

UNRULY PASSENGERS AND ABNORMAL SITUATIONS IN AIR TRAFFIC CONTROL

Author: Erimmatov E.U

Scientific supervisor: Khalilov R.N.

Annotation. A lot of research in Air Traffic Control (ATC) has focused on human errors in decision making whilst little attention has been paid to the cognitive strategies employed by controllers in managing abnormal situations. Safety and security are considered the airline industry's top priorities. However, disruptive passengers have, over the past several years, become more prevalent and unruly passenger incidents are currently a very real and serious threat to both safety and security. This article reveals such concepts as: An emergency situation, types of emergencies, ways to prevent them, decisions needed to be taken by management in such a difficult situation.

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Annex 17 to the International Civil Aviation Organisation (ICAO) Chicago Convention (Convention on International Civil Aviation Security Safeguarding International Civil Aviation Against Acts of Unlawful Interference) defines a disruptive passenger as: "A passenger who fails to respect the rules of conduct at an airport or on board an aircraft or to follow the instructions of the airport staff or crew members and thereby disturbs the good order and discipline at an airport or on board the aircraft."

The Tokyo Convention (1963), also known as The Convention on Offences and Certain Other Acts Committed on Board Aircraft, makes it unlawful to commit "Acts which, whether or not they are offences [against the penal law of a State], may or do jeopardize the safety of the aircraft or of persons or property therein or which jeopardize good order and discipline on board."

Safety and security are considered the airline industry's top priorities. However, disruptive passengers have, over the past several years, become more prevalent and unruly passenger incidents are currently a very real and serious threat to both safety and security.

An unruly passenger is someone who, by action or stated intent, jeopardizes or might jeopardize the safety of the aircraft, persons or property therein or the accepted level of good order and discipline on board. To help airlines more easily identify the problem, International Air Transport Association (IATA) has developed and

promulgated a "non-exhaustive" list of examples of what is considered unruly or disruptive behavior whilst on board an aircraft. This list includes:

- Illegal consumption of narcotics
- Refusal to comply with safety instructions (not following Cabin Crew requests such as direction to fasten a seat belt, to not smoke, to turn off a portable electronic device or by disrupting the safety announcements)
 - Verbal confrontation with crew members or other passengers
 - Physical confrontation with crew members or other passengers
 - Uncooperative passenger (examples include interfering with the crew's duties, refusing to follow instructions to board or leave the aircraft)
 - Making threats of any kind towards the crew, other passengers or the aircraft
 - Sexual abuse / harassment
 - Other type of riotous behavior (examples include: screaming, annoying behavior, kicking and banging heads on seat backs or tray tables)

There are numerous factors and triggers that can lead a typical member of the travelling public towards unruly behavior. These include, but are not limited to:

- Intoxication
- Drug use (both prescription and non prescription)
- Mental health issues
- Anxiety (including a fear of flying)
- Fatigue
- Frustration as a result of personal issues or from travel related dissatisfiers such as:

- Pre-boarding issues:
 - Long queues
 - The security and screening process
 - Departure delays (and the lack of timely information)
 - Missed connections
- Post-boarding issues
 - Crowded conditions
 - Lack of personal space
 - Unservicable equipment (seat won't recline, in flight entertainment system inoperative etc)
 - Annoying individuals in one's vicinity (loud or boisterous passengers, seat kickers, crying babies etc)

Of all of the causal factors listed, intoxication is the single item that triggers the majority of unruly passenger events.

International Civil Aviation Organisation (ICAO) has defined a four tier threat level hierarchy. Although all National Aviation Authorities (NAA) do not follow these

specific definitions, they provide valuable guidance to operators in determining the seriousness of an unruly passenger incident and in developing their policies on appropriate level of response. The ICAO level of threat specifics are as follows:

- Level 1 — Disruptive behavior (verbal);
- Level 2 — Physically abusive behavior;
- Level 3 — Life-threatening behavior (or display of a weapon);
- Level 4 — Attempted or actual breach of the flight crew compartment.

The best management and mitigation strategy for unruly passenger events is prevention through early detection, intervention and resolution of the root problem. To achieve this, the air carrier needs to develop an SOP for a preventative strategy that is based on increased awareness of passenger behaviour and the education of all employees on:

- the implementation of a “Zero Tolerance” policy
- how the air carrier will respond to disruptive acts
- the type of response to and the consequences of unruly behaviour

The company policy for dealing with unruly passengers should be robust and fully endorsed by senior management. Dealing firmly with disruptive behavior will likely serve as a deterrent to unruly passenger events. Company policies might include provisions to:

- Provide necessary awareness training and the appropriate procedures and protocols to identify potentially unruly behavior and to intervene when unruly behavior occurs.

