

UPDATE 08

KENYON[™]

INTERNATIONAL EMERGENCY SERVICES
A Worldwide Disaster Management Company

December 2008 Edition

From the Desk of Robert Jensen

I know that this year has been difficult one for many of you and your companies, and I expect 2009 will be a difficult one as well. Uncertainty and change are difficult for many people to manage. Kenyon certainly understands this because of the reality we deal with during every incident and loss in which we are involved. A key lesson learned from those losses, is that the storm will pass. There will be routine and normalcy again; it will just be a new "normal" and new routine...but things will move forward.

During the past year, Kenyon has been active with many of you at the association level. Your feedback has indicated that these formal partnerships work well. Currently, we have formal partnerships with Delvag Ruck, European Regions Airlines, Arab Air Carriers Association, and the International Air Transport Association. Next year, we expect to formalize our relationships with the African Airlines Association and the Latin American Air Transport Association in the same manner as the others.

Together we have hosted workshops, created crisis management standards, learned from each other, and established a foundation and framework for lasting relationships that we hope will strengthen the industry. The benefits of working together are numerous, including: group pricing, training workshops, CEO level programs, adoption of standards and sharing of lessons learned and best industry-wide practices. If you have not taken advantage of these partnerships, I urge you to do so.

During some of our meetings and incident response in 2008, Kenyon has noted the increased desire and need for access to a large range of information. The expectations of governments, families and media have increased and, at the same time, the time for members to release accurate information has decreased. To meet this need, Kenyon is accelerating enhancements to our call center software.

Currently there are multiple systems in use, but none provide a seamless, web-based single database for the entire process. None! Our new integrated call center software system will. We are transitioning modules from various programs that will capture and centralize information for all aspects of incidents from initial family calls, through family assistance activities, identification and repatriation, funeral services, memorials, and insurance settlements. This will provide you with real time information...information that matters.

We will have more on this program in our next newsletter. It is an exciting system, which is user friendly; it is simple, yet provides solutions for many different groups.

Let me close with my warmest regards that this is safe holiday season and the belief that even a rough 2009 will transition to a brighter future for the industry, for your companies and for you as individuals.

Sincerely,
Robert A. Jensen

Kenyon and AACO Sign MOA on Emergency Management Services



individual contract with Kenyon.

Kenyon signed a Memorandum of Agreement (MoA) with the Arab Air Carriers Organization (AACO) at AACO's 41st Annual General Meeting in Tunisia in October. The agreement provides a range of emergency management services which AACO member airlines will be able to bilaterally sign an

Kenyon CEO Robert Jensen said, "AACO and its members have taken a leadership position in recognizing the benefits and needs of emergency response and preparedness in the aviation industry. We are pleased to extend our emergency response services to the airlines of AACO".

"The Arab Airlines, and indeed the airlines of the world place safety first and foremost. Yet, accidents unfortunately happen. That is why this partnership with Kenyon will enable AACO's contracted member airlines to positively benefit from Kenyon's worldwide resources and extensive experience in managing large-scale air disasters," said AACO Secretary General Abdul Wahab Teffaha.

"With Kenyon's training program and pre-prepared materials, our airlines will be able to draw references from Kenyon's experience-based data bank when reviewing their own internal plans and procedures. This will help to streamline their crisis preparedness, ensure consistent response standards and be able to assist other member airlines in times of need," added Teffaha.

Kenyon will provide the following services to AACO contracted member airlines: search and recovery operations; family assistance which includes assisting in collecting ante-mortem records and family interviews; supporting, or in some cases, establishing morgue operations; human remains identification and repatriation; collection and return of personal effects and crisis management.

AACO's 24 member airlines include Afriqiyah Airways, Air Algeria, Air Arabia, Air Cairo, EgyptAir, Emirates, Etihad Airways, Gulf Air, Iraqi Airways, Jordan Aviation, Kuwait Airways, Libyan Airways, Middle East Airlines, Oman Air, Palestinian Airways, Qatar Airways, Royal Air Maroc, Royal Jordanian, Saudi Arabian Airlines, Sudan Airways, Syrian Arab Airlines, TransMediterranean Airways, Tunis Air and Yemen Airways.

