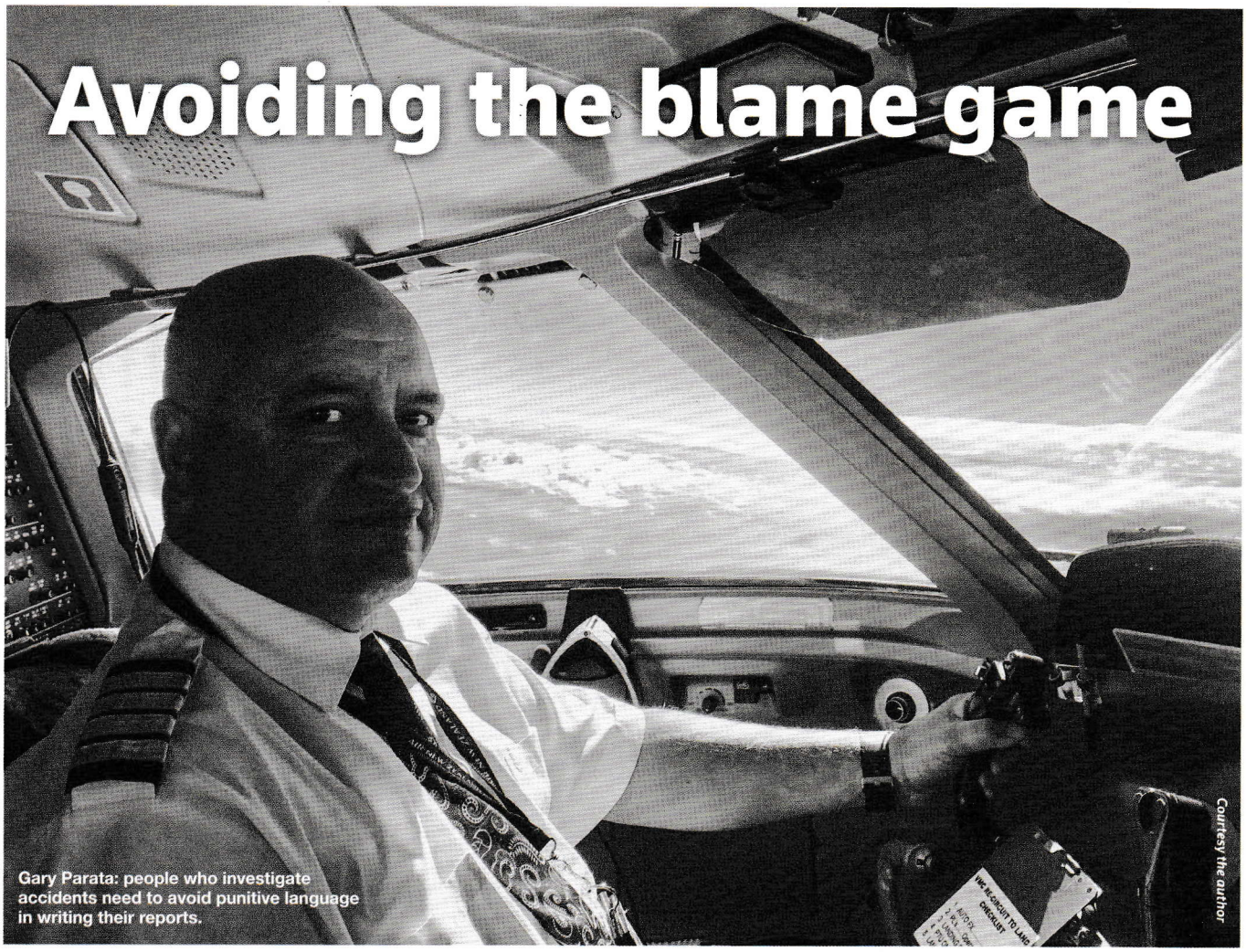
# Avoiding the blame game



Gary Parata: people who investigate accidents need to avoid punitive language in writing their reports.

Courtesy the author

It is easy but counter-productive for an accident investigation to slide into assigning blame. **GARY PARATA** outlines why learning from error must be the desired outcome.

