



KENYON™

INTERNATIONAL EMERGENCY SERVICES
A Worldwide Disaster Management Company

UPDATE 09

From the Desk of Robert Jensen

As many of you know, as this newsletter was going to print, our Vice President of Corporate Services Mr. John D. Warren was killed in a motorcycle accident, which also injured his wife Lynda. I wanted to take this time and tell you how we, as a company, dealt with this loss. While Kenyon deals with sadness and grief as part of our daily business, it is not something we ever get used to. It is also not something that in recent time has been so close.

While Kenyon is a business, we are also like a family. Many of us spend a lot of time together, often away from home and typically involved in very stressful situations. We know each others families, speak and Skype with each other almost daily, and depend on each other to help our families while we were deployed.

Kenyon's own internal systems include the same things many of your plans include. They are the sorts of things we recommend and advise clients. We appointed a Vice President to work directly with Lynda and the rest of John's family, including support during the memorial service. We also involved our employees, both in decision-making such as how to best remember John and ideas for sharing his "work" life with his family. These same employees were also able to help recover John's personal belongings, take care of them and then sit with his wife and children to return them. Doing this allowed people to acknowledge the loss, feel part of the response and offer direct support to John's family.

Another aspect of our plan was ensuring personal notification was made to all full-time employees followed by daily updates of company actions, memorial plans, and regular ongoing operations. Communication in the form of email and web updates also extended to our team members and, importantly, you our members.

Kenyon's and my personal commitment to you is for 24 / 7 / 365 response. As such we needed to maintain operational readiness. We accomplished that by having a plan, cross training, and bringing in additional team members. We also transferred some operations to London from Houston. In fact, on Tuesday morning the 21st of April, at approximately 0030 hours, we were notified of an incident and activated our call center for a member response.

We can never replace John. However, we will transition to what will become our new normalcy. It will be different, it will not be easy and we will miss him. That is life and more importantly what must be done. As part of that transition, we have promoted staff and organized to continue to

best practice support to you our members. I will announce those changes in a few days.

Again, thank you for the very warm notes and comments many of you sent to us.

Understanding the Phases of Emergency Recovery

On many occasions, I am asked about a simple way to explain the response and recovery process to stakeholders, families, supervisors, CEO's, budget managers, and industry partners. While the processes are not simple and sometimes difficult to understand, Kenyon has worked to create a straight forward explanation of the emergency recovery process. Kenyon commissioned a graphic artist to create charts that explains the realities of a mass fatality event. These explanations and charts are available for download on our newly revised "Useful Information" page on the Kenyon website (http://www.kenyoninternational.com/process_flow.htm). I hope you will take time and go through the explanation and review the charts.

On the same page, you will find several other documents for download. Kenyon is frequently asked about the various references we use during an incident. Therefore, we have posted the titles and authors of the books, reports, case studies and other documents we have in our various libraries. As an added service, for documents that are publicly available, we have placed those on the "Useful Information" page for immediate download. Various libraries and references we use are also described in separate article in this newsletter.

Additionally, I am asked by crisis managers and CEO's about the most critical areas that should be addressed immediately after an incident. Traditionally, we have included this information in our training classes. When an incident happens, few managers have time to read full-page documents. With the exception of crisis managers, handling emergency response this is not the day-to-day job responsibility of most managers. In our on-going efforts to help our members maintain a high state of readiness if an incident occurs, Kenyon has created a pocket size Aircraft Crisis Action Guide. This is a CEO level guide. We will soon send two of our Guides to airline members. One copy is for the emergency manager and the second copy we request to be given to your CEO. In the near future we will produce Guides for our government and non aviation members. The Guides will cover key areas including communication, family assistance, supporting incident investigation, coordinate, continue operations, and leadership.

Communicating with Families after an Incident

Recently, I spoke at a conference for airline risk managers, brokers, underwriters, and solicitors. I compared a sample of public communication documents that families see once the typical family assistance center operations are closed and the airline has removed itself from direct involvement with the families. On one side - plaintiff's attorneys, and family groups. On the other side - solicitors and underwrites representing the airlines. What surprised me about this case study is how few people in the industry have stepped back and looked at the two side by side. Unfortunately, there are major philosophical differences, and often a negative image is presented on the airline insurance side. Over the next several months, Kenyon will continue to work with industry partners to highlight family care and communication issues to address this issue and present a better image. If you would like more information on this issue, please contact your account executive, who will be happy to share my presentation with you. Remember, after the family assistance center is closed, the settlement process begins and the airline has resumed normal operations, your name and reputation should be managed.

