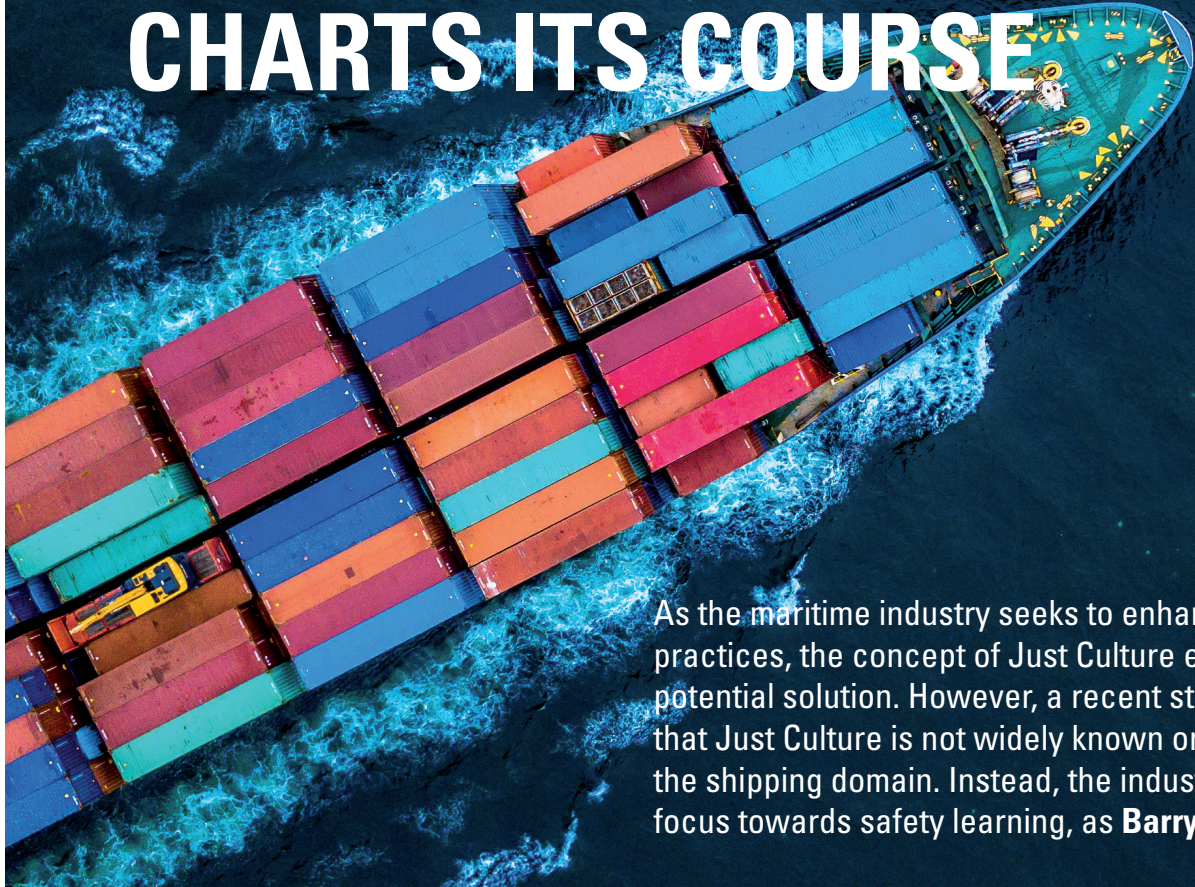


# JUST CULTURE OR SAFETY LEARNING CULTURE? THE MARITIME INDUSTRY CHARTS ITS COURSE



As the maritime industry seeks to enhance safety practices, the concept of Just Culture emerged as a potential solution. However, a recent study revealed that Just Culture is not widely known or embraced in the shipping domain. Instead, the industry is shifting its focus towards safety learning, as **Barry Kirwan** reports.

## KEY POINTS:

- Globally, Just Culture is not such a well-known concept in the shipping industry.
- A recent study canvassed sea captains and key organisations about the merits of Just Culture.
- The over-riding response was that maritime wasn't ready for Just Culture, although it already exists in some quarters.
- Instead, the maritime domain is focusing on safety learning, to reduce incidents and accidents.
- The International Maritime Organisation is launching a major initiative on safety learning in 2023.

The maritime industry outdates all other transport domains by millennia, and in terms of the transport of goods, it still far outstrips rail, automotive and aviation by a significant degree, with ships transporting 90% of global trade. Yet most of this is unseen by the public, as vessels are far offshore, and major ports are largely away from the public eye. As with rail and aviation domains, major accidents involving passengers are relatively few, and cargo ships involved in collisions or groundings do not tend to gain press unless they lead to major loss of life, environmental damage, or substantial blockages of major shipping routes. Two recent examples from the shipping domain are the *Costa Concordia* cruise ship accident, and the *Ever Given* ultra-large container ship (ULCS) blocking the Suez Canal.

But most accidents are below the public radar. So, what about Just Culture? Is it in evidence in the shipping world? A European-funded project called SAFEMODE was tasked to find out, and to see if maritime could learn from aviation, given



Seafarers

Investigators

Unions

Regulatory Bodies

## Interview Approach

1. Investigation
2. Reporting
3. Near-Miss Reporting
4. Understanding the Human Element
5. What keeps ships safe?
6. Safety Management Systems (SMS)?
7. Just Culture
8. Safety Learning

that the latter was seen as demonstrating best practice in Just Culture in the transport sector. EUROCONTROL was chosen to lead this task as it has led a European-wide safety culture programme for the past two decades, and aviation is seen as having a strong Just Culture and learning culture. The idea was simple – to have someone look at shipping from the outside.

