

# ***The CACHALOT***

**THE NEWSLETTER OF THE SOUTHAMPTON MASTER MARINERS' CLUB**

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**No 98**

**March 2022**

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## Post-Captain's Log

**I**t is a Cachalots' tradition that the newly elected Club Captain is given a few weeks grace to get some events under his / her belt before being asked to write a Captain's Column, and yesterday's man is given one last column to reflect on the glories of his Captaincy. Umm, well here goes....

For the first time in very many years, a Club Captain has served more than one year in office. It was only a few weeks after the Sea Pie Supper in 2020 that COVID struck, and my first year was spent in a blaze of lockdown. "Give him a second year", they said, "things are bound to improve". Well eventually, and gradually they did. The first chink in lockdown's armour, was to salvage some aspects of the cancelled Shipping Festival Service and incorporate them into a Merchant Navy Day service which was successfully held at St. Michael's Church in Southampton on that day, the 3rd September. After that, slowly but surely, the social programme has recovered, and in February the Sea Pie Supper was back in full force and full voice!

Robin Plumley, our Boatsteerer, has written eloquently about SPS 2022 (on a later page), so I will not repeat his words. However, for me, the strong return of the Sea Pie Supper was testament to the underlying strength of Southampton Master Mariners. I started my Captaincy determined that the Cachalots would be a force for good amongst the Southampton and wider Solent marine community. Sadly, I was thwarted by the pandemic, but the latent potential is still there, and I look forward to supporting Captain Martin Phipps this year as he seizes the baton.

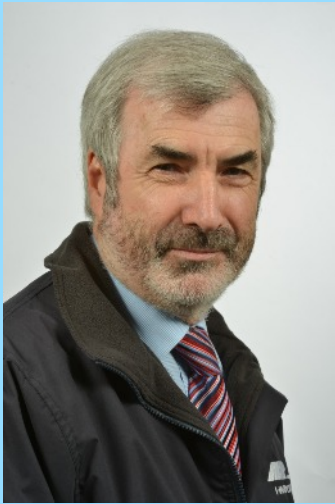
**D**uring my time as Club Captain, I have tried to keep my alter-ego as Chairman of Trustees for Southampton Sea Cadets firmly out of the picture, with one exception, and that was to choose the cadets as the Captain's Charity. I'll start by thanking all those who have supported my charity which, despite an almost non-existent social programme, still raised over £750 for the cadets. There is, however, much more to the relationship between the Cachalots and the cadets. When Councillor Les Harris chose Southampton Sea Cadets as one of his charities during his tenure as the city's mayor, the Cachalots swung in behind him, galvanising support to raise funds for the Unit's expansion. Their combined efforts enabled the Unit to raise around £50,000, with an equivalent amount of FOC advice and help, and we met our aim to double the size and capacity of the Unit - today, 65 local young people are benefitting from the sea cadet experience.

But the support did not end there. For many years now, the Peter Marriott Bursary has donated £500 a year to Southampton Sea Cadets enabling youngsters to spend time afloat on TS Royalist and other sail training vessels in the offshore fleet. For those that have done it, the experience is life changing, and for a number of our cadets this opportunity would be out of their reach financially if it were not for bursaries and donations, so such assistance is vital.

It is by investing in the future of our local young people that the Cachalots make a real difference to their lives. The Sea Cadets, and organisations like ours, open doors of opportunity that would otherwise remain closed, and we could not do that without the support of the Cachalots and the local marine community. So, my last task as the outgoing Club Captain is to say a sincere and heartfelt 'thank you'. Your support has been superb.

Andrew Moll  
Post-Captain

## Your new Captain



### **Captain Martin Phipps MBE**

Martin Phipps is an old Worcester (1968) who then went to sea with Buries Markes, serving from Cadet to Master. He spent 10 years in command of VLCCs, geared bulk carriers and, at the time, the world's largest LNG carrier.

He served for 25 years in the RNR reaching the rank of Commander.

In 1990 Martin joined ABP as a Southampton pilot, retaining that authorisation until 2013. He was promoted Pilotage Manager in 2010 and appointed to the role of Southampton Harbour Master the following year. In 2018 he was Head of Marine Projects, ABP Southampton, before retiring from ABP in 2019.

Martin became a Younger Brother of Trinity House in 2013 and in 2017 was appointed MBE.

In retirement he is a part time Marine Consultant for ABPmer and is the Designated Person under the Port Marine Safety Code for the PLA, Harwich Haven and Cowes.

He is also:

Chairman of the Nautical Institute Solent Branch;  
Chairman of the Merchant Navy Welfare Board Southern Port Welfare Committee;  
Ambassador for the Merchant Navy Board;  
Trustee of the Royal Southampton Yacht Club Trust;  
Member of the Royal Institute of Navigation;  
Vice-Chairman of the Steamship Shieldhall Charity.

Last but certainly not least, he is President of Southampton Sea Cadets and it will come as no surprise that his chosen charity for his year continues to be that of his predecessor, Captain Andrew Moll - the Southampton Sea Cadets.

## Boatsteerer's Locker

**G**reetings to all, many thanks to all our Cachalots who supported our Sea Pie Supper either in person or in spirit due to illness.

The feedback from distinguished guests, corporate attendees and guests has been very positive and complimentary. See article in this edition.

Following feedback relating to the opening of the Club room on a Thursday, subject to agreement at our next meeting of the Management Committee it is most likely we will re-open for two days each week from mid-March.

**Zoom gatherings** – I am continuing where possible to maintain a Zoom gathering on a Thursday morning, opening from 1045. For the most part I am free on a Thursday so not too onerous and happy to continue hosting this for members. Where I have something else on, usually golf, I will set the Zoom call up for people to join any time after 1045 but I have had issues with the system timing out. You may find yourself on your own and looking at a blank bulkhead!

**250 Club** – Remember, you have to be in it to win it!!!

### **Functions**

It is hoped to arrange a Skittle evening at Southampton Old Bowling Green in March. The next curry at Kutí's is planned for 30th April.

