

Conviction of air traffic controller endangers safety culture

Geneva, 12 December 2018. Skyguide has noted the judgment of the Zurich High Court against an air traffic controller with incomprehension and disappointment. This conviction creates a precedent for Switzerland and for Europe, which jeopardises the safety culture that is deeply embedded within Switzerland's air navigation services.

Safety culture at risk

If it is to continuously further enhance and refine the safety of its air traffic operations, the aviation sector must be assured that the participants who work within it in good conscience and to the best of their knowledge and abilities – such as pilots, technical personnel and air traffic controllers – will report any incidents that occur voluntarily and without fear. This is the only way to further improve air traffic safety. The resulting “just culture” now suffers a setback through the judgment of the Zurich High Court, and the particularly high reporting rates for such incidents which are currently seen in Switzerland may well decline.

A just culture is also indispensable to ensuring the constant further development of processes, technologies and competencies in other areas in which safety plays a central role (such as hospitals or nuclear power plants).

Skyguide will be doing everything in its power to further improve air traffic safety. Today's judgement, however, complicates this task.

Disproportionate judgement

Over seven-and-a-half years ago, at 12:40 on 15 March 2011, two aircraft received takeoff clearance, one shortly after the other, at Zurich Airport and began their takeoffs on the airport's intersecting Runway 16 and Runway 28. The aircraft on Runway 16 departed as planned, while the aircraft on Runway 28 aborted its takeoff roll. The incident did not result in any harm or damage to persons or property. The involved air traffic controller actively reported the incident and thereby contributed to clarify the circumstances of the incident.

Nevertheless, criminal proceedings were initiated against the air traffic controller on duty, who appeared at the Bülach District Court in December 2014 and April 2016 charged with disruption of public traffic, where he was acquitted. The internal and external investigation report had given no grounds for the taking of any disciplinary action against the air traffic controller. He is still employed at skyguide.

Judgment doesn't improve safety

The court judgment also makes no contribution to enhancing flight safety. In the aviation sector, safety culture is based on the reporting of various incidents. If the reporting of incidents, which have not been caused by gross negligence or wilfulness, lead to conviction, safety culture is weakened, with inevitable consequences for air traffic safety.

Following a safety review, skyguide has taken a number of measures at Zurich Airport since 15 March 2011 to minimise risks, insofar as such action is possible within the present political framework.

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