel which is directed to keep out of the way of another vessel shall, so far as possible, take early and substantial action to keep well clear.

- Rule 17 – Action by Stand-on Vessel

  (a) (i) Where one of two vessels is to keep out of the way the other shall keep her course and speed.

  (ii) The latter vessel may however take action to avoid collision by her manoeuvre alone, as soon as it becomes apparent to her that the vessel required to keep out of the way is not taking appropriate action in compliance with these Rules.

  (b) When, from any cause, the vessel required to keep her course and speed finds herself so close that collision cannot be avoided by the action of the give-way vessel alone, she shall take such action as will best aid to avoid collision.

  (c) A power-driven vessel which takes action in a crossing situation in accordance with sub-paragraph (a)(ii) of this Rule to avoid collision with another power-driven vessel shall, if the circumstances of the case admit, not alter course to port for a vessel on her own port side.

  (d) This Rule does not relieve the give-way vessel of her obligation to keep out of the way.

- Rule 18 – Responsibilities Between Vessels

  (a) A power-driven vessel underway shall keep out of the way of:

  …(iii) a vessel engaged in fishing;

- Rule 34 – Manoeuvring and Warning Signals

  (a) When vessels are in sight of one another, a power-driven vessel underway, when manoeuvring as authorized or required by these Rules, shall indicate that manoeuvre by the following signals on her whistle:

  - one short blast to mean "I am altering my course to starboard";

and, among others:

  (d) When vessels in sight of one another are approaching each other and from any cause either vessel fails to understand the intentions or actions of the other, or is in doubt whether sufficient action is being taken by the other to avoid collision, the vessel in doubt shall immediately indicate such doubt by giving at least five short and rapid blasts on the whistle. Such signal may be supplemented by a light signal of at least five short and rapid flashes.

1.7.3 The United Nations Convention on the Law of the Sea

The United Nations Convention on the Law of the Sea (UNCLOS) established a legal framework for all marine and maritime activities, defining the rights and obligations of states regarding the oceans and their resources. Part VII, Article 98 outlined the duty of ships' masters to render assistance to people in danger at sea and stated:

> 1. *Every State shall require the master of a ship flying its flag, in so far as he can do so without serious danger to the ship, the crew or the passengers:*
>
> *(a) to render assistance to any person found at sea in danger of being lost;*
>
> *(b) to proceed with all possible speed to the rescue of persons in distress, if informed of their need of assistance, in so far as such action may reasonably be expected of him;*
>
> *(c) after a collision, to render assistance to the other ship, its crew and its passengers and, where possible, to inform the other ship of the name of his own ship, its port of registry and the nearest port at which it will call.*

1.7.4 Merchant Shipping Act 1995

The UNCLOS duty to render assistance was reflected in the Merchant Shipping Act 1995. On the duty of ship to assist the other in case of collision, the provisions set out in Section 92 applied equally to *masters of United Kingdom ships and to the masters of foreign ships when in United Kingdom waters*.

Section 92 required that:

> *(1) In every case of collision between two ships, it shall be the duty of the master of each ship, if and so far as he can do so without danger to his own ship, crew and passengers (if any)—*
>
> *(a) to render to the other ship, its master, crew and passengers (if any) such assistance as may be practicable, and may be necessary to save them from any danger caused by the collision, and to stay by the other ship until he has ascertained that it has no need of further assistance.*

1.7.5 Maritime and Coastguard Agency

The Maritime and Coastguard Agency (MCA) Marine Guidance Note (MGN) 313 (F)[11] noted that investigations into collisions, groundings and near misses involving fishing vessels had *continued to show that poor watchkeeping is a major cause*, identifying an unqualified or inexperienced person in charge of the watch as an important factor. MGN 313 (F) stated that:

> *Even where there is no statutory requirement for certificated officers, it is still essential that watchkeepers are always experienced, capable, and have been instructed in their duties. This is especially vital if you are making a landfall, navigating close to the coast, in restricted visibility, severe weather conditions or in areas where there is dense traffic.*

[11] MGN 313 (F) – Keeping a Safe Navigational Watch on Fishing Vessels.