The Arab Air Carriers Organization "AACO", established in 1965 within the framework of the Arab League of States, is the Regional Association of the Arab Airlines who have their home base in countries members of the Arab League. AACO's main mission is to promote cooperation amongst Arab Airlines and to serve common interests through service excellence.

Legal Aspects of Handling a Major Airline Incident: Part 1

By Sean Gates/Sue Barham of Gates and Partners

Handling the legal aftermath of a major airline accident involves multiple strands of activity. It is a rare accident indeed where all the legal work is done in just one jurisdiction, where there are no international dimensions to come into play or where there are no issues for the lawyers other than to ensure the claims of those injured or killed are addressed sensitively and efficiently. In this and subsequent editions, we will describe our role as airline lawyers, the steps we take when we are asked to assist following a major accident, the various issues which invariably arise and their significance for the airline involved and for its insurers.

First, a scenario which we will come back to future newsletters:

A Boeing 747 operated by ABC Airways, a UK carrier, crashes at 10.15pm on 1 December 2008 shortly after departing from London Heathrow bound for Hong Kong. All 350 passengers and 16 crew and cabin staff on board are killed. The aircraft came down in a built-up area, killing 21 people on the ground and destroying a leisure centre. The majority of the passengers were British but amongst the passengers there were also a number of Chinese, 15 American executives, 10 Australians and a mix of other nationalities including French, Spanish, Irish, Japanese and Saudi Arabian. The AAIB's preliminary findings suggest that, following take off, two adverse events occurred. First, the landing gear failed to retract fully. Second, during the accident sequence, the two starboard engines each suffered uncontained failures. It is not yet known whether there is any causal link between the engine failures and the landing gear malfunction. The flight was only the second for one of the engines since it came out of major overhaul one week prior to the accident. The last

major overhaul on the second failed engine was 6 months ago. All ABC's engine maintenance and repair is carried out by Swift-Fit Ltd at its maintenance facility in the UK though the engines themselves were manufactured by Swift-Fit Corp in New York. ABC's logs indicate that, during the aircraft's previous flight the day before, the pilots expressed some misgivings about the starboard engines which were said to be running "rough". ABC's records do not indicate what, if any, steps were taken to check over the starboard engines prior to the accident flight. The landing gear was both manufactured and newly overhauled by Wheels SA in Italy. The aircraft's flight operations manual states that take-off is capable of being sustained in the event of a double-engine failure and also in the event of a failed retraction of the landing gear failure. The manual is silent as to whether, in the event of the engine and landing gear failures occurring simultaneously, the pilot should nevertheless be able to sustain take off and land the aircraft safely. Finally, the aircraft and engines were leased to ABC Airways by a US lessor and a Canadian leasing company respectively, both of whom are noted in separate endorsements to ABC's fleet insurance policy.

The following are just some of the legal considerations which would arise from the above scenario. In subsequent issues of this newsletter, we will explain how we would address them:

1. Identifying the international Convention liability regime applicable to each of the passengers – Montreal Convention, Warsaw Convention or neither – and the consequences of that for damages levels.
2. Identifying the different jurisdictions on which the passenger claims could be brought and retaining lawyers in each.
3. Identifying the relatives of the deceased passengers for the purpose of making advance payments.
4. Payment of the insurance proceeds for the hull and the engines and the potential for competing claims from the US and Canadian lessors.
5. Sharing agreements – who can be persuaded to contribute to the passenger settlements.
6. Can the claims be kept out of the US – forum non conveniens principles.
7. The consequences for damages levels and criminal investigation if ABC's maintenance was at fault
8. The third party damage – who is responsible for the deaths and property damage on the ground.
9. Subrogation claims and contractual issues.

