

investigation

# CRUISE SHIPS:

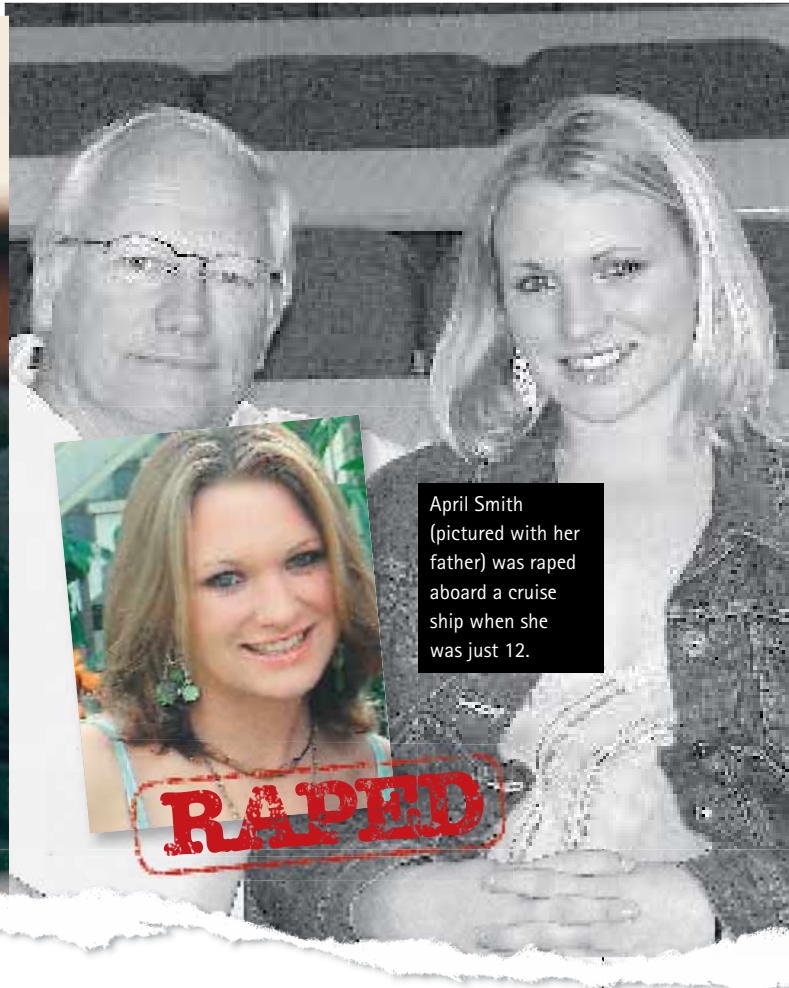
## THE PERFECT PLACE TO COMMIT A CRIME?

OCEAN LINERS OF YESTERYEAR WERE THE PINNACLE OF GLAMOUR, BUT TODAY ARE MORE LIKE FLOATING NIGHTCLUBS. ALEXANDRA CARLTON EXAMINES THE PARTY-HARD CULTURE ON CRUISES AND ITS SOMETIMES FATAL RESULTS

CRUISE SHIP PICTURE IS IN NOWAY CONNECTED TO THIS STORY



Jennifer Hagel Smith wants answers about the disappearance of her husband (right) from their cruise.



April Smith (pictured with her father) was raped aboard a cruise ship when she was just 12.

Most cruise ship passengers bring home a camera full of memories and a tighter pair of trousers. April Smith\* souvenired a nightmare. She was just 12 years old when she joined her parents, brother and sister on a Carnival cruise around the Caribbean in 1999, begging her mum and dad to be allowed to join in the on-board activities with the older kids. For the family, it was a celebratory end to a six-month holiday. For April, it was the end of her childhood.

"It was almost like a camp, knowing that we would be safe and supervised," April, now 19, remembers. She was enjoying herself immensely until the fifth day of the trip when she was approached by a crew member who offered to show her where the dolphins played. Delighted, animal-loving April followed him to a secluded "employees-only" area, feeling slightly uneasy, but certain she could trust a uniformed adult. But when the man began touching her, she realised she could be in danger. He held her down, tugged off her dress and brutally raped her. "Don't ever tell anyone about this," were his parting words. "Because I will find you and kill you."