Improvements to Kenyon CarePlus

Going forward, we are continuing to work with the enhancement of Kenyon CarePlus, which is currently the call management software used by our Call Center. Our enhanced version incorporates data management for the entire life cycle of an incident and is something that will make any crisis manager's job much easier. If you need more information, contact your account executive.

Despite the tough economic climate, I hope that the positive economic changes that are moving in your direction.

My warmest regards,
Robert

Kenyon International Outlines Action Steps of Airline Disaster and Recovery

A plane crash or other mass fatality events are devastating to families, communities and the companies involved. Information is disseminated to news organizations and the public regarding the investigative process. However, there is very little information available to families or the public about other areas of the response. These areas include family assistance, communication, recovery, identification and return of loved ones and their personal belongings. These issues are often very complex, detailed and sometimes a lengthy process.

To help explain the processes of family communication, assistance, identification process, return process, and personal effects process, Kenyon has created a series of briefing charts and narratives for downloading at www.kenyoninternational.com/process_flow.htm

Kenyon also maintains two large office libraries, in Bracknell, UK in Houston, Texas, as well as smaller limited sets in Hong

Kong and Sydney. These sets consist of several hundred books and other published materials with information about the various aspects of an air crash and mass fatality incident response. A list of these references can be downloaded at www.kenyoninternational.com/info1.htm.

Many of the public reports and other documents listed are also available for download from the Kenyon website at www.kenyoninternational.com/info1.htm.

To give the public an idea of the amount and type of equipment used in a mass fatality incident, Kenyon has posted for download, the master listing of equipment that is typically used in response to these tragic incidents at www.kenyoninternational.com/PDF/Kenyon_Resources.pdf.

"We cannot undo an airline crash or a mass fatality - professional recovery organizations should provide to families the resources, and explain how those resources are used to manage the consequences of a loss," said Robert Jensen, CEO, Kenyon International Emergency Services. "I hope the explanation and information presented on our charts will help families and the public understand the recovery process during these very sad events.

Kenyon International will Provide FAC Conference Bridge Equipment as Recommended by NTSB

In a recent National Transportation Safety Board (NTSB)-Airline Emergency Managers meeting held in Chicago, the NTSB's Office of Transportation Disaster Assistance stated they expect carriers to obtain baseline conference bridge communications equipment by 1 September 2009. The equipment will provide non-traveling families real time access to family briefings during an activation of an Airline Disaster Family Assistance Center.

The NTSB provided one example of a vendor who manufactures the equipment. The manufacturer suggested retail price is approximately \$20,250.00 plus tax, shipping and handling.

Kenyon International would like to inform our Members that we will be providing the baseline equipment during an activation to those members who have Disaster Human Services. Additionally Kenyon will be able to provide translation equipment, portable microphones and IT staff to manage this equipment and ensure it is in working order during the briefings.

Kenyon In The News

From: TradeArabia News Service

National carrier Gulf Air hosted a two-day workshop for airlines executives on Emergency Planning and Response in Bahrain.

Organized by the Arab Air Carriers Organization (AACO), the workshop was conducted by Robert A. Jensen, president, Kenyon International Emergency Services – a worldwide professional disaster management company specializing in the aviation sector.

Thirty five airline executives from airlines such as Emirates,

Air Arabia, Kuwait Airways and Gulf Air, drawn from various functional divisions such as operations, safety and communications, attended the workshop.

"Gulf Air is pleased to have had the opportunity to host this important workshop," says Gulf Air head of Emergency Response Planning, Gregory Janelle.

'For any airline it is critical to be fully prepared in the event of an emergency. It is absolutely essential to have a team, which is professionally trained to handle various aspects of an emergency situation.'

'The workshop has dealt with some crucial issues facing real-world crisis management plans and has offered practical ideas on how to respond to such situations.'