### **Shipping Festival Service**

A date for your diary. This year we will be arranging the Shipping Festival Service at St. Michael's Church in Southampton on Thursday 9th June at 1900. The format will follow similar to those held in previous years. We will be looking for volunteers to assist.

Enjoy your March.

Robin

Captain Robin Plumley MBE

Boatsteerer

[boatsteerer@cachalots.org.uk](mailto:boatsteerer@cachalots.org.uk)





## The Sea Pie Supper

At last, 24 months since our last supper, we were able to plan and host a Sea Pie Supper for the first Friday in February of 2022. In May last year we wrote to the corporate names who had joined us in previous years to determine the level of interest in returning. Out of twenty-five contacted initially, seventeen responded positively within a week, a further seven responded at a later date. However, the feedback gave us the incentive to start planning with the expectation that effective vaccination programmes and people's behaviour in Covid times would result in the event going ahead. And it did!!

Ahead of the evening we had received responses of attendance from twenty-four distinguished guests, some with a guest of their own for the top table, with another eight special guests joining Cachalots on other tables. The main hall accounted for 351 seats on thirty-five tables which meant we were not 'lost' in the hall but with sufficient space to easily move. Fifty-seven Cachalots attended and on the top table there were four Stowaways.

The significant achievement was to secure the attendance of The First Sea Lord, Admiral Sir Ben Key, KCB CBE ADC as the Principal Guest and Speaker. As forces gathered on the Ukraine border, we were slightly nervous of losing our guest speaker late in the day and I did have a standby in reserve, just in case. Thankfully, we had our guest speaker.

Our group of *Meeter's and Greeter's*, armed with their list of mugshots, the younger Cachalot's with them ready on their phones, did a grand job in meeting the distinguished guests at the entrance, and guiding them up to the VIP Reception in the Press Room. A photo opportunity of the VIP group was achieved by Terry but we did not have time for one of the Captain, Captain Elect and Past Captains.



Setting up nearly completed - just 375 programmes to put out



Standing, left to right:

Rev'd Reg Sweet; Major Rob Marshall, (17th Port & Maritime Regiment); Prof Anthony Hill CBE, (Director National Oceanography Centre); Captain Sam Shattock, (Royal Fleet Auxiliary); Captain John LLOYD FNI, (CEO Nautical Institute); Mr Alistair Welch, (Port Director, ABP Southampton); Commodore Jeremy Bailey RN, (Naval Base Commander, Portsmouth); Captain Ian McNaught CVO, Deputy Master Trinity House, Stowaway); Commander Les Chapman, (Master, HCMM); Mr Brian Johnson, (CEO MCA); Admiral Lord West GCB DSC, (Stowaway).

Seated, left to right:

Mrs Caroline Sykes; Mr Phillip Sykes, (High Sheriff of Hampshire); Mrs Christine Atkinson; Mr Nigel Atkinson, (HM Lord-Lieutenant of Hampshire, Stowaway); Captain Andrew Moll (Club Captain); Captain Martin Phipps MBE (Captain Elect); Admiral Sir Ben Key KCB CBE, (First Sea Lord & Chief of Naval Staff); Lady Mary Fagan LG DCVO, Stowaway); Captain Christopher Fagan, (DL of Hampshire), Clr Alex Houghton, (Mayor of Southampton & Admiral of the Port)



The evening commenced with a superb and topical Grace delivered by the Rev'd Reg Sweet, and all settled down to the Sea Pie Supper.

The Loyal Toast was provided by Captain Moll while the Boatsteerer gave the toast for Absent Cachalots. The room was reminded of the marked envelope on each table and asked to put their place card, with a decent amount of money, preferably of the note variety, into them for later collection.

With the meal complete, Captain Moll handed over the Club Collar to Captain Martin Phipps MBE and Martin handed Captain Moll his 'Past Captains' medal and ribbon. Following Martin's speech, a toast to the Guest's was completed following which Martin introduced the Principal Guest and Speaker. The First Sea Lord's speech was both well delivered and extremely thought provoking. It certainly pointed up some of the issues that we face as a country in the 21st century as



Captain Moll's delivers his farewell speech as he prepares to hand the Club Collar to his successor.



What better way to present the Past Captain's medal to one so tall!

well as the very important role that both the navy and the merchant marine have to play. On completion, the First Sea Lord proposed the toast to the Cachalots.

Following a short break, and before the appearance of the '**Ansome Cabin Bouys**', opportunity was taken to complete the Prize Draw with a Bose Home Speaker device donated by the Southampton Shipowners Association. We were told it would play music, talk back and tell jokes! One of Whitaker's young lady's drew the place card which belonged to the new Captain's wife, Mrs Jill Phipps!!!! Well done, Jill. The generosity of those attending was confirmed by a count of £3,676 plus \$10 dollars which is split between the three local charities of Mission to Seafarer's, Stella Maris and the Sailor's Society.

The assembly was then entertained and joined in the singing of the Sea Shanties led by the '**Ansome Cabin Bouys**'. A-Rovin, Blow the Man Down, South Australia, Drunken Sailor and Spanish Ladies were well sung, even two extra verses, clean, for Drunken Sailor not shown on the song sheet! One of our VIP's recorded later *I was particularly pleased to learn some of the alternative verses of "What shall we do with a drunken sailor"!*



The First Sea Lord's Response was very well received

With a resounding rendition by all of Land of Hope and Glory followed by the National Anthem, time was then taken to complete networking and catching up with friends and acquaintances before heading home.



The 'Ansome Cabin Bouys' led the traditional shanties

The feedback from the distinguished guests and others in the hall has been very positive and highlighting a very successful Sea Pie Supper. We look forward to carrying the success forward to Friday 3rd February 2023. A date for your diaries!

Last but by no means least, I wish to thank all the distinguished guests, VIP's, corporate entities and their guests, Cachalots, Club Officers and Harpooners who were able to attend and those who were able to provide assistance by whatever means, including our own Office Administrator, Richard James.