The just culture concept is predicated on, among other things, the idea that learning from error – rather than merely applying punitive actions as a result of error – is far more effective at preventing repeat occurrences and therefore improving human performance.

Just culture has, at least in theory, embedded itself in many areas of human society. Leading the way have been high reliability organisations such as those in the oil exploration, nuclear power and air transport sectors.

However working against just culture is the human brain, an organ fraught with significant weaknesses. These frailties lead us not only to commit errors which possibly we would not even remotely contemplate committing, but also to a predisposition to hyper-criticise those unlucky enough to commit errors in the first place.

The natural result is, variously, a journey into delusion if the error is not acknowledged, or a telling off and an admonishment not to do it again, or a punishment of some kind, if the error is discovered. This has been going on for centuries, because societal habits are hard to break.

Research has clearly demonstrated that human error cannot be avoided. The studies concluded that error-tolerant and error-reducing resilient systems therefore should be built around the human, to reduce the frequency of error and to mitigate the effects of any errors committed. In aviation this led to the concept of a "no blame" culture, since modified to what is now known as a "just culture". Put simply, a just culture recognises that 'tellings off' will not improve human performance when a simple error has been committed in good faith, and so will not generate punitive action when they occur. (However, deliberate violations remain subject to the sanctions that one would expect to be applied. Just culture is about learning from error rather than punishing error, while at the same time ensuring that violations are treated punitively.)

## JUST CULTURE WEAKNESSES

There are at least two significant weaknesses in the just culture concept. First, without legislation to give it substance, just culture remains an intangible idea, mentioned only in the non-binding policies of, for example, employers or safety agencies. For example, there is little to stop a police prosecution after error has been committed. A judge's decision might well render impotent any good work done in a so-called just culture environment.

Thus without statute law to codify it in a national legislative framework, just culture is as fragile as a new-born foal, and subject to the twists and turns of the justice system.

The second weakness is that just culture defies easy definition and so is somewhat translucent, rather than transparent. We can illustrate this using aircraft accident investigations and reporting of same. (While the just culture concept is useful in compartmentalising errors and violations, interestingly the more restrictive no-blame idea is useful in accident reporting.)

Nearly all aircraft occurrence reports

issued worldwide contain a disclaimer that the report should not be used to assign blame or liability, and that accident prevention is the only reason for any investigation of this kind. The main reason for this is to ensure safety information is given freely. However, there is evidence that this is not carried over into practice. A November 2001 accident in the United States clearly demonstrates this frailty. Consider this extract:

*The National Transportation Safety Board determines that the probable cause of this accident was the in-flight separation of the vertical stabilizer as a result of the loads beyond ultimate design that were created by the first officer's unnecessary and excessive rudder pedal inputs. Contributing to these rudder pedal inputs were characteristics of the Airbus A300-600 rudder system design and elements of the American Airlines Advanced Aircraft Maneuvering Program.*

Use of the words "unnecessary and excessive" are themselves quite unnecessary, and distract our brains into concluding the first officer was wholly to blame. That he was trained to make such inputs is covered in the next sentence, but that has been rendered translucent by our brain's limbic system, thanks to this use of non-neutral, and in this case, clearly punitive language. Therefore this conclusion, as worded, implicitly blames the first officer. Taking those three words away does nothing to weaken the first officer's involvement in the tragedy, and renders visible the rest of the paragraph. In other words, use of neutral language is essential to ensure investigation reports cannot easily be used for implicit blame

## ENSHRINING JUST CULTURE

The just culture concept can be applied in any sphere of our society, but before that can happen we must be clear what just culture is and why it is important.

We safety specialists can talk about it until the cows come home, but getting out there and selling the message is critical too. The first step is to enshrine the just culture concept into legislation. How to do that is beyond the scope of this article, and therefore escapes scrutiny this time. However, work is being done in this area, at least in the air transportation industry.

The second step is to educate those tasked with investigating accidents on how to use non-punitive language when writing their reports.

Both tasks promise frustration and plenty of pushback, but then again good things have always taken time, and sometimes a little table-thumping. ■

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