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UNRULY PASSENGER RESTRAINT: time to clarify our expectations

by Philip Baum

Who knows how many unruly passenger incidents happen every day? The International Air Transport Association (IATA) may have published its figures of reported incidents - 6,004 in 2011, 5,220 in 2012, and 8,217 in 2013 – but these only pertain to a limited number of IATA members choosing to report their more serious incidents. If we include the figures from non-IATA members and those incidents which have gone completely unreported, we are talking about an astronomical number of people behaving unacceptably on board aircraft and, in turn, endangering the safety of their flights. Indeed, a number of airlines are independently reporting that they, single-handedly, are experiencing thousands of incidents every year.

Yet, despite the subject of unruly passengers often being cited as flight attendants' 'Number One' concern, the aviation industry is guilty of taking an extremely laissez-faire attitude towards the establishment of global standards. For an industry which is heavily regulated, and where we have accepted ludicrous, pointless and burdensome security measures (e.g. the restrictions on liquids, aerosols and gels), the absence of effective control procedures, training, equipment and policy to handle everyday occurrences is frightening.

Much of the debate seems to focus on the fact that, in most countries, the majority of perpetrators seem to escape prosecution due to the absence of national legislation, or at least political will, to prosecute offenders, especially if the incident took place on a foreign-registered aircraft. We are, however, tiptoeing in the right direction in that regard and the Montreal Protocol of 2014, which is an attempt to modernise the 1963 Tokyo Convention, extends jurisdiction for an offence to the destination country of the flight in addition to the country of aircraft registration. Of course, it may be some time before the latest Protocol is formally ratified and even longer until police forces and judiciary around the globe fully embrace their responsibility to act.

There is, however, another issue which I find even more disturbing and that is the disparity between the seriousness with which airlines treat security training and the way they treat safety training, and the lack of definitive policies as to how to manage a serious incident once communication has failed.

Far too many aircraft are having to divert due to unruly behaviour and each such diversion is both costly (anywhere between \$6k and \$200k) to the air carrier and inconvenient and frustrating for the other passengers. We need to enable and empower aircrew to resolve incidents themselves. Once a passenger has been restrained, providing it has been done professionally, there is rarely a need for a flight diversion. Bizarrely, and especially in the US, I see all too many reports of a passenger having been restrained and then the pilots electing to divert to offload them. What a waste of time!

We are told, in Annex 6 to the Chicago Convention, that, "An operator shall establish and maintain an approved security training programme which ensures crewmembers act in the most appropriate manner to minimise the consequences of acts of unlawful interference. As a minimum, this programme shall include"

a range of different elements, including "appropriate self-defence responses" and "live situational training exercises regarding various threat conditions". We are also advised, in the accompanying guidance notes, that, "To be really effective and successful, training programmes must instil in cabin crew a level of determination to be prepared for a sudden event aimed at paralysing effective crew response, and the need for the crew to respond with sufficient force to prevent others from gaining control of the cabin."

I would question whether the majority of aircrew really do have that "level of determination". How could they given the minimal number of hours of training in unruly passenger management? Far, far too many reports are surfacing whereby pilots are still becoming engaged in passenger restraint, despite there being a ban on the flight deck door opening when an incident is occurring in the cabin and, all too often, passengers are also being forced to perform in-flight security functions which are the responsibility of the flight attendants.

Flight attendants are excellent communicators and are quite capable, most of the time, of de-escalating tense situations through effective communication techniques. We know that any restraint should be an act of last resort, performed only when there has been a total failure of communication, and when the passenger has the ability, opportunity and intent to endanger the safety of the flight. But how many airlines are really providing training to their crews which includes "live situational training exercises regarding various threat conditions"? And, even if they are, how many airlines are prepared to 'fail' a flight attendant who is unable to restrain an individual, who cannot build a bomb stack in the least risk bomb location or who does not know, off by heart, how to respond to a chemical/biological weapons incident in-flight? Meanwhile, a failure to be able to initiate an aircraft evacuation or manage cabin depressurisation will almost always be a reason not to 'pass' a flight attendant at the end of their *ab initio* training.

It's not only a question on training. Some carriers are deliberating so long as to whether it is better to deploy restraint kits which use rigid handcuff or those with plasticuffs that they are deploying nothing at all. Certain States do not permit restraint at all, leaving the crew with limited options to maintain flight safety when all hell breaks loose.

And then, my biggest bugbear, it is amazing how many States and carriers seem more concerned about the risk to the unruly passenger of their being restrained during an emergency landing that they ban a person being restrained to a seat. Time to get real. First of all, what are the chances of there being a serious unruly passenger incident on a flight and, in an unrelated incident, an emergency landing? Secondly, the passenger was restrained because they endangered the safety of the flight; they have compromised their own rights in an emergency situation. Let's worry about the vast majority of law abiding passengers. ■

