Circular From LONDON
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Voyage Data Recorder and claims

The Voyage Data Recorder (VDR) is now an established item of bridge equipment. The London P&I Club's Ship Inspection Programme results in this area would confirm that the operation of these units on entered ships is generally well understood.

However, there are instances where the Master of an entered ship has failed to perform the steps required to preserve VDR data in the event of an incident; or failed to recognise circumstances in which VDR data (particularly voice traffic on VHF and on the bridge) may be very valuable in the defence of a claim.

In our first example, a ship heading into port was presented with a 'head-on' situation as described in Rule 14 of the International Rules for the Prevention of Collisions at Sea. Though a departure from the 'Rules', a deal was struck on the VHF between the two ships. Due to the location of the entered ship's intended berth, an alteration of course to port was to occur. Both ships subsequently collided, resulting in a considerable claim upon the Club.

The Master did not save the VDR data - it is presumed because the data could be incriminating and used against him. Unfortunately, while the same information was not likely to reverse any liability for the incident, it may have been useful evidence to assist in reaching an amicable settlement. The effect on the settlement of the claim cannot now be quantified, though it stands to reason that the Member would have preferred the Master to have saved the information. In an attempt to protect himself, the Master may have exposed his Owners to a larger settlement.

Emergency Guidance Manuals onboard usually contain aide memoir sheets to assist the Master with those structured and ordered tasks which need to be taken in priority order, and are aimed at ensuring steps are not missed in the stress of an emergency. We ask Members to consider the insertion or addition of the VDR data save in such lists as a low priority matter.

Our second example concerns an entered container ship which, due to impeding poor weather, was forced to depart from a container berth without the lashing of many of her containers. Unfortunately, when the ship was exposed to the poor weather a number of the unlashed containers were lost overboard. In some ways understandably, the Master did not consider this situation to be one where VDR data ought to be saved. During the handling of the ensuing claim, the Club feels that the VDR data would have probably represented a valuable narrative of the exchanges between the port authorities and the bridge team and could have helped greatly in the claim negotiation.

We make no particular recommendation other than to hope that these examples bring the matter to the attention of deck officers reading this article.

Source of Information: London P&I Club

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