- Encourage Ground Staff to detect and report unruly passenger behavior at check-in, in the lounges and at the boarding gate.

- Ensure that Gate Staff, Cabin Crew and Flight Crew are kept aware of potentially unruly passengers.

- Pay particular attention to large groups of travelers and develop procedures to monitor group travel.

- Prevent unruly passengers and, where appropriate, potentially unruly passengers, from boarding.

- Empower Cabin Crew and Ground Employees to take reasonable steps to prevent unruly and intoxicated behavior. Should such behavior occur, ensure that they are appropriately trained and empowered to deal with it as effectively as practicable.

- Support Crewmembers and Ground Employees taking such action.

- Encourage the police/local authorities to prosecute unruly passengers, especially when there has been an assault or threats to staff or other passengers.

- Outline company policy regarding Crewmembers and Ground Employees who are required to give witness statements to the police after an incident or to appear in court when passengers are prosecuted.

- Provide appropriate training to Cabin Crew and Ground Employees in dealing with conflict and its aftermath.

Identification and mitigation measures for the prevention of, or the control of, an unruly passenger incident must occur at all stages of the journey, beginning when the passenger first enters the terminal at the point of origin. To do this, Company and airport employees must be vigilant when interacting with the travelling public. Some suggested strategies are as follows:

Check In staff should be encouraged to identify, and to report, any passenger whose behavior would suggest that they might be unsuitable for carriage. As an example, if a person appears to be in an intoxicated state or is acting strangely, their condition and actions should be reported to the ground supervisor before they are processed for acceptance onto the flight. Where a potential problem is identified, an assessment should be made by the person(s) nominated by the operator (Airline Duty Manager, PIC, Cabin Service Manager, etc) and a decision made to grant or to deny carriage.

Personnel at the security screening points can be trained to be part of the mitigation measures. For example, the Canadian Air Transport Security Authority (CATSA) developed a Zero Tolerance Unruly Passenger policy after noticing an increase in the number of unruly passenger incidents at screening checkpoints. CATSA considers that people who engage in unruly behavior during screening could be a safety risk to passengers and crew during a flight. A number of airlines now use a CATSA report of unruly behaviour during security processing as the basis for denying carriage.

A passenger's state of intoxication, anxiety or agitation may not be recognized until his or her arrival at the boarding gate. A passenger who has checked in early or who has been subject to a departure delay may well have ample time to consume excessive amounts of alcohol after the assessments that took place at check in or during security screening. Frustration levels will often rise with mechanical or weather related flight delays.

The final chance to leave a potential problem on the ground occurs just before the aircraft doors are closed. Observation of the boarding passengers by the Cabin Crew is an important tool for identifying potentially problematic behavior. Cabin Crew should note passengers who are extremely nervous, intoxicated, loud or belligerent or who otherwise appear suspicious. The first step in intervention would be for a member of the Cabin Crew to attempt speaking with the passenger. Often, this contact is all that is required to defuse the behavior and to gain the passenger's cooperation. If it does not, then the situation should be handled as appropriate to the level of unruly behavior. Unless the situation can be resolved to the satisfaction of the crew, if a passenger displays disruptive behavior whilst the aircraft is still on the ground, they, and their baggage, should be removed from the aircraft.

Once the aircraft is in flight, the Flight Crew is no longer able to leave the flight deck to assess or assist in the resolution of a passenger problem. Responsibility for determining the threat level of a specific situation and dealing with it appropriately now lies in the hands of the Cabin Crew. Cabin Crew training, in regard to unruly passengers, has become significantly more comprehensive in areas such as regulations, early detection, intervention and restraint. In all cases, it is critical that the senior Cabin Crew member and the PIC be kept informed of any developing situation.

Intervention strategies vary with the Level of Threat and are initially intended to defuse the situation and prevent an escalation in the threat level. To be effective, all personnel involved in the prevention chain described above should be trained in areas such as:

- Communication skills/customer service skills.
- Conflict management skills/ verbal social skills.
- Team skills.
- Dealing with persons under the influence of drugs/alcohol/suffering from mental health issues.

If the problem is detected on the ground and cannot be resolved to the full satisfaction of the Operator nominated responsible person(s), carriage should be denied or, if the threat level warrants, intervention by security or police personnel should occur.

In addition to the aforementioned areas of training, Cabin Crew should also be instructed in the following:

- How to limit service (e.g. when/how to stop serving alcohol).
- Physical breakaway and controlling skills.
- Restraint device training.
- Restrained passenger welfare.

