

MCIB

Marine Casualty Investigation Board
Bord Imscrúdú Taisní Muirí



**REPORT OF AN INVESTIGATION
INTO AN INCIDENT
INVOLVING TWO PASSENGER FERRIES
ENGAGED IN A
CLOSE QUARTER INCIDENT
AT ROSSLARE HARBOUR
CO. WEXFORD
16 MARCH 2022**

**REPORT NO. MCIB/317
(No.6 OF 2022)**

The Marine Casualty Investigation Board (MCIB) examines and investigates all types of marine casualties to, or onboard, Irish registered vessels worldwide and other vessels in Irish territorial waters and inland waterways.

The MCIB objective in investigating a marine casualty is to determine its circumstances and its causes with a view to making recommendations to the Minister of Transport - for the avoidance of similar marine casualties in the future, thereby improving the safety of life at sea and inland waterways.

The MCIB is a non-prosecutorial body. We do not enforce laws or carry out prosecutions. It is not the purpose of an investigation carried out by the MCIB to apportion blame or fault.

The legislative framework for the operation of the MCIB, the reporting and investigating of marine casualties and the powers of MCIB investigators is set out in the Merchant Shipping (Investigation of Marine Casualties) Act, 2000.

In carrying out its functions the MCIB complies with the provisions of the International Maritime Organisation's Casualty Investigation Code and EU Directive 2009/18/EC governing the investigation of accidents in the maritime transport sector.



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Glossary of Abbreviations and Acronyms

AIS	Automatic Identification System
BRM	Bridge Resource Management
COG	Course over the Ground
ECDIS	Electronic Chart Display and Information System
EU	European Union
GPS	Global Positioning System
IMO	International Maritime Organisation
IRPCS	International Regulations for the Prevention of Collisions at Sea
ISM	International Safety Management Code
MCIB	Marine Casualty Investigation Board
OOW	Officer of the Watch
ROPAX	Roll on Roll off Vessel with Passengers
SMS	Safety Management System
SOG	Speed over the Ground
SOLAS	Convention for the Safety of Life at Sea (SOLAS Convention)
UK	United Kingdom
VDR	Voyage Data Recorder
VHF	Very High Frequency
VTSS	Vessel Traffic Service
Metres	m
Nautical Miles	NM

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2. FACTUAL INFORMATION

2.1 Vessel Details

Name	<i>“Connemara”</i>	<i>“Stena Europe”</i>
Port of Registry/Flag	Limassol/Cyprus	Fishguard/UK
Type	RoPax	RoPax
Launched	2007	1980
International Maritime Organisation (IMO)	9349760	7901760
Gross Tonnage	27414	24824
Deadweight	7657	2720
Length	176.65 m	149.03 m
Breadth	25.6 m	26.0 m
Depth	9.14 m	6.12 m
Service Speed	24 Knots	18 Knots
Management Company	Stena Marine Management Denmark	Stena Line UK
Charterers	Brittany Ferries France	Stena Line UK

NOTE: Stena Marine Management Denmark and Stena Line UK are both part of the Stena Group, however they are operated as separate companies within the Stena Group.



“Connemara”



“Stena Europe”

2.2 “Connemara” Bridge Team Details

Position	Nationality	Qualification	Length of time on that vessel	Qualifications obtained in year
Master	Latvian	Master II/2	6 months	2020
Chief Officer	Polish	Chief Mate II/2	6 months	2016
Helm	Polish	Ordinary Seaman II/4	1 year	2019
Master - on signing	Estonian	Master II/2	1 week	2005

2.3 “Stena Europe” Bridge Team Details

Position	Nationality	Qualification	Length of time on that vessel	Qualifications obtained in year
Master	Irish	Master II/2	11 years	1991
Chief Officer	Irish	Chief Mate II/2	16 months	2020
Helm	Irish	Able Seafarer Deck II/5	4 years	2015

The investigation questioned both vessels on their manning and viewed the Safety Management System (SMS) for both vessels. In both cases, once the Master takes the con, the Officer of the Watch (OOW) assumes a support role and acts as lookout when the helmsperson is required to steer the vessel. This is referenced in the recommendations section. In relation to “Stena Europe”, its safety and security superintendent advised the following: *“The composition of the Bridge team for arrivals and departures is a Master, OOW and a Quartermaster. There are very few ports where we take Pilots, and this would generally only occur where the Port Authority has restrictions in place.”*

2.4 Rosslare Port Control Duty Personnel

Rosslare Port in their 'Terms & Conditions of Trade' offer Vessel Traffic Service (VTS) for vessels operating to and from Rosslare. The Master of every vessel calling to the port is issued with a 'VTS Manual' detailing procedures for shipping movements. The VTS is operated from the port control tower. There was one person staffing the port control tower for Rosslare Harbour on the morning of 16 March 2022. This appears to be the norm at Rosslare Europort. The Port Controller has worked for Rosslare Harbour for a number of years in various different roles. He does not have any formal VTS or maritime qualifications or training. He commenced work in the control tower two years ago, in or around 2020, following a two-week period of shadowing existing port control staff. One Port Controller oversees movements from 03.00 hrs until 14.00 hrs. This person is then relieved, and a new Port Controller oversees movements until the last vessel is clear of the harbour. The earliest scheduled arrival that week was 03.45 hrs; the latest scheduled departure was 23.45 hrs. Port Control in Rosslare Harbour does not operate 24 hours per day. Immediately prior to the departure of "*Stena Europe*" the Port Controller was also overseeing loading of another ro-ro vessel that had arrived at 06.46 hrs, as well as ensuring that road traffic entering the port was lining up in the correct lanes to board that vessel.

There is no requirement in Ireland for staff working in VTS to have VTS qualifications.

2.5 Hours of Rest

Completed hours of rest forms for both bridge teams have been submitted to the Marine Casualty Investigation Board (MCIB) for inspection. The records submitted are consistent with all personnel complying with the hours of rest regulations. Rosslare Harbour Master stated that he considered that the duty Port Controller was well rested prior to commencing duty on the morning of 16 March at 03.00 hrs. His last shift finished at 06.00 hrs on 15 March. He had 21 hours of rest prior to commencement of shift.

2.6 Weather Information

The Met Éireann weather report issued at 06.00 hrs on 16 March 2022 states the wind was South to Southwest force 4 or 5 veering Northwest force 3 or 4 and increasing. The closest weather buoy, M5, reported winds of North-Northwest 17 knots, wave height of 2 m and visibility at Tuskar of 5 miles. This is broadly in line with Voyage Data Recorder (VDR) and VTS recordings of the incident.

See Appendix 7.2 - Met Éireann Weather Report.

2.7 International Regulations for Preventing Collision at Sea (IRPCS)

Both vessels involved in this incident must comply with an international set of rules which are designed to avoid collisions between vessels at sea. These rules are commonly referred to as the 'collision regulations' or 'COLREGS'. Reference is made in this report to the IRPCS.

See Appendix 7.3 - Applicable International Regulations for Preventing Collisions at Sea.

Of particular relevance to this case are the following rules which are analysed in terms of the incident in Section 4 of this report.

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 5

Lookout

Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.

Rule 15

Crossing situation

When two power-driven vessels are crossing so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way and shall, if the circumstances of the case admit, avoid crossing ahead of the other vessel.

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.

There is no reference in the collision regulations to the use of Very High Frequency (VHF) radio or any other forms of communication between vessels for the purpose of collision avoidance.

The IRPCS are only applicable between vessels. They do not cover the interaction between shoreside port authorities and vessels at sea. There are no international or Irish regulations covering the interaction of vessels at sea and shoreside port authorities.

2.8 Safety Management Systems

Both vessels involved in this incident are managed by companies that must comply with the International Safety Management Code (ISM). As part of the company ISM system, they are obliged to have onboard a SMS which details all the company's important policies, practices, and procedures. Compliance with the SMS should ensure the safe operation of the vessel in all circumstances. Although both vessels are managed under the Stena Group, they have separate and different SMSs as they are managed by separate entities within the Stena Group. Reference is made to both vessel's SMS in this report.

2.9 Type of Marine Incident

This was a marine incident which resulted in a close quarters situation between two large passenger ferries.

3. NARRATIVE

3.1 The timeline for the following narrative was taken from VDR recordings onboard “*Connemara*” and “*Stena Europe*”. A VTS recording from Rosslare Port Control tower was also used in the investigation, however, the timestamp on that recording was not accurate which resulted in the timeline of the VTS recording not aligning with the timeline of the VDR recordings. The difference between the timestamps of the VTS and both VDR systems interrogated was a matter of approximately five minutes. This was noted and did not affect the outcome of the investigation in any way.

The VTS recording system at Rosslare Harbour has since been checked and the timestamp adjusted.

All times stated below are in UTC.

