

Britain: Chinook helicopter crash inquiry prompts allegations of government cover-up

Mike Ingram
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The British government stands accused of a cover-up, after Prime Minister Tony Blair vetoed a fresh inquiry into the Chinook helicopter crash that claimed the lives of 29 top security personnel on June 2, 1994.

The Royal Air Force (RAF) twin-engined Chinook ZD-576 crashed into cliffs at the Mull of Kintyre, Scotland, killing its four-man crew together with 25 passengers from the Army, Royal Ulster Constabulary, GCHQ spy centre and MI5 intelligence. The passengers were on their way to a conference on the security situation in Northern Ireland. They were considered to be the cream of British intelligence and the crash is the worst peacetime tragedy suffered by the RAF. An initial RAF inquiry concluded that found that the cause of the crash was "gross negligence" on the part of its two pilots, Flight Lieutenants Jonathan Tapper and Rick Cook.

A cross-party group of MPs and peers has sought a meeting with Tony Blair following a Commons report that condemned the way the Ministry of Defence (MoD) handled the RAF inquiry.

The report by the Select Committee on Public Accounts makes clear that in the aftermath of the crash, and under pressure to account for the wiping out of the British intelligence elite, the MoD and RAF were keen to find a scapegoat. With both pilots and the other two crew members dead, they no doubt thought the verdict of "gross negligence" would go unchallenged.

A campaign by the families of the dead pilots to clear their names appeared to have been successful when the Select Committee report accused MoD officials of "unwarrantable arrogance" for refusing to admit the verdict of pilot error was "unsustainable" in face of the evidence. But Defence Secretary Geoff Hoon immediately rejected the report, describing it as "superficial" and containing no new evidence. Blair supported him in this, saying he did not see any need for a new inquiry into the crash.

The Chinook Mark 2 helicopter was the product of a programme to upgrade 32 Mark 1 helicopters undertaken by Boeing Helicopters under a contract placed with the MoD in 1990, and worth £143 million. The upgrade encompassed various structural and mechanical modifications, including fitting new engines with a computerised fuel control system,

known as the Full Authority Digital Electronic Control (FADEC).

That the initial RAF inquiry was a cover-up is underscored by the fact that many problems were encountered with the FADEC system but the helicopter was nevertheless released into service before these were corrected. The Select Committee report states, "We are extremely disappointed that the late detection of the software problems led to the operational use of the aircraft being limited, and that these restrictions remained in place for four and a half years. Despite the lifting of restrictions by the Department [MoD] in September 1998, we do not believe that there was in 1994, or is now, sufficient independent assurance on the performances of the FADEC software."

The faults with the FADEC system are highly relevant to the 1994 crash. The software maintains a correct balance between the two engines for the flow of fuel and is therefore critical for the power output. In test flights, it was reported that the helicopter would increase power to one or more engines for no apparent reason. Another fault commonly reported was the unexplained illumination of warning lights in the helicopter cockpit. Any of these could have been factors in the Mull of Kintyre crash, but were not even considered by the RAF inquiry.

The Select Committee report further states, "The faults with the FADEC led to doubts as to the reliability and safety of the aircraft at the time and make it very difficult to rule out categorically a technical fault as at least a contributory cause of ZD-576's crash."

Since its introduction into service, "the Chinook Mark 2 has experienced six engine run-ups and one run-down whereby the engine speed would change without the pilot requiring it" the report notes. While the MoD say all these incidents occurred on the ground, "an in-flight run-up or run-down of the engines would have had serious consequences," the report continues.

In the initial period the aircraft was in operation, the engine fail warning light would come on in the cockpit, requiring the crew to go through the engine failure emergency drill. The report says, "Although spurious, those false alarms were warnings of a potentially catastrophic failure which had to be taken seriously by the crew. Again those faults originated in the FADEC software."

The Committee report that the MoD referred to these as "nuisance" faults, yet the FADEC software was upgraded at considerable to eliminate them. "The upgrade was not completed until the aircraft had been in service for well over a year and after the crash of ZD-567.