The MGN further advised that:

> *Unfortunately it may not be possible to rely on every give-way vessel to keep clear. It is therefore vital to monitor the movement of ALL traffic.*

For comparison, a skipper of a workboat similar in size to *Serinah* would require a commercially endorsed advanced powerboat CoC. A prerequisite to this CoC, among other courses, was the 40-hour Royal Yachting Association Coastal Skipper/ Yachtmaster Offshore Theory course, which covered navigational competences. A skipper of a small workboat would be required to complete this course and hold the CoC before being allowed to be in charge of navigating a vessel.

1.7.6 Vessel traffic services

Guidance for a Statutory Harbour Authority (SHA) on the implementation and assessment of VTS and LPS was provided in MGN 401 (M+F) Amendment 3[12]. This MGN advised that an SHA was responsible for assessing the need for VTS or LPS within its own port limits in line with the Port Marine Safety Code (PMSC)[13]. On the functions of these services, MGN 401 (M+F) Amendment 3 stated the purpose of a VTS was:

> *to contribute to safety of life at sea, improve the safety and efficiency of navigation and support the protection of the environment within a VTS area by mitigating the development of unsafe situations through:*
>
> - *providing timely and relevant information on factors that may influence ship movements and assist on-board decision making.*
> - *monitoring and managing ship traffic to ensure the safety and efficiency of ship movements.*
> - *responding to developing unsafe situations.*

On the provision of LPS, the MGN further stated:

> *The main difference arising from the provision of LPS is that it does not require to have the ability and / or the resources to respond to developing traffic situations and there is no requirement for a vessel traffic image to be maintained. As such, the equipment fit does not need to be as extensive as for a VTS, the training requirement for its operators is less comprehensive and the operators do not need to be certified to the V-103*[14] *standard.*
>
> *Provision of LPS is designed to improve port safety and co-ordination of port services within the port community by dissemination of port information to vessels and berth or terminal operators. It is mainly concerned with the supply of information on berth and port conditions. Provision of LPS can also act as a medium for liaison between vessels and stevedores or allied services, as well as providing a basis for implementing port emergency plans.*

[12] MGN 401 (M+F) Amendment 3 – Navigation: Vessel Traffic Services (VTS) and Local Port Services (LPS) in the UK.

[13] The PMSC and its accompanying *Guide to Good Practice* set out a national standard for port marine safety.

[14] The International Association of Marine Aids to Navigation and Lighthouse Authorities C0103-1 Vessel Traffic Service Operators Training.

1.7.7 Use of very high frequency radio for collision avoidance

The MCA's MGN 324 (M+F) Amendment 2[15] advised that:

> *There have been a significant number of collisions where subsequent investigations have found that at some stage before impact, one or both parties were using VHF radio in an attempt to avoid collision. The use of VHF radio in these circumstances is not always helpful and may even prove to be dangerous.*
>
> *Uncertainties can arise over the identification of vessels, correlation and interpretation of messages received. Even where positive identification has been achieved there is still the possibility of a misunderstanding due to language difficulties however fluent the parties concerned might be in the language being used. An imprecise or ambiguously expressed message could have serious consequences.*
>
> *Valuable time can be wasted whilst mariners on vessels approaching each other try to make contact on VHF radio instead of complying with the COLREG. There is the further danger that even if contact and identification are achieved and no difficulties over the language of communication or message content arise, a course of action might still be chosen that does not comply with the COLREG. This may lead to the collision it was intended to prevent.*
>
> *Although the practice of using VHF radio as a collision avoidance aid may be resorted to on occasion, for example in pilotage waters, the risks described in this Guidance Note should be clearly understood and the COLREG complied with to their best possible extent.*

1.8 TRAINING PROVISION FOR FISHERMEN ON UK VESSELS

1.8.1 Mandatory training

Fishermen serving on board UK registered fishing vessels were required to complete the mandatory safety training courses detailed in MGN 411 (M+F)[16]. Safety training courses were coordinated by Seafish and delivered by its approved training providers.