Compiled by Robin Plumley



## It's all in the picture



**N**ew Staff-Captain Noel Becket is pictured helping set up the tables on the afternoon of the SPS at St. Mary's Stadium. Across the road from the stadium, beyond the statue of Ted Bates waving to the passing traffic, can be seen the *City of Chichester* discharging her cargo of gravel at Burnley Wharf.

Noel, now a Southampton pilot, stood-by the dredger while she was building at Appledore in 1997 and was her first Master. He says, "In truth, it was pointless sending the Master down so early in the build as there was little for me to do, so I took the opportunity to get to know the surrounding area of North Devon. Really, the only tangible item that I influenced was to have an ensign staff. When I questioned where it was, I was told that ships don't fly ensigns anymore. My retort was that as the Master of a British crewed ship, built in Britain, possibly the only one that year, we would definitely be flying the red ensign, whatever the perceived fashion!"

Also in the picture, on one of the display monitors placed around the room and shown in some of the other pictures of the event, is our Club logo, just to remind those present of who we are.

And that's not the only place where our logo was displayed. On the crust of each individual 'Sea Pie' was the logo, printed in edible colouring on rice paper. How many spotted it before they tucked in to the delicious beef, red wine, mushroom and tarragon pies we don't know, but it gave some of us there a warm satisfied feeling!



# Useful advice for potential experts

**The Maritime Advocate online Issue 797 February 11th 2022**

By *Michael Grey OBE*

If you consider the enormous scope for dispute in any marine “adventure”, actually sorting out these problems is almost an industry in its own right. An argument about charter party terms, the tortured chronology surrounding a casualty, disputes about employment law and its terms and conditions, expensive entitlements after a massive salvage operation or a ship or equipment that failed to do what its manufacturer promised, might be thought of as just some of the areas that demand both legal judgement and technical expertise to reconcile.

Enter the expert witness, which is a possible alternative career option for expert seafarers, who might be looking for a new challenge, which is why the Nautical Institute has published *Guidelines for the Maritime Expert Witness*; advertised as “essential reading for anyone in the dispute resolution process”. It is also a very sensible and practical guide to exactly what an expert witness does, what expertise or qualifications might be needed for someone aspiring to enter the field and is a compendium of expertise in its own right, contributed by a group of people who are thoroughly familiar with the business. They include former seafarers who have successfully made the transition, along with practising solicitors, barristers, arbitrators, mediators and a former judge.

The expert witness, in short, assists a court in deciding the technical merits of a case in dispute. The reader quickly learns that the overriding duty of the expert witness is to the court and not to anyone who might have appointed them. And while some expert witnesses might suggest that they got into the field almost by accident, there is no doubt that there is great value in training.

I’m afraid that I learned this the hard way, having been asked to provide some expertise by a solicitor friend. It was an area in which I was familiar and I foolishly agreed, before ascertaining what being an expert witness actually meant, and the importance of what I was providing in written evidence. Too late, I asked another friend, who had long experience in the field for some helpful advice and then spent sleepless days and nights re-writing my opinions, with recurrent nightmares involving my public evisceration by learned counsel at the subsequent hearing. Fortunately, in this case, and a handful of others in which I have been involved, the case was settled without the appearance of this apprehensive witness.


“Experts can win or lose a case” is a phrase that leaps out of the text as is the opinion that we are dealing here in English Law with adversarial proceedings, resembling “two armies engaged in battle”. And while it is confidently asserted that “a well-prepared expert has nothing to fear from the most critical counsel or tribunal”, it is also emphasised, by more than one of the authors, that giving evidence can be “a daunting process”. Experts who enjoy the sound of their own voices are also enjoined to curb their enthusiasms and confine their answers to brief summation of facts, the court greatly appreciating “yes” or “no” responses. It is pointed out succinctly by Sir Nigel Teare in his contribution “A View from the Bench” that experts are not supposed to be advocates in their own right!

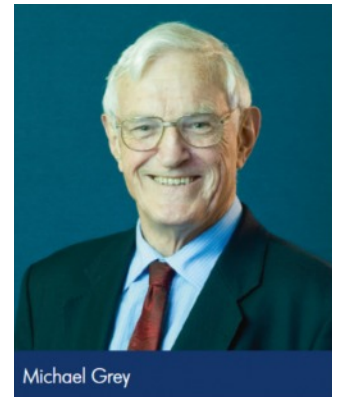
But this is a useful book that rather than deterring a new generation of experts, may positively encourage some into an interesting career, as it is clear that real expertise has tremendous value and that properly employed, is a vital element in the infrastructure which is such a selling point in maritime London and some of its challengers around the world.

After a foreword by Sir Julian Flaux and introduction by its technical editor John Noble, the chronology of events in a case is explained by David Pockett, along with the duties and obligations of the expert witness. The importance of training – which is available – is emphasised by Mark Solon, while a useful hypothetical case study, involving casualties and salvage issues, gives the reader food for thought. The role of the arbitrator and how an expert witness can progress into arbitration is covered by Keith Hart, while the relationship between maritime lawyers and the experts they employ forms an illuminating chapter.

What of the barristers? Their approach in these cases is explained by Sara Masters and Michael Collett, with a useful insight into the expert’s role in maritime arbitration by Charles Baker. Finally, prior to Sir Nigel Teare’s view from the Bench, Jonathan Lux introduces the perhaps less familiar role of the mediator, who can perhaps assist in resolving disputes without court proceedings. The NI has experience producing these useful publications, with its earlier volumes on the collection of maritime evidence, which offers essential advice to practising shipmasters.

Two items of advice from these Guidelines which have wider and rather current resonance suggest that the expert witness “takes a pride in” the evidence provided and is “honest and truthful”. Check out this useful volume which is available from the NI this month.

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and the author, Cachalot Michael Grey [greyrjm@gmail.com](mailto:greyrjm@gmail.com)



# Guidelines for the Maritime Expert Witness

*Here is the introduction to the Guidelines by Past Captain John Noble FNI*

**M**any readers of *The Cachalot* will have read the Guidelines for Collecting Maritime Evidence (volumes 1 and 2). This book, *Guidelines for the Maritime Expert Witness*, serves to take the dispute resolution process to a conclusion, where Court, Arbitration or Mediation hearings take place as the final step.