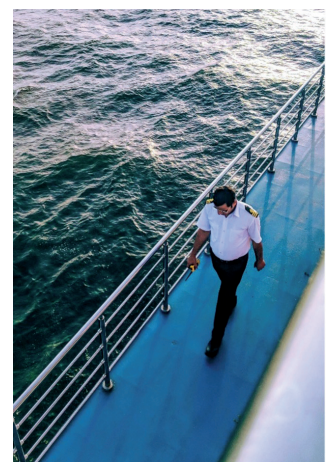
The approach taken was equally straightforward. Twenty ship's masters and investigators were interviewed by video during the COVID pandemic. The seafarers came from several segments of the shipping industry, namely cargo/container, chemical tanker, and passenger/cruise ships. Investigators were mostly from their respective national authorities, but a couple worked for shipping companies. The interviewees came from the following countries: Denmark, France, Italy, India, Malta, Mexico, the Netherlands, Portugal, Romania, Spain, Sweden, the United Kingdom, and the United States of America.

The interview questions were generally open in nature, and the interview structure followed the same process with each participant, beginning with investigation and reporting, moving on to near-miss reporting, then to the consideration of the 'Human Element' (the Maritime equivalent of Human Factors) and safety at sea. Next followed a discussion of the role of the SMS at sea, the applicability of Just Culture in the shipping context, and finally how safety learning works in practice. At the end of each interview, the interviewee was asked about the best way forward and the so-called magic wand question, namely, if you could change one thing, what would you change?

Early on, two responses stood out. First, half the respondents had never heard of Just Culture (though they 'got it' as soon as it was explained). The second, more surprisingly, was that more than half of them judged that the time was not right for it in the shipping industry. What they were all interested in, however, was safety learning.

Following these interviews, four further sessions were held: one with union representatives; one with the European regulator, the European Maritime Safety Agency (EMSA); one with a maritime training organisation; and one with representatives from the International Maritime Organization (IMO, the Maritime equivalent of ICAO). Subsequently, the interim results from the interviews were presented at several forums, including MCA's Human Element Advisory Group (HEAG), OCIMF's Human Factors Committee (HFC) and IMarEst in the UK, as well as the Stability and Safety at Sea (STAB&S) conference in Scotland. These various forums generally concurred that Safety Learning Culture was a more pragmatic destination than Just Culture.

The reasons for not having Just Culture as the destination were diverse, but the overwhelming response from seafarers, and some investigators, is that the blame culture is too engrained in many parts of the shipping industry. *"It is always 'blame the ship!'"* and *"Stop criminalising seafarers"* were



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common refrains, and seafarers felt that there was often finger-pointing in investigations (captains were often advised to have a lawyer present, and if involved in an accident abroad, to never get off the ship for fear of being immediately arrested by local authorities). A contributing organisational element was that many Human Resources departments in shipping companies were felt to have little or no maritime experience, so had no shared understanding of what life at sea was really like. Furthermore, some insurance systems meant that as soon as the captain took the blame, the insurance would pay up.

The national investigators interviewed acknowledged such problems, and did what they could, but noted that even when they tried to use narratives, and non-prejudicial terms such as *contributory factors* rather than causes, the judiciary sometimes took their results out of context and used them to prosecute seafarers. Some also noted that by the time they arrived on the ship to interview those involved, the key parties might have been already sent home or fired, impeding investigation and negating any practical sense of Just Culture.

It wasn't all bad. Some companies have been working hard to integrate Just Culture into their systems and processes, and yes, their culture, too. Several organisations also had rapid feedback systems such that within a week of any incident, a *lessons learned* briefing was sent out not only to the ship concerned, but all other ships in their fleet.




The final report, already seen by the IMO, still highlights Just Culture, but has more focus on safety learning, with ten safety learning approaches documented in the second half of the report, several of which are already being employed by key shipping companies.

The report was formally presented at IMO in London in June 2023, with a call to action upon Member States who are obliged to detail proposals to enhance safety learning across

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the industry. It is not the first time there has been a call to improve safety culture in the maritime world. The last attempt was in 2010, but it did not gain traction. This time, however, it is hoped that the collective voices of seafarers, investigators, leading shipping organisations and key Member States will be heard, and that the maritime industry will begin to chart its course towards a safety learning culture. And if it does, for sure Just Culture will follow.

It should be noted that there has been good work undertaken to support and promote just culture in the maritime industry (e.g., see Skybrary). Nevertheless, the results of this study revealed that there are significant shortcomings in the meaningful adoption of just culture across the industry. None of the findings were a surprise to the shipping companies we talked and presented to, nor to the regulatory bodies, including EMSA (the regulator, who is a signatory on the White Paper), and the IMO, who asked us to present the results to the Member States. We are hoping that the White Paper, and subsequent ongoing actions, will generate more traction this time around.

SAFEMODE is a recently completed a Horizon 2020 project that aimed to share Human Factors and Safety approaches between the aviation and maritime domains. See <https://safemodeproject.eu/> 

## Reference

Safemode. (2022). Towards a Safety Learning Culture for the Shipping Industry. A White Paper <https://skybrary.aero/sites/default/files/bookshelf/32942.pdf>



Dr Barry Kirwan worked in Human Factors in the nuclear, oil and gas, and maritime sectors, and lectured at Birmingham University for five years before becoming Head of Human Factors at NATS. Joining EUROCONTROL in 2000, he initiated and ran the European Safety Culture Programme for a decade before moving onto European research projects focusing on Human Factors, safety culture and artificial intelligence applications.