New entrants to fishing were required to complete 1-day basic sea survival training before starting work on board a UK fishing vessel followed by 1-day basic first aid, 1-day basic firefighting and prevention, and 1-day basic health and safety training within 3 months. All fishermen with 2 years' experience or more were required to complete a safety awareness and risk assessment course.

None of the mandatory courses for crew of under 16.5m fishing boats included any detailed elements of navigational training.

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[15] MGN 324 (M+F) Amendment 2 – Navigation: Watchkeeping Safety – Use of Very High Frequency (VHF) Radio and Automatic Identification System (AIS).

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

1.8.2 Voluntary training

The voluntary training offered to fishermen by Seafish included 2-day or 5-day bridge watchkeeping courses. The 5-day course was aimed at skippers of fishing vessels under 16.5m in length and was a prerequisite element of the Seafish Under 16.5m Skipper's Certificate (Unrestricted).

The 2-day course was aimed at any crew member who wanted to stand a navigational watch. The aim of both courses was to introduce learners to the underlying principles of a safe navigational watch.

Seafish offered some funding for fishermen to complete the Under 16.5m Skipper's Certificate courses at no cost to the individual.

Fishing federation officials who visited fishing vessels on a weekly basis had expressed concern about gaps in vessel crews' mandatory training and their potential to follow non-mandatory guidance if the minimum regulatory standard could not be maintained.

1.9 PREVIOUS/SIMILAR ACCIDENTS

1.9.1 *Leeswig* and *Spes Bona V* – cargo vessel and trawler collision

On 27 January 2010, the 88m general cargo vessel *Leeswig* collided with the 14.9m fishing vessel *Spes Bona V* in the Firth of Clyde (MAIB completed preliminary examination summary, published March 2010[17]). *Leeswig* was on passage from Glasgow, Scotland, to Seville, Spain. At about 0045, the lookout reported the lights of a vessel ahead to the chief officer (C/O), who interpreted them to be of a power-driven vessel heading in a north-westerly direction. The lookout went below shortly afterwards, leaving the C/O alone on the bridge.

The lights were those of *Spes Bona V*, which was trawling. The skipper on *Spes Bona V* had seen the lights of *Leeswig*, interpreted it to be an end-on situation and expected the cargo vessel to keep out of the way. However, as it became apparent that *Leeswig* was not taking avoiding action the skipper altered course to starboard to show the vessel's port sidelight, turned on the deck lights and shone a bright torch at the approaching vessel. The skipper then put the helm hard to starboard, but this was too late to prevent a collision.

The Deputy Chief Inspector of Marine Accidents wrote to the operating companies of both vessels, urging that a good lookout be maintained at all times; that the IRPCS be adhered to; and to consider taking earlier avoiding action to prevent a collision.

[17] https://www.gov.uk/maib-reports/collision-between-general-cargo-vessel-leeswig-trawler-spes-bona-v-in-the-firth-of-clyde-scotland

1.9.2 *Scot Venture* and *Golden Promise* – cargo vessel and scallop dredger collision

On 13 September 2008, the 89.9m general cargo vessel *Scot Venture* and the 14.2m fishing vessel *Golden Promise* collided 4 miles north of Buckie on the Moray Firth in broad daylight with clear visibility (MAIB completed preliminary examination summary, published November 2008[18]).

Scot Venture's OOW had been carrying out chart corrections rather than their prime task of watchkeeping. Additionally, the OOW omitted to use the available watchkeeping and radar alarms that might have alerted them to the vessel ahead.

The skipper of *Golden Promise* had seen *Scot Venture* and initially assumed that the cargo vessel would keep clear, latterly trying to attract *Scot Venture*'s attention by radio when it became apparent that it was not altering course. Last-minute evasive actions taken by *Scot Venture*'s OOW proved unsuccessful, and the vessel struck the fishing vessel's derrick.

