

VNV Directives for incidents & accidents



Summary initial actions, extended information below

1. Complete your tasks.
2. Ask for medical help and treatment if necessary.
3. Arrange crew care.
4. Contact your employer.
5. Contact VNV, IFALPA.
6. Refrain from making notes.
7. Refrain from making any statements, other than general facts, until spoken to your (VNV) representative.

Remember, VNV will give support via two separate and independent tracks:

- Legal and personal assistance.
- Availability of a qualified investigator.

Phone numbers

In the event of an incident or accident contact the Dutch Airline Pilots Association.

VNV incident/accident response: **+31 6 2210 1053**

IFALPA emergency number: **+44 120 265 3110**

www.vnv.nl

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1. Introduction

These directives are intended as a guide for VNV flight crew members. They state actions to be considered when involved in an accident or incident, which may warrant an official inquiry or investigation. However, these directives may also apply if you become part of a criminal investigation whether or not related to the aircraft.

Local investigative procedures vary throughout the world, however an investigation should be held in accordance with international standards and recommended practices, as laid down in Annex 13 to the ICAO Convention.

CAUTION: Contrary to Annex 13, results and conclusions of investigations have not always been used exclusively in the interests of flight safety. On occasion the results have been used in a court of law to establish legal blame and liability.

During the immediate aftermath of an incident/accident it may be difficult to understand the nature of the investigation, the authorities involved, their mandates, and most important, the possible legal ramifications for the aircrew involved. We therefore strongly recommend that you follow these directives to prevent possible self-incrimination.

In general pilots are expected to cooperate with investigative authorities during the preliminary fact finding stage, which precedes a possible official investigation. Pilots should restrict themselves to supplying only factual information. Do not volunteer information and do not speculate on possible contributing factors in any form, particularly of a flight technical nature. This is also applicable when travelling as a passenger.

VNV will make an IFALPA accredited investigator available to participate in the Annex 13 investigation. Information pertaining to the procedures is obtainable from the VNV Accident Investigation Group.

Separately the VNV is organized to support its members with personal and legal assistance.

2. Advice

Avoid making statements or declarations, written or otherwise, to anyone, without first consulting a VNV representative. Do not voluntarily hand over your pilot license to an investigative authority.

In IFALPA's opinion the pilot should not be subjected to any form of interrogation in connection with an investigation into the cause of accident/incident until:

- He/she has had the opportunity to rest and take food, has received any necessary medical attention and has been able to assure him/herself of assistance from his/her association and/or lawyer.
- If at all required to make a statement shortly after an occurrence, limit yourself to brief factual information only.
- Never sign a statement if it is not written in a language that you understand, and you have received legal advice about it.
- You may insist that no tape recorders will be used. Circumstances will vary considerably and if felt necessary the pilot may make the following declaration: ***"Before making a statement or report of any kind, I wish to consult my pilot's association representative and/or lawyer."***

3. Guidelines

- Complete correctly all tasks which operationally and legally fall under your responsibility; e.g. checklists, care of passengers and crew, protection of property and aircraft, safeguarding possible evidence, administration, e.g. ASR (Air Safety Report), trip report, damage report.
- The pilot must, as soon as possible, and without being asked to do so, report every accident/incident in which flight safety has been adversely affected to his employer either directly to his employer or through the local representative.
- Make no attempt to analyze or expand upon the situation and circumstances, supply only factual information necessary to satisfy the reporting requirements.
- Contact the VNV and/or IFALPA for assistance, either directly or indirectly through the local pilot's organization, your employer, the embassy or your nationality's local representative.
- Do NOT erase the Cockpit Voice Recorder (CVR) after an accident/incident. Stop the CVR immediately after landing when deemed necessary to secure data.
- Discharge your responsibilities to ensure the safety of the passengers and crew.
- Be very cautious and reserved to take responsibility for cargo.
- Endeavour to secure the aircraft and its contents and ensure that nothing is interfered with or removed by an unauthorized person.
- Advise other crew member(s) concerned of your proposed actions and inform them of any known inquiries being undertaken. Keep your crew together but separated from passengers.
- Organize rest facilities away from the scene of the accident/incident. Ask for medical help and treatment if necessary.
- Consider carefully the wisdom to continue or operate subsequent flights. Preoccupation with the incident and the stress factors involved must not be underestimated. Automatic relief or suspension from duty may be a requirement pending a company investigation. Ask for a medical check if felt appropriate.
- Notify VNV who will arrange proper representation. Until your VNV representative or legal counsellor has been consulted, do not make any written or verbal statements, to any person or organization, including to the news media.
- Refrain from making notes, as even a factual description of events might be used against you.
- You may request copies of relevant documents (e.g. weight and balance data), before proceedings commence.