

Shame on EU as Vietnam Leads the Way In Aviation Safety

Despite the constant flow of statements from the EU and EASA that Europe has the highest aviation standards in the world; it is in fact the civil aviation authority of Vietnam that has shown Europe how to behave.

Jetstar Pacific, an Asian low cost airline with Qantas as a major shareholder, has been making headlines for the wrong reasons. Whistleblowers made serious claims about maintenance standards which of course have been strenuously denied by management. Now however a report¹ produced by the Vietnamese Civil Aviation Authority based upon their own investigation has confirmed multiple lapses in safety and standards due to a "very poor and ineffective" culture of safety maintenance.

The report mentions the following lapses:

- i. The implementation of all maintenance activities in reality does not comply with the description in MMOE (company procedures)
- ii. Jetstar Pacific did not implement the legally required plan regarding manpower, equipment, tooling and facilities
- iii. Jetstar Pacific was not capable of fully providing facilities and workshops in accordance with the MMOE document
- iv. Jetstar Pacific has authorised Flight crew to certify A320 aircraft into service while they were not trained and their certificate for the job was not recorded properly
- v. Jetstar Pacific Technical Quality Assurance system operated very poorly and ineffective
- vi. Flight crew members and technical staffs deliberately did not enter defect repair into techlog

There were also a number of maintenance management violation issues such as:

- a) Failure to implement maintenance activities incorrectly as required by the AMM, SRM. Technical Quality Assurance Manager once authorised maintenance schedule amendment while the task involved must not be postponed
- b) anti-icing pipe system has been brought out to repair (welding task) at an unapproved agent
- c) Authorised CAT A mechanics to be able to certify defects within MEL/CDL scope without any training record
- d) Outsourcing agents were not audited promptly according to Maintenance Standard and MMOE requirement

¹ Civil Aviation Authority of Vietnam Report on Jetstar Pacific January 2010

- e) Many defects were not recorded in the Maintenance logbook; flight crew deliberately erased or filed defect by mistake where mechanics were not present
- f) Many defects were not controlled properly and without cross-checking to see if the job is done in compliance with the task-card
- g) Jetstar Pacific has not fully developed an Aviation safety culture required by the MMOE. Many findings in maintenance and operation practices have originated from the subjective behaviour, the awareness of management and Technical staff. It is known that staff felt concerned to report the defects and did not receive the support from Company when they did.
- h) Jetstar Pacific did not comply promptly with authority recommendations. Many mistakes and violations were deliberately hidden by Jetstar Pacific from the aviation authority. Aviation inspection is part of the air transport safety supervision. There were also a number of previous violations outstanding as well as new findings uncovered during the inspection.

Actions taken by the Vietnamese aviation authority included revoking maintenance and senior management approvals whilst allowing the airline a short period of time to get itself in order and come up to the expected standard.

Also of serious concern here is the behaviour of Jet Pacific and Qantas senior management. Rather than thanking the whistleblowers for ensuring Jetstar Pacific's long term and safe future, senior management chose to persecute the whistleblowers. The whistleblowers despite being placed under incredible pressure culminating in loss of employment remained strong and continued to place passenger safety before their own concerns.

The events surrounding this issue has resulted in questions being asked about the integrity of one manager in particular (Mr Bruce Buchanan) whose public outbursts in the media raise doubts about his competence to hold a senior position within aviation. Numerous news papers are carrying this quote:

"While the Civil Aviation Authority of Vietnam backed the whistleblowers, Bruce Buchanan, the chief executive of Jetstar, said yesterday there would be no apology nor reinstatement for the men.

Mr. Buchanan said "the CAAV report had been blown out of proportion and he insisted he would have grounded the airline if he had had concerns about its safety. "This airline is performing well and from a safety perspective it is making giant strides ... The safety performance has improved 100-fold since we got in it," he said.²

If a 100-fold increase in safety performance has taken place and the regulators still manage to produce such a damning report, we question Mr. Buchanan's understanding of what is actually required of him. We would further urge all aviation authorities to consider the appropriateness of Mr. Buchanan's comments and actions in this case in relation to being considered as competent to hold such a senior position.

² The Age Newspaper 15th January 2010

Furthermore Qantas CEO Alan Joyce's comments³ on the situation do not withstand scrutiny and are regrettably the normal mumbo jumbo to be expected when senior management is found to be wanting. Let's be clear on this whole situation, management greed has led to the undermining of safety, not the professionalism of the involved engineer's.