Participants, through practical exercises, group discussions and debates, gained practical insight into issues and functions such as emergency call centre, human remains identification and repatriation, personal effects handling, family assistance, investigation, hull recovery and site restoration, crisis communications management and claims settlement.

From: FlightGlobal.com

Twitter Becomes the First Word of Disaster

By: David Field, February 26, 2009, Airlines Business

The immediacy of new media is now major factor for airline management and safety regulators as Twitter, the instant-messaging, for immediate-broadcast email service, claims its place as the first source of public word of airline disasters.

When a Turkish Airlines Boeing 737 landed short and broke apart at Amsterdam's Schipol on 25 February, the first word to the public was a 'Tweet,' sent out by a fellow who lives near the airport. "Looking at a crashed aeroplane near Schipol," he Twittered within minutes of the Flight 1951's impact - which killed at least nine people.

Users of Twitter sometimes arrive on the scene before first responders and in one case it was a crash survivor who 'Tweeted' from the scene of the crash of a Continental Airlines Boeing 737 last December. But even though this may be an advance for 'citizen journalism' and indeed for social media, it adds complications.

Peter Goelz, a former National Transportation Safety Board managing director, says, "This is a remarkable development that makes the entire process more complicated. The safety board is going to have to pay attention," he says, to such things as the reliability of accident witnesses who may have been influenced by Tweets. Goelz is now a Washington consultant.

Jerry Hendin, director of crisis communications for Kenyon International, says, "It changes the entire gold standard of airlines, which had always held themselves to getting out accurate information on an accident or incident within 60 minutes.

Not only will airlines be under more pressure to act quickly,

but they also have to face the fact that Twitter is less regulated than other media," he says, noting that a message, even one as short as a 140-character Tweet, is inherently interpretive - unlike, for instance, a picture taken on a cell phone and posted to the Internet.

The first words and pictures of the US Airways A320 that ditched in the Hudson River in New York City last month came as a Twitter communicated from a ferry boat headed to rescue the 155 who survived. Even though the very first was from an eyewitness, some of the survivors of Flight 1549 soon Tweeted. Morgan Durrant, a US Airways spokesman, says that the Twitters increase the workload of the corporate communications department, although in the case of Flight 1549, "we were all lucky".

This is a rapidly developing trend, spurred since the immediacy of last December's historic Tweet - by a passenger who was on board the Continental flight that skidded off of a Denver runway and burst into flames. He Tweeted, starting with 'I WAS JUST IN PLANE CRASH' right after he got out of the plane and was standing near the runway, waiting to be rescued. And, Hendin adds, managers and regulators "don't always know who they're reading or what he or she knows. You're put in the position of having to respond in some cases to what people think they've seen".

Legal Aspects of Handling a Major Airline Incident: Part 2

By: Sean Gates/Sue Barham of Gates and Partners

In the last edition of the Newsletter we set out a hypothetical accident scenario involving a crash of a Boeing 747 operated by UK carrier ABC Airways shortly after departing from London Heathrow for Hong Kong. To recap, all 350 passengers, 16 crew and 21 people on the ground were killed. The passengers included British, Chinese, American, Australians, French, Spanish, Irish, Japanese and Saudi Arabian nationals. The preliminary findings of the AAIB indicate that the landing gear failed to retract fully subsequently and two starboard engines suffered uncontained failures.

In this edition we will look at how we, as aviation lawyers, would identify which of the international aviation liability conventions (if any), apply to the passenger claims. This is an important first step which will determine the venue of any ensuing litigation, the level of damages awarded and whether advance payments will be provided to the families of the deceased.

The first task is to check the itineraries of the passengers. The applicable law to the passenger claims is determined by their place of destination and departure as agreed between the parties (usually the destination and departure points identified in the passenger's ticket): for any of the international conventions to apply, the points of origin and final destination under the ticket have to be in the territory of States that have ratified that convention. To take some examples:

* Passenger 1 was travelling on a London /Hong Kong /London ticket. The Montreal Convention 1999 would apply here because both the places of departure and destination are in the UK which has ratified the Montreal Convention.

* Passenger 2 was travelling on a Buenos Aires /London /Hong Kong /Los Angeles /Buenos Aires ticket. The Warsaw Convention 1929 as modified by the Hague Protocol of 1955 ("Warsaw/Hague") would apply since Argentina has not ratified the Montreal Convention.