The Nautical Institute has been most fortunate in acquiring input from a range of experienced contributors who offer advice and commentary on the role and purpose of expert witnesses in the dispute resolution processes. This volume will be read by mariners and others who may be contemplating a career in the dispute resolution fields; equally many readers will have an interest in developing their wider knowledge in maritime matters.

I will resist including my anecdotal input as much as possible; mariners are well known for “swinging the lamp” and diverting readers’ attention from the purpose of this book would not add anything salient!

## General commentary

The earlier volumes mentioned above achieved a wide readership throughout the maritime orbit. This volume is somewhat specialised with quality input from mariners who have developed as expert witnesses through to a practicing solicitors, barristers, mediators arbitrators and a retired judge. Inevitably there is some duplication and this is no bad thing as this serves to demonstrate to the reader the importance of a point. The requirement where an expert has a duty to the court, arbitration or other dispute resolution panel cannot be overemphasised.

Who becomes an expert? This question is central. Clearly an individual who offers themselves an expert must be able to demonstrate credibility. Indeed, many are thrust into the field almost by accident when a prospective client needing expert advice approaches an individual seeking in depth assistance on a disputed issue.

The expression “horses for courses” is a clear pointer when considering the most appropriate individual to assist in a disputed matter. The issue of who appoints an expert is dealt with in a number of the following chapters. Many, including myself, fell into the dispute resolution market by chance often through a third party recommendation.

Not too long ago, an individual would become an expert often by sheer chance; knowing the right people in a lawyer’s office, an underwriting syndicate, or P & I Club. Experience and in-depth knowledge of a matter in dispute is a basic requirement. An instructing solicitor with the nominated barrister will want to be sure that you have the required expertise and are likely to test the extent of your experience and expertise. This may be a challenge, but it is worth bearing in mind that, if the dispute ends up in live litigation, the opposing council will want to challenge the depth of your expertise in what is sometimes referred to as “character and expertise assassination”!

A key to being a good expert witness is preparation. Readers who have sat professional oral examinations will be only too aware that an unprepared candidate is doomed to fail. Being an expert in the witness box can be a daunting experience, similar to sitting an oral exam. Increasingly clients will need to be satisfied that not only has their expert the required expertise, but also holds a good groundwork in the legal processes and some form of formal training may be a pre-requisite.

This edition is primarily based on the English legal system simply because the dispute resolution process in maritime matters is highly advanced. Many other jurisdictions base their own jurisprudence on the English legal system.

## Who can become an expert?

By reading the chapters in this book, it will become clear that becoming an expert depends on knowledge, independence and integrity. Three well respected maritime experts have contributed valuable chapters; ignore them at your peril!

There are some fields where expertise is gained as a result of conducting on-site activities; typically in unsafe port cases. Other experts may have specialist scientific knowledge. One thing is certain; if an expert does end up giving evidence in a trial or arbitration, the cross-examining counsel will want to test the validity of the expert’s knowledge in respect of the matter in dispute. One contributor has highlighted the role of the expert and training of expert witnesses by comparing a on one hand a ship sailing with officers and crew who have not received any training, on the other hand sailing with a truly competent crew. Just imagine the likely consequences of sailing through the confined waters of the Dover Strait or off Singapore in heavy rain or fog with an insufficiently trained crew.

The legal profession is well represented as well in the following chapters. A marine solicitor, two practising senior barristers, an arbitrator, a respected mediator and a retired senior judge have all added valuable contributions to help demonstrate where expert evidence fits in to resolution of maritime disputes.

## The experts view

Am I really an expert? Is a question individuals may ask of themselves, especially when preparing a report or getting ready for a hearing. As farming commentators would say “the answer lies in the soil”. Expertise is built up over years of hands-on experience. Self confidence is a major positive factor; over confidence can lead to a big downward spiral. When giving evidence or working with the lawyers, do not always assume an individual has no knowledge of the subject. While on most occasions the expert has the lead, sometimes a cross examining barrister will have specialist knowledge. Anecdotally, I remember on senior arbitrator telling me he was the most qualified person in the room. He was a qualified marine engineer and naval architect as well as an experienced barrister. I recommend any expert to do the pre-hearing home work to avoid being caught out!

The chapters that follow offer a good insight into the role of an expert witness throughout a dispute resolution process.

John Noble  
February 4<sup>th</sup> 2022





Cachalot John Prince, who wrote a book, *The Engine Room*, about his experiences as an Electrical Engineer on the cable ships, has written another, *The Plant Room*, on his subsequent life as a service and maintenance engineer after he came ashore. Installing and maintaining machinery for several companies and travelling around the UK, Ireland and even a three week working cruise around the Mediterranean on the *Oriana*, he also had spells with the local aerospace company and the Airport Authority. He ended up delivering training courses for the industry, some of them accredited by the MNTB, but this came to an end when the parent company pulled the plug on that part of their enterprise. He found a similar position with an engineering college only to be furloughed at the start of the pandemic. Very anecdotal and told with great humour, the book is an easy read and John, as previously with his earlier edition, has generously donated a few copies to the Club which may be picked up in the Clubroom for a £5 donation to the Captain's Charity.

*The Plant Room is available on Amazon*

**Reminder: Subscriptions are now overdue.**

#### INTERNET BANKING

For any payments to the Club, payment details are:

Sort Code: 56-00-68

Account Number: 00037869

Account full name: Southampton Master Mariners' Club (The Cachalots)

(NB This may appear on the screen truncated to "Soton Master Marin" or even "Southampton..." However, we have had reports that the full name appears on some bank websites.)

Please enter an appropriate reference such as name and 250 Club so that Richard knows what the payment is for.

## The Cachalots Deck

The members' only section of the Club's website contains such information that is considered to be in the preserve of Cachalots and of no concern to non-members. We do not conduct any financial matters on the site so stringent security measures are not considered necessary. Access is gained by a simple log-in procedure of a user name and password. An initial registration is required and this is all explained on the 'Login', 'Register now' and 'Edit Profile' pages.