"The cause and significance of the faults experienced during initial aircraft deployment are now well understood. However, at the time of the ZD-567 crash they were not, and both the aircrew and ground crew operating the aircraft could not have been sure of their implications for the safety of the aircraft and would have had to react to every fault accordingly."

The report points out that the faults were so extensive that, "test flying at Boscombe Down was suspended in June 1994. Test flying did not re-start for five months until the manufacturer of the FADEC system had provided adequate explanations of why the faults were occurring and what the implications were for the safe operation of the aircraft. Throughout this period operational squadrons continued to fly the aircraft."

In relation to the verdict of pilot "negligence" the report states, "Negligence should only be found when it is definitively the cause of a crash, not simply as a last resort in the absence of any other more convincing explanation."

According to the Committee, RAF regulations state that the burden of proof for negligence must demonstrate "no doubt whatsoever." It states that there should be "proof positive that the actions of the aircrew caused the crash.

"In the case of ZD-567, in the absence of a conclusive cause, the Reviewing Officers to the RAF Board of Inquiry selected negligence as the most likely cause because 'none of the possible scenarios was so strong as to have been likely to have prevented such an experienced crew from maintaining safe flight.' We find that logic flawed. The proper approach should have been to reach a finding of gross negligence only if it could be positively ruled in. We consider that, had that proper approach been taken a finding of gross negligence would not have been returned," the Committee says.

The Select Committee report explains that because the crash had occurred in Scotland where different laws apply, a Fatal Accident Inquiry was held. "Having considered evidence from all parties the Sheriff could not find a definitive cause for the accident," the document says. It explains that despite the fact that the Fatal Accident Inquiry "works to a lesser burden of proof in determining the cause, its findings being based on a balance of probabilities rather than no doubt whatsoever," the Sheriff could not agree with the RAF inquiry's finding of gross negligence.

"We are surprised that the Department [MoD] have not taken on board this learned legal judgement. Indeed, we believe that the Department should now recognise and should be guided by the decision of the properly constituted Scottish court, and should recognise that court's superior standing over their own domestic procedures," the committee states, adding, "We find

the Department's preference for the results of their own procedures as constituting unwarrantable arrogance."

It is unlikely that the real cause of the Chinook ZD-576 crash will ever be known. The craft was not fitted with either a cockpit voice recorder or accident data recorder (black box), much relied upon in civilian inquiries into aviation disasters.

Perhaps the most damning indictment contained in the Select Committee report is directed against the structure of the initial RAF inquiry. The report states, "The officers reviewing the findings of the investigating board had command responsibility for the management and provision of the support helicopter fleet. They would therefore have had an interest in ensuring minimal disruption to the support helicopter fleet, particularly in the light of the problematic acceptance process..."

After stating a belief that the reviewing officers acted "in good faith", the report continues, "The current process for convening RAF Boards of Inquiry embodies the perceived conflict of interest shown in the case of ZD-576 because Boards are convened by, and report to, senior officers with line of management responsibility for the equipment and personnel involved."

In reality this involves much more than a "perceived" conflict of interest, extending right the way up to the government. Having overall responsibility for the MoD, which purchased the Chinook aircraft and oversaw the flawed upgrade of helicopters still in use today, the Labour government is no keener than its Tory predecessor to have a new investigation of the incident.

As recently as April 1999, RAF Chinooks used in Kosovo had to be grounded following the discovery of cracks in the gearbox. Chinook operations in Bosnia-Herzegovina, the Malvinas/Falkland Islands and the UK were also halted while checks were carried on all 34 helicopters.

Defence Secretary Geoff Hoon said of the initial RAF inquiry, "This was a properly constituted board of inquiry that looked very carefully indeed at the facts. The only circumstances in which that judgement should be disturbed is if there is new evidence that challenges the basis of that inquiry."

Responding to Blair's support for Hoon's statement, Captain John Cook, father of Rick Cook one of the dead pilots, told journalists at a meeting with MPs, "This is so disgraceful. If they had not blamed the pilots, don't you think that you and the House of Commons and everyone else would be asking questions?"



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