* Passenger 3 was travelling on a London /Hong Kong /Indonesia ticket. The Warsaw Convention would apply here because Indonesia has ratified the Warsaw Convention but not the Warsaw/Hague Convention or the Montreal Convention.

* Passenger 4 was travelling on a London /Hong Kong /Thailand ticket. No international convention will apply because Thailand has not ratified any of the international aviation liability conventions.

The second task is to check whether ABC Airways is a Community Air Carrier within the meaning of EC Council Regulation No 2027/97 as amended by Council Regulation 889/2002. As a UK carrier holding a UK AOC, ABC airways is a Community Carrier. In broad terms, the effect of these Regulations is to make any court considering a passenger claim in an EU Member State apply the provisions of the Montreal Convention even if other Convention provisions would apply. For example, if the family of Passenger 2 above were to bring a claim in the UK, the Regulation would operate to apply the provisions of the Montreal Convention rather than Warsaw/Hague.

Effect on damages levels.

All of the three conventions contain provisions about the level of damages that can be awarded in the event of a fatal accident occurring to a passenger in the course of carriage by air.

The Warsaw Convention limits a carrier's liability for death claims to 125,000 Poincare francs. If the state has also ratified the Montreal Additional Protocol 1 of 1975 the limit is 8,300 Special Drawing Rights ("SDR").

The Warsaw Convention as modified by the Hague Protocol limits a carrier's liability for death claims to 250,000 francs. If a state has also signed the Montreal Additional Protocol No 2 the limit is SDR16,600.

Limits under both Warsaw and Warsaw/Hague can be broken if it can be established that there has been "wilful misconduct" (in the context of Warsaw) or from an act or omission of the carrier, his servants or agents "done with intent to cause damage or recklessly and with knowledge that damage would probably result" (in the context of Warsaw/Hague). Under Warsaw the carrier is not liable if it can establish that it had taken all necessary measures to avoid the damage or that it was impossible for him to take such measures.

Under the Montreal Convention the carrier cannot limit its liability for death or personal injury claims up to SDR 100,000. The carrier does have a defence to liability over SDR 100,000 if the carrier is able to prove either (1) that the damage was not due to the negligence or other wrongful act or omission of the carrier or its servants or agents; or (2)

that such damage was solely due to the negligence or other wrongful act or omission or a third party.

It is important to note that the limits under each convention are limits: the actual damages are subject to the provisions of the relevant country where the claim is being brought for fatal accident damages. We will consider the issue of the relevant jurisdiction in the next edition of the Newsletter.

Mental Health Support for Employees After a Critical Incident

By: *Salvador Velasco, Director of Human Support Services*

By definition, a critical incident is an event that is sudden, unusual, intensely distressing with an impact sufficient to overwhelm the usually effective coping skills of either an individual or a group interfering with productivity and life adjustment. Every industry can list their own worst case scenarios that can be categorized as critical incidents: multi-casualty disasters such as aircraft accidents, car or bus accidents, terrorist attacks, workplace violence, line of duty deaths, natural disasters, events with excessive media coverage or where children and known personnel are involved, etc.

Critical incidents have the potential to cause powerful emotional reactions not only to the persons directly involved in the event (passengers, crew, clients or workers within buildings, bystanders affected by the tragedy, etc.) but also to secondary and tertiary victims. Included among the secondary victims could be your own line employees that handle the first hours and days of the emergency. In addition, your company's emergency response teams that come to assist and other employees within your organization that may vicariously feel the effect of the tragedy even without being near the catastrophe (when they see the news or hear about the details of the disaster from other coworkers).

The possible effects and reactions that critical incidents leave on employees are complex and varied. They are also dependent on many factors such as how much exposure the person had to the event. What were his/her duties (taking care of injured, morgue operations, recovery of personal effects, dealing with families of the victims, childcare, etc.), what he/she saw (mutilation, death, injuries, etc.), where there closed friends or relatives affected and how the affected individual manages the impact (resilience).