The other pages include members information such as 'New Members', 'Gone Aloft' and 'Obituaries' as well as 250 Club and coming events. All that information does come to you in the pages of this newsletter but is recorded there for reference.

As are the latest *Cachalot* and **all** of the previous editions. The website, both the public and members' only sections, should be your first port of call for any information on the Club.

So far, less than half of the members on our email distribution list have registered for access to the Cachalots' Deck. We realise that it is not something that members need to consult daily, or even weekly, but once you have jumped through the hoops of the registration process there is a wealth (!) of information available at a few clicks of a button.



## Officers of the Club and Committee Members for 2022

CAPTAIN	Captain M. Phipps MBE
STAFF CAPTAIN	Captain N. S. Becket
BOATSTEERER	Captain R. Plumley MBE
STOREKEEPER	Captain I. Odd
POST CAPTAIN	Captain A. Moll
Hon. MEMBERSHIP OFFICE	Captain D. Gates
Hon. EDITOR	Captain T.E. Clark
Hon. FUNCTIONS OFFICER	Captain J. Noble
Hon. BURSARY OFFICER	Captain J. Mileusnic
Hon. CHAPLAIN	Rev'd J. Attenborough

### HARPOONERS:

T.E. Clark, D. Gates, J.M. Noble, L.R. Morris,  
M.L. Oakley, J. Whorwood

<b>250 Club</b>		
Dec (£100)	<b>J Lockheed</b>	<b>L R Morris</b>
Jan	<b>W J M Hargreaves</b>	<b>D P Neaves</b>
Feb	<b>A A Melia</b>	<b>B E Peck</b>

The February 250 Club draw has been affected by yet another lockdown, this time one imposed by Storm Eunice.

The draw will now take place on Friday 25th Feb. too late for the winners to be included in the printed edition but they will be shown in the digital edition, due to go out on the 28th Feb., and on our website.



## Defining unseaworthiness today

Seatrade Maritime Opinion & Analysis  
February 2022



A certain amount of common sense prevailed the other day at a court in Brisbane, which threw out charges of pollution against the master of the containership *APL England*, which lost 50 boxes over the side in a storm off New South Wales in May 2020. However, the court decided that charges that the ship was unseaworthy would be pressed against the ship's master and the case must go to trial. It may be recalled that the Australian accident investigators discovered corroded fittings and damaged container guides, along with some missing lashing eyes, when they inspected the ship after it reached port. The Malaysian master of the ship remains on bail, although he was permitted to leave the country.

This case, along with a number of other court judgements are reminders that the definition of what comprises the charge of unseaworthiness has been hugely expanded to encompass virtually any item of the ship's equipment, or procedures that might be deemed deficient in the aftermath of an incident. Seaworthiness itself is a legal concept, one that has come to mean that the ship is perfectly equipped for the intended voyage; able to withstand any of the risks it may encounter.

It has been suggested that the promiscuous use of unseaworthiness allegations actually runs up against the age-old ability of a seafarer to "work around" a problem. In the past, if the radar broke down, it was only an "aid" to navigation and a navigator was trained to operate without this item of equipment. It was defined as "good seamanship" and covered a multitude of means for overcoming any deficiencies. Now with a working radar mandated, this option is removed and there are scores of items of equipment which now will, with the perfect hindsight available after an accident, have become crucial contributors to the seaworthiness of the vessel.

A master who knew a ship well and was concerned about the deck stow might exercise good seamanship to divert around bad weather. Today, the ability of the individual master to do just this will be questioned by the courts in the event of a dispute, while the use of weather routing services may have reduced the element of discretion to just about zero.

It might also be suggested that the ability of the master to oversee, and thus retain complete responsibility, for every item of the ship and its operation, has become quite unrealistic. For example, is the master (or indeed any one of the ship's officers delegated such a task) to take responsibility for the state of every one of thousands of deck fittings on a hard-driven container ship? Would it be either reasonable or practical – in the eyes of the owner or charterer – if the master demanded non-scheduled repairs to some items of corroded fittings discovered during a container exchange, thus holding up the subsequent loading? No prizes for answering this question.

With the authority of the master being constantly circumscribed and the discretion of those aboard ship to undertake even routine tasks being reduced by the advance of onshore operational management, it is surely time that the role of the master as one legally responsible for everything that goes on aboard the ship is subject to review. It is manifestly unfair that decisions taken by the master, or elements that are far beyond the master's competence, knowledge or practical jurisdiction are second-guessed with perfect hindsight by law enforcement authorities, or courts with no practical knowledge of ship operation. It is wrong that the master should be the "pig in the middle" between the authorities pressing charges and those ashore in management who are effectively calling the operational shots.

If the master of the *APL England* (Singapore flagged, owned by CMB Ocean Leasing, ISM management CMA CGM) is found guilty, will we see a sudden rush to inspect all the container fittings on ships around the world, with repairers called out at all hours to make good any corrosion or breakages? Why would any of this happen, when there are insurers to pay the fines and masters (who may end up with criminal convictions) to take the rap?

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## Prize Draw - Queen Elizabeth 2 Watch

We have been given a souvenir wrist watch from the QE2 in an original presentation box as shown in the images here. It was made by the Europa Watch Company of California. On the back it is marked 'M.C.&T./EUROPA QUALITY WATCHES SINCE 1982 JAPANESE MOVEMENT'. It has an Analogue Quartz movement and has been checked by a local jeweller and has had a new battery fitted and is in working order.

Several members showed an interest in the watch and we thought that perhaps the most equitable way to pass it on would be by some form of prize draw with all proceeds to go to the Captain's Charity - the Southampton Sea Cadets.

We also thought we would also tie it in with another Queen Elizabeth II whose Platinum Jubilee celebrations are due to be held in early June.



So, to keep it simple, for every **£5** donated your name will be added to a list and one name will be drawn in the Clubroom on Friday 27th May, (the Clubroom will be closed on the 3rd and 4th June, the designated Spring and Jubilee holidays). Winner to collect.

Unless there is a greater demand from the membership, names will be allocated for donations made in the in the Clubroom only.