Time	Event
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07.04	The narrative commences with “ <i>Connemara</i> ” in a position to the east of Carrick Rock and just abeam of the lateral marks at the entrance to the approach channel. Speed over the Ground (SOG) 9.5 knots. “ <i>Connemara</i> ” calls Rosslare Harbour on VHF Ch.12 asking if “ <i>Stena Europe</i> ” will depart on time or if they should speed up and get in first. Rosslare Harbour responds that “ <i>Stena Europe</i> ” will depart in the next ten or 15 minutes or so and informs “ <i>Connemara</i> ” that “ <i>he wouldn’t mind if they held their position, probably make their way to West Holdens and waited there at West Holdens until he tells them “Stena Europe” has departed</i> ”. “ <i>Connemara</i> ” responds that all has been received.
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07.14	“ <i>Connemara</i> ” abeam South Holdens buoy, SOG 9.2 knots
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07.15	Bridge team on “ <i>Stena Europe</i> ” comments on the position of the inbound “ <i>Connemara</i> ” - “ <i>he is early; he shouldn’t be holding us up because he is early, I shouldn’t be held up now. I’d never argue with these fellas in the tower as they can do you some great favours or seriously mess you up</i> ”.
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07.17	“ <i>Stena Europe</i> ” calls Rosslare Harbour on VHF Ch.12 advising that it is closing up and requesting permission to depart. Permission to depart is granted and “ <i>Stena Europe</i> ” is advised that “ <i>Connemara</i> ” is outside by West Holdens. “ <i>Stena Europe</i> ” acknowledges this.
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Order given on “*Stena Europe*” to reduce the mooring lines to three and two.

07.20	Order given on “ <i>Stena Europe</i> ” to take in any extra mooring lines.
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- 07.21 “*Connemara*” abeam West Holdens buoy. SOG 7.5 knots, Course over the Ground (COG) 306°.
- All doors confirmed secure reported on “*Stena Europe*”, Master acknowledges this and delivers safety brief to passengers.
- 07.22 Rosslare Harbour calls “*Connemara*” on VHF advising that “*Stena Europe*” is singling up and leaving in the next minute or two. This is acknowledged by “*Connemara*”.
- Onboard “*Stena Europe*” the order to single up is given.
- 07.23 “*Connemara*” passing West Holdens. The helmsperson on the “*Connemara*” is asked to put the rudder to port ten, quickly followed by port 15, 20, port 30 and then hard to port.
- “*Connemara*” is now to the northwest of West Holdens, SOG 6.0 knots.
- 07.24 Order to let go all mooring lines fore and aft on “*Stena Europe*”.
- 07.25 The helmsperson on the “*Connemara*” is asked to put the rudder to mid-ships. The vessel settles on a COG of 241° with a SOG of 4.4 knots. Starboard ten degrees is ordered followed by an order to steer a course of 245°.
- 07.26 “*Ok, he is moving*” reported on the bridge of “*Connemara*”, COG 242°, SOG 5.1 knots.
- “*Stena Europe*” departs its starboard side to berth moving ahead on a north westerly course towards the breakwater.
- 07.27 Rudder mid-ships ordered on “*Connemara*”. Distance between the two vessels 0.46 nautical miles (NM).
- “*Connemara*” COG 241°, SOG 6.6 knots.
- “*Stena Europe*” COG 324°, SOG 7.3 knots, passing west of breakwater entrance. Bridge team on “*Stena Europe*” comment “*he is right in the way*”. Control of the wheel on “*Stena Europe*” is passed from the starboard bridge wing to the helmsperson at the centre console; hard to starboard rudder is ordered.
- 07.28 VHF communications between “*Stena Europe*” and “*Connemara*” as well as engine/helm manoeuvres commence as follows:
- VHF: “*Stena Europe*”: ““*Connemara*”, “*Connemara*” stay where you are, I am coming to the south of you”.
- VHF: “*Connemara*”: “*Ok we are staying where we are*”. - Reduces engines from 27% to 20%.

“*Stena Europe*” rudder hard to starboard and thrusters 100% to starboard, engines at 30%.

VHF: “*Stena Europe*”: ““*Connemara*”, “*Connemara*” you should have stayed well north”. - No response from “*Connemara*”.

“*Connemara*” COG 241° SOG 6.8 knots. Engines reduced from 20% to 10% followed by helm ordered starboard 20°.

“*Stena Europe*” SOG 7.2 knots turning to starboard at 21° per minute.

07.29 VHF communications between “*Stena Europe*” and “*Connemara*” as follows:

VHF: “*Connemara*”: ““*Stena Europe*” are you going to turn to starboard or you want to proceed our bow?”

VHF: “*Stena Europe*”: “I told you I would go to the south, you should be nowhere near me, you should be way to the north”.

VHF: “*Connemara*”: “So you are continue alter to starboard I understand, yes?”

VHF: “*Stena Europe*”: “Correct, I told you I would pass to your south, you should be nowhere near the approach”.

No response from “*Connemara*” COG 241° SOG 6.2 knots.

Stern clear of the breakwater reported on “*Stena Europe*”.

“*Passing clear now*” reported on the bridge of “*Connemara*”, this is followed by an order of helm port 10, then 20, 30 and hard to port. At the same time, the engines are increased to 30%.

“*Stena Europe*” mid-ships wheel and thrusters reduced to zero followed by order of “*as she goes*”, engines at 50%, SOG 11 knots, COG 075°.

07.30 Rosslare Port Control calls “*Connemara*” to advise it that in future it is to remain at West Holdens until further advised. Rosslare Port Control then calls “*Stena Europe*” and apologises.

07.31 “*Connemara*” proceeds to its berth and “*Stena Europe*” on passage to Fishguard.

3.2 The above narrative is drawn from VDR and VTS recordings, it does not include any details, remarks or observations from the statements received from both vessels. The statements received from “*Stena Europe*” align with the above narrative. Original statements received from “*Connemara*” differ with the above timeline in respect to the speed and position of “*Connemara*” and do not accurately reflect the VHF communications between the two vessels. Subsequent statements made by the bridge team of “*Connemara*” after reviewing the VDR data concede that their initial statements did not accurately reflect the situation

as it developed. The Master and relieving Master of “*Connemara*” have stated that the communications from VTS and from “*Stena Europe*” were “misheard” and “understood completely wrong”, leading to the situation being interpreted wrongly. The bridge team of the “*Connemara*” could not remember and could not identify from the VDR recording which member of the bridge team conducted the VHF exchanges. The initial statements from “*Connemara*” claim that they initiated contact with “*Stena Europe*” to “find out her intentions”, however, the VDR and VTS recordings clearly show that “*Stena Europe*” initiated VHF contact and informed “*Connemara*” of their intention to pass to the south of them.

The bridge team of the “*Connemara*” has being sent on a Bridge Resource Management (BRM) course to address their poor use of VHF and bridge team communications.

Rosslare Harbour is looking into providing bespoke training by an industry expert for their VTS staff.

4. ANALYSIS

- 4.1 The “*Connemara*” being the inbound vessel was early. When they were advised that they would have to wait until the outbound vessel “*Stena Europe*” sailed, they had a number of options. “*Connemara*” claimed that because of a strong northerly breeze it had no option but to maintain speed. This may be the case; however, it does not explain why it decided to proceed towards the port instead of proceeding further to the north where there was plenty of sea room to manoeuvre (see Appendix 7.4 Chart Showing the Approach to Rosslare Harbour). Both the Master and relieving Master stated that they attributed their action to mis-understood and mis-heard VHF communications. The relieving Master also stated that he was concerned about tides and being late for their arrival time if the vessel proceeded to the north of West Holdens. Had it arrived at its designated time this incident would have been avoided. The failure to carry out Rosslare Europort’s VTS advice to wait at West Holdens is a causative factor of this incident.
- 4.2 The helmsperson of “*Connemara*” was ordered to steer 245° after the “*Connemara*” passed West Holdens buoy, this is a course directly for the entrance to the harbour. The inbound vessel was informed by VTS, over the VHF radio that the “*Stena Europe*” would be sailing soon. This was acknowledged by “*Connemara*”. A report can be clearly heard on the VDR audio recording of one of the bridge team stating “*she is moving*” as soon as “*Stena Europe*” started moving. The inbound vessel should have been aware at this stage that a close quarter situation could develop at the entrance to the harbour unless action was taken. The bridge team onboard “*Connemara*” made the decision to proceed towards the breakwater. No effort was made to hold “*Connemara*” at West Holdens buoy as advised by VTS. The Master of “*Connemara*” stated that he was unable to remember or identify from the VDR recording who made the comment of “*she is moving*”. Poor bridge team management and inappropriate VHF procedures were a contributing factor in this close quarter incident.
- 4.3 The relieving Master was giving the helm orders on the “*Connemara*”. He ordered the helm to starboard 20° and reduce speed immediately prior to a member of the bridge team calling “*Stena Europe*” on VHF to ask if it were going to turn or cross their bow. The bridge team were unable to recall who made the VHF call. The MCIB has been unable to get an explanation from either the Master or the relieving Master onboard “*Connemara*” as to the reason for this action or why more substantial action was not taken much earlier. It is clear from the SMS that the Master retained command at all times despite the fact that the relieving Master was giving helm and engine orders (see Appendix 7.5 *Stena Marine Management SMS Details Regarding Training/Familiarisation of New Masters*). The relieving master was effectively bringing the vessel into Rosslare as a training exercise under the supervision of the Master. Poor communication between the Master and the relieving Master contributed to the close quarter situation developing.