Reactions may range from negative feelings to a wide range of physical, cognitive, emotional and behavioral signs and symptoms to post-traumatic stress syndromes. Below is a list of the most common physical, cognitive, emotional and behavioral signs and symptoms, which may follow exposure to a traumatic event:

Physical symptoms: rapid heart rate, elevated blood pressure, increased perspiration, difficulty breathing, fainting, tremors, fatigue, nausea, headaches, appetite changes, etc.

Cognitive symptoms: racing thoughts, memory impairment, difficulty making decisions, intrusive memories or flashbacks, poor attention span and concentration, disorientation, loss of objectivity, etc.

Emotional symptoms: feeling high, heroic, invulnerable,

feeling overwhelmed or detached, hopelessness, helplessness, fear, avoidance of similar situations, irritability, anger, hostility, grief, anxiousness, sadness, guilt feelings about not having done enough, questioning of religious values, etc.

Behavioral signs: impaired social and occupational functioning, relationship breakdowns, increased conflict within and across employee and customer groups, absenteeism, prolonged medical treatment for psychosomatic ailments, pursuit of medical, psychiatric and legal opinions, compensation claims, etc.

Knowing the effects that a critical incident can have on your employees and preparing a plan to manage the crisis well is your first line of defense against these types of events. Proactive actions by management and peers can greatly reduce the negative impact, promote rapid recovery, and return to effective levels of functioning.

Proper handling of critical incidents acts as an "insurance policy" by decreasing the likelihood of other potentially negative consequences further down the road such as: absenteeism, increase use of alcohol, medications, smoking, workplace violence, losing employees, re-hiring, retraining, etc.

Critical incident response involves a variety of targeted interventions including consultation, guidance for the leadership team, followed by working meetings with the entire staff or targeted groups or individuals that are most affected such as first responders, station personnel, go teams, recovery teams, coworkers of the victims, etc.

As Kenyon Member you have the advantage of having in Kenyon a team of experts to help you deal with the critical incident response and properly assist all disaster affected persons including your own employees. Kenyon Mental Health Support teams have in the recent past successfully helped clients take care of the emotional support of their employees following critical incidents. From working with first responders station personnel and crew members involved in aviation accidents to helping the administrative and operations staff of a company where multiple deaths of coworkers had occurred in a helicopter crash.

The process has included bringing mental health experts to work with the staff, help evaluate the expected responses as well as being open to the uniqueness of the dynamics of each crisis and individual reactions based on the employee's own life circumstances (recent deaths, pre-existing trauma, stress and personal crisis events).

The Kenyon's professional approach to the employees includes:

- Holding private conversations with individuals or groups
- Letting them know that meetings are confidential and will not be used as a performance critique or evaluation later on.
- Active listening, as each individual processes crisis in his or her own way
- Spending time learning about their cultural and spiritual practices regarding loss & grief.
- Education and normalization of common reactions to tragedy

- Being alert for reactions that could be harmful or might need further attention
- Helping employees identify their support systems and make a plan for using them.
- Soliciting their wisdom of what could be helpful in ameliorating their feelings and moving forward.
- Teaching them proper stress management techniques
- Talking about how they could help others, including their families and children and other coworkers who are anxious.
- Giving resources for continuation of psychosocial support

The final goal of the interventions is to aid normal people who are experiencing normal reactions following a highly abnormal event recover a new sense of "normalcy" by improving their general sense of well-being, productivity, and attendance and helping them regain hope and confidence in their future.

"Sorry, I have a more important meeting to attend"

By: Jerry Allen, V.P. Planning & Training

I was recently reflecting on what I have learned in the last 12 months of the attitudes of companies to crisis and emergency management. Some of these lessons are inspiring whilst many others are disappointing and a couple are shocking.

At the positive end of the scale there are companies that continue to grow positively towards an optimum of crisis management capability. Their leadership is committed, supportive and engaged and this energy flows through the company. They may only have a limited budget for training activities but every opportunity is taken for internal activities and regular drills.