At threat level 1 or 2, Cabin Crew should make unruly or disruptive passengers aware of the consequences of their actions and the type of measures that could be taken if their behavior does not change. This information can be conveyed verbally or by means of a pre-printed warning card, and should include notification that the passenger will not be served further alcohol. The message conveyed should call for the person to desist or suffer the consequences of being refused return carriage or of having the incident reported to the authorities and face the possibility of arrest and prosecution leading to a possible fine or imprisonment.

Crew members should continue to attempt to defuse a critical situation until it becomes clear that there is no way to resolve it verbally. Utilisation of restraining devices should only be considered when all conciliatory approaches have been exhausted. Once restraints have been used, they should remain on the passenger for the duration of the flight.

Operators provide specific guidance, beyond the scope of this article, to their crew to assist them in making the decision to physically intervene in more serious situations. In these cases, it is common for the Cabin Crew to enlist the support of travelling law enforcement personnel, or other able bodied passengers, to assist in restraining an unruly passenger. If restraint is used, other security protocols such as flight deck lockdown, diversion and law enforcement involvement, once on the ground, are also likely to occur.

In all cases, the incident should be fully documented and witness statements taken.

As stated above, the Tokyo Convention makes it unlawful to commit “acts which, whether or not they are offences [against the penal law of a State), may or do jeopardize the safety of the aircraft or of persons or property therein or which jeopardize good order and discipline on board.”

The same convention also provides the authority to the Pilot in Command (PIC) to appropriately deal with an unruly passenger and provides protection, under the law, from any subsequent legal proceedings for actions taken against a perpetrator “For actions taken in accordance with this Convention, neither the aircraft commander, any other member of the crew, any passenger, the owner or the operator of the aircraft, nor the person on whose behalf the flight was performed shall be held responsible in any proceeding on account of the treatment undergone by the person against whom the actions were taken.”

While the Tokyo Convention contains provisions for the prosecution and offloading of unruly passengers, it has a jurisdictional gap which does not automatically allow most states to prosecute a disruptive passenger who has been removed from an inbound foreign registered aircraft. The PIC can disembark an unruly passenger in any State without coordination with the local law enforcement authorities. In this case, the individual is unlikely to face prosecution in that State unless the State itself has enacted enabling legislation allowing it press charges for the offence. If the PIC wishes the unruly passenger to face prosecution, he must land in a State that is a party to the Tokyo Convention and formally deliver the passenger to the local law authorities. For prosecution to be successful, it must be proven that the passenger committed a serious offence under the law of the State in which the aircraft is registered.

In the early 1990s, the Naturalistic Decision Making (NDM) approach began to gain momentum which shifted the focus from experimental studies to field studies of experienced decision makers working in real world settings. The new paradigm emphasized the role of experience in enabling practitioners in complex world settings to categorize situations rapidly and support their decisions. This approach produced new and refined decision-making models including, the Recognition-Primed Decision model (Klein, 1989; 1998) and the Recognition/Meta-Recognition (R/M) model

(Cohen et al., 1996). To develop an inventory of cognitive strategies for air traffic controllers, these two models were integrated with the Contingent Operator Stress Model (COSMO in Kontogiannis, 1996; 1999) and the anomaly response model (Woods, 1994; Woods and Hollnagel, 2006). On the one hand, the RPD model looks into the processes of recognition and rapid decision making required in dynamic work whilst the R/M model expands on strategies for managing uncertain and unfamiliar situations. On the other hand, COSMO focuses on aspects of anticipation and contingency planning whilst the anomaly response model explores the interaction of cognitive processes such as recognition, (re-) planning and diagnosis. Specific models of performance in air traffic control (Reynolds et al., 2002; Oprins et al., 2006) and cognitive analysis of ATC tasks (i.e., Seamster et al., 1993; Kallus et al., 1999) have also been used to tailor the generic models of decision making into the requirements of the operational context of ATC emergencies and abnormal situations. The model was termed T2EAM (Taskwork & Teamwork strategies in Emergency Air Traffic Management) and was based on a core set of five cognitive strategies: anticipation, recognition, uncertainty management, planning and workload management. To establish a suitable structure for the taxonomy of taskwork skills, we adopted the format of the European behavioural marker system for rating pilot's non-technical skills – NOTECHS (Flin et al., 2003). This has a tri-level hierarchical structure of skill categories (e.g., recognition), elements (e.g., noticing distinguishing cues) and behavioural markers (e.g., identifying military aircraft as a threat). Performance can be rated at both the category and element levels depending on the purpose of assessment and the amount of feedback detail required. The behavioural markers are intended to help external raters to recognise the types of behaviour associated with the performance of each element. Table 1 summarizes the five categories of cognitive strategies and their elements for dyadic teams in air traffic control..

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