The Chief Inspector of Marine Accidents wrote to both parties. The letter to the owners of *Scot Venture* recommended that the company put measures in place to ensure company and masters' standing orders were complied with at all times and that navigational and ancillary bridge equipment was to be used to its best advantage. The letter to the operator of *Golden Promise* advised of the need for fishing vessels to take avoiding action in ample time if a give-way vessel fails in its obligations, and the implementation of an effective vessel induction for new skippers.

1.9.3 Other incidents

The MAIB received reports of 283 collisions involving fishing vessels from 2014 to 2023, of which 154 (54.4%) involved under 15m fishing vessels. These reported incidents included:

- On 24 October 2022, a near miss between the fishing vessel *Fair Morn* and the container vessel *Erika Schulte* in the Firth of Clyde. The skipper of *Fair Morn*, which was engaged in fishing, and a pilot on *Erika Schulte* had each expected the other vessel to keep clear, resulting in both vessels having to take late avoiding action to prevent a collision and passing at a distance of one cable.

- On 25 July 2023, a night-time collision between the 88m general cargo vessel *Rix Mistral* and the 15m fishing vessel *Constant Friend* in the English Channel. *Constant Friend* was engaged in fishing with the vessel's AIS switched off. Both vessels saw each other at a distance of at least 3nm but neither vessel took sufficient action in time to avoid the collision.

- On 17 October 2024, a near miss occurred between the 134m chemical tanker *Chemical Challenger* and the 11.3m fishing vessel *Our Lynn*. *Chemical Challenger* was underway but drifting, awaiting permission to enter Teesport, England, while *Our Lynn* was engaged in fishing. *Chemical Challenger*'s crew made no attempt to avoid the collision despite being the give-way vessel, leading to *Our Lynn* having to adjust its trawl to allow the tanker to turn to avoid a collision. The two vessels passed with a CPA of 0.04nm.

[18] https://www.gov.uk/maib-reports/collision-between-general-cargo-vessel-scot-venture-and-scallop-dredger-golden-promise-in-the-moray-firth-scotland

SECTION 2 – ANALYSIS

2.1 AIM

The purpose of the analysis is to determine the contributory causes and circumstances of the accident as a basis for making recommendations to prevent similar accidents occurring in the future.

2.2 OVERVIEW

Apache and *Serinah* collided when neither vessel took sufficient action to avoid a collision in contravention of the IRPCS. Initially, *Apache* did not take action in line with the IRPCS to avoid *Serinah*, which was engaged in fishing. When it became apparent to *Serinah*'s watchkeeper that *Apache* was not taking appropriate avoiding action, the collision could not be avoided by *Serinah*'s actions alone. *Serinah* sank when the damage it sustained to its starboard bow during the collision was pushed under the water by the action of *Apache* continuing to move forward over *Serinah*'s tow wires. *Apache* failed to stop and render assistance to *Serinah*'s crew in the water.

This section of the report will consider the expectations and actions taken by the crews of both vessels leading up to the accident as well as their post-collision responses.

2.3 FATIGUE

There is no evidence that the crews of either vessel were suffering from the effects of fatigue and it is not therefore considered a contributing factor to this accident.

2.4 RESPONSIBILITIES OF *SERINAH* AND *APACHE*

Rule 2 of the IRPCS applied to both vessels. A risk of collision existed long before the collision occurred as *Serinah* was on a steady bearing that was seen from *Apache*'s bridge. If there was any doubt in the minds of *Apache*'s watchkeepers as to whether a risk existed, then Rule 7 was explicit that *such risk shall be deemed to exist*.

The risk of collision developed further as *Serinah* maintained its turn, circling the North Hole to head across *Apache*'s bow. *Serinah* was engaged in fishing, making *Apache* the give-way vessel (IRPCS Rule 18) and therefore responsible for keeping out of the way, so far as was possible, by taking early and substantial action to keep well clear of *Serinah* (IRPCS Rule 16).