4.4 Statements received from the bridge team of “*Connemara*” conflict with analysis of the VDR recording with respect to manoeuvring, position, speed and communications. On review of the VDR recording, the off-signing Master of “*Connemara*” concluded that there were a number of facts that he did not remember until he reviewed the VDR recording. On reviewing the VDR recording he stated that he could not be sure which member of the bridge team was operating the VHF or if the messages were relayed. As a result of the language used in the VHF conversations, Rosslare Harbour Control was led to believe that the “*Connemara*” was going to hold at West Holdens. Inappropriate VHF procedures and language contributed to this incident.

4.5 The outbound and inbound vessels should have been able to monitor each other both visually and by means of radar and Automatic Identification System (AIS). The Harbour Master of Rosslare Port has confirmed that in his opinion both vessels would have had a clear visual, radar and AIS view of each other.

See Appendix 7.6 - Photograph taken from a Ferry Approaching Rosslare Harbour.

See Appendix 7.7 - Screen Shot of the AIS Display from “*Connemara*” at 07.26 hrs.

See Appendix 7.8 - Screen Shot of the Radar on “*Stena Europe*” with AIS Overlay at 07.26 hrs.

All vessels are required by the IRPCS Rule 5, to keep a proper lookout at all times by all available means. Had both vessels complied with this rule, this incident could have been avoided. Both the Master and the Chief Officer of “*Stena Europe*” were on the starboard bridge wing prior to departure. In statements, they have both said that they did not notice that the “*Connemara*” was not waiting by West Holdens buoy until they had departed the berth. The Chief Officer stated that he only checked the Electronic Chart Display and Information System (ECDIS) and radar after all lines were clear and they had lifted off the berth. The bridge team on “*Stena Europe*” was not monitoring traffic prior to departure; instead, they relied on information from VTS regarding the position of the inbound vessel. In terms of keeping a lookout onboard a vessel, regardless of whether the vessel is at sea, at anchor or just departing the berth, Rule 5 of the IRPCS clearly states: “*Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision*”. This was not the case on “*Stena Europe*”, the bridge team stated that they were unaware that the “*Connemara*” was not holding off the port as requested by VTS. The bridge team on “*Stena Europe*” did not keep a proper lookout by all available means as required by the IRPCS. This was a contributing factor in this close quarter incident.

- 4.6 Had the outbound vessel improved situational awareness it may have been in a position to hold on the berth until certain that a close quarter situation with the inbound vessel could be avoided. By the time the order was given to leave go of all mooring lines onboard “*Stena Europe*”, the order of hard to port had already been given on “*Connemara*”. Had the bridge team on “*Stena Europe*” observed the inbound vessel visually they may have been able to see the change in her aspect, checked its progress on AIS and radar and confirmed with Rosslare Port Control that they were still clear to depart. The company departure checklist for “*Stena Europe*” requires the blind side of the vessel to be checked prior to departure but makes no mention of checking other traffic movements. The only requirement is permission to sail from Port Control (see Appendix 7.9 Pre-Departure Checklist “*Stena Europe*”). “*Stena Europe’s*” SMS does not clearly define who should check that it is clear for the vessel to depart the berth. This was a contributing factor to this incident.
- 4.7 According to VTS recordings the instructions given to “*Connemara*” by Rosslare Port Control to wait at the West Holdens were more of a suggestion rather than an instruction. “*Stena Europe*” will depart in the next ten or 15 minutes or so and informs “*Connemara*” that “*he wouldn’t mind if they held their position, probably make their way to West Holdens and wait there at West Holdens until he tells them “Stena Europe” has departed*”. Such instructions should be clear and definitive by the giver and acknowledged and confirmed by repeating them back to the giver. The lack of clarity in the instruction and the lack of adequate confirmation was a contributing factor to this incident.
- 4.8 At no point were the actions of the inbound vessel questioned by Rosslare Port Control. An update was not provided to either vessel on the progress of the other. Even when it was evident that a close quarter situation was inevitable, Rosslare Port Control did not attempt to clarify the intentions of either vessel or highlight the possibility of a close quarter situation between the vessels (see Appendix 7.10 Screen Shot from Rosslare Port Control). The duty Port Controller had at least six minutes during which time he could have contacted the inbound vessel to clarify its intentions and provide additional instructions. Rosslare Port Control did not ensure that the instructions passed to the inbound vessel were followed. This was a causative factor to the incident.
- 4.9 The duty Port Controller at the time of the incident did not hold any maritime qualifications nor has the Port Controller undergone any maritime training. The duty Port Controller’s working background is with Irish Rail, the controller has no maritime experience. The training to become a Port Controller with Rosslare Port is all conducted in-house and consists of shadowing an experienced Port Controller for two weeks. There is no requirement for any maritime qualifications or experience. The training conducted by Rosslare Port would not have given the Port Controller an understanding or appreciation of the IRPCS or the handling characteristics of large passenger ferries. The lack of training and

relevant maritime qualifications of the Port Controller is a contributing factor in this incident.

<https://www.iala-aism.org/product/vessel-traffic-service-operators-training-v-1031/>

- 4.10 Legislation relating to VTS in Ireland is limited to Convention for the Safety of Life at Sea (SOLAS Convention) Chapter V Regulations 12 (see Appendix 7.11 SOLAS Chapter V Regulation 12), Directive 2002/59/EC - Articles 7, 8 & 9 (see Appendix 7.12 EU Directive 2002/59/EC Articles 7, 8, & 9) and Regulation 12 of S.I. No.573/2010 - European Communities (Vessel Traffic Monitoring and Information Systems) Regulations 2010 (see Appendix 7.13 S.I. No.573/2010 - European Communities (Vessel Traffic Monitoring and Information System) Regulations 2010). The provision of VTS in Irish ports is not addressed in this legislation nor are standards of qualifications and training for personnel working in VTS in Irish ports. SOLAS and Directive 2002/59/EC - Articles 7, 8 & 9 reference the IMO guidelines for VTS which were updated in December 2021 (see Appendix 7.14 - IMO Resolution A.1158/32 - Guidelines for Vessel Traffic Services). The IMO guidelines address the provision of VTS as well as the training and certification of VTS personnel. Lack of legislation covering the provision of VTS in Irish ports as well as training and certification of VTS personnel is a contributing factor in this incident.

5. CONCLUSIONS

- 5.1 The bridge team of “*Connemara*” failed to follow instructions from Rosslare Port Control and instead proceeded directly towards the port knowing that another vessel was outbound. Although it was the stand on vessel under the IRPCS and therefore obliged to maintain course and speed in a crossing situation where risk of collision existed, under IRPCS; Rule 17 (a) (ii) the option was available to “*Connemara*” at any time to alter course and/or speed. Rule 17 (a) (ii) states that as soon as it becomes apparent that the give way vessel, in this case the outbound vessel “*Stena Europe*”, was not taking appropriate action, the stand on vessel may take action. In his statement, the Master of the inbound vessel “*Connemara*” said he was unclear of the intentions of outbound vessel. This uncertainty is also evident from the VHF conversation at 07.28 hrs where the inbound vessel asks the outbound vessel if it is going to alter to starboard or cross ahead.

VHF: “*Stena Europe*”: ““*Connemara*”, “*Connemara*” stay where you are, I am coming to the south of you”.

VHF: “*Connemara*”: “Ok we are staying where we are”. - Reduces engines from 27% to 20%.

“*Stena Europe*” rudder hard to starboard and thrusters 100% to starboard, engines at 30%.

VHF: “*Stena Europe*”: ““*Connemara*”, “*Connemara*” you should have stayed well north”. - No response from “*Connemara*”.

Given this uncertainty, the inbound vessel, “*Connemara*”, should have taken greater action, and taken it much earlier, in order to avoid this close quarter situation. Further to this, under the IRPCS; Rule 2 (b), the inbound vessel could have at any time, altered course and/or speed as necessary as the rule specifically allows for a departure from the rules to “avoid immediate danger”.

See Appendix 7.3 Applicable International Regulations for Preventing Collisions at Sea.

- 5.2 The inbound vessel could have avoided the situation entirely by utilising the deep water to the north of West Holdens buoy to manoeuvre while waiting for the outbound vessel to clear the channel, therefore, avoiding any possibility of a close quarter situation developing. This is also something that could have been communicated to the inbound vessel by Rosslare Port Control had the duty Port Controller noticed that the inbound vessel was not following his advices.
- 5.3 It is evident from the VDR recording and conflicting statements received from the bridge team of “*Connemara*” that communication among the bridge team was extremely poor leading to a situation where there was uncertainty as to who was in control of the situation.

