

3A

## **METROPOLITAN POLICE**

METROPOLITAN POLICE ECONOMIC AND SPECIALIST CRIME OCU  
Wellington House

25 April, 2007

### **SUBJECT:**

OCU Commander, (through Detective Inspector Jarvis)

Assessment into  
allegation  
surrounding MV  
Gaul

### **Reference to Papers:**

200703000S813

1. This report relates to the assessment surrounding the allegation by Mr Ronald and Mrs Daniela Drysdale into misconduct surrounding the investigation into the sinking of the MV Gaul, a trawler which sank in heavy seas in 1974, with the loss of all crew, as outlined within the correspondence at minute 1.

2. Mr and Mrs Drysdale allege that the Re-opened Formal Inquiry (RFI) held in 2004, was subject of a governmental cover-up to prevent the families of the lost sailors from suing the Government, which Mr Drydale believes would be vicariously liable for any loss, if fault was found with the design of the ship. It is his contention that it was a design flaw which caused the loss. Mr Drysdale further alleged that his stance on this matter had caused both him and his wife substantial stress and harassment and that he had been the subject of threats to his life.

3. On 2 April 2007, I made contact by telephone with Mr Drysdale. I first asked him if I could take details of the threats to kill made against him. He stated that he does not want to pursue this matter at this present moment in time. He was advised repeatedly to report the matter to his local station, but declined to do so.

4. I then enquired as to his report to police relating to fraud in the sinking of the Gaul. He stated that during the enquiry into the sinking of the Gaul, there had been a number of points over looked by the enquiry team. Certain facts had not been given to the people responsible for making the decision on the cause of the sinking of the Gaul.

5. I asked if he could be specific and he stated the following:

- a) The non-return valve was of poor design and was expected to fail.
- b) Inner and outer covers/toggles were open either left open or became open
- c) There was a lack of forensic examination

d) There is can be more than one reason why the shoot was open or became open and this should have been investigated.

e) ~~Ingress and egress~~ flaps should have worked automatically why didn't they? If they ~~had they would~~ have been able to save the ship by closing the shoot themselves.

6. I asked him what action he was expecting from police and he stated that the new ~~Fraud~~ Act related that if a person withholds information, which causes another loss, then it is an offence. He believes the government/investigating panel has withheld information from the families. There are other reasons, which could have caused the shoot to remain open, and those reasons have been deliberately overlooked. This deliberate act was done to prevent the government from having to pay the families compensation. I explained to him that I would look at his allegation along with the report and respond accordingly.

7. I ~~have~~ read The Honourable Mr Justice David Steel report on the re-opening formal investigation into the loss of the FV Gaul. I have retained the report, which is some several hundred pages long and is available, should it be required. I concentrated specifically on the points above made by Mr Drysdale and in response to those points I have identified the following:

- a) This was made known in the report and covered at 2.44 to 2.49.
- b) This point was raised in the report. It was concluded that the crew left the chutes open
- c) A number of expert ship personnel were consulted and the families of the lost had their own experts and were consulted
- d) The panel considered this possibility and due to the fact they saw that the chutes were held open they concluded that this and the ingress of water as a result was the most probable cause of the lost of the ship.
- e) (As 4 above) the report made this point known but it said the chute was secured open.

8. I therefore contacted Mr and Mrs Drysdale to update them on my understanding of their allegation. They requested to meet with me to present further evidence. I arranged that they would attend my office on the 25<sup>th</sup> April 2007 at 11:00 hours, which they did and I asked them for any evidence or the names of the people who had this further information.

9. The Drysdales indicated that certain people had an interest in the result being 'personnel fault' rather than a design fault for financial reasons. I pointed out



that this does not in itself mean that any offences had occurred. I then went through the report with the Drysdale at length and allowed them to show me where they disagreed with and contested the enquiry's report. For ease and clarity, those areas of dispute, as put by Mr Drysdale are recorded below:

#### View of Mr Drysdale

10. The 2004 Re-opened Formal Investigation into the sinking of the FV Gaul concluded, that the cause for the loss of the vessel was the ingress of a large quantity of seawater through the two duff and offal chutes openings in the hull of the vessel. The double-barrier protections of these openings – the inner covers and the outer flaps - were found to be in the open position during the underwater survey in 2002. The RFI panel presumed ~~that~~ "there is no known mechanical reason why this was so" and produced instead the following explanations:

11. The fact that the outer flaps were found open, the investigation concluded, was due to seizure caused by corrosion in the vessel's merely 16 month old flap hinges and failure on the part of the crew and shore maintenance staff to identify and rectify this problem. (What this implies is that the that the vessel's outer flaps had seized open due to rust and were left in that condition by the crew and shore staff for at least 59 days before the accident occurred.)