At the time, April found the courage to report part of her story to cruise officials, but when it appeared no-one believed her, she lost her nerve. Certainly no-one suggested she should have a physical examination. It wasn't until she was almost 18 that April managed to share her horrific story with her mother and begin a painful healing process, which included suing Carnival for damages. "Prior to settling [with the cruise line for an amount she's unable to disclose for legal reasons], I made it very clear that I would not sign a document that would keep us from talking about the crime," says April's mother, Marilyn. "I know that people take cruises and that's okay, but they need to know that passengers are not nearly as safe as they think they are."

While April's attack was appalling, it is not entirely shocking. This case is just one of hundreds of reports of serious crime aboard cruise ships around the world over the last five years. Florida-based maritime law firm Lipcon, Margulies & Alsina, discovered one cruise line alone had a staggering 173 reports of sexual assault or rape on board their vessels over a five-year period and not one resulted in a prosecution. Incredibly, thanks to systematic corporate cover-ups, inaction and elastic laws governing ships travelling in international waters, few of the perpetrators of such crimes are ever brought to justice.

"Women who travel on cruises by themselves are often on dangerous ground," says Kendall Carver, 62, whose 40-year-

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old daughter Merrian vanished from a Carnival ship travelling around Alaska in 2004. Though her case looks like suicide, Carver hasn't ruled out foul play. Dismayed by the lacklustre response of authorities who seem unwilling to answer his many questions about his daughter's death, he founded the International Cruise Victims Organization, which provides advocacy and assistance for the hundreds of passengers who claim to have fallen prey to criminals while cruising. "When you've got all this drinking and unregulated partying on board," he says, "things are going to happen."

Carver believes families tend to be particularly naïve about the risks involved with cruising holidays. "Parents think they can just get on these ships and let their kids go – that's a tragic mistake. One woman told us she believed a cruise ship was secure enough to let her children have a certain amount of freedom. Then, her 15-year-old daughter was raped." Passengers, he maintains, should be vigilant about safety. →





Annette Mizener (right) vanished from the *Carnival Pride* in 2004. Her body has never been found.

**THE CARNIVAL PRIDE**

**DECEASED**

**Put 3,000 people together and you're going to get some bad seeds. Add an enclosed space, excessive drinking and, of course, the best place to dispose of evidence - the open ocean - and you have an optimum setting for crime**

"Women in big cities know they don't walk down certain streets at night. I would say be just as careful on a cruise ship."

In the US, cruise ships regularly carry in excess of 2,000 passengers, attended by 1,000 crew members. The larger Australian liners service similar numbers of guests. Carver points out that if you put 3,000 people together under any circumstances you're bound to get some bad seeds. Add an enclosed space, excessive drinking and a foolproof place to dispose of evidence - the open ocean - and you have an optimum setting for crime.

Ross Klein, a professor of sociology at the Memorial University Of Newfoundland in Canada, has spent several years researching cruise ships and points out that the complexities of international law often hinder convictions and complicate the assignment of liability. "A passenger stepping onto a cruise ship is technically stepping into the country where the ship is registered," he says. This is significant in that many vessels are registered in places like Liberia or Panama where civil rights and corporate liability might be less rigid than those which would be applied in Australia.

**S**uch lax attitudes have, in some instances, found their way on board. Carver's daughter Merrian, a former investment banker, was on an Alaskan Royal Caribbean cruise in August 2004 when a ship steward reported her missing to his boss. His response? "Just do your job and forget it." According to Carver, the supervisor then instructed the steward to keep replacing the chocolate on her pillow each day. When the ship returned to port, the cruise line's authorities put her belongings (which included her purse, containing her name and social security number) into storage, perhaps hoping the whole thing would go

away. It wasn't until Carver hired a private investigator that he was able to find out even the scantest details of his daughter's disappearance, which remains unsolved.

On July 5 last year, US attorney George Allen Smith IV, 26, went missing from the honeymoon cruise he took with his wife Jennifer Hagel Smith aboard a Royal Caribbean ship sailing between Turkey and Greece. Passengers report hearing an argument from Smith's room before his disappearance and blood was found in his cabin and on an awning below its porthole. The case is currently the subject of an extensive investigation in the US and few answers have been found.