When the distance between *Apache* and *Serinah* reduced such that a collision could not be avoided by the actions of *Apache* alone, *Serinah* was also obliged – by IRPCS Rule 17(b) – to take *such action as will best aid to avoid a collision*. Although deckhand 1 increased the rate of *Serinah*'s turn to starboard, the action was insufficient to avoid the collision.

While *Apache* was obliged to give way to *Serinah*, the collision occurred because neither vessel took sufficient action to avoid a collision in line with the IRPCS.

2.5 PRE-ACCIDENT ACTIONS ON *APACHE*

Apache's 2/O was aware of *Serinah*'s position from at least 3nm as they could see it both visually from the bridge and on radar. At that distance, it is unlikely that *Serinah* could be identified as a fishing vessel that was trawling, although *Serinah*'s speed might have indicated to *Apache*'s crew that it was engaged in fishing.

Apache's crew did not know the identity of *Serinah* because it was not fitted with AIS. *Serinah* was displaying lights and a fishing vessel day shape, but these were not clear to the crew on *Apache*'s bridge due to the distance between the two vessels. The inability of *Apache*'s bridge crew to positively identify the nature of *Serinah*'s activity, together with their belief that fishing vessels turn away at the last minute, probably generated an uncertainty as to the appropriate action to be taken.

The IRPCS, supported by the instructions contained in the Nereus navigation policy and the master's own standing orders, placed the responsibility on *Apache* as the give-way vessel to make an early and obvious alteration of course to avoid a collision. *Apache*'s master and 2/O discussed the approaching fishing vessel, but neither expected *Serinah* to cross their bow and they maintained their belief that *Serinah* would keep out of their way. The master and 2/O's experience of the behaviour of small fishing vessels around the world sailing close to larger vessels before turning away likely reinforced their belief that *Serinah* would act similarly. This reliance on the witnessed behaviour of previously encountered vessels likely led to an expectation that action, or a lack of action, contrary to the established rules was an acceptable and safe course of action.

The 2/O was in charge of the watch. As the distance between *Apache* and *Serinah* continued to reduce and the risk of collision increased, the presence of the master on the bridge likely inhibited the 2/O from taking positive action. Consequently, the 2/O did not follow the master's standing orders to take action to follow the requirements of the IRPCS and avoid the collision.

The master's perception was that *Apache* was in restricted waters, with land on both sides and ahead. It is likely the master's appetite to alter from the vessel's planned course was diminished due to the perceived constricted situation.

Assumptions about the intended actions of the other vessel and the perceived restrictive nature of the manoeuvring area meant that *Apache*'s bridge watchkeepers took no effective action to avoid the collision.

2.6 PRE-ACCIDENT ACTIONS ON *SERINAH*

At about 1430, as *Serinah* was heading north, deckhand 1 had seen *Apache* approaching at a range of about 5 miles and had expected the tanker to keep clear as *Serinah* was fishing. At about 1440, deckhand 1 started to turn *Serinah* to starboard and towards *Apache* to continue its clockwise circuit of North Hole. At 1500, aware that *Apache* was much closer and now on *Serinah*'s starboard side, deckhand 1 put *Serinah*'s helm hard to starboard; the fishing vessel continued under starboard helm until the two vessels collided.

Deckhand 1 was correct to assume that *Apache* would keep clear of a vessel engaged in fishing. However, continued monitoring of *Apache* would have confirmed that avoiding action was not being taken as expected and might have prompted the deckhand to seek the skipper's advice early enough for it to be effective.

Deckhand 1's application of maximum starboard helm before the collision had limited effect as the towed fishing gear hampered *Serinah*'s speed of turn. However, deckhand 1 did not consider stopping *Serinah* or releasing the fishing gear to increase manoeuvrability. Similar to the *Scot Venture* and *Golden Promise*, and the *Leeswig* and *Spes Bona V* collisions, *Serinah*'s watchkeeper clung to their belief that an alteration of course by *Apache* alone would be sufficient to avert a collision. When it became apparent to *Serinah*'s watchkeeper that *Apache* was not going to alter course it was too late for alternative collision avoiding action to be taken.