- 5.4 It is further evident from the “*Connemara*” VDR recording and statements from the bridge team that planning, in particular contingency planning, among the bridge team was severely lacking.
- 5.5 The outbound vessel was in a position to have avoided this close quarter situation. It is evident from its VDR recording that it was concerned about its sailing time and not being held up by the early arrival of “*Connemara*”. This may have affected its decision making process and caused it to overlook the progress of the inbound vessel in its eagerness to sail on schedule. The final decision to depart the berth is up to the Master of the vessel. This is reflected in the SMS which states that the Master must ensure all statutory requirements are complied with. This includes the IRPCS which requires keeping a lookout at all times. The bridge team on “*Stena Europe*” did not comply with this.
- 5.6 Rosslare Port Control should have been able to manage this situation and to ensure that arriving and departing vessel do not have to worry about close quarter situations off the entrance to the harbour. Arriving and departing vessels should not end up in a situation where they have to contact each other on VHF to arrange passing. The duty Port Controller was also engaged in other duties in addition to VTS duties. He could not have been completely focused on the vessels manoeuvring in and off the port.
- 5.7 The Port Controller has no maritime qualifications or training and therefore cannot be expected to fully appreciate the manoeuvrability of the vessels operating in and out of the port. A lack of training and maritime experience meant that the Port Controller could not have anticipated the seriousness or potential consequences of allowing a situation such as this one to develop. Specific VTS training and qualifications are available (see link in section 4.9, VTS qualifications & training).
- 5.8 For a port that handles over 30 sailings per week, the qualifications and training required to be a Port Controller at Rosslare are very low. There are no maritime or VTS qualifications required and held by the Port Controllers, nor is there any legislation requiring such. The in-house training for all controllers at Rosslare consists of shadowing existing Port Controllers for a two-week period. The only VTS or maritime experience the existing Port Controllers have is from working in Rosslare Port Control. The existing Port Controllers do not have any VTS or maritime qualifications, nor do they have any formal training qualifications to assist with the process of training a new Port Controller. The lack of training and maritime experience made it very difficult for the Port Controller to fully appreciate the potential consequences of allowing a close quarter situation to develop.

6. SAFETY RECOMMENDATIONS

6.1 Stena Marine Management

- Ensure their bridge teams understand the importance of bridge resource management and highlight to their crews the dangers of lack of communication, in particular during port entry and departure. - *Bridge team officers of the “Connemara” have all attended a Bridge Resource Management course.*
- Conduct an investigation to ascertain why “Connemara” failed to follow advices from Rosslare Port Control and amend its Safety Management System appropriately in light of any findings. - *Stena Marine Managements investigation into this incident concluded that a lack of communication between the bridge team was responsible for the vessel not following the advice from Rosslare Port Control.*
- Conduct an audit on its system of training and familiarisation for new Masters to ensure it is fit for purpose and clearly identifies who is in charge of the vessel at all times.

6.2 Stena Line UK

- Review its bridge procedures for departure and ensure that a member of the bridge team is designated as being clearly responsible for ensuring that, in all respects, it is safe to leave the berth before leaving go of all lines. - *Stena Line UK have advised the Marine Casulty Investigation Board that they have reviewed and amended their departure procedures.*
- Issue advice to its vessels affirming that the safety of the vessel takes priority over rigidly adhering to its sailing schedule, and that the Master has the overriding authority and the responsibility to make decisions with respect to safety and pollution prevention.

6.3 Rosslare Harbour

- Should amend the working arrangements for their staff in Port Control to ensure that when vessels are moving in or near the harbour that the duty controller cannot be distracted by other tasks such as monitoring road traffic or loading of other vessels. Arrival and departure procedures should be amended to reflect this.
- Should immediately introduce training for port controllers in line with recognised international standards.

6.4 The Minister for Transport and the Irish Maritime Administration

The Minister for Transport and the Irish Maritime Administration should consider legislation to ensure that personnel working in safety critical roles such as Vessel Traffic Service or Harbour Control have suitable training and qualifications for the position. The guidelines of International Maritime Organisation resolution A.1158/32 should be taken into account when considering legislation on Vessel Traffic Service.

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Appendix 7.1 Photograph taken from the Bridge Wing of the Outbound Vessel “Stena Europe” Showing the Inbound Vessel “Connemara” Passing Approximately 100 m Clear



Appendix 7.2 Met Éireann Weather Report



24-hour Sea Area Forecast

Updated at 0000 / 0600 / 1200 / 1800

Sea Area Forecast until 0600 Thursday, 17 March 2022
Issued at 0600 Wednesday, 16 March 2022

- Gale warning:** In operation
Small craft warning: In operation
- Meteorological situation at 0300:** A moderate to fresh southwesterly airflow over Ireland veers northwesterly as an occluded front over the east of the country moves slowly eastwards.
- Forecast for Irish coastal waters from Mizen Head to Slyne Head to Malin Head**
Wind: Northwest force 4 or 5, backing west to southwest force 3 or 4 imminent, later backing south to southwest and increasing force 5 or 6 early tonight, increasing force 6 to gale force 8 overnight
Weather: Fair apart from isolated showers. Showery rain developing overnight
Visibility: Mostly good, decreasing moderate or poor in any rain or showers.
Forecast for Irish coastal waters from Malin Head to Wicklow Head to Mizen Head and for the Irish Sea
Wind: South to southwest force 4 or 5 on the east coast at first, veering northwest force 3 or 4 imminent and increasing north to northwest force 4 or 5, later backing west to northwest force 2 to 4, backing southwesterly overnight
Weather: Rain on east and southeast coasts this morning, clearing slowly eastwards. Becoming mainly fair
Visibility: Moderate or poor in rain, increasing mostly good
Warning of Heavy Swell: On Atlantic coasts
- Outlook for a further 24 hours until 0600 Friday 18 March 2022:** Fresh to strong southwest winds veering moderate to fresh westerly in the afternoon, but continuing strong for a time on northern coasts. Showery rain spreading eastwards and clearing later.



Text of Gale Warning	
South to southwest winds will occasionally reach gale force overnight (Wednesday) on coasts from Slyne Head to Erris Head to Malin Head.	

Text of Small Craft Warning	
South to southwest winds will reach force 6 or higher later overnight (Wednesday) on coasts from Mizen Head to Loop Head to Slyne Head	

Coastal Reports	5 AM Wednesday, 16 March 2022
Malin Head Automatic	West, 11 Knots, Cloudy, 7 Miles, 1016, Rising slowly
Dublin Airport	West-Northwest, 7 Knots, Light rain, 13 Miles, 1017, Rising slowly
Buoy M5 51° 41'N 6° 42'W	North-Northwest, 17 Knots, Wave ht: 2 m, The visibility at Tuskar is 5 Miles, 1017, Rising slowly
Roches Point Automatic	Northwest, 11 Knots, Fair, 18 Miles, 1018, Rising slowly
Sherkin Island Automatic	North-Northeast, 5 Knots, Fair, 13 Miles, 1019, Rising slowly
Valentia Automatic	East-Northeast, 3 Knots, Fair, 14 Miles, 1019, Rising slowly
Mace Head Automatic	North, 3 Knots, Mist, 3 Miles, 1018, Rising slowly
Beimullet Automatic	West-Southwest, 1 Knot, Fair, 7 Miles, 1017, Rising slowly
Buoy M1 53° 8'N, 11° 12'W	Report not available
Buoy M2 53° 29'N, 5° 26'W	Northwest, 11 Knots, Wave ht: 0.7 m, 1016, Rising slowly
Buoy M3 51° 13'N, 10° 33'W	Northwest, 12 Knots, Wave ht: 6.1 m, 1019, Rising slowly
Buoy M4 55° 0'N 10° 0'W	West-Southwest, 13 Knots, Wave ht: 6.9 m, 1016, Rising slowly
Buoy M6 53° 4'N 15° 56'W	Report not available

Disclaimer: buoy locations are approximate and are not for navigational purposes

Sea Crossings	State of sea until 0600 Friday 18 March 2022
Dublin - Holyhead	Slight, increasing slight to moderate on Thursday
Rosslare - South Wales	Slight to moderate, increasing moderate on Thursday
Cork - South Wales	Slight to moderate, increasing moderate on Thursday
Rosslare - France	Rough to very rough, decreasing moderate to rough on Thursday
Cork - France	Rough to very rough, decreasing moderate to rough on Thursday

Next update before 1300 Wednesday, 16 March 2022

Appendix 7.3 Applicable International Regulations for Preventing Collisions at Sea

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 5

Lookout

Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.

Rule 15

Crossing situation

When two power-driven vessels are crossing so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way and shall, if the circumstances of the case admit, avoid crossing ahead of the other vessel.

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 subparagraph (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.

7.1 VTS qualifications & training

<https://www.iala-aism.org/product/vessel-traffic-service-operators-training-v-1031/>

Appendix 7.5 Stena Marine Management SMS Details Regarding Training/Familiarisation of New Masters

SMS document 7.1.1 chapter 3.4:

3.4 Ship Handling / Pilotage Training

Masters are encouraged to offer ship handling and pilotage training as part of the development of appropriately qualified Deck Officers. When deciding if it is appropriate for an Officer to undergo training, the Master shall on each occasion be prepared to offer training, have full regard to the prevailing circumstances and conditions in relation to the Officers abilities and experience and decide whether training is appropriate or not. The Master is under no obligation to provide training.

