

## CASE STUDY COMMENT 3

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There are three issues within the Case Study that spring to mind, all of which can be filed under a general ethos of “Safety is somebody else’s responsibility”.

The three illustrative points in the story are:

- Ground collisions passing behind Stand 30, which is apparently already prohibited.
- Refusal to use stop bars in case we forget to switch them on/off leaving us open to individual liability.
- Reluctance to spend money on something seen as “not my problem”.

The recommendation with regards to passing behind Stand 30 was to have clearer ground markings and amend the AIP. This recommendation came from the ANSP’s investigation and follows the line of “not our problem”. Clearer ground markings, so that is placed on the Airport Authority and a better description in the AIP, so that is also on the Airport Authority.

There are two weaknesses with this recommendation. Firstly, there is no justification or description of the problem. What is wrong with the ground markings? What is wrong with the description in the AIP? Demonstrate how it would fix the problem? Secondly, and perhaps more importantly, there is no action on the ANSP. If passing behind Stand 30 is prohibited, why is it being allowed to happen? There is a potential recommendation here on the ANSP to be more directive and

precise in taxi clearances. Prevention of the outcome by making it almost impossible to be initiated, for example, aircraft shall not be routed via X and Y if Stands Z are occupied.

For years many aerodromes have had vehicular traffic crossing their runways, or their undershoots, controlled by traffic lights that are switched from green to red and back to green by the Tower Controller. Did we ever think, we are not going to use the traffic lights in case we forget to switch them back to red – no. Today we are told to be scared of liability and litigation. The temptation is to turn inwards. The ATC Union’s refusal to use stop bars did not consider the possible consequences – “not our problem”. We are reliant on whoever it is that we think owns the problem to know about it and understand it. Has anybody ensured that knowledge and understanding exists? – “not my problem”. Just Culture and Corporate Liability should and must shield staff from individual legal action for unintentional errors of perception, memory and action.

The term “Corporate Liability” brings us to the third issue – why spend money on somebody else’s problem. Accidents are rarely caused by one and only one factor. Many players can be brought into the mud as legal personnel seek to maximise or



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spread liability. It will become your problem. Pretty much everything comes down to money. On the front line it is primarily about not killing your customer (thus keeping your job) and secondly getting him or her to their destination the same day. At Headquarters it is about protecting the Company and the Investors. Risk Management and Cost/Benefit are the buzz words. Proactive safety costs, but how do you define the benefit? There is an old saying that if you think safety is expensive, try having an accident. Some time ago a Safety Director was asked to justify the cost of the Safety Department, the SMS and the raft of expensive recommendations from “Safety”. The Company lawyer intervened saying that if the Company became involved in legal action, the more he could demonstrate the excellent safety culture to the Court, the less the liability would be. A demand for 10m euros compensation could easily be reduced to 500k euros. Insurance with a 20 year positive position!

### A RECOMMENDATION

**All stakeholders in operational safety should promote an ethos of “what can I do to help?” rather than one of “not my problem”. Even if this is primarily led by protecting ones’ own rear end, everybody wins. 5**

