“Air Rage”: Disruptive Passengers. The Causes and the Cures!

A Masters Degree Dissertation
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ABSTRACT
"Air Rage" Disruptive Passengers. The Causes and the Cures!
Peter Rolfe 16830

Media attention has brought "air rage" to the public's attention through sensation seeking reporting, describing the details recounted during Court proceedings. Reports concerning the Airtours International crew member, Mrs Fiona Weir, were the turning point in a well orchestrated campaign by the popular press and media to raise public concern about a phenomenon that has always been present in civil aviation. Cheap air travel, available to far wider cross-section of society than ever before, has heightened the publics' concerns.

Statistics, obtained from the Department of the Environment, Transport and the Regions, show that the chances of travelling on a flight and suffering disruption are very slight. The survey quotes 800 reported incidents but this must be taken in the context of over 700,000 flights, carrying over 66 million passengers. The ban on cigarette smoking has led to a high level of smoking related incidents, in many cases aided by the excessive consumption of alcohol.

Cabin crew are trained to handle disruptive passengers through mediation, as is required by law, before resorting to physical restraint. The introduction of the offence of 'Acting in a Disruptive Manner' is justified, not only by the statistical analysis, but also by the nature of offences encountered during research with the Airtours International cabin crew. The need to train the ground staff to identify and deal with disruptive and intoxicated passengers is demonstrated.

Passengers need to be informed by various means

that they will not be allowed to travel if they are unfit through being drunk or disruptive. Warnings on tickets and public announcements in the airport terminal are one suggestion. CCTV should be installed in the cabin, in order to record unauthorised smoking and provide visual evidence of disruptive behaviour for the Courts.

Chapter 1
INTRODUCTION

One cold winter day in 1950, a Douglas DC-3 was routinely making its way toward Anchorage from a small town on the coast of Alaska. The quiet cockpit routine was shattered as the cabin crew member entered, deep scratches on her face. Having been assaulted by a “barrel-chested” 110 kilogram (243-pound) passenger, she described a situation of mayhem in the cabin. First Officer Davies, carrying a cargo tiedown, made his way aft, and with the help of two husky passengers, subdued the individual. Reiss(1999:10)

The individual who committed this offence was known to the authorities with a known history of violence and psychotic behaviour. The first officer required the assistance of two passengers to restrain the person. The outcome could have been completely different if the first officer had been overpowered and the cockpit had been invaded.

The above example demonstrates just how dangerous a passenger can become if he or she is not restrained, either physically or psychologically. Cabin crew need to be trained in the specific skills necessary to contain situations using non-physical means, as well as legal physical restraint techniques, should the need arise. The other issue raised from the above example is the suitability of the passenger to travel on an aircraft, as he was known to have behavioural problems. This would indicate a need for ground staff training to identify those who may be at risk prior to boarding the aircraft and bringing them to the attention of the security staff. These issues will be studied during the course of this dissertation.

Constraints on time and finances restrict the depth of research in a potentially large research project.

The statistical analysis will be focused on the United Kingdom with some minor references to the United States. The survey, using semi-formal interviews, was restricted to cabin crew from a major United Kingdom charter airline, Airtours International. British Airways and Virgin Atlantic declined to take part in the research which narrowed down the sample of cabin crew interviewed to those solely operating on charter flights. There was no statistical information available from other European Union countries. This does not imply that the problems of disruptive passengers is solely restricted to the United Kingdom and the United States, only that they are the "lead" countries in legislation and enforcement. The criminal penalties in the United States are up to 20 years imprisonment and $11,000 fine for such incidents. The United Kingdom penalties are now a maximum of 5 years imprisonment and unlimited fines, recently increased to this level to make "Air Rage" offences 'arrestable' under the Police and Criminal Evidence Act (1984) when prosecuted using the Civil Aviation Act (1999) amended. No statistics are available relating to the arrest and conviction rates utilising the new regulations as cases are being delayed up to a year in the High Court.

Two airport designs, relating to their accessibility, will be examined briefly, namely London Heathrow and London Gatwick to consider the effect of stress levels of passengers when they finally arrive at the check-in desks, transit the security system and finally arrive in the passenger lounges. The former contains a central terminal, posing potential access problems, catering for scheduled services as well as a large number of transit passengers, whilst the latter has two terminals adjacent to the runway and is more orientated towards charter flights. Airport design

plays a part in the mental disposition of the passengers and in particular ease of access and parking. Both airports are actively policed by their respective local constabularies. There is no evidence to suggest that their officers, wearing body armour and carrying automatic weapons, deters disruption as they are now a familiar scene at all the major UK airports.

Legislation is in place in most countries to deal with disruptive passengers but unfortunately co-ordination between them is often inadequate. The legitimacy of constraint and prosecution will be examined as the industry relies on two organisations the International Civil Aviation Organisation (ICAO) and the International Air Transport Authority (IATA), in conjunction with international law. This is an important issue bearing in mind the international nature of air travel. IATA is the industry's trade association and plays a prominent part in identifying and preventing travel rage through it's Security Committee. A full description of IATA is available in Appendix:1. ICAO is more concerned with the legislation concerning travel rage, the member states being responsible for their own legislation. A guide to ICAO is available in Appendix:2.

The Civil Aviation Authority (CAA) is the organisation in the United Kingdom responsible for all safety regulation and law enforcement relating to the organisation, managing and operation of airlines, airfields, maintenance agents and the air traffic control system. It is their responsibility to amend the laws relating to civil aviation, e.g. the Air Navigation Order(1999). A brief description of the Safety Regulation Group is available in Appendix:3. Amendments to the Order relevant to disruptive passengers will be examined later in this paper. An aircraft and crew may be deemed to be a part of the territory in

which it is registered, whilst the offence may occur in international airspace, with possibly a diversion and landing in a state in which the offence was not committed. The offender may then be in a position to simply walk away from the incident and catch another flight!

The effects of two freely available drugs, alcohol and nicotine, combined with the effect of altitude, and the stresses of modern air travel play an important part in the disruption process. Copious supplies of alcohol and the culture of drinking before and during flight are contributing factor. The medical aspects of the cabin environment and its influence on passenger behaviour will be studied in chapter 4. There has recently been some conjecture about reduced air-flows and the quality of recycled air in the cabin increasing stress levels and the possibility of disruption. These will be shown to directly increase the stress levels of passengers.

Cabin crew training and their attitudes to the disruptive passenger play an important part in the containment of any incident. The content and depth of training to resolve situations, by means of diversionary tactics as well as the training required for self-protection, is a significant factor in any incident. The collective response to travel rage by the airlines, ICAO, IATA and governments will be examined. Informing passengers in advance by printing notices on tickets about the airline's smoking policy and the consequences of disruptive behaviour can all play a part.

The semi-structured interviews with the Airtours International cabin crew reinforced the statistics made available by the Department of Transport and the Regions(DETR), which was collected and disseminated on their behalf by the CAA. The need to amend the legislation concerning abusive and threatening behaviour was

highlighted by the sample cabin crew. Recent amendments to the legislation will be shown to play a vital part in the apprehension and successful prosecution of disruptive passengers even where there is no physical violence used against the