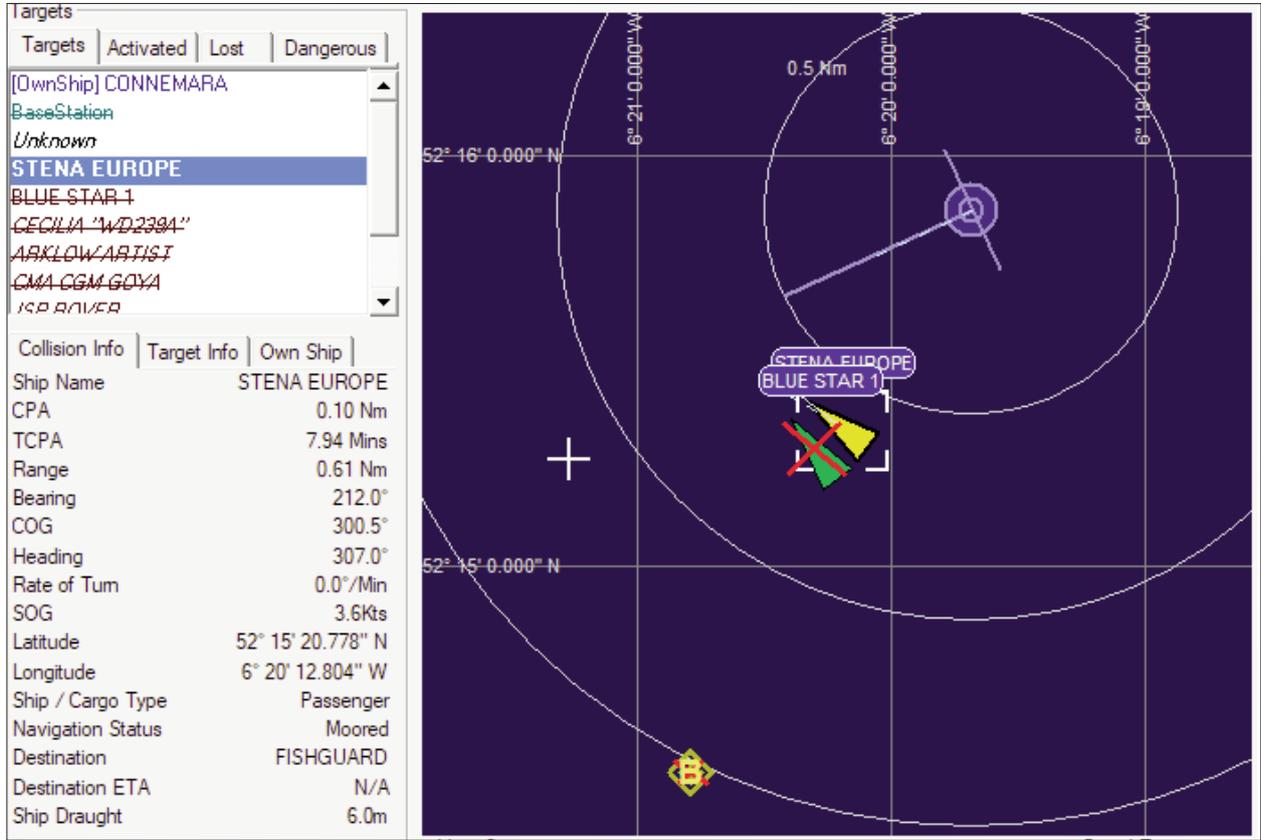
When training is undertaken both the Master and the Officer under training shall be aware that the Master remains in Command of the ship and shall offer advice, issue orders, or take over the maneuver as Master sees fit. Whilst the Master shall remain in close supervision of the Officer undergoing training it is recognized that Master cannot foresee or respond to all the actions taken by that Officer and the trainee must assume responsibility for his/her own actions

Appendix 7.6 Photograph taken from a Ferry Approaching Rosslare Harbour



Showing the breakwater and a vessel in the approximate position "*Stena Europe*" would have been in when the "*Connemara*" was approaching.

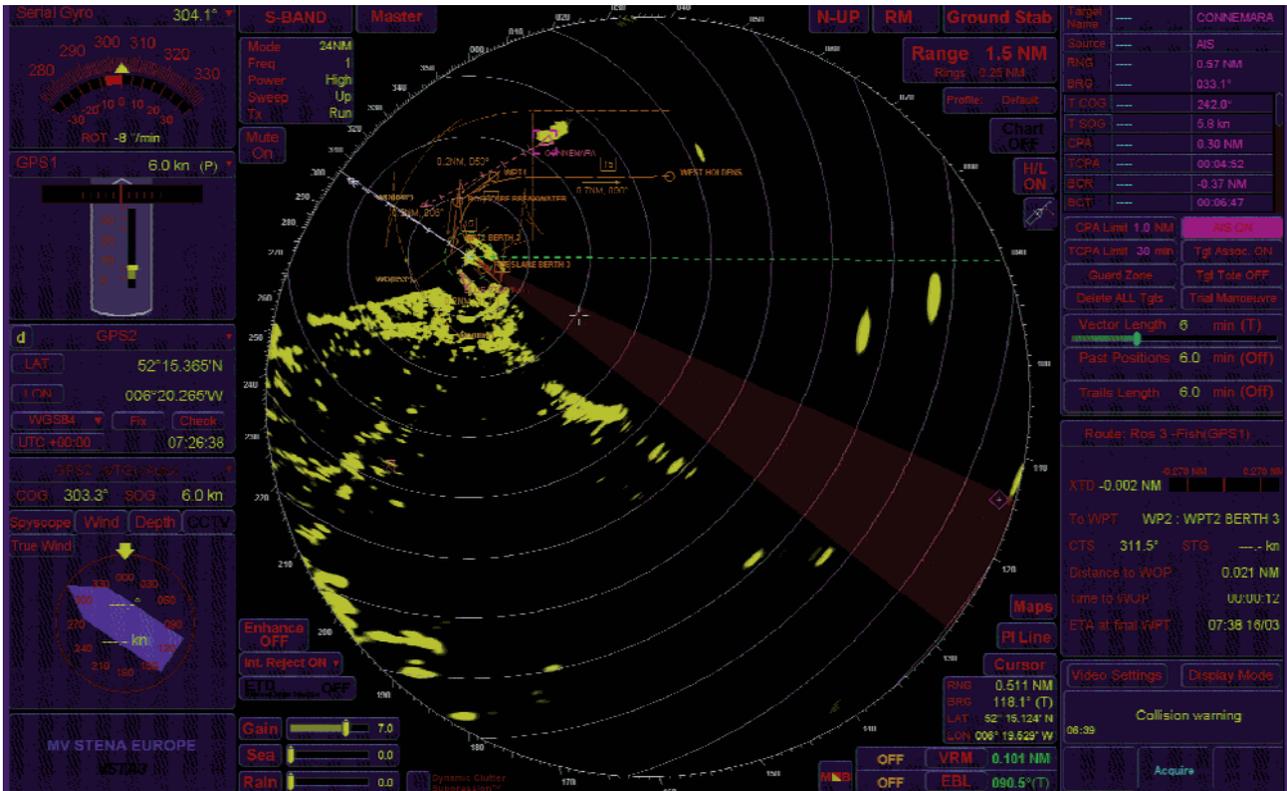
Appendix 7.7 Screen Shot of the AIS Display from “Connemara” at 07.26 hrs



“Stena Europe” can clearly be seen to be moving.

APPENDIX 7.8

Appendix 7.8 Screen Shot of the Radar on “Stena Europe” with AIS Overlay at 07.26 hrs



It is clearly evident that “Connemara” has not held position at West Holdens and is on a course towards the harbour entrance.

