



Fail to Prepare, Prepare to Fail

Handling Aviation Accidents in Southeast Asia or Wherever You Operate

James Jordan

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Presented by:



HFW

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Handling Aviation
Accidents in Southeast Asia
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SA **SOUTHEAST ASIA AVIATION**
SAFETY CONFERENCE
EVENTS 2026 / 27-29 MAY / BALI



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James has nearly two decades' experience tackling complex legal issues in the aviation and insurance industries. He has handled some of the APAC region's largest aviation accidents in recent years for both operators and their insurers. He has been based in the Asia for 16 years (Hong Kong and Singapore) and is an expert in navigating regional and cultural issues while handling accidents. He has been involved in handling accidents, losses, and claims in almost every jurisdiction in APAC.

He also has significant client facing in-house experience gained through corporate secondments at AIG where he held the position of Complex Claims Adjuster in the Aerospace Claims Department as well as at the insurance broker Willis where he worked as a Legal Counsel in the Willis' Legal Department. He has an acute understanding of the needs of insurers and brokers while handling significant losses.

James' recent major loss experience includes:-

- Total loss of Eurocopter EC130T2 in West Kalimantan - April 2026 – 8 fatalities
- Total loss of JAL A350 at Haneda International Airport, Tokyo, January 2024 – runway landing incident involving injuries to some of the 379 passengers/crew and total loss of coastguard aircraft with 4 fatalities
- Total loss of Bell 429 operated in the forest of North Maluku, Indonesia, Feb 2024 – 2 fatalities
- Total loss of Beechcraft 390 at Elmina (Malaysia), August 2023 – largest private jet accident in South East Asia in recent years (10 dead [8 onboard and 2 on the ground] including one billionaire).
- Total loss of Bombardier Challenger BD100-300 at Subang Airport (Kuala Lumpur, Malaysia) operated by Berjaya Air – 1 ground fatality – handling subsequent recovery claim (currently in trial) and claim from family of deceased.
- Total loss of Bombardier Q400 at Kathmandu Airport (Nepal) operated by US Bangle, March 2018 – 51 fatalities; 20 serious injuries from impact and fire. Complex loss involving seriously injured passengers being moved to Singapore (day to day liaison with family members).
- Total loss of Bombardier Q400 operated by Biman Bangladesh, May 2018 – serious runway excursions resulting in 18 serious injuries, including crew.
- Total loss of Bombardier Q400 operated by SpiceJet in Jabalpur, India (as associate) – range of minor injuries to 49 passengers - handled accident response and assisting with subsequent subrogated recovery action.
- Pegasus losses:
 - Total loss of Boeing 737-82R, Trabzon, DOL:13/01/18 - runway overrun at Trabzon Airport.
 - Total loss of Boeing 737-600, Istanbul, DOL: 05/02/20 - runway excursion at Sabiha Gökçen Airport, 3 fatalities, 179 injured

"James Jordan displays
a commercial
understanding that
enables him to develop
good relationships
with the principals
involved."

CHAMBERS ASIA PACIFIC, 2025





- Crisis management manual
 - Part of regular staff training
 - Distributed to all stations
 - Continually updated by operations staff
 - Regularly reviewed by an experienced lawyer
 - Staff training
 - Availability of local support/facilities
 - Drills
 - Scenario planning
-



PREPARATION – WHAT TO EXPECT

- **EXPECT** thousands of telephone calls
 - **EXPECT** immediate and substantial social media and conventional media pressure
 - **EXPECT** disruption to operations
 - **EXPECT** family pressure "they want answers"
 - **EXPECT** enormous resource pressure on management time
 - **EXPECT** in depth investigation of the operator
 - **EXPECT** the accident area to be a crime scene
-



DISASTER MANAGEMENT: THE MAJOR PLAYERS



- Who is in control?
 - The **operator** has to take the lead
 - Public expect the operator to be leading / managing a disaster
 - Insurer's role significant

