

From: [REDACTED]  
Date: Wed, Apr 24, 2019 at 2:20 AM  
Subject: Just read about this capsized...I am ex Harbourmaster Westport NZ .. responsible for NZ Code of Practice for Bar Crossings.  
To: <[MaryBII.uscg@gmail.com](mailto:MaryBII.uscg@gmail.com)>

I would like to follow the hearing into the loss of your fishing vessel Mary B II and hope it will be possible down here in New Zealand.

I was Harbourmaster of Westport NZ 1995 - 2005. In the 4 years before I was appointed there were 5 lives and 4 boats lost. In my first 4 years we lost 2 boats and 2 lives. After the last loss I convened meetings between all NZ Bar Harbourmasters, fishing interests, commercial shipping representatives and Boating interests. We made a video which we distributed for free and can now be found on You Tube in various parts, originally there were 3 parts.

Part 1 <https://www.youtube.com/watch?v=PqgszN3bFtw>  
Part 2 <https://www.youtube.com/watch?v=1Oh635OkzDk>  
Part 3 <https://www.youtube.com/watch?v=1Oh635OkzDk>

Finally we wrote the "Code of Practice for Bar Crossings."

[https://www.maritimenz.govt.nz/commercial/safety/crossing-the-bar/#national\\_code](https://www.maritimenz.govt.nz/commercial/safety/crossing-the-bar/#national_code)

Normally we would have had Parliament pass a law but that's pretty impossible with the time scale Politicians operate under.

Health & Safety provided me with an idea .... H & S is a very powerful Act here in NZ and so The Code of Practice was written. It sets out the minimum practice that a Skipper must do before Crossing a Bar. If he fails to do any of these things and a crew member dies as a result of the Bar Crossing then plainly he is guilty of Manslaughter which should be a deterrent to make Skippers act in a seaman's manner.

My background is from operating Ocean Tankers, I started 4 years pre sea training as a Merchant Navy Officer in 1955 and joined BP Tankers, came to NZ in 1974 and worked as a Navigating Officer aboard the NZ Coastal Tanker fleet. I hold a Masters Foreign Going Certificate, the top sea going certificate which you need to be appointed as Harbour Master.

Westport had Cement Carriers and large barges of 16,000 tons crossing the Bar as well as many small Fishing vessels of Mary B II size. I initially met opposition from the fishing fleet when I Closed the Bar when it was patently dangerous to cross but after the last incident, the issuing by Maritime Safety NZ the Code of Practice for Bar Crossing and readiness to inspect and give guidance to the F/V's wanting to cross we have had excellent co-operation and no loss of life or boats in the last 19 years.

The Fishing Skippers had the following excuses for trying to cross the Bar when I closed the Bar, "I've got a good Bar Boat", "I've crossed the Bar hundreds of times" and the final one "I've got to

get in and land my catch". My reply is that there is no boat and no-one can cross a Bar when its rough. Your boat is surveyed for the Coastal Waters and providing you get good weather information to cover your trip before you leave harbour, fish and return all should be well.

My initial thoughts from the information provided on "Mary B II" so far are that there is little difference between what happened and situations here in Westport NZ. I am however amazed that the Coastguard cutter went out to escort the vessel in ... events proved they were pretty helpless to save anyone after the event. Far better to close the Bar and get everyone out to sea to ride conditions out.

That last 1/2 mile of white water and big seas is horrendously dangerous, inevitably deadly.

I'm always ready to "FaceTime" (Apple version of Skype) should my expert witness experience be of help.

My very best regards

MM  
Westport New Zealand