Be aware that the watch is 'pre-owned' but is in good condition. The black leather strap is clean and does not indicate much wear. We could not find anything similar on eBay or elsewhere online and think it is one of those rare, vintage and unlimited edition timepieces. Also be aware that the term 'rare vintage' does not seem to relate to value on eBay. The watch comes with Europa's Lifetime Warranty and can be inspected in the Clubroom.

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### Curry Lunch

After a wild, wet and windy start to the day, and Kuti's belatedly telling us they weren't open until 1300, 30 members and guests finally dried out and settled down to the Curry Lunch on the 19th Feb. even enjoying some afternoon sunshine. With a big Indian family reunion going on upstairs the service was slower than usual but the food was plentiful and they even supplied some doggy-bags of the surplus starters.

Future Curry Lunches are projected for the 30th April, 25th June and 13th August and we will keep you posted as to times and cost.



# Meat in the sandwich

SORJ Dockgate Column Dec 2021 - Jan 2022

By Michael Grey OBE

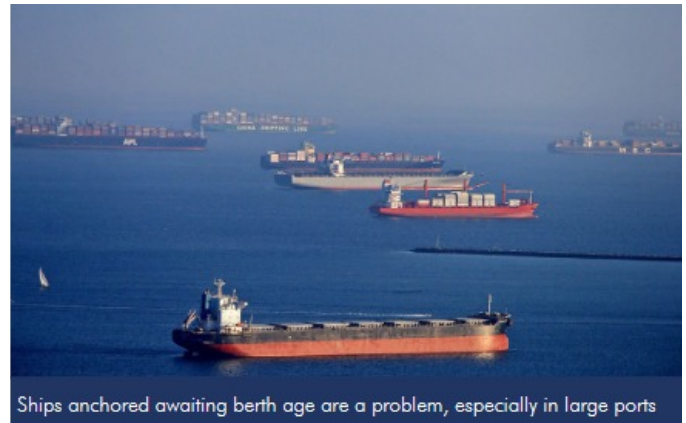
On the one side we have consignees around the world screaming for the goods they have ordered, some of them having been waiting so long they have forgotten exactly what it was they needed. On the other side, we have umpteen container ships, with the aforesaid goods aboard them, anchored, dawdling or drifting aimlessly awaiting a berth at their destination. And in the middle of this sandwich are the ports and terminals, their cranes and ground handling equipment running red-hot, but to limited avail, as they are stumped by the dearth of truck drivers or warehouse workers far from the port, while containers choke their yards, with great stacks of empties stuck in farmer's fields.

There is no shortage of people to blame for this extraordinary situation, whether it is former HGV drivers deciding that driving a delivery van is a far less challenging job, or the frequent and often illogical quarantine and health regulations imposed by authorities reacting to the pandemic. None of this is helped by half the governments of the world hoping to vaccinate their way out of trouble, the other half furiously locking down and trying vainly to prevent the virus entering their domains. And there is no getting away from the fact that the supposed "rebound", after the worst of the lockdowns, has encouraged an unprecedented spending spree that has filled those fleets of immobile ships and cluttered the container yards.

For the stevedoring companies which are trying to unblock the arteries and keep the goods moving through their ports it has been, to put it mildly, a challenging time, and one that is far from a return to "normal" (if anyone can remember what that was). Trying to keep a handle on it all is the General Stevedoring Council, which has been "celebrating" its first half-century in a somewhat muted fashion, on account of the endless lockdowns and quarantine quirks. The GSC, with members from all over the world, is an organisation that brings people who handle cargo together, promotes innovation, high standards and helps stevedores learn from each other.

The organisation runs management courses, which might best be described as a "staff college" for stevedores, at which people who spend their working days in one type of terminal are taken out of their familiar environment for some two or three weeks and see how others cope with their cargo-handling challenges. They will meet fellow stevedores from different countries and cultures, some operating in highly unionised environments, others where trade unions are barely noticed. They will be exposed to a broad range of cargo handling systems and practices, visit all sorts of terminals that they would not have set foot in before and participate in hands-on projects, offering some useful free "consultancy" to the ports and terminals who kindly host them.

They also make a lot of friends amid an ever-growing cargo-handling "alumni" and many maintain these friendships over the years. It is a worthwhile way of keeping attuned to what is going on in the cargo handling world, when you are back in your home terminal and busy with day-to-day matters. If you want to get some expert opinion on whether a type of



Ships anchored awaiting berth age are a problem, especially in large ports

crane is any good or whether there is any interest in some second-hand reach-stackers you probably can find somebody who you first met on a GSC management course to answer your question.

The other day was the occasion of the annual GSC Working Christmas Lunch, traditionally held in London, but which was sadly rather under-populated by the malevolent Covid quarantine regulations, which seemed to have been imposed precisely to prevent the attendance of overseas friends. But it was interesting to hear that the organisation has been as busy as ever, facilitated by on-line meetings which have kept people together in spirit. We heard that a complete on-line management course had been run with great success, although it would have been lacking somewhat in the conviviality for which the off-duty stevedore is celebrated. We can only hope for normal service to be resumed as soon as possible.

## A big hole in the ground

If you are a ship repairer of a certain age, you might just remember the tremendous celebrations in Scotland when the Firth of Clyde Drydock Co. Ltd – an alliance of Clyde shipbuilders - commissioned its huge new repair dock at Inchgreen, in 1964. It was supposed to herald a new era for ship repair on that famous river, but sadly, nobody foresaw the arrival of ships of VLCC dimensions and it became something of a damp squib. It was lived in for many months in 1966 by the old Cunard trans-Atlantic liner *Queen*



The Cunard liner *Queen Elizabeth* in Inch Green drydock during the mid-sixties



*Elizabeth*, which returned to her birth river for John Brown to refit her for cruising – another sadly doomed enterprise.

Invariably under-used, the facility was occasionally leased for offshore conversion work and the odd ferry repair, but most of the time, if you looked out of the Gourock bound train hoping to see a ship in the dock, its emptiness would invariably disappoint.