Annette Mizener, 37, was formally declared dead after she vanished from the *Carnival Pride* cruise ship off the coast of Los Angeles on December 4, 2004. Her damaged purse, an overturned drink and drops of blood were found near a security camera which had allegedly been blocked by a sheet of paper. Her body has never been found.

As if the perils of the open ocean weren't enough, it seems debilitating drugs also play a role in cruise ship crime. In October 2005, aspiring American actress Ashley Barnett, 24, was found dead aboard a Carnival cruise ship that had set sail from California the day before. The official cause of death was listed as a methadone overdose, but Barnett's family maintain she would never have willingly touched an illegal substance.

These cases seem mere drops in the ocean. Officially, the International Council Of Cruise Lines claims there were 178 sexual assaults and 24 missing persons cases aboard passenger vessels between 2003 and 2005. However, when you consider they also claim there were only four burglaries, the numbers start to look somewhat conservative.

The cruise lines cry foul, claiming the rush of media attention around these crimes is a tempest in a teapot. "It's →





Merrian Carver disappeared. Her father Kendall (above centre) now believes cruises are unsafe for women.

**DECEASED**



Aspiring actress Ashley Barnett's body was found aboard a cruise ship in 2005.

**DECEASED**

at least 10 times safer on a ship than on land," claims Andy Stuart, chairman of the Cruise International Lines Association. In 2002, P&O, Australia's largest cruise ship operator, carried 75,000 passengers. According to a representative, there was a "very low incidence of criminal matters, smaller than comparable criminal matters on land", although he was unwilling to release details. "All criminal matters on P&O ships are reported to the police," he adds.

Professor Klein is sceptical. "I'd certainly feel safer in a regular hotel [than on a cruise ship]" he says. "Unruly, drunk

stopping at any ports. P&O denies that these are "booze cruises", but passengers feel differently.

"It's like being at Schoolies," said a woman waiting to board a P&O cruise leaving Sydney in April this year. "You pack as much drinking and craziness as you can into three days, then it's back to the real world." Partying in itself isn't a problem – the predatory and aggressive behaviour which can accompany it is. In March, a Melbourne man was removed from a P&O ship for allegedly assaulting two staff members. "I know there are risks, but there are risks anywhere," said another prospective P&O passenger.

"It's no worse than a nightclub."

No one could mistake today's cruise ships for the Love Boat, or for that matter, the stately ocean palaces of our grandmothers' era.

"The glamour and sophistication of the great ocean liners of the '50s, '60s and '70s have been slowly replaced," notes Klein. "Ships have become larger [and] cruise prices reduced." With lower prices, passengers are encouraged to spend up big, especially at the bar. Time at the bar means boozing – and that's where many problems begin.

So should would-be cruisers consider jumping ship? Not necessarily. While the problems on board cruises are not insignificant, there are still millions of satisfied cruisers that make like Lisa Curry Kenny on the P&O advertisements and dance, indulge and sightsee without any troubles. "I would tell first-time cruisers to enjoy themselves," says Professor Klein, who takes up to three ocean voyages a year, despite his often worrying findings. "But don't forget to take the same simple precautions on a cruise that you do at home." **m**

\* Name has been changed.

### **P&O has announced it is in the process of installing CCTV cameras, as well as sniffer dogs at the start of its cruises to deter passengers from bringing drugs on board**

passengers [can be a threat]. And workers may live on the ship for many months and can pose a range of risks."

Risks the companies say they are addressing. P&O says it has put measures in place to heighten the safety of its passengers since one of its female passengers died on board a cruise liner with traces of the date-rape drug gamma-hydroxybutyrate (GHB), known as "fantasy", in her body. (For legal reasons, we have not discussed this case.) In a statement released in April, the company announced it was in the process of installing CCTV cameras, as well as sniffer dogs, at the start of its cruises to deter passengers from bringing drugs on board. "We believe cruising remains a safe holiday, which is enjoyed by tens of thousands of Australians each year," reads the company's official line.

The actuality may be somewhat seedier. Many P&O journeys leave docks to return four days later, without even

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