Kenyon CEO, Robert Jensen, Speaks About Standards at ALTA Conference in Miami

Robert Jensen, Kenyon CEO talked about the need for crisis preparedness at the first annual aviation crisis preparedness conference sponsored by the Latin American Air Transport Association (ALTA) in Miami, Florida at the end of October. More than 200 people attended the two-day event.

Jensen, who has been working European and African air transport association on developing crisis preparedness standards, said that given the importance of the Latin American marketplace, airlines need to “step up to establishing a common set of crisis preparedness standards for the airlines in the region.”

Kenyon Associate directors of crisis communications, Jeff Kriendler and Jerry Hendin, also made a three hour presentation to about 60 people on how to work with the media in a crisis to help protect an airline’s reputation.

Kenyon Attended National Business Aviation Association Conference



John Warren, Vice President Corporate Services, and Carole Bearden, Account Executive, of Kenyon International attended the 61st NBAA Annual Meeting and Conference in Orlando, Florida on 6-8 October 2008.

Morgue Operations

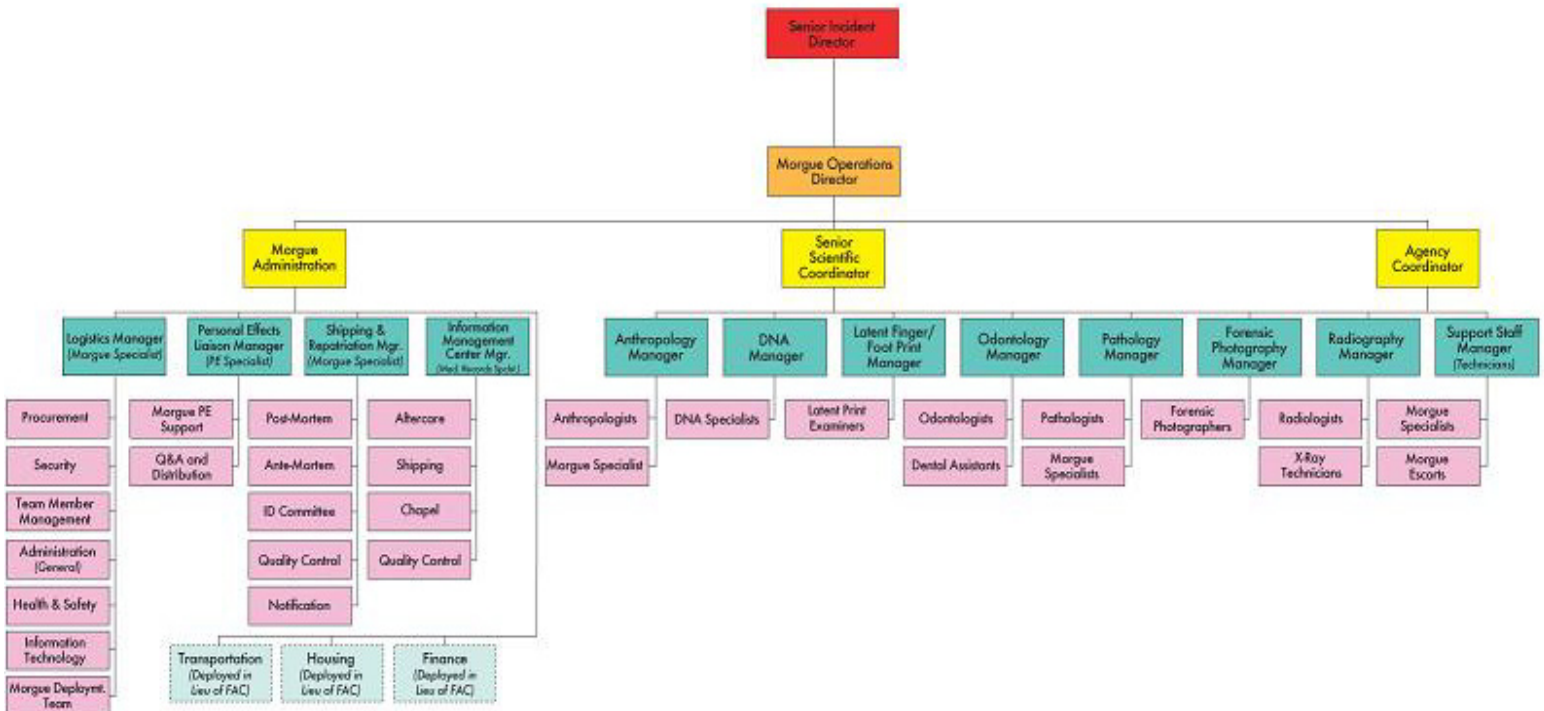
The Morgue Operations organization encompass all activities required to identify and repatriate unidentified human remains. There are two major sections: the Morgue Operations Section and the Scientific Section.

