

## ผนวก ข

### นโยบายและแนวการจัดการสำหรับผู้โดยสารที่ประพฤติตัวไม่เหมาะสมของ สายการบินสแกนดิเนเวีย

#### Policy and Guideline for Handling of Unruly and Disruptive Passenger

##### **Definition**

The expression “unruly” covers behavior such as abusive and disruptive conduct. A passenger is considered as unruly when he/she:

- repeatedly refuses to comply with instructions given by flight or ground personnel concerning safety or commercially related issues. Or...
- behaves in such a way that he/she causes discomfort to other passengers or is objectionable to them. Or...
- behaves in a way that might threaten flight safety or constitutes a serious offence of preparation to commit an offence.

##### **Levels**

The behavior of an unruly passenger is classified in three general levels.

Level 1: Aggressive or abusive but possible to influence. Compliance after staff intervention.

Level 2: Aggressive and not easily influenced. The passenger refuses to follow the instructions of staff and thus interferes and hinders them in their duties.

Level 3: Physical violence, threats and other punishable behavior.

##### **Note**

To decide whether or not a person shall be considered as unruly is basically a matter of human interaction. Wherever possible, it is therefore advisable to discuss the situation with colleagues and consider their opinions when making your assessment. Before considering any disciplinary action against a passenger, all available de-escalation methods shall be applied.

##### **Policy regarding unruly and disruptive passengers**

SAS will not tolerate unruly and disruptive passengers and will follow the ICAO Convention on Offences and Certain Other Acts Committed on Board Aircraft.

SAS shall make every feasible effort to protect passengers and personnel against any offenses by unruly and disruptive passengers.

Passengers, who are likely to be unruly and disruptive, shall be carefully monitored and if necessary refused embarkation or off-loaded if deemed to pose a threat to the safety and security of the flight, fellow passengers or SAS staff.

SAS flight crew, cabin crew and ground staff shall be properly trained and in possession of adequate procedures and measures to deal with unruly and disruptive passengers.

Reporting shall be included in existing Flight Crew/Cabin/Station report systems. Reports shall include name/seat number/address of passenger and names of witnesses, if applicable.

Instances of passengers posing a threat to flight safety or the security of fellow passengers or SAS personnel shall be reported to the police authorities according to local law and civil aviation requirements.

SAS shall economically and legally support personnel required to give witness statements to the police or to appear in court proceedings following an incident.

Appropriate information shall be given to the traveling public regarding seriousness and consequences of inappropriate behavior.

## Handling procedures for unruly passengers

Affected staff : Flight and ground personnel.

Co-operation and the use of disciplinary action.

Be attentive to early signs of aggression. Intervene as early as possible and deescalate.

Flight personnel when onboard

Consent or approval from the Commander or Purser is required before implementing disciplinary action. In the case of refusal to serve alcohol, the Purser must be consulted.

The decision to deliver warning cards or apply restraints to a passenger shall be made by the Commander after consultation with the Purser.

Inflight

Level 1

- Inform the passenger of the rules, and ask him/her to comply.
- Tell your colleague[s] what has happened.
- If the passenger refuses to comply, see level 2.

Level 2

Inform the Purser and Commander. Use de-escalation as soon as possible. Discuss necessary actions.

- The Purser must inform the passenger of the rules and may take the passenger aside to do so.
- Stop serving alcohol if he/she is drunk. The Purser must be informed, and aside to do so.
- The Purser should consider reseating the passenger.
- The Commander and Purser should consider using the warning card.
- The Commander is responsible for filing of FDIR.
- The Commander shall make sure that all crew are fit for flight and capable of continued duty.
- The Commander must also ask the affected crew if a debriefing is necessary.

### Level 3

Inform the Commander and Purser immediately. Further action must be coordinated with the crew.

Use all your skills on de-escalation.

- Take notes of any threats as soon as possible, even physical violence. When applicable log all times.
- The Commander may, after consultation with the Purser, use the warning card.
- Reseat the passenger or those next to him/her if possible.
- If the passenger is violent, the pilots must lock the flight deck door.
- The Commander must inform ATC and/or the arrival station for assistance and action.
- The Commander is responsible for filing of FDIR. Remember to take down witness statements. If the passenger is taken into custody, make sure that the police receive one copy of the report. When crew is asked to give statements to the police, the Purser and Commander must be present.
- In extreme cases handcuffs may be used.
- The Commander should consider if a diversion is necessary.
- The Commander shall make sure that all crew are fit for flight and capable of continued duty.
- A debriefing is necessary upon arrival. Commander should contact Network Traffic Control.

### Arrival of aircraft

The support from local ground services may vary. The Commander must be advised on local procedures en route. The police may be unwilling to prosecute. This may occur even if the Commander has classified the situation a safety risk. If this should be the case, send the FDIR to STOGI, which will decide if the passenger should be subjected to legal proceedings. Always inform station manager of the incident that has taken place.

## Reporting

### Station Personnel

All incidents occurring in a station related area involving unruly passengers of level 2 or 3 should be succeeded by a SIR, Security Incident Report. All documentation and other written material considered relevant should be enclosed with the report. The Station Supervisor is responsible for ensuring that the SIR is submitted. The report should be sent to STOGI within 24 hours.