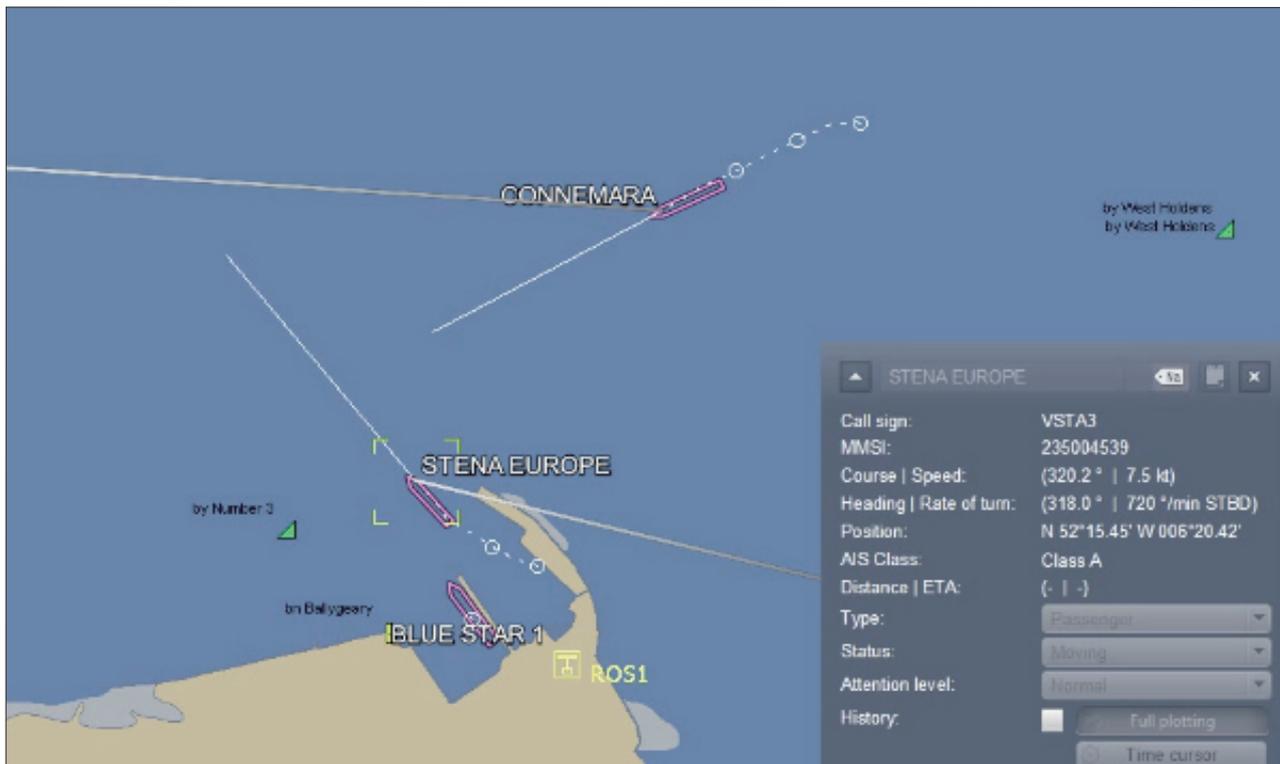
Appendix 7.9 Pre-Departure Checklist “Stena Europe”

Departure Checklist (Stena Europe)				
Version No.	Revision Date.	Document ID.	Page.	
3	2018-11-28	SOM-1054	1	
SOM chapter: 7		SMM reference: SMM-0148		
Validity: Stena Europe				
DR Operational / GPS & ECDIS Routes Setup / Pilotage Profile Selected Radar's Setup / GMDSS Operational / Echo Sounder On and Set to Correct Range / Log Operational / Navigation Lights On / Correct Charts Available / AIS Setup				
VHF on Ch16 & Ch12 (Rosslare) / Ch14 (Fishguard)				
Steering Checked in Hand / Automatic & Bridge Wing Controls Four Steering Motors on				
Compasses Compared BNWAS ON				
Ballast / Heeling Completed				
WT Doors Closed / Flood Doors Secure				
Gangway & Over-side Connections Clear				
Shell Doors Secure & Audible Alarm Reset (If red light on indicator, visual inspection must confirm the door is secure and inform E/R)				
Draughts Checked / Stability Calculated and Safe				
Vehicle Deck Fire Doors Closed				
Vehicle Deck Fire Alarm Isolation Off				
SBE – Engines / Bow-thrust Ready. Bridge Control				
Masters Announcement / Safety Announcement				
Permission to Sail from Port Control				
Blind Side Check				
Master to verbally confirm control of Steering, Engines and bow thrusters on Bridge wing control. Verbally confirm Departure Check List Completed.				

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APPENDIX 7.10

Appendix 7.10 Screen Shot from Rosslare Port Control



Taken six minutes after the last VHF contact with “*Connemara*” when they were informed that “*Stena Europe*” would be departing in the next minute or two and 24 minutes after “*Connemara*” was asked to wait in the vicinity of West Holdens buoy.

Appendix 7.11 SOLAS Chapter V Regulation 12

- 1 Vessel traffic services (VTS) contribute to safety of life at sea, safety and efficiency of navigation and protection of the marine environment, adjacent shore areas, work sites and offshore installations from possible adverse effects of maritime traffic.
- 2 Contracting Governments undertake to arrange for the establishment of VTS where, in their opinion, the volume of traffic or the degree of risk justifies such services.
- 3 Contracting Governments planning and implementing VTS shall, wherever possible, follow the guidelines developed by the Organization.* The use of VTS may only be made mandatory in sea areas within the territorial seas of a coastal State.
- 4 Contracting Governments shall endeavour to secure the participation in, and compliance with, the provisions of vessel traffic services by ships entitled to fly their flag.
- 5 Nothing in this regulation or the guidelines adopted by the Organization shall prejudice the rights and duties of Governments under international law or the legal regimes of straits used for international navigation and archipelagic sea lanes.

Appendix 7.12 EU Directive 2002/59/EC Articles 7, 8 & 9

Article 7

Use of ship's routing systems

1. Member States shall monitor and take all necessary and appropriate measures to ensure that all ships entering the area of a mandatory ships' routing system adopted by the IMO according to Regulation 10 Chapter V of the SOLAS Convention and operated by one or more States, of which at least one is a Member State, use the system in accordance with the relevant guidelines and criteria developed by the IMO.
2. When implementing a ship's routing system, which has not been adopted by the IMO, under their responsibility, Member States shall take into account, wherever possible, the guidelines and criteria developed by the IMO and promulgate all information necessary for the safe and effective use of the ship's routing system.

Article 8

Monitoring of the compliance of ships with vessel traffic services

Member States shall monitor and take all necessary and appropriate measures to ensure that:

- (a) ships entering the area of applicability of a VTS operated by one or more States, of which at least one is a Member State, within their territorial sea and based on the guidelines developed by the IMO, participate in, and comply with, the rules of that VTS;
- (b) ships flying the flag of a Member State or ships bound for a port of a Member State and entering the area of applicability of such a VTS outside the territorial sea of a Member State and based on the guidelines developed by the IMO, comply with the rules of that VTS;
- (c) ships flying the flag of a third State and not bound for a port in a Member State entering a VTS area outside the territorial sea of a Member State, follow the rules of that VTS wherever possible. Member States should report to the flag State concerned any apparent serious breach of those rules in such a VTS area.

Article 9

Infrastructure for ship reporting systems, ships' routing systems and vessel traffic services

1. Member States shall take all necessary and appropriate measures to provide themselves gradually, on a time-schedule compatible with the timetable set out in Annex II(I), with appropriate equipment and shore-based installations for receiving and utilising the AIS information taking into account a necessary range for transmission of the reports.
2. The process of building up all necessary equipment and shore-based installations for implementing this Directive shall be completed by the end of 2007. Member States shall ensure that the appropriate equipment for relaying the information to, and exchanging it between, the national systems of Member States shall be operational at the latest one year thereafter.
3. Member States shall ensure that the coastal stations in charge of monitoring the compliance with vessel traffic services and ships' routing systems have sufficient and properly qualified staff available, as well as appropriate means of communication and ship monitoring and that they operate in accordance with the relevant IMO guidelines.

Appendix 7.13 S.I. No.573/2010 - European Communities (Vessel Traffic Monitoring and Information System) Regulations 2010

Monitoring of compliance of ships with vessel traffic services (VTS)

12. (1) Any ship entering the area of applicability of a VTS operated within the territorial waters shall participate in, and comply with the rules of, that VTS.

(2) Any ship flying the flag of the State or bound for a port in the State entering the area of applicability of a VTS outside the territorial waters shall comply with the rules of that VTS.

(3) The appropriate port authority shall monitor compliance with the obligations specified in paragraphs (1) and (2).

(4) The operator, agent or master of a ship which fails to comply with paragraph (1) or (2) commits an offence.

Appendix 7.14 IMO Resolution A.1158/32 - Guidelines for Vessel Traffic Services

Informal document SC.3/WP.3 No. 13 (2022)
Agenda item 8 (a)



E

ASSEMBLY
32nd session
Agenda item 12

A 32/Res.1158
28 January 2022
Original: ENGLISH

Resolution A.1158(32)

Adopted on 15 December 2021
(Agenda item 12)

GUIDELINES FOR VESSEL TRAFFIC SERVICES

THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety and the prevention and control of marine pollution from ships,

RECALLING ALSO regulation V/12 of the International Convention on Safety of Life at Sea, 1974 ("the Convention"), on vessel traffic services,

BEARING IN MIND the responsibility of Governments for the safety of navigation and protection of the marine environment in areas under their jurisdiction,

BEING AWARE that vessel traffic services are provided worldwide and make a valuable contribution to safety of navigation, improved efficiency of traffic flow and the protection of the marine environment,

RECOGNIZING that various organizational, operational and technological developments have taken place globally in a rapidly changing maritime domain since the adoption, in 1997, of resolution A.857(20) on *Guidelines for vessel traffic services* and that a revision of those Guidelines became necessary,

RECOGNIZING ALSO that the level of safety and efficiency in the movement of maritime traffic within an area covered by vessel traffic services is dependent upon close cooperation between those operating the vessel traffic services and participating ships,

RECOGNIZING FURTHER that the use of differing procedures may cause confusion to ship masters, and that vessel traffic services should be established and operated in a harmonized manner and in accordance with internationally approved guidelines,

NOTING that the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA) has contributed significantly to the development of internationally harmonized guidance for vessel traffic services,

HAVING CONSIDERED the recommendations made by the Maritime Safety Committee at its 102nd session,

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Appendix 7.14 IMO Resolution A.1158/32 - Guidelines for Vessel Traffic Services

A 32/Res.1158

Page 2

- 1 ADOPTS the revised *Guidelines for vessel traffic services*, set out in the annex to the present resolution;
- 2 RECOMMENDS Contracting Governments and Members of the Organization which are not Contracting Governments to the Convention to take into account the Guidelines contained in the annex when planning and implementing vessel traffic services in accordance with regulation V/12 of the Convention;
- 3 RECOMMENDS Governments to encourage masters of ships navigating in an area for which a vessel traffic service is provided to make use of the service;
- 4 AUTHORIZES the Maritime Safety Committee to keep the aforementioned Guidelines under review and amend them, as appropriate;
- 5 REVOKES resolution A.857(20).