Morgue Operations, lead by the Morgue Operations Coordinator, is responsible for the overall management of the morgue, logistical support for the personnel and operations and includes the integration of personal effects, repatriation and information management with the identification process.

The identification process is conducted and managed by the Scientific Coordinator. This is where the work is done to gather postmortem information so the remains can be identified. It contains morgue operations such as DNA, anthropology, fingerprinting and odontology.

*Please see org chart below.

MORGUE OPERATIONS



Emergency Exercises And Drills

By Jerry Allen, VP Planning and Training

Exercises as Part of the Effective Planning Process

1. If an emergency plan is to be effective, it should meet the following criteria:

- a. It should be written to be consistent with the recovery priorities determined pre-emergency at strategic level. It should also reflect the reality of existing command and control systems and available resources. A good plan highlights known shortfalls in the internal systems and resources and provides contingency solutions to meet the shortfalls.
- b. The plan should be trained to all elements of the emergency organization. This training should not be restricted to internal core-management personnel but expanded to partners, and stake holders – in fact, any organization that is mentioned in your plan.
- c. The plan needs to be practiced to make sure that it will work in the event of an emergency. In the theater, such practices are known as 'rehearsals' so that everyone knows their 'lines' (or jobs), where they should be, for how long and who will catch them if they fall.

2. Exercises and drills in crisis management are no different than the theater rehearsals – they demonstrate our ability to stand up from a fall, through practice and faith in the systems and personnel who are there to support us.

3. Unfortunately, exercises and drills are often not given the priority that they deserve. The excuses from non-attendees are often related to competing diary priorities. The truth, however, is that many people are uncomfortable in an emergency exercise environment because they feel exposed and vulnerable to criticism in an alien environment. In a real emergency, you need all of your resources and you need them to know their jobs – you don't have the time to train on the fly. It is the job of the emergency planning manager, therefore, to make every possible effort to achieve an exercise program that will stimulate all personnel to attend.

'Start at the Top'

4. One sure way of achieving a good response to exercises and drills is to have the very senior personnel in the company either directly or indirectly involved. Ask the CEO to personally attend the briefing and de-briefing (hot wash-up) of the exercise. Consider the further involvement of the CEO and the senior team as a 'strategic cell' that the crisis or emergency team is responsible to brief routinely on the progress of the emergency and to seek direction on strategic issues. Have the CEO make unprompted calls or visits to the crisis centre to check on progress.

'Types of Exercises and Programming'

5. Typically, a company's exercise program will consist of no more than the occasional 'table-top' exercise and extend perhaps to a rare crisis centre simulation. Robust exercise programs, however, should be a more dynamic check of systems, plans and people. This does not mean M2 (More cost, More time), it just means that more logical thought has gone in to the things that need to be checked and the best way to check them. For example, why run another table-top (your third this year) for the HQ crisis team when it is your dispersed operations staff that have never practiced your plan? Why run another call-out system drill when no-one on your Go Team knows how to access the building at night and recover their deployment equipment.?

