

08PRL21

IFALPA questions decision by French state prosecutors to seek charges connected to Concorde Crash

Chertsey 14 March: The International Federation of Air Line Pilots' Associations is concerned by the decision of the Pontoise Office of the State Prosecutor to ask judges to bring manslaughter charges against Continental Airlines and two of its employees John Taylor and Stanley Ford in connection with the crash of AF4950 in June 2000 which tragically killed 113 people. In addition, the State Prosecutor is seeking similar charges against former Airbus Concorde Programme Chief, Henri Perrier and Claude Franzen who is the ex-head of training at the DGAC.

The Federation questions this recommendation on the basis that the facts of the case show no more than simple negligence on the part of any actor. IFALPA, together with a number of other industry bodies concerned with flight safety, contends that there is a question attached to the word 'negligent' that must be addressed if criminal culpability is to be established. Ordinary negligence can be attempting to get it right and not succeeding. The level of negligence that should trigger prosecution would have a component of intent to either do harm or to disregard the high probability that harm would occur. This is variously described as gross negligence or willful and wanton misconduct. The Federation believes that to prosecute someone for attempting to deal with a particular situation and getting it wrong at best adds nothing to the improvement of safety in air transport and at the other end of the spectrum could actually have a negative impact. On the basis of the published record of the investigation into the tragedy there is no evidence of such intent. Accordingly, the attempt to prosecute cannot be seen as consistent with International guidance.

Accordingly, the Federation urges the judges in the case to reject the State Prosecutor's request since it is fundamentally flawed and, as importantly can do nothing to improve safety for the traveling public.

Notes to Editors

The International Federation of Air Line Pilots' Associations represents in excess of 100,000 pilots in more than 95 countries world-wide. The mission of IFALPA is to be the global voice of airline pilots, promoting the highest level of aviation safety and security world-wide and providing services, support and representation to all of its Member Associations. See the Federation website www.ifalpa.org

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