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EDITORIAL

YES! WE ARE STILL SINKING SHIPS

The Transport Accident Investigation Commission has just released its long-awaited report on the *Kotuku* tragedy. Nearly two years of extensive investigation took place, as the Commission tried to get to the bottom of what is in effect our greatest maritime loss of life since the *Wahine* tragedy. Clearly the report would not have been so in-depth and complete had both the TAIC and Maritime New Zealand, in a combined effort, not salvaged the wreck.

By doing so the investigators were able to uncover some disturbing historic trends leading to poor maintenance and surveying practices that failed to discover a slow but steady deterioration in the *Kotuku's* seaworthiness accumulated over many years.

The sad part is the tragic loss of life as a result of these poor practices, but I will let readers form their own opinions. If they were party to any of the poor standards or events identified in the report as contributing to this unfortunate tragedy and feel a pang of guilt then sobeit, they should.

Clearly boats in this condition should not be able to put to sea, irrespective of whether they are operating as a fishing, passenger or recreational craft. On this occasion, the director of Maritime Safety has advised that the *Kotuku* was operating as a fishing vessel, which only makes the report more poignant.

But the *Kotuku* is not alone, as we would have half of our ageing fleet in a not-too-dissimilar situation and condition, I would suggest. The message is clear, owners have to start spending money on proper maintenance of their vessels, be they steel or wooden.

We also remember the *Wahine* after 40 years on and take a quick look at some of the lessons we may have learned. The fact that we have not seen another ferry founder suggests that as ship owners and masters we might have. One would also hope that Civil Defence, which was so inept on the day, and the many other rescue and support agencies who were either not called upon or were deployed elsewhere, are now in a position to react quickly in the, hopefully, unlikely event of a repeat.

Yes, we are still sinking ships, and as long as men go down to the sea in ships these events remain a reality waiting to happen. Be it human error, a technical malfunction or a natural disaster, the outcome is always the same with a ship on the bricks or sunk.

The 100 tonne *SeaWyf* is another example, and irrespective of who is at fault there is now a wreck to be disposed of. Whatever happened to the receiver of wrecks? He or

she no longer exists as it was repealed out of the Maritime Transport Act, and one can only guess why. However, the responsibility still remains on the vessel's owner to either recover or make safe the wreck. Meanwhile insurance companies are being quick to absolve themselves of any responsibility by making the owner responsible for the wreck when making payouts. The other option for owners is to have a wreck removal clause on their insurance policy. Either way it's the owner who ends up paying.

As you read this magazine, the annual tugboat race will have nearly finished screening on the regional television channels. If you missed the shows, once again, in association with Altex Coatings, we have produced a DVD that includes the race and the parade of vessels as well as some of the shenanigans, some of our vessels got up to. Copies are available through *Professional Skipper* magazine.

Kayakers and the risk to their own safety from shipping and fast ferries has been an ongoing debate. We have raised these concerns with Maritime New Zealand on behalf of the industry, only to be told that apart from education there is little they can do.

Maritime New Zealand did ask that we might like to suggest how you could regulate these operators. A good response and yes, they may well need to be regulated, even if it was only for their own safety. So we have asked the magazine's lawyers, Ocean Law, for a legal opinion. See page 60. Clearly, on this occasion might could be right, and the responsibility remains on the kayaker to first be seen and second to stay out of the way. You might also have a view you would like to share, so please drop us a line.

As we go to press, the subject of charterboats being licensed to fish and having to provide catch and landing records is becoming a hot debate. MFish has been going around the country meeting with charter operators where they have found them. The turnout has been poor, to say the least.

MFish is expecting to find a fleet in excess of 600 vessels, my guess is that if they find 250 doing fishing charters they will be doing well. All we can suggest to owners or skippers is to ensure that they have their say, because ignorance may not be bliss.

Keith Ingram, Editor