Now it appears that the dock, which was dimensioned for a 100,000 dwt vessel, is to be given a new life as a recycling yard, anticipating some business when the great logistics log-jam eventually ends and surplus container ships require to be demolished. As it does not involve running ships ashore, but taking them to bits in an enclosed basin, one can imagine that it will not have the anti-beaching activists screaming, or involve breaches to the rules forbidding recycling in unapproved places. It would be nice to think that all the various components will be re-used in the UK, as raw materials for the new “green” steel industry, for instance, but you wouldn’t put money on it. Fortunately, there is an adjacent deep-water quay close at hand, from where bulk carriers can carry the scrap to places where they can actually use it.

But at least, as we welcome the new iteration of the Inchgreen drydock story, we must be grateful that they are not going to fill the dock in. So many of these famous artefacts from our industrial past, excavated at tremendous effort and expense by our energetic forebears, have been obliterated in by our less imaginative contemporaries, looking for either spare land, or a handy location in which to tip their rubbish.

### Accidents waiting to happen

It could just be my nasty mind, but it doesn’t take a very fertile imagination to imagine some of the curious ship designs we are seeing at sea coming to grief for the simple matter of inadequate visibility. For years I have wondered about the wisdom of blocking up the watchkeeper’s line of vision by a row of enormous deck cranes, with their cabs invariably at the eye level. If you comment on it the naval architect’s swift response is either “what have you got radar

for?” or the less helpful suggestion that the watchkeeper should be walking up and down, rather than sitting down.

Now we have some very dramatic developments on the wind-assisted propulsion front, with foredecks cluttered with whirring rotors, wingsails, aerofoil devices on dirty great stalks (there is probably a more technical explanation) or enormous square sails that wouldn’t have been out of place on a clipper. Quite what the watchkeeper is supposed to see forward of the beam it is difficult to establish. Maybe there will be a lookout on the forecastle with a bell to ring, as they had in the old days.

Now imagine one of these wind assisted ships creaming along under a full press of canvas, neoprene, carbon-fibre or whatever, when it finds itself overtaking one of these ships that has had a gigantic scrubber assembled abaft the bridge, to such an extent that there is no longer any visibility from the wheelhouse, looking aft. The OOW is sitting comfortably in his posture-perfect chair, in the warm wheelhouse looking forward past the cranes on the foredeck. You might suggest that this is yet another example of columnar exaggeration, but I can assure you that I have seen photographs of such ships in recent months. Perhaps the owners, when the scrubber has been fitted, went out and bought their OOWs an aft-facing TV camera, but, if they thought of the problem, the solution to the average owner would have been a wing mirror, stuck out on a long pole, to port and starboard.

When you think about it, the odds of the wind-assisted speedster, running into the stern of the scrubber-cluttered slower ship might not be enormous, but not, surely without foundation. History informs us that in the days of sail, with the officer of the watch looking up at the set of the canvas, and the helmsman right aft, mostly considering the wake, collisions in crowded waters were by no means rare. The stern injunction of accident investigators to “look out of the window” and not to neglect the “Mk I Eyeball” is a bit pointless if you can’t see anything.

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**Ship & Offshore Repair Journal, and the author  
Cachalot Michael Grey OBE**





## Captain Ken

*Another contribution from Ken Owen which appeared in his local Mellor Church Parish magazine "Outlook" of February 2022.*

*Ken lives in the Derbyshire Peak District and has been writing about some of his sea going experiences for the Magazine, so his stories are not particularly aimed at maritime folk.*

*"Outlook" is an excellent Parish magazine and it can be read online at <https://mellorchurch.org/outlook-magazine/>*

**D**uring my time at sea, the art of navigation has completely changed. The coming of GPS, of course, is the main reason for this. We now know exactly where we are without the skilled use of a sextant any more. And as for the depth, we simply consult the chart, allowing only for tidal affect.

It is already hard to remember that many ships did not have echo sounders, and still relied upon the sounding lead to measure the actual depth,

A special line with the depth indicated with distinctive marks, is bent on to the lead weight, which has a hollow in its bottom end, which when armed with white lead and tallow, collects a sample of the sea bed. The leadsman taking the soundings, would stand on a wooden platform protruding from the ship's side, known as 'the chains, and he would call out the depths he measured, by shouting, 'By the mark' if it was referring to one, or 'By the deep' if it was between actual marks.

It is interesting to know that Samuel Langhorne Clemens, the famous American author, made his pen name 'Mark Twain' which he had heard the leadsman call out, on a Mississippi steam boat. I have very vivid memories from when as a teenage Midshipman, I was selected as leadsman as the ship approached the anchorage off Tacu Bar in the Yellow Sea in North China. The sea was just turning to ice. It was bitterly cold, and when I had called out 'By the mark ten' my final sounding to the bridge, I realised that the line was frozen stiff down to the water. My hands were just too cold to heave it up.

I have never felt more grateful than when an Able bodied seaman, passing on his way to the focsle, and wearing stout gloves, kindly pulled the line up for me, and coiled it neatly on the deck.

Many ships both with and without echo sounders were equipped with a deep sea sounding machine. This consisted of a winch, some electric and some manual, from which a wire fastened to a 26 pound lead was payed out directly in to the sea, and by resting a metal handle on the wire as it ran out, you could tell when it struck the bottom, and then start winding it in. Attached to the lead was a glass tube filled with silver oxide which changed to red chloride when the sea water entered the tube. The length of this when measured against a special gauge, indicated the depth. This lead also collected a sample of the sea bottom.

We were transiting the Taiwan Strait, in dense fog and I so well remember having to carry this very heavy lead from the sounding machine on the poop, all the way to the bridge so the Captain could see for himself the bottom sample.

On one occasion, I dropped the lead on to the steel deck, while carrying it to the bridge, and the arming collected an amount of rust flakes.

However, the Captain was delighted when he saw it, as it resembled the shale that the chart told us was there. The voyage was successful,

But I still feel a bit guilty for not explaining what had happened.