Serinah's skipper was resting in their cabin leaving the on-watch deckhand 1, who was accompanied by the off-watch deckhand 2, responsible for the fishing vessel's safe navigation. However, neither of *Serinah*'s deckhands had completed any formal navigational training and they were ill-equipped to understand the developing situation or the need for pre-emptive action to help avoid a collision.

Serinah's operator had not assessed the navigational risk associated with inexperienced crew being in charge of the navigational watch and this exposed the vessel to a risk of collision.

2.7 POST-ACCIDENT RESPONSE

2.7.1 *Apache*

Apache's master radioed for assistance from "*port state control*" and "*lifeboat control*" after the collision, indicating a lack of familiarity with the correct procedure. Having informed LPS of the collision, the master then continued "*I proceed to the pilot station*" before taking the LPS operator's reply to "*standby*" as permission to carry on passage.

The perception that there was pressure to meet the arranged pilot boarding time likely affected the master's decision not to stop and render assistance to *Serinah*'s crew. This decision was further supported by the belief that *Serinah*'s crew were all in the liferaft and therefore out of danger. However, *Apache*'s master had no way of knowing how many people needed to be rescued; *Serinah*'s skipper was still in the water, and remained so for approximately another 15 minutes. The skipper was not wearing a correctly donned PFD and the water temperature was likely to induce cold water incapacitation.

The failure of *Apache*'s crew to stop the vessel and render assistance, in contravention of the responsibilities set out in UNCLOS and the Merchant Shipping Act 1995, placed *Serinah*'s three crew at serious risk.

2.7.2 *Serinah*

The deckhands quickly released the liferaft from the wheelhouse roof, boarded it, and made best efforts to rescue the skipper; however, the liferaft was affected by the light wind and the skipper drifted with the tidal stream. Despite being in cold water for almost 15 minutes, once recovered onto the liferaft the skipper knew how to raise the alarm and was able to activate a smoke float canister into the water and discharge two rocket parachute flares to alert nearby vessels.

It is apparent that the crew's emergency preparedness due to the completion of all mandatory training and practising regular drills improved their chance of survival.

2.8 COMMUNICATION

Once a risk of collision existed, *Apache*'s 2/O did not attempt to contact the crew of *Serinah* via VHF radio despite the generic communication instructions contained in the master's standing orders. The MCA's MGN 324 (M+F) Amendment 2 was clear on the risk of miscommunication issues when using VHF radio for collision avoidance. Together with the unknown status of *Serinah*'s VHF radio, it cannot be known whether any attempt to communicate via VHF in line with the master's standing orders would have influenced the outcome.

By the time the bridge team on *Apache* acted to make a sound signal, albeit one that did not align with IRPCS Rule 34, it was unlikely to have changed the outcome even if *Serinah*'s crew had understood its meaning.

2.9 NAVIGATIONAL TRAINING FOR FISHERMEN

The Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997 placed a responsibility on the employer to ensure the health and safety of workers and avoid or minimise risks that workers could be exposed to. Employing fishing vessel crew who were expected to take a navigational watch without suitable training falls short of this requirement.

Neither of *Serinah*'s deckhands had any knowledge of the IRPCS nor were they mandated to complete any training on the subject. MGN 313 (F) identified that an unqualified or inexperienced person in charge of a watch was often the cause of collisions, grounding and near misses. The previous accidents detailed in section 1.10 highlight several occurrences when a fishing vessel's crew had expected the other vessel would keep clear because they were engaged in fishing. It is apparent that the guidance in MGN 313 (F) is not always being followed, and that some fishing vessel crews do not meet the minimum standards of competency required for the duties they undertake.

The requirement for navigation training for skippers of similar sized workboats ensures they have an understanding of the responsibilities detailed in the IRPCS. There is no such assurance on fishing vessels under 16.5m in length.

