Human and organisational factors in high-risk companies

Risk Management and Judicialization

Royaumont Abbey (Paris Area, France), January 24th to 26th, 2018

Caroline Lacroix
MCF HDR Droit privé & sciences criminelles

European Center for Research on Risk, the Law of Collective Accidents and disasters



www.cerdacc.uha.fr

Crash of Mont Sainte Odile in 1992

• Air disaster on January 20, 1992 killing 87 passengers and crew of an Airbus A320. 8 survivors.



Furiani

• <u>Furiani</u>, 5th may 1992,

 Collapse of a temporary platform, during a football match, causes the fall of 3000 people, there are 16 dead and more than 2300 wounded



Newspaper of the Accidents and the disasters

http://www.jac.cerdacc.uha.fr





Published issues, few examples:

2016-1: Nuclear and innovations in the 21st century

2015-2 : Fight against terrorism today

Next issue to be published: The invisible risks

Etudes et observations des risques 2017-1

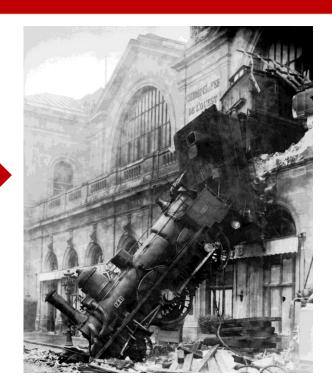
DEFENSE ET DEVELOPPEMENT DURABLE AU 21^{ème} SIECLE

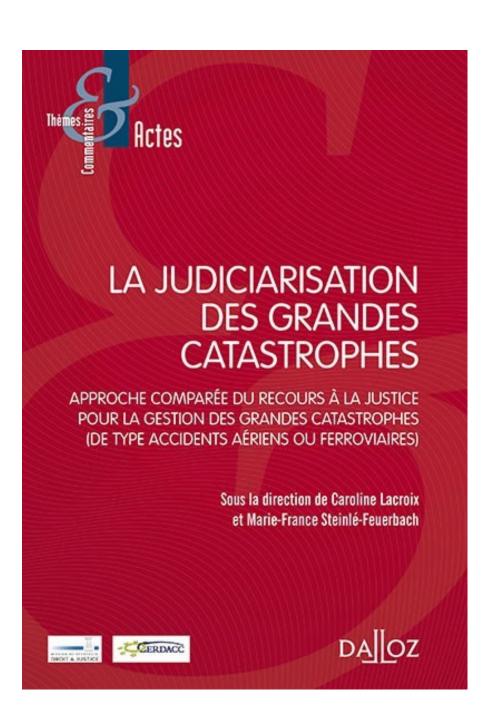
http://www.riseo.cerdacc.uha.fr

The judicialization of major disasters

- A Comparative Approach to the Use of Justice for the Management of Major Disasters

Rail accident in *West Station,* october 22th, 1895





Introduction

- The phenomenon of the judicialization of risky activities
- Why this judicialization?
- The protest

Flight Safety Foundation, the National Academy of Air and Space, Royal Aeronautical Society, Civil Air Navigation Services Organisation, october 17th, 2006

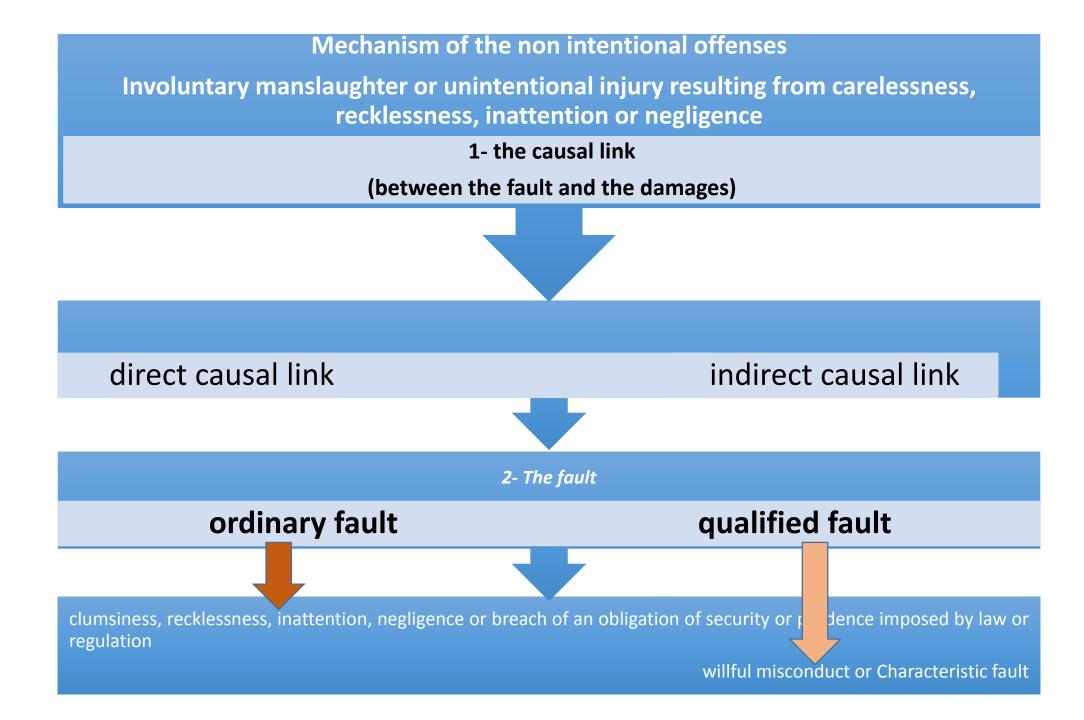
Resolution on the penalization of aviation accidents

"(...) are convinced that judicial investigations and criminal proceedings in the context of aviation accidents can affect the efficiency an investigation into the circumstances of an accident, and to prevent the probable causes from occurring in a timely and accurate manner, and to draw recommendations to prevent its recurrence "

I. The mechanism of the non intentional offenses

II. Typology of responsibilities

III. Expertise



Typology of the responsibilities

natural person

- managers and executives of the company
 - men of art, entrepreneurs and architects
 - "security officers".

the direct author (an artisan or a worker)

Legal person

Thank you for your attention