Unfortunately however many of the issues raised at Jetstar Pacific are to be found in a number of European airlines. Despite reports being made to EASA and similar incidents of abuse and threats to suspected whistleblowers, European regulators allow malpractice to continue unabated whilst refusing to increase whistleblower protection.

How does the European Union justify its "Blacklist" when it is itself unable to properly regulate airlines under its authority? The European Aviation Safety Agency (EASA) to the amazement of many of its international partners has no powers of enforcement whilst the European Commission is just plain incompetent unable to set proper priorities due to political squabbling amongst member states.

AEI which represents more than 45,000 aircraft maintenance engineers globally considers that no engineer should lose their job for protecting the safety of the travelling public. Fred Bruggeman AEI General Secretary said that "the aviation industry continues to treat whistleblowers in a manner more appropriate for the middle ages. The time has come for regulators to stand up to aviation bullies and introduce effective legislation holding managers to account. The only jobs that should be taken away following a whistleblower situation such as this are those management positions that allowed the unsafe situation to develop. They are the real culprits and this needs to be recognized".

AEI also has concerns about the balance between safety and commercialism. All the evidence suggests that regulators, rather than regulating, actually become attached to an airline and quite often sympathise with them resulting in lowering standards. The public are being misled over aviation standards which are dropping at an alarming rate due to weak regulating. The events in Vietnam come as no surprise although the regulators response does. In Europe and the USA we have become accustomed to a "shoot the messenger" approach rather than deal with the issue. Therefore Vietnam should be congratulated on regulating in a manner the public consider is normal elsewhere.

In fact the aviation industry in Europe is so confident of suffering no consequences as a result of their behaviour that a conference due to be held in Hamburg in February, attended and sponsored by numerous major airlines, no longer even hides the situation. Before highlighting some of the conference agenda items here are a couple of extracts from the 165 pages of regulations:

EC 2042/2003⁴

M.A.201 Responsibilities

- (a) The owner is responsible for the continuing airworthiness of an aircraft and shall ensure that no flight takes place unless:

1. the aircraft is maintained in an airworthy condition,

³ Traveltalk 14th January 2010

⁴ http://www.easa.europa.eu/ws_prod/g/rg_regulation_2042_2003.php

whilst EC 2042/2003 PART 145 states that:

145.A.30 Personnel requirements

(a) The organisation shall appoint an accountable manager who has corporate authority for ensuring that all maintenance required by the customer can be financed and carried out to the standard required by this Part. The accountable manager shall:

1. ensure that all necessary resources are available to accomplish maintenance and shall in the case of aircraft line maintenance, have appropriate aircraft type rated certifying staff qualified as category B1 and B2 in accordance with Part-66 and 145.A.35.

Yet the following items are openly on the agenda⁵:

a) Working around the EASA restrictions on contract-to-permanent staff ratios

b) the rising trend to delay maintenance until the aircraft has returned to the home hub are all adding up to a decrease in the line maintenance requirement. Line stations are early casualties in the fight to cut costs

So just like the situation in Vietnam senior aviation management are constantly placing profit before safety but unlike Vietnam, here in Europe the 3 monkey's principal applies with regulators seeing no evil, hearing no evil and speaking no evil. This approach can only lead to more preventable accidents.

Yet even here the regulators are just unable to learn from previous mistakes. The Helios accident report was very specific in its assessment of contributory factors relating to the tragedy criticising regulators for "ineffectiveness of international aviation authorities to enforce implementation of corrective action plans after relevant audits". This resulted in the following safety recommendation:

"EASA/JAA and ICAO implement a means to record international safety audits of the States' Civil Aviation Authorities, which ensures that the findings can be tracked in depth, action plans are developed and implemented in shortest possible time; and impose the necessary pressure when they become aware that international obligations and standards are not being met by the Authorities".⁶

The safety recommendation has all but been ignored with no significant progress being made. The safety culture of airlines and their adherence to the regulations remains completely hidden. In those cases where individuals do stand up to management by questioning the constant reduction in real safety levels, they can expect appallingly bad treatment.

It is time for the travelling public to support the actions of whistleblowers; after all they are only ensuring that your safety really is paramount.

⁵ <http://www.ubmaviationnews.com/TheConferences/LineMaintenance/LineMaintenanceProgramme.aspx>

⁶ http://www.aaiasb.gr/Reports/AAIASB-R_2006-11en.pdf