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Appendix 7.14 IMO Resolution A.1158/32 - Guidelines for Vessel Traffic Services

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Annex, page 1

ANNEX

GUIDELINES FOR VESSEL TRAFFIC SERVICES**1 INTRODUCTION**

1.1 These Guidelines are associated with regulation V/12 of the International Convention on Safety of Life at Sea, 1974 ("the Convention") and should be taken into account by Contracting Governments to the Convention when planning, implementing and operating vessel traffic services (VTS) under national law. Members of the Organization which are not Contracting Governments to the Convention are also encouraged to take these Guidelines into account.

1.2 IMO, in its role in regulating the planning, implementation and operation of VTS, is responsible for providing guidance on their establishment, operation, qualification and training. This includes a leadership role in providing a forum and framework for cooperation among Governments to facilitate the consistent and harmonized delivery of VTS worldwide.

1.3 IALA is recognized as an important contributor to IMO's role and responsibilities relating to VTS.

1.4 In complying with these Guidelines, Contracting Governments should take account of applicable IMO instruments and refer to relevant international guidance prepared and published by appropriate international organizations.

2 TERMS AND DEFINITIONS

The following terms are used in connection with vessel traffic services:

- .1 *Vessel traffic services (VTS)* means services implemented by a Government with the capability to interact with vessel traffic and respond to developing situations within a VTS area to improve safety and efficiency of navigation, contribute to the safety of life at sea and support the protection of the environment.
- .2 *Competent authority* means the entity made responsible by the Government for vessel traffic services.
- .3 *VTS provider* means the organization or entity authorized by the Government or competent authority to provide vessel traffic services.
- .4 *VTS area* means the delineated, formally declared area for which the VTS provider is authorized to deliver vessel traffic services.
- .5 *VTS personnel* means persons performing tasks associated with vessel traffic services, trained in vessel traffic services operations and appropriately qualified.
- .6 *Allied services* means services other than vessel traffic services involved in the safe and efficient passage of a ship through a VTS area, such as pilotage, tugs and linesmen.
- .7 *Participating ship* means a ship required to participate with vessel traffic services.

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Appendix 7.14 IMO Resolution A.1158/32 - Guidelines for Vessel Traffic Services

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3 PURPOSE OF VESSEL TRAFFIC SERVICES

3.1 The purpose of VTS is to contribute to the 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:

- .1 providing timely and relevant information on factors that may influence ship movements and assist onboard decision-making. This may include:
 - .1 position, identity, intention and movements of ships;
 - .2 maritime safety information;
 - .3 limitations of ships in the VTS area that may impose restrictions on the navigation of other ships (e.g. manoeuvrability), or any other potential hindrances;
 - .4 other information such as reporting formalities and International Ship and Port Facility Security Code (ISPS Code) details; and
 - .5 support for, and cooperation with, allied services;
- .2 monitoring and managing ship traffic to ensure the safety and efficiency of ship movements. This may include:
 - .1 planning ship movements in advance;
 - .2 organizing ships under way;
 - .3 organizing space allocation;
 - .4 establishing a system of traffic clearances;
 - .5 establishing a system of voyage or passage plans;
 - .6 providing route advice; and
 - .7 ensuring compliance with and enforcement of regulatory provisions for which they are empowered;
- .3 responding to developing unsafe situations, which may include:
 - .1 a ship unsure of its route or position;
 - .2 a ship deviating from the route;
 - .3 a ship requiring guidance to an anchoring position;
 - .4 a ship that has defects or deficiencies, such as navigation or manoeuvring equipment failure;
 - .5 severe meteorological conditions (e.g. low visibility, strong winds);
 - .6 a ship at risk of grounding or collision; and
 - .7 emergency response or support for emergency services.

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Appendix 7.14 IMO Resolution A.1158/32 - Guidelines for Vessel Traffic Services

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Annex, page 3

3.2 To achieve their purpose, VTS should provide information or issue advice, warnings and instructions, as deemed necessary.

4 REGULATORY AND LEGAL FRAMEWORK

4.1 VTS are recognized internationally as a navigational safety measure through regulation V/12 of the Convention.

4.2 Under the general provisions of treaty law and of IMO conventions, Contracting Governments are responsible for promulgating laws and regulations and for taking all other steps which may be necessary to give those instruments full and complete effect.

4.3 The establishment of VTS is dependent on national law and relevant international conventions, recognizing factors such as the volume of traffic, degree of risk, and geographical and environmental conditions.

4.4 VTS may be established in association with IMO adopted ships' routing systems or mandatory ship reporting systems, in accordance with regulations V/10 and V/11 of the Convention, respectively.

4.5 VTS may also be established beyond the territorial seas of a coastal State to provide information and advice on the basis of voluntary participation.

4.6 Contracting Governments should ensure that ships flying their flag comply with the requirements of VTS. Those Contracting Governments which have received information of an alleged violation of VTS by a ship flying their flag should provide the Government which has reported the offence with details of any appropriate action taken.

5 VESSEL TRAFFIC SERVICES RESPONSIBILITIES

5.1 The Contracting Government should:

- .1 establish a legal basis for VTS that gives effect to regulation V/12 of the Convention;
- .2 appoint and authorize a competent authority for VTS;
- .3 take appropriate action against a ship flying its flag that is reported not to have complied with the provisions of VTS; and
- .4 take account of future technical and other developments recognized by the Organization relating to VTS.

5.2 The competent authority for VTS should:

- .1 establish a regulatory framework for establishing and operating VTS in accordance with relevant international conventions and IMO instruments, IALA standards and national law;
- .2 authorize VTS providers to operate VTS within a delineated VTS area;
- .3 ensure that VTS training is approved and VTS personnel are certified; and
- .4 establish a compliance and enforcement framework with respect to violations of VTS regulatory requirements.

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Appendix 7.14 IMO Resolution A.1158/32 - Guidelines for Vessel Traffic Services

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5.3 The VTS provider should:

- .1 ensure that VTS conform with the regulatory framework set by the competent authority for VTS;
- .2 set operational objectives for VTS that are consistent with improving the safety and efficiency of ship traffic and the protection of the environment. The objectives set should be routinely evaluated to demonstrate that they are being achieved;
- .3 ensure that appropriate equipment, systems and facilities for the delivery of VTS are provided;
- .4 ensure that VTS are adequately staffed and that VTS personnel are appropriately trained and qualified; and
- .5 ensure that information regarding requirements and procedures of VTS and the categories of ships required to participate in VTS are promulgated in appropriate nautical publications.

6 PARTICIPATING SHIPS

6.1 In a VTS area, participating ships should:

- .1 provide reports or information required by VTS;
- .2 take into account the information provided, or advice and warnings issued, by VTS;
- .3 comply with the requirements and instructions given to the ship by VTS unless contradictory safety or marine environment protection reasons exist; and
- .4 report any pollution or dangers to navigation to VTS.

6.2 Ships not designated as participating ships may take part in VTS, subject to complying with the requirements of VTS and any guidance issued by the VTS provider.

6.3 Masters may be required to report on their actions should they decide to disregard any instruction given by VTS.

7 GENERAL PRINCIPLES

7.1 Nothing in these Guidelines changes the ultimate responsibility of the master for all aspects of the operation of the ship including the responsibility for safe navigation.

7.2 The need for VTS should be assessed and reviewed through risk assessment.

7.3 VTS communications should be timely, clear, concise and unambiguous.

7.4 VTS operate within a comprehensive environment in which ships, ports, allied services and other organizations fulfil their respective roles, as appropriate.

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Appendix 7.14 IMO Resolution A.1158/32 - Guidelines for Vessel Traffic Services

A 32/Res.1158
Annex, page 5

7.5 Effective harmonized data exchange and information-sharing is fundamental to the overall operational efficiency and safety. VTS providers are encouraged to make use of automated reporting where possible.

7.6 VTS operations should be harmonized with ship reporting systems, ships' routing measures and allied services, as appropriate.

7.7 Where two or more Governments have a common interest in establishing VTS in a particular area, they should develop coordinated VTS on the basis of an agreement between them. Where coordinated VTS are established, they should have uniform procedures and operations.