12. The fact that the inner covers were also found open was explained away by negligence on the part of the crew, who must have secured them in the open position and then failed to close them during the storm.

13. Whilst I agree with the fact that the most likely cause for the loss of the Gaul was the ingress of water through the vessel's duff and offal chutes, I cannot concur with the theories advanced by the RFI as to why and how the outer flaps and inner covers of these chutes became and remained open.

14. The most plausible scenario, with which several experts agreed at the time of the Investigation, is that the obvious design defect in the construction and arrangement of the chutes caused the outer flaps to open under the action of the sea, while the inner covers, even if they had been closed by the crew, did not have and were not even supposed to have, on their own, the strength to withstand the pressure of a large volume of incoming seawater. (Hence the need to tailor the definitions for 'weathertight' and 'watertight' properties in the official report). Not to mention that the RFI panel's assumption that one of the chutes' inner cover was kept in the open position by a wire pinned across the top left-hand corner of

the cover doesn't stand scrutiny anyway, as the following document apparently ~~explains~~

- a) <http://webzoom.freewebs.com/inconvenientcitizen/DuffChute.pdf>

15. The primary design defect of the chutes, ~~which was~~ the most likely cause for the the loss of the Gaul, is clearly presented within the ~~following~~ documents, which explain why the outer flaps of the chutes became open during the incident:

- a) [webzoom.freewebs.com/inconvenientcitizen/Gaul%20design%20fault.pdf](http://webzoom.freewebs.com/inconvenientcitizen/Gaul%20design%20fault.pdf)
- b) [www.freewebs.com/inconvenientcitizen/fulltechnicalreportpdf.htm](http://www.freewebs.com/inconvenientcitizen/fulltechnicalreportpdf.htm)

16. A second design defect which further explains why the flaps remained in the open position, thus allowing the seawater to flood the factory deck of the vessel, apparently presented in the document:

- a) [webzoom.freewebs.com/inconvenientcitizen/2nd%20design%20fault.pdf](http://webzoom.freewebs.com/inconvenientcitizen/2nd%20design%20fault.pdf).

17. Moreover, the likelihood of advanced corrosion occurring at both flaps' hinges can be easily disproved on the basis of scientific evidence. As apparently outlined in the document published at:

- a) [webzoom.freewebs.com/inconvenientcitizen/The%20unsubstantiated%20assumption.doc](http://webzoom.freewebs.com/inconvenientcitizen/The%20unsubstantiated%20assumption.doc)

18. The RFI final report mentions in passing some design inadequacies in the construction of the duff and offal chutes. However, these inadequacies only refer to a presumed difficulty of maintenance of the outer flaps - claim that is actually incorrect. The technical drawings of the vessel show quite clearly that access hand holes with bolted covers were provided in the duff and offal chute plating. These hand holes would have enabled access to the nuts on the hinge spindle ends for disassembly and maintenance purposes. Confirmation of this is apparently within the following documents:

- a) [webzoom.freewebs.com/inconvenientcitizen/Comments%20on%20the%20loss%2026.8.06.pdf](http://webzoom.freewebs.com/inconvenientcitizen/Comments%20on%20the%20loss%2026.8.06.pdf) (page 22).
- b) [webzoom.freewebs.com/inconvenientcitizen/Public%20information%20arising%20from%20the%20Gaul%20RFI.pdf](http://webzoom.freewebs.com/inconvenientcitizen/Public%20information%20arising%20from%20the%20Gaul%20RFI.pdf) (page 3).

19. Having closely examined the further information provided, ~~reviewed~~ ~~the~~ material described at paragraphs 10 to 18 above and spent substantial time going through the material with Mr and Mrs Drysdale I am unable to find sufficient evidence to support any further investigation into the allegation.

20. I closed my dealings with Mr and Mrs Drysdale by informing them that from the information provided to police I have not detected a fraud, any other crime, or any other matter which warrants any further Police investigation. Mr and Mrs Drysdale then related that they had other information which they were not happy to travel with and would consider showing this to police. I re-iterated my decision, however, explained that should any further evidence of a positive nature come to light I would be happy to review such material.

21. It is my considered opinion that no further investigation of this matter should be undertaken by SCD6.

22. Submitted.



**Emerson Boyce**  
Detective Constable  
Public Sector Team (North West)  
SCD6