

The human face of regulation **Good intentions and human nature**



Minimum Safe Manning

- Intent:**
- Acceptable work routines
 - Safe operation of the ship
- Side effects:**
- Selection of Flag based on lowest manning
 - Fatigue and overwork
 - Ship operated in an unsafe condition
 - Misreporting of hours worked
 - Reduced training opportunities
 - Poor staff retention

STCW

- Intent:**
- Proper education & training
 - Adequate experience
 - Skills & competence
- Side effects:**
- Forged certificates
 - Seafarers treated as a commodity
 - Private certification schemes
 - Minimum investment in training
 - Lack of trust between shipmates

ISM Code

- Intent:**
- Safe practices in ship operation
 - Safe working environment
- Side effects:**
- Added documentation
 - More inspections
 - Ever-increasing reliance on checklists
 - Violations of poorly specified procedures
 - Increase in operational efficiency rather than improved safety
 - 'Death by ISM'
 - Criminalisation of the seafarer

Appropriate rules and regulation

- Conventions, protocols, recommendations, codes, guidelines and resolutions, relating to standards of maritime safety, efficiency of navigation and prevention and control of marine pollution from ships:
- Maritime conventions on working and living conditions and basic human rights
- International Health Regulations
- Standards and regulations for telecommunications operations
- International standards for business, government and society
- International standards for electrical, electronic and related technologies
- Classification design, construction and through-life compliance rules and standards
- National standards for acceptable practice conforming to generally accepted international regulations, procedures and practices
- Classification rules for hull structures and machinery

International Labour Conventions

- Intent:**
- Safe & secure working environment
 - Decent working & living conditions
 - Fair terms of employment
 - Healthy lifestyle
- Side effects:**
- Low sign-up by flag states
 - Flagging out
 - Unscrupulous employers

International Health Regulations

- Intent:**
- Prevent/protect/control disease
 - Ship sanitation
- Side effects:**
- Crew may not receive treatment for notifiable diseases
 - Crew not informed about risks
 - Covert spread of disease
 - Flagging out

ISPS Code

- Intent:**
- Detect/deter acts which threaten security
- Side effects:**
- Criminalisation of the seafarer
 - Reduced quality of life
 - Divisive treatment of crews
 - Poor staff retention

COLREGs

- Intent:**
- Safe navigation of the ship
 - Avoidance of collision
- Side effects:**
- Inability to deal with real situations
 - Reluctance to reduce speed
 - Disputes over interpretation
 - Near misses and forced groundings
 - Vessel Traffic Services
 - Marine Electronic Highway

Class Rules & Regulations

- Intent:**
- Technical fitness for purpose
- Side effects:**
- 'Glass ceiling' instead of 'safety net'
 - Belief that safety can be outsourced
 - Concealment of defects
 - Trading of safety
 - Obeying the letter of the law
 - Change of Class