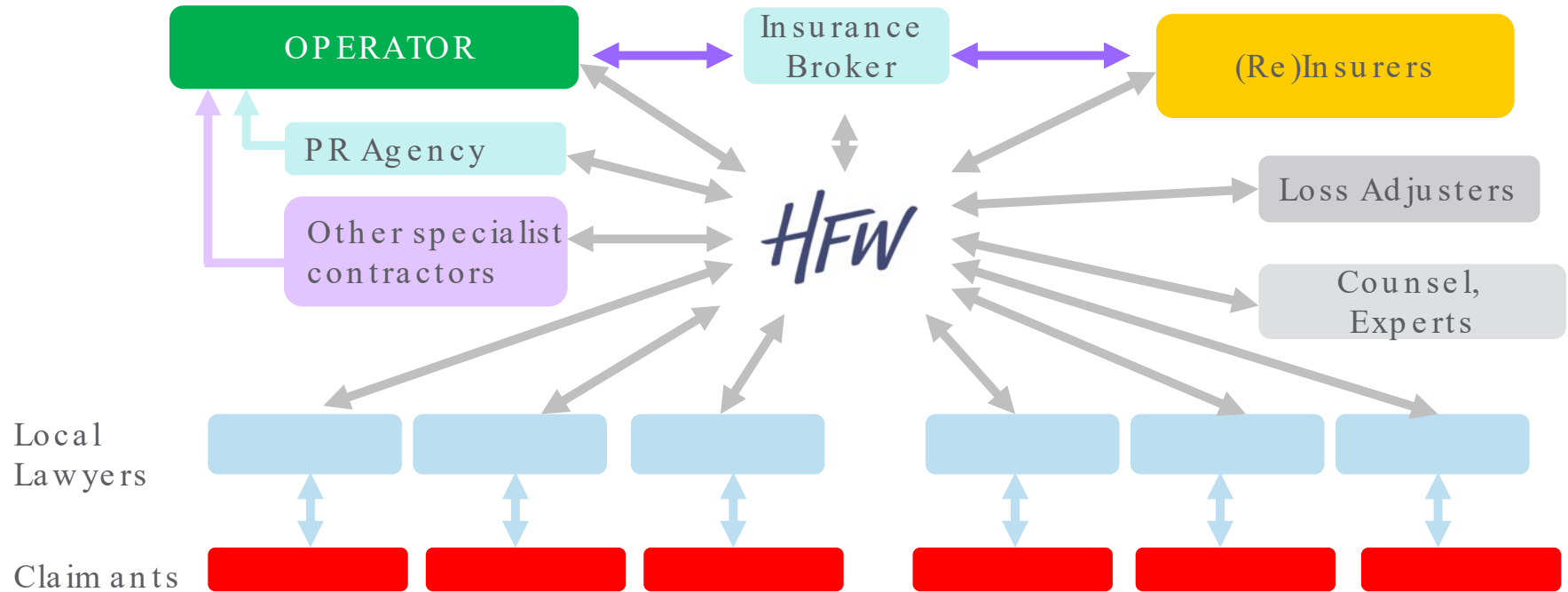
The **operator** will contract with:

- PR Agencies
- Search and rescue and wreckage retrieval contractors (government agencies may step in)
- External legal providers

The **insurer** will contract with:

