



## AEI press Release PR024-2012

AEI welcomes the news that the Madrid Supreme Court has determined the problems leading up to the 2008 Spanair accident at Barajas airport back in 2008 were not caused by the Licensed Aircraft Maintenance Engineers responsible for the aircraft resulting in the charges against them (154 counts of involuntary manslaughter and 18 counts of causing injury) being dropped.

This late but welcomed decision is a timely reminder to all within aviation that it is of paramount importance to ensure that every possible effort is made to determine the true cause of an accident rather than become embroiled in a blame game which does not in any way serve to enhance safety. As such AEI reiterates its calls for closer cooperation with fellow professionals such as pilot associations in championing the principles of ICAO regulations on accident investigation and a just industry culture.

Finally we now hope that all elements of the aviation industry offer their full support to the Engineers concerned as they continue their careers following the lifting of this enormous and unjust burden from their shoulders.

## Nieuw Vennep September 21<sup>st</sup> 2012

### Supreme court shelve Spanair disaster case, blaming pilots

By: ThinkSpain, Wednesday, September 19, 2012

The Supreme Court in Madrid has closed the criminal investigation into the Spanair accident at Barajas airport on August 20th 2008, ruling that the problems leading up to the crash were not caused by the mechanics responsible for the plane, but were the result of "mistakes" by the pilots.

The case against the two Spanair mechanics - Felipe Garcia and José Antonio Viñuelas - who had been charged with 154 counts of involuntary manslaughter and 18 counts of causing injury, has therefore been dropped, despite the fact that many questions remain unanswered.

The court has determined that "the crew lost control of the aircraft as a result of a stall immediately after take-off, because they did not have the correct plane configuration for take-off (by not deploying the flaps and slats, following a series of errors and omissions), coupled with the absence of any warning of the incorrect configuration. The crew did not recognize the indications of stall, and did not correct the situation after take-off, and - by momentarily retarding the engine power and increasing the pitch angle - brought about a deterioration in the flight condition. The crew did not detect the configuration error because they did not properly use the checklists to select and check the position of the flaps and slats during flight preparation".

In addition, there have been reports that malware which had infected the airline's central computer system resulted in a failure to raise an alarm over multiple problems with the plane. An internal report issued by the airline revealed that their central computer system used to monitor technical problems with the aircraft was infected with malware and may have prevented the detection of technical problems with the aircraft. A judge has ordered Spanair to provide all of the computer's logs from the days before and after the crash.

Families of the victims made an official complaint against the airport director and the safety officer on duty that day, alleging that they had failed to respond correctly to the catastrophe. This complaint was rejected on the basis that there was proof that within one minute of the crash occurring, numerous emergency vehicles were already on their way to the scene.

154 passengers and crew (including the pilots) were killed when flight JK 5022 crashed on take-off after the catalogue of errors by crew members. There were 18 survivors.

Families of the people who lost their lives in the crash gathered at Terminal 2 at Barajas airport on Monday, where an olive tree and a plaque bearing the names of the dead have been erected in remembrance.