The more worrying companies are those to whom emergency response preparedness is seen as a drain on resources and an unwelcome burden to the routine of business. Within these companies the senior leadership is often distant from the process and this permeates through the management levels to create widespread apathy. Reading this sounds like a paragraph from a text book. Unfortunately, Kenyon deals only with the real world and this attitude is true and ever present. It is at its most prevalent among the management levels that are senior enough to make a choice about, for example, attending an exercise or a training class. In the last few weeks, two different companies that I am aware of have organized events and have been let down by the non-attendance of managers. Money, time and considerable effort has been spent to arrange first-class training, exercises or workshops for people who ultimately don't show, "...sorry, I have another meeting to attend". This is no example to set to others who cannot make that choice.

Managers avoid emergency response training and exercises largely out of fear of the unknown and not wanting to be exposed among their colleagues. Crisis management is not supposed to be easy but it should not be an elective process either and everyone has to be brave enough to face their responsibilities. Ideally, company emergency managers should seek the full and unequivocal support of the CEO for all crisis preparedness activities. The attendance of the CEO at exercises and training remains the most reliable method of achieving the full attendance of other managers. However

we don't live in an ideal world and so you have to be more imaginative with your program to encourage a greater acceptance of the importance of emergency response preparedness. Here are some suggestions that you might consider:

- Hold crisis centre 'open days' when any members of the emergency organization can come to discuss any aspect of planning or response with the Emergency Manager but with an emphasis on their own roles and responsibilities. Keep these sessions informal but ensure that there is plenty to show people when they visit. Consider showing demonstrations of any systems that the company uses for crisis management.
- Have the Emergency Manager visit regularly with members of the emergency organization in their own offices to run through relevant sections of the Plan and checklists. This type of one-on-one activity, if programmed, is difficult for managers to deny and will increase their knowledge and confidence of their own responsibilities.
- Arrange visits and joint meetings from external organizations that are stakeholders or partners in your emergency response planning. Target these visits at the management level with the aim of creating mutual awareness of each others priorities and sensitivities in an emergency. To ensure the attendance of the correct people at these sessions, have the CEO make the welcome and introductions.
- Include the crisis duties of nominated personnel in their formal job description. This should require that they are assessed against the performance of these duties in their annual appraisal.
- Explain to managers that the skills learnt during training and drills for crisis are just extensions of good managerial skills that can be used to equally good effect during business-related 'disturbances'.

Kenyon International Stands Ready to Serve

By: Frank Ciaccio, Director of Commercial Services

Recent changes in the global economy have caused many organizations to reexamine the way they do business, cutback on travel and avoid frivolous spending.

Despite these difficult economic times Kenyon International Emergency Services stands ready to provide professional 24-hour emergency response capability to all our members. We continue to grow our response capabilities, broaden our resources and expand our equipment to better serve our members. Kenyon is prepared and staffed to meet the needs of our members in the event of a major incident.

At a time when companies are downsizing the imperative for members to continue to train and prepare staff for the unthinkable is even more obvious. Kenyon will work with our members offering affordable and professional training and consultancy that is not only theoretical, but practical experience based on the knowledge of our staff.

Our team of professionals are available to work with you in

developing a training program, comprehensive plan or an exercise and drill that will better prepare you as a company in the event of an incident.

If you require further information please visit our website at www.kenyoninternational.com or contact Carole Bearden, Tom Garner or David Gault Account Executives for your geographic area.

David Gault Selected to IAEM Asian Council

David Gault, Regional Planning Manager in Kenyon's Hong Kong office, has been select as a national member of the International Association of Emergency Managers (IAEM) Asia Council. The IAEM, with members in 58 countries, is a nonprofit educational organization dedicated to saving lives and protecting property during emergencies and disasters.

Training Dates in 2009

The following training courses are available for individual or group attendance:

Crisis Management Centre Operations

Bahrain 24 May 2009

Go-Team Crisis Management Operations

Bahrain 25 May 2009

Exercises for Aviation Crisis Management

Bahrain 27 – 28 May 2009

Bracknell, UK 11 – 12 November 2009

Aviation Emergency Response and Crisis Management (5-day Foundation Course)

Bracknell, UK 11-15 May 2009

Kenyon Members receive substantial discounts on all classes listed above. There are additional discounts available to all Members that are also members of GFSC, ERA, AFRAA, AFRASCO, AACO, Albatros, NBAA or RACCA.

For further information on any of the training classes, please contact Jerry Allen allenj@kenyoninternational.com or visit the Kenyon website.