AUSTRALIAN WAR MEMORIAL

J01975

An Indian seaman swinging the lead off the island of Kais, in the Persian Gulf





# Responsibility to carry

Baird Maritime Ship World, Grey Power 17th February 2022



Firefighters attempt to extinguish the blaze on the containership X-Press Pearl off Colombo Sri Lanka. The fire ignited on May 20, 2021, and the ship sank 12 days later. (Photo: Sri Lanka Ports Authority)

If you refuse to carry cargo that you disapprove of, are you being responsible and ethical, or, in the words of the old saying, cutting off your nose to spite your face?

It is a question provoked by the decision of the huge container carrier CMA CGM to stop carrying plastic waste around the world. The cargo, properly regulated, is not illegal, but it is at least arguable that it is a trade that is severely flawed in ethical terms, as there have been too many reports of this stuff ending up in landfills in developing countries, which appear to be treated by the more prosperous parts of the world as little more than a dump.

The decision is not without its pain to the carrier, because for some years it has been a growing business that in some way serves to erode the acute east-west trade imbalance and helps to fill up a lot of empty eastbound boxes. It may well be the case that the shippers of this horrible stuff will get very angry and merely shift their trade to other carriers who are less concerned about the ethics.

***“You don’t have to be a card-carrying eco-fanatic to suggest that there is no reason why this stuff should ever have to embark on the high seas.”***

I can recall that many years ago the company I sailed with tried very hard to stop a chemical company shipping a product that was inadequately packed and if it leaked, would seriously contaminate the holds of our ships, causing a fortune to remedy. But this was a major shipper and by threatening to take all their considerable business elsewhere, it simply forced our company to back down. If it was legal, you were jolly well obliged to carry the stuff.

But there is a degree of public revulsion in many developed countries against treating the developing world as a repository for its waste, and you don’t have to be a card-carrying eco-fanatic to suggest that there is no reason why this stuff should ever have to embark on the high seas. Surely it should be treated wherever the waste is generated, even if it might cost a little more. It is not just one of these fruitless arguments about the problem of “transport miles” and their effect upon the environment that seem to be constantly surfacing these days.

Plastic waste is indeed a very big deal and we are being forced to consider more environmentally acceptable alternatives for packaging our goods and that is surely a good thing. But there are other cargoes that have become very large and have demonstrated quite severe environmental harm in the event that they end up in the sea. There are now, for instance, demands that plastic feedstock, in the form of tiny balls, should be categorised as hazardous cargo simply because of the mess they make if they are spilt.

It is one of these products which appeared perfect harmless, although it was increasingly being carried internationally in growing quantities. But a number of accidents, with containers being lost overside, along with a few serious shipwrecks, have made people aware of this menace to the marine environment. The containership that piled up on the New Zealand coast some years ago, when taking a short cut to Tauranga, lost several boxes that were carrying these little plastic balls, which were carried up and down the coast for many miles by tides and weather. They are a nightmare to recover and quickly find themselves entering the food chain after being eaten by fish and other sea creatures.

***“A ban on these products, sadly, would probably be a step too far.”***

More recently, the fires and explosions that wrecked the X-Press Feeders vessel off the coast of Sri Lanka also saw a large number of these tiny spheres released among all the rest of the wreckage that spewed out of the vessel. Granted that this raw plastic is an important component of all manner of useful products, it is at least valid to ask whether it should be transported in a more environmentally safe form? Should it be carried at all, because even if it was on the dangerous cargo manifest, this would not stop it entering the sea should the ship, or the container, be lost?

It will be interesting to see whether the CMA CGM stance on plastic waste will be followed by other major carriers. Some might suggest that the management of this company is merely “virtue signalling”, but with the eyes of an environmentally conscious public now on the shipping industry, care of COP26 and growing general awareness, the company is probably reading the runes of public opinion quite correctly. The recent announcement that the Ofer family-controlled Eastern Pacific Shipping was turning its back on the carriage of coal aboard its bulkers, in response to the decision to phase out this cargo at the Glasgow climate change talks, might be thought of as more evidence of this trend.

It might be asked whether, if it is deemed sensible to ban the carriage of certain cargoes for environmental reasons, carriers should also be taking a look at some of the products that have shown themselves to be hazardous to people who actually work on these ships and find themselves in deadly danger after the contents of containers catch fire or explode. Cheap but hazardous stuff like charcoal, or calcium hypochlorite, for instance. But it’s not the environment that is at risk with such cargo, so a ban, sadly, would probably be a step too far.

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## Gone Aloft

The following member has Gone Aloft since the December 2021 edition.

**H.F. Forse, 18 Dec '21**

The cut-off date for the next edition will be  
**25th March 2022**

## The CACHALOTS

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The Club room is currently open on just one day of the week, Friday, 1130 - 1500. Liz will be only too happy to serve you a drink. There is no catering on site but there are many sandwich outlets within easy walking distance.

Suggestions for events, for improvements, offers of help, articles and anecdotes for inclusion in this newsletter will all be received with pleasure. We are even prepared to receive complaints if they are constructive.



WORLD SHIPS SOCIETY DORSET BRANCH

## Zoom Meeting

**2.30pm, Saturday, March 12th 2022**

**~ Clyde built ships – Cardiff Class bulk carriers ~**

**A series of 30 ships built in the 1970s ... each with deadweight tonnage over 26,000 ... launched on the Clyde**

**Paul takes us on a journey to explore the series of 31 medium sized bulkers built between 1970 and 1981 originally for the Reardon Smith company but then taken up by other companies. We'll see & hear about the Upper Clyde Yards and ships such as Vancouver City, Tacoma City, Cinchona and Dona Paz. It will be refreshing to see British-built ships.**

**with Paul Strathdee**

**Paul is an active member of WSS Firth of Clyde and a committed Clyde based shipping enthusiast with memories and photos of ships built on the Clyde from passenger liners to cargo shipping. Paul's photographic library is as well respected as his speaking engagements!**

Their Secretary, Steve Pink, says:

There is no need to request an invitation to our September event ... everyone on our circulation list will be sent a Zoom Invitation Link about a week beforehand ... but do make sure its in your diary.

If you are not yet on that list, visit their website [shipsdorset.org](http://shipsdorset.org) and follow the links.