6. The list below provides some suggestions for alternative types of exercises and drills that can be included in an 18 month program:

- a. Call-out system technical test and phone-only response by phone holder.
- b. Call-out system test and physical response by phone holder (return to work or activation of alternative staff plans)
- c. Functional drills to practice single procedures that are critical to the overall plan for example:
 - (1) Access to critical buildings at night or weekends
 - (2) Access to critical IT systems by non-IT staff at night or weekends
 - (3) Access to Go Team equipment at night or weekends and the ability to prepare and deploy the equipment.
- d. Procedural check of call-out of critical service providers and partners – to check numbers, changes if non-normal hours etc.
- e. Team drills for specialist teams to rehearse their deployed (activated) roles. This is particularly effective for GO Teams or family assistance teams and moreso if combined with a HQ response cell.
- f. Group exercises for staff with similar roles but who seldom operate together. For example, take the opportunity for a quick exercise when you have a number of station managers attending a training day at HQ. Their views of the plans and processes will be invaluable to determine the strengths and weaknesses relative to different parts of the world or different operating priorities.
- g. Table-top problem solving exercises for key teams. Have a scenario and a number of planning challenges that need to be considered in light of the scenario. A multi-function group working to tight deadlines can provide an invaluable assessment of capability.

'Exercise Hints and Tips'

7. Listed below are a number of suggestions for improving exercises and drills that you may find useful:

- a. Include all parts of your emergency organization in your exercise program. It is too easy to exclude the stations because of the effort involved but the stations will be critical to your real emergency response.
- b. Ensure that everyone in an exercise is kept busy – make a pre-exercise matrix to illustrate the flow of tasks to the various desks.
- c. Do not underestimate the amount of time it takes to plan for major exercises. Some simulation exercises can take up to 6 months to plan.
- d. Appoint sufficient observers for the various exercise locations and make sure they are well briefed on their responsibilities. Their comments will be invaluable for the post-exercise report.
- e. Vigorously manage and reinforce exercise security. All exercise staff should be briefed on the importance of annotating all documents, 'EXERCISE' and using the exercise name on all internal and external calls.
- f. Allow only a short time at the end of the exercise before the hot wash-up debrief. No more than 15-30 minutes to take refreshments. The debrief should be strictly managed to achieve its joint aims of allowing people to diffuse following the exercise and capturing the key topics that will be taken forward to the exercise report and/or further debriefs.

'Exercise Technique Training'

8. Exercise planning and exercise management are complex tasks that should be taught in order to gain the most from an exercise program. Kenyon offers the only class of its kind that teaches exercise planning and management techniques. The course is an intensive 2-day program designed for anyone who has a responsibility for exercise planning. The course will run at various regional centers around the world in 2009. For further details, see the Kenyon website or discuss this directly with Jerry Allen, VP Plans and Training allenj@kenyoninternational.com.

Kenyon Releases 2009 Regional Training Program

To meet the increased demand for international regional training, Kenyon launched its 2009 training program for specialist classroom training. The venues chosen are Orlando, USA; Dubai, UAE; Hong Kong; Bahrain and Prague, Czechoslovakia. The training is being sponsored by JetBlue,

ProJet Solutions, Cathay Pacific, Gulf Air and Czech Airlines. More details of these events can be downloaded from www.kenyoninternational.com.

Training Dates In 2009

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

Crisis Management Center Operations

Bracknell, UK 28 April 2009
Bahrain 24 May 2009
Prague 10 September 2009

Go-Team Crisis Management Operations

Hong Kong 24 March 2009
Bracknell, UK 29 April 2009
Bahrain 25 May 2009

Crisis Management for Station Managers

Hong Kong 23 March 2009
Prague 11 September 2009

Exercises for Aviation Crisis Management

Dubai 10 -11 February 2009
Bahrain 27 – 28 May 2009
Prague 8 - 9 September 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.