Without any mandatory requirement for the training of fishermen who intend to stand a navigational watch, the regulatory framework permitted vessels to be operated by unqualified crew. This placed a reliance on operators to ensure that associated risks were identified and mitigated.

The mandatory training framework for fishermen did not ensure that those undertaking a navigation watch were qualified to do so safely.

2.10 PORT MANAGEMENT

Ports with a VTS can actively monitor traffic and provide warnings to vessels at risk of collision. Clydeport's LPS capability meant that the port's LPS operator did not actively monitor the traffic in the designated port area.

Although *Serinah* was not equipped with AIS, it was visible on radar. The availability of better oversight systems enables a suitably trained VTS officer to monitor and manage shipping traffic and respond to developing situations. In this accident VTS capability to interject with timely and relevant information would have provided an opportunity for the watchkeepers on both vessels to avoid the collision.

A port equipped with VTS capability ensures a higher level of navigational safety, environmental protection, and operational efficiency than that with LPS provision.

SECTION 3 – CONCLUSIONS

3.1 SAFETY ISSUES DIRECTLY CONTRIBUTING TO THE ACCIDENT THAT HAVE BEEN ADDRESSED OR RESULTED IN RECOMMENDATIONS

1. *Serinah* sank when the damage it sustained during the collision with *Apache* was pushed beneath the water as *Apache*'s bow ran over *Serinah*'s towing wires, listing the boat to starboard. [2.2]

2. While *Apache* was obliged to give way to *Serinah*, the collision occurred because neither vessel took sufficient action to avoid a collision in line with the IRPCS until it was almost inevitable. [2.4]

3. Assumptions about the intended actions of the other vessel and the perceived restrictive nature of the manoeuvring area meant that *Apache*'s bridge watchkeepers took no effective action to avoid the collision. [2.5]

4. *Serinah*'s deployed fishing gear restricted the vessel's ability to manoeuvre. When it became apparent to *Serinah*'s watchkeeper that *Apache* was not going to alter course it was too late for alternative collision avoiding action to be taken. [2.6]

5. *Serinah*'s operator had not assessed the navigational risk associated with inexperienced crew being in charge of the navigational watch and this exposed the vessel to a risk of collision. [2.6]

6. The mandatory training framework for fishermen did not ensure that those undertaking a navigation watch were qualified to do so safely. [2.9]

3.2 SAFETY ISSUES NOT DIRECTLY CONTRIBUTING TO THE ACCIDENT THAT HAVE BEEN ADDRESSED OR RESULTED IN RECOMMENDATIONS

1. The signal sounded by *Apache*'s crew immediately before the collision was unlikely to have changed the outcome, even if the right signal had been sounded in line with the IRPCS and *Serinah*'s crew had known how to react. [2.8]

2. The failure of *Apache*'s crew to stop the vessel and render assistance was in conflict with the requirements of UNCLOS and the Merchant Shipping Act 1995 and placed *Serinah*'s crew at serious risk. [2.7.1]

3. There was no opportunity for Clydeport to provide information and guidance to both vessels because Clydeport LPS did not have capability to monitor the traffic situation in the Firth of Clyde. [2.10]

3.3 OTHER SAFETY ISSUES

1. The emergency preparedness of *Serinah*'s crew likely improved their chances of survival. [2.7.2]

SECTION 4 – ACTION TAKEN

4.1 MAIB ACTIONS

The **MAIB** has issued a safety flyer to the fishing industry.

4.2 ACTIONS TAKEN BY OTHER ORGANISATIONS

Peel Ports Group Limited has:

- Reviewed its emergency procedures and changed the order of the actions it takes during an incident.
- Introduced an additional 'duty to render assistance' online training module to be completed by all LPS operators.
- Developed a 5-year plan to upgrade to a VTS in the Clydeport area.