8 QUALIFICATIONS AND TRAINING

8.1 A major factor in the operation of VTS is the competence of their personnel.

8.2 VTS personnel should only be considered competent when appropriately trained and qualified for their VTS duties. This includes:

- .1 satisfactorily completing generic VTS training approved by a competent authority;
- .2 satisfactorily completing on-the-job training at the VTS where the personnel are employed;
- .3 undergoing periodic assessments and revalidation training to ensure competence is maintained; and
- .4 being in possession of appropriate certification.

9 IALA STANDARDS

9.1 IALA publishes standards and associated recommendations, guidelines and model courses specifically related to the establishment and operation of VTS to contribute to achieving worldwide harmonization of VTS.

9.2 Contracting Governments are encouraged to take into account IALA standards and associated recommendations, guidelines and model courses.

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SECTION 36 PROCESS

Section 36 of the Merchant Shipping (Investigation of Marine Casualties) Act, 2000

It is a requirement under Section 36 that:

- (1) Before publishing a report, the Board shall send a draft of the report or sections of the draft report to any person who, in its opinion, is likely to be adversely affected by the publishing of the report or sections or, if that person be deceased, then such person as appears to the Board best to represent that person's interest.
- (2) A person to whom the Board sends a draft in accordance with subsection (1) may, within a period of 28 days commencing on the date on which the draft is sent to the person, or such further period not exceeding 28 days, as the Board in its absolute discretion thinks fit, submit to the Board in writing his or her observations on the draft.
- (3) A person to whom a draft has been sent in accordance with subsection (1) may apply to the Board for an extension, in accordance with subsection (2), of the period in which to submit his or her observations on the draft.
- (4) Observations submitted to the Board in accordance with subsection (2) shall be included in an appendix to the published report, unless the person submitting the observations requests in writing that the observations be not published.
- (5) Where observations are submitted to the Board in accordance with subsection (2), the Board may, at its discretion -
 - (a) alter the draft before publication or decide not to do so, or
 - (b) include in the published report such comments on the observations as it thinks fit.'

The Board reviews and considers all observations received whether published or not published in the final report. When the Board considers an observation requires amendments to the report, those amendments are made. When the Board is satisfied that the report has adequately addressed the issue in the observation, then no amendment is made to the report. The Board may also make comments on observations in the report.

Response(s) received following circulation of the draft report (excluding those where the Board has agreed to a request not to publish) are included in the following section.

The Board has noted the contents of all observations, and amendments have been made to the report where required.

SECTION 36 OBSERVATIONS

8. MSA 2000 - SECTION 36 OBSERVATIONS RECEIVED

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Note: The names and contact details of the individual respondents have been obscured for privacy reasons.

8.1 Observation from Stena Line and MCIB response



Marine Casualty Investigation Board,
Leeson Lane,
Dublin
D02 TR60

Stena Line (UK) Ltd.,
Terminal Building,
Rosslare Europort,
Co. Wexford,
Y35 PH4X

Your reference MCIB/12/317

Comments on the Draft Report of an Investigation into a marine casualty involving Stena Europe and MV Connemara at Rosslare Port, Co Wexford on or about the 16 March 2022.

Dear [REDACTED]

Thank you for forwarding a draft copy of the MCIB's report into the close quarters' incident between MV Stena Europe and MV Connemara on the 16th March last.

I would like to make the following comments in relation to the report please:

1. The title of the report refers to a "marine casualty". Would it be more accurate to use the term "marine incident" or Close Quarters situation? I refer to the Code of the International Standards and recommended practices for a safety investigation into a marine casualty or marine incident (Casualty Investigation Code). IMO Resolution MSC.255(84), Section 2.9 & 2.10.
2. With reference to Section 6, Safety Recommendations, Section 6.2 Stena Line is recommended to "Review its bridge procedures for departure and ensure that a member of the bridge team is designated as being clearly responsible for ensuring that, in all respects, it is safe to leave the berth before letting go of all lines." I can confirm that this was completed promptly after the incident for Stena Europe and is being rolled out across the rest of the Irish Sea fleet.
3. With reference to the second recommendation in Section 6, Safety Recommendations, Stena Line is also recommended to "Issue advice to its vessels affirming that the safety of the vessel takes priority over rigidly adhering to its schedule" We would firmly refute that this was not a factor in this incident and I

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8.1 Observation from Stena Line and MCIB response

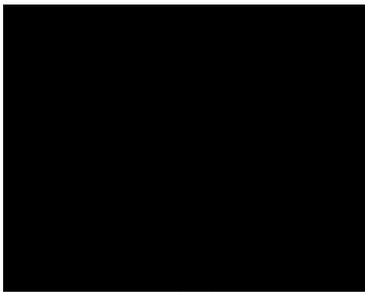
understand from the Master that he has responded to you directly on this point indicating that he does not agree either.

I would like to point out that every Master, prior to appointment, in Stena Line must undergo a Pre-Command Interview with the DPA and as part of this process where such priorities are specifically clarified. The pertinent paragraph in the Pre-command interview letter is as follows:

"The careful navigation, safety of your vessel and the lives entrusted to your care must at all times be your prime consideration. No unnecessary risks must be taken simply for the purpose of endeavouring to make a quick or 'on time' passage at the expense of any safety considerations".

We will, in the interest of continuous improvement however look at duplicating this text directly from our Pre-command process into our SMS, in Ch 5. under Master's Responsibility & Authority.

Please do not hesitate to contact me if further information or clarifications are required.



Stena Line (UK) Ltd

MCIB RESPONSE:
The MCIB notes the contents of this observation.

8.2 Observation from Harbour Master, Rosslare Europort and MCIB response



MCIB Secretariat

Marine Casualty Investigation Board.

Leeson lane, Dublin 2.

25th October 2022.

By E Mail

Re: Stena Europe and MV Connemara Section 36 response.

Thank you for the draft report dated on the 28th September 2022 in relation to the close quarters situation between the Stena Europe and the MV Connemara on the 16th March 2022.

There are some observations that I would have concerning the draft report.

1. In Section 1, the picture would suggest that the CPA of the Vessels occurred in the centre of the yellow triangle indicated. The CPA actually occurred at a distance just under 3 cables from the end of the breakwater and not in the position shown.
2. In Section 2.9 "Type of Marine Casualty" – As there was no casualties involved I would think this section should be named "Type of Marine Incident"
3. In Section 3 Narrative, in the timeline at 07:15 it is stated - Bridge Team on "Stena Europe" comments on the position of the inbound "Connemara" – he is early; he shouldn't be holding us up because he is early , I shouldn't be held up now. I'd never argue with these fellas in the tower as they can do you some great favours or seriously mess you up".

I would think that the comment "*I'd never argue with these fellas in the tower as they can do you some great favours or seriously mess you up*" would have been made in jest. I do not think that this comment is relevant in the report. The Controllers would not do anything to "mess up" vessels.

4. In section 6.3 it is recommended that Rosslare Harbour "Should immediately introduce training for Port Controllers in Line with recognised international standards" In section 2.4 of the report it is stated that "There is no requirement in Ireland to have VTS qualifications."

8.2 Observation from Harbour Master, Rosslare Europort and MCIB response

MCIB RESPONSE:
The MCIB notes the contents of this observation.

8.3 Observation from Stena Marine Management ApS and MCIB response

16 November 2022 at 12:41

Stena Europe and MV Connemara Section 36 reponse

To: Transport Marine Casualty Investigation Board

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Dear [REDACTED]

With reference to your reference: MCIB/12317 please find Stena Marine Management ApS reply. I sincerely apologize for exceeding deadline for reply.

Corrective action and comments:
Bridge team officers have all successfully attended Bridge Resource Management Course. This will ensure understanding of their roles and responsibility and highlight importance of communication on bridge internally and externally.

Master and captain have attended Stena Marine Management Office for debriefing in relation to the near-miss and they are fully aware of the severity of event and fully understand their responsibility. Clear reason for not following Rosslare Port Control advices is lack of communication on bridge and not adhering to existing adequate SMS procedures.

Near-miss will be shared across fleet to avoid reoccurrence.

Please revert if any questions.

Best regards

HSEQ Manager

[REDACTED]


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Denmark
Mobil: [REDACTED]
E-mail: [REDACTED]
Website: www.stena.com

MCIB RESPONSE:
The MCIB notes the contents of this observation.

OBSERVATION 8.4

8.4 Observation from Master, Stena Europe and MCIB response

[REDACTED] 13 October 2022 at 20:27 [REDACTED]

Stena Europe and MV Connemara Section 36 response
To: Transport Marine Casualty Investigation Board

Good evening,

Many thanks for your draft report into the above incident.

With reference to Section 5. Conclusions, Sub Section 5.5, I wish to make the following comment:

At no time prior to sailing did my scheduled sailing time enter my decision-making process.
I have never put sailing on schedule above the safety of the vessel.
As stated previously , I was unaware the MV Connemara had passed the West Holden buoy when I let go.

Regards,

[REDACTED]
Master,
Stena Europe,

MCIB RESPONSE:
The MCIB notes the contents of this observation.



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