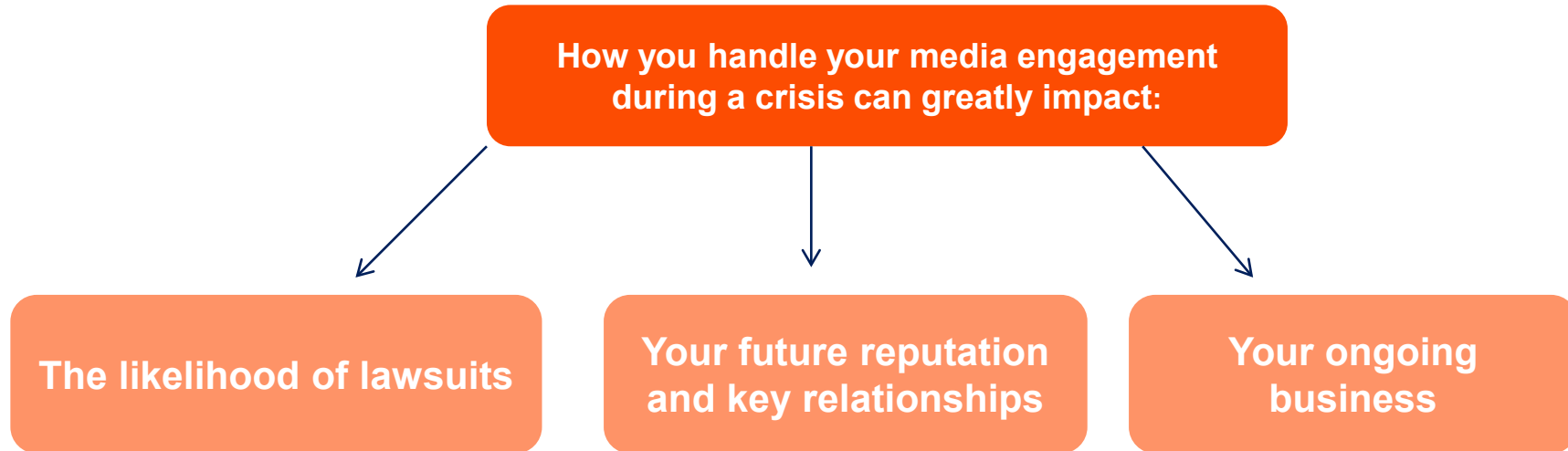
- Adjusters / surveyors - represent interests of Insurers
- Aviation law firm i.e. HFW – represent the interests of the operator and its insurers
- The contracts: lawyer and adjuster and possibly a DVI specialist named on the insurance policy.

THE PARTIES INVOLVED WITH MANAGING A MAJOR LOSS





MANAGING THE MEDIA MEDIA - THE NEED FOR ENGAGEMENT



Engagement is a necessity:

- Transparency.
 - Establish the operator as the reliable source of information.
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IMMEDIATE AFTERMATH

- Immediate notification to brokers and insurers
 - Implement Disaster Management Plan
 - Collate basic facts and information
 - Preserve evidence
 - Air accident authority investigation
 - Operator investigation
 - Media/Social Media Interest
 - Dealing with families of the deceased – burial, funeral, repatriation, counselling etc.
 - Dealing with injured passengers/crew
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WHERE WE SEE CHALLENGES

- Loss of family members can result in extreme anger and aggression
- Next of Kin (NOK) “demands” can be very unreasonable
- Any effort to reason with NOK may result in greater fury and more demands
- NOK’s tend not trust anyone:
 - Operators, Foreign Governments, their own Government or the media
- NOK’s will fuel rumours through social media
- NOK’s will use their Government to apply leverage on the operator’s Government
- NOK’s will challenge all emergency response procedures that the operator has in place
- NOK’s listen to their lawyers!

Your lawyers provide informed counsel on how to manage your way through these challenges.



COMMON ISSUES HANDLING ACCIDENTS IN SOUTH EAST ASIA

- Common issues we face as lawyers in Southeast Asia:
 - Accidents in remote locations
 - Complex family structures
 - Legal Heirship Certificates
 - Faraid Certificates
 - Litigation risk
 - High risk of interference
 - Lack of formal laws/legislation
 - Tribal courts (Papua / PNG)
 - Disparate legal systems
 - Accident investigations
 - Sometimes used as evidence in litigation
 - Some jurisdictions have very inexperienced investigators
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FAIL TO PREPARE, PREPARE TO FAIL

Be
prepared

Be
flexible

Be
practical

Be
reasonable



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