Our Apologies To Peter Hoedl

With apologies to Peter Hoedl, Austrian Airlines' Emergency Response Planner, who wrote the splendid and witty article Dnipropetrovsk in the last newsletter; we should have included his name in the newsletter and we apologize for the omission. We encourage other members to submit articles to the newsletter as well.

Meet Our Planning And Training Staff



Alan Puxley, Dip.FD, LMBIFD, MBIE
Director of Crisis Communications
Services

Alan, became a Kenyon Team member in 1989 and then joined the company on a full time basis in 2001. His invaluable 30 years of experience both as a former funeral director and as a Kenyon responder, range from local

tragedies, aircraft crashes, Terrorist bombings and natural disasters e.g. The Tsunami.

In April 2006, bringing this invaluable experience and utilizing the skills gained being the National Public Relation Officer for a professional Institute in the UK, Alan transitioned from Operations to become the Kenyon Director of Crisis Communications Services, supporting a worldwide team of experts who not only train but also act as front line responders to our Crisis Communications Clients.

These responders have recently deployed to Peru and Spain to work with CEOs, Senior Board Members, Emergency Center Staff and Public Relations agencies in understanding the intricate and fast paced demands incidents cause in their interface with the media.

Other recent tasks include completing a comprehensive review of an Airports' Crisis Communication response plan, developing and helping deliver a rolling training programme for an International Hotel Group and writing the recently launched ERA handy pocket checklist on Crisis Communications.

Going forward, Alan and the Crisis Communications team are creating new case studies as well as looking carefully at the effect the whole world of the internet has on incidents in the 21st century.



Diana Moseley, Manager
Planning & Training, joined
Kenyon in 2007 after nearly
thirty years in the airline
business where she was
nominated for the Frank
Whittle award for services to
the industry.

She is a qualified Trainer and Lead Auditor with certification in Computing & Information Management Systems, Risk & Project Management and Business Continuity. In her last job as Crisis, Risk & Safety Manager, Di introduced programs for each of these elements involving both airlines and tour operators and set up their joint Emergency Response Center.

Di brings this wealth of experience to Kenyon and is already expanding her knowledge base as Health & Safety Manager

of the UK office. She has responded to a variety of different incidents and has recently assisted Spanair in setting up a Family Information Center in Las Palmas.

Her current goal is to produce planning and training modules to save preparation time and ensure standardisation. Di's future ambition is to achieve accreditation for Kenyon courses in recognition of their value and benefit to disaster management.



Kelly Amoroso joined Kenyon on July 1, 2008 as a Planning Specialist. She is based at the company's headquarters in Houston, Texas. Prior to Kenyon, Kelly served as the Director of Emergency Management for Kennebec County in Augusta, Maine. She studied Emergency Management at Anna Maria College in Paxton, Massachusetts.

Kelly focuses on liaising with potential clients on their emergency planning requirements. Her responsibilities include research and development of emergency planning materials, new business development, conducting audits and emergency planning services and working with potential vendors and partners to deliver the highest quality of emergency services to Kenyon clients.

While with Kenyon, Kelly hopes to increase preparedness in the public sector by working with government agencies to plan and train for catastrophic incidents.



David Gault is the Regional
Planning Manager (Far East)
for Kenyon. He has been
with Kenyon since 2005
and is based in Hong Kong
and is responsible for the
Asia Pacific region.

He gained a Bachelor of Arts in Consumer Management Studies at Glasgow Caledonian University. His background is aviation and his past companies have included Cathay Pacific and Gulf Air where at both carriers he was responsible for emergency planning and business continuity strategies.

David's key role within the Planning & Training Department is to work with the senior management of companies in the Asia Pacific region to develop their crisis management response capabilities so they are in line with best practice and international regulations. David's regional responsibility requires him to fully represent Kenyon's commercial obligations and to maintain a first response capability for member emergencies.

He is the Hong Kong representative of the International Association of Emergency Managers (IAEM) and a member of the Emergency Planning Society.