

Hours of Rest

In the recent past there was a shipping company whose Chairman interviewed every newly-promoted Master prior to his joining his first command. The interview was brief and seldom varied: Having congratulated the fledgling Master on his promotion the Chairman would then instruct him that when onboard his command he must, at all times, act as if he (the Master) was the Owner of the vessel - and the vessel was uninsured.

Thereafter, the Masters did not hesitate to act in full accordance with the Regulations in any situation where the safety and wellbeing of ship and crew was threatened even if that meant a delay in arriving at their destination. The company also employed Marine Superintendents whose responsibility, inter alia, was to ensure that the ship was manned by an adequate number of competent people, thus ensuring that all regulations relating to the maintenance of efficient watch-keeping (including lookouts) could be adhered to. All communications relating to the operation of the ship (be they from the owners or charterers) were channelled through the Chief Marine Superintendent who ensured that the Master was not subjected to unwise commercial pressure. That company (and many others who operated in a broadly similar manner) traded successfully and safely for many years.

Over the years much has changed and, some time ago, in an article by Michael Grey in Lloyd's List ("Serious business of sleep") we read of today's less fortunate Masters, many of whom are seduced into putting the commercial considerations of their command before the safety of ship, crew and cargo, deliberately flaunting the regulations relating to the working hours of watchkeepers by falsifying the records of their hours of work.

Almost certainly, tucked away amongst the myriad piles of instructions issued to these Masters is an instruction that he or she will ensure that all maritime legislation is adhered to at all times - and, just as certainly the Master knows that sparse manning and the continuous commercial pressure from many sources make this utterly impossible and so the records are falsified and fatigue is commonplace.

Today's air-conditioned Bridge (with its comfy armchairs) and fatigued Masters and Watchkeeping Officers are a dangerous combination and we have already read reports of collisions and strandings resulting from dormant Watchkeepers. In many ships forecastle head and/or bridge wing lookouts, even in zero visibility, are a thing of the past.

Sooner rather than later a Shipmaster will face a manslaughter charge and very real prospect of a lengthy term of imprisonment and it will be extremely difficult to defend his or her actions when it is proven that the Hours of Rest records had been falsified, that the Watchkeeper at the time of the accident had had insufficient rest - or that no lookout was posted.

What the consequences for the Owners might be is problematical but there can be little doubt that failure to adequately scrutinise the Hours of Work records (and identify the potential hazard) will not escape the attention of the Underwriters. However, there is one certainty- it will be the Shipmaster who "carries the can", serves the sentence and loses his or her employment.

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