- If needed, contact the Station Supervisor to obtain assistance from security or police.
- If the police have been contacted, try to persuade witnesses to give a statement of the incident to the police directly at the airport. This also applies to SAS personnel.
- Give the police a factual account of the sequence of events.
- Fill in the SIR as soon as possible.
- Send the SIR to STOGI.

### Flight personnel

Always submit a report on level 2 and 3 unruly passengers.

- Pilots are asked to write a Flight Safety Report, which may be upgraded all the way up to a FOR, Flight Occurrence Report.
- Cabin Crew should write a report in CORS.

In addition, you will need to fill in as FDIR, Flight Disruptive Incident Report. The FDIR is located in the ship's library on the Flight Deck. Fill in the report as soon as possible, and preferably before landing in the case of level 2 and 3 unruly passenger[s]. The Purser and commander should cooperate in filling in the report. One is sufficient and is to be sent to STOGI.

The FDIR may be used as a police report. When you have completed the report, tear off the main section and hand it over to the police when they arrive at the aircraft. Send the remaining section to STOGI. Make sure you keep a copy.

It may be of importance for later investigation that the time for all events is logged. It is suggested that Crew take notes of the incident onboard as soon as possible, including verbal and physical actions, in order to simplify the subsequent FDIR.

The FDIR will also be used for an internal follow up. In addition it will be essential for statistical purposes.

- Fill in the FDIR. Log the time when applicable.
- If the FDIR is to be used as a police report, include witness statements. Witnesses may even be SAS personnel.
- The Commander contacts ATC and/or the arrival station for necessary assistance and action.

- Give one copy of the FDIR to the police.
- Send the FDIR to STOGI as soon as possible. Remember to keep a copy for personal use.

Industry surveys indicate that the following incidents have occurred onboard and that as a rule they are punishable offences.

- Assault
- Sexual harassment
- Dangerously reckless conduct [smoking in the lavatory]
- Insulting language, verbal assault
- Sexual molestation of minors
- Use of electronic equipment [mobile telephone].

Please note however, that smoking onboard, when seated or in the lavatory, and the use of electronic equipment other than mobile telephones, is not regarded as an offence by all countries.

In the case of smoking in the lavatory, it is therefore important to point out that the person concerned constituted a danger to flight safety through dangerously reckless conduct.

A report can also be made retroactively to the Scandinavian authorities, allowing proceedings to be brought against the offender there.

## Legal aspects – guidance

The following aspects are intended to assist you in situations in which you have reason to believe that a crime has been committed onboard and as a support in relation to actions take and to be taken.

Below is a description of the laws and conventions adopted by most countries that have civil aviation operations known to the authorities.

Because of space limitations it has not been possible to cover in detail the legal implications of all the aspects included in assessment of crime.

Please look upon Legal Aspects as a guideline only.

### 1. SAS Conditions of Carriage.

A general description of the terms and conditions governing transportation of passengers and baggage is found in Conditions of Carriage. Article 12 describes SAS's position with regard to passengers who by their conduct constitute a threat to safety onboard and the necessary measures that can be taken for the possible restraint of such passengers. This includes the use of restraint kits. It is also stated that SAS can refuse continued carriage.

## 2. Civil Aviation Laws

National civil aviation laws describe the regulations applicable to transportation with air carries. This includes safety and security aspects and the rights of the Commander, which are largely in accordance with the Tokyo Convention.

## 3. National Penal Law

National Penal Law is generally similar throughout the Nordic Countries. Furthermore, a citizen of one Nordic Country can have criminal proceedings brought against him/her in all of them. This means, for example, that legal proceedings can be brought against a Norwegian citizen in Sweden in connection with an offence committed onboard a Danish registered aircraft that has landed in Sweden.

Generally, crimes punishable in the Nordic Countries are also punishable in most other countries. This means that an offence committed during a flight should be reported to the local police upon landing regardless of in which country the aircraft lands. In the case of Nordic citizens the offence should also be reported upon returning to Scandinavia.

## Training

To enable SAS's policy regarding unruly and disruptive passengers to be effective and implemented in practice, staff training must be initiated. The training should provide knowledge on how to detect, defuse and prevent critical situations, about the causes of various types of behavior types of behavior and on how critical situations should be handled and reported. The requirements are based on SAS policies.

The training shall be designed and adapted to the respective target group: ground Staff, cabin crew and flight deck crew.

### Course topics

- Prevention of critical situations
- Policies for handling unruly and disruptive passengers
- Tactical behavior and self protection
- Procedures and reports
- Communication and handling of disputes
- Legal aspects.

## Support

When an incident occurs, whether on the ground or on board and aircraft, there can be lasting effects on the staff involved. A distinction can be made between:

- a serious incident [e.g. physical aggression, use of restraints]
- less serious incidents [e.g. verbal abuse]

In the end, the seriousness of the incident depends on how it was experienced by the victim.

It is the duty of the Station Manger to see that affected staff is taken care of after an incident on the ground.

After all serious incidents onboard it is the duty of the Commander to inform Network Traffic Control [NTC] who then will inform base managers according to the valid alarm list.

When an incident has occurred, SAS will support the staff members involved both from a legal point of view and in practical terms. This might take the form of a debriefing with a senior supervisor/manager and /or a professional staff consultant depending on the circumstances. Such help is also available if the individual experiences problems at a later stage.