Nereus Shipping S.A. has:

- Alerted its managed fleet of vessels to the accident, reminding the crews to adhere to the IRPCS and maintain a sharp lookout.
- Conducted an additional internal ISM Code audit on board *Apache*.
- Commissioned a navigational audit of *Apache* to be carried out by an external contractor.
- Engaged an experienced master from the company to assess the operation of *Apache* and the competence of the master.
- Delivered in-house training on watchkeeping practices to all bridge watchkeeping officers.
- Performed audits of VDR records on all vessels in its fleet.
- Revised its SMS's navigational procedures on CPA limits when navigating in coastal waters.

SECTION 5 – RECOMMENDATIONS

The **Maritime and Coastguard Agency** is recommended to take the following measures to improve navigational watchkeeping standards on UK commercial fishing vessels between 7m and 16.5m:

2026/112 To require skippers and watchkeepers to complete approved navigational training aimed at ensuring they are competent to hold a navigational watch in line with regulatory expectations.

Nereus Shipping S.A. is recommended to:

2026/113 Engage with a fisheries liaison officer to increase its understanding of global fishing vessel behaviour and promulgate the information gained to its fleet.

S & B Fish (Agency) Limited is recommended to:

2026/114 Ensure all crew expected to hold a navigational watch are sufficiently experienced and have a working knowledge of the Convention on the International Regulations for Preventing Collisions at Sea, 1972, as amended.

Safety recommendations shall in no case create a presumption of blame or liability

MAIB safety flyer to the fishing industry

MAIB

MARINE ACCIDENT INVESTIGATION BRANCH

SAFETY FLYER TO THE FISHING INDUSTRY

Collision between the crude oil tanker *Apache* and the stern trawler *Serinah* (GH 116) in the Firth of Clyde, Scotland on 25 April 2024

Image courtesy of Nereus Shipping S.A.

Image courtesy of Iain Cameron (SmugMug)

Apache and *Serinah*

Narrative

On 25 April 2024, the 274m crude oil tanker *Apache* and the 9.9m stern trawler *Serinah* collided in the Firth of Clyde off the west coast of Scotland. *Serinah* was making circular clockwise tows while fishing a seabed depression and *Apache* was making preparations to board a pilot after a sea passage from Nigeria.

Serinah was visible on *Apache*'s radar and visibility was good, yet a collision occurred because the watchkeepers on both vessels had not appreciated the developing risk in time to take effective avoiding action.

The watchkeepers on *Apache* were used to small fishing vessels manoeuvring clear at the last minute, despite recognising that the International Regulations for Preventing Collisions at Sea (IRPCS, also referred to as the COLREGs) required *Apache* to take action to avoid a collision as the give-way vessel. The crew member on watch on *Serinah* had not completed any formal navigation training.

Serinah was struck by the bow of *Apache* and sank rapidly. All three crew members ended up in the water, two of whom were able to quickly board the vessel's liferaft. The skipper was rescued after approximately 15 minutes. There were no injuries.

The actions taken on both vessels did not reflect an understanding of the IRPCS, particularly the requirements set out in Rule 7 (Risk of Collision) and Rule 18 (Responsibilities Between Vessels).

Safety lessons

1. The IRPCS provides a framework for safe navigation, but these rules are only effective if they are followed. There was plenty of unobstructed space at sea for early action to be taken to avoid this accident. The tanker initially held the responsibility to alter course but both vessels were ultimately responsible for taking action to prevent a collision.

2. Too often, those holding a navigational watch at sea on smaller fishing vessels have received limited, if any, formal navigation or IRPCS training. This investigation resulted in a recommendation to the Maritime and Coastguard Agency to introduce a navigational training requirement for fishermen who stand a navigational watch on board commercial vessels between 7m and 16.5m. Fishing vessel operators should ensure all watchkeepers on their vessels are trained and have a good working knowledge of the IRPCS.

3. Marine Guidance Note 313 (F) – Keeping a Safe Navigational Watch on Fishing Vessels contains advice based on lessons learned from previous accidents, and all skippers should be aware of its content.

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

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Publication date: February 2026

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 safety flyer 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.

Marine Accident Report