

Some commentators felt a prosecution was inevitable but the consequences for safety in our sector would have been particularly damning. Evidence from the investigation showed there was no willful intent or gross negligence on the part of any person involved but rather systemic failures had been identified. Over 20 recommendations to remedy the situation had made and most importantly, ensure it didn't happen again.

In this environment a prosecution would raise issues of natural justice – the personnel involved in the incident had disclosed information on the basis that the inquiry was not about apportioning blame. However, even more importantly, a prosecution would have totally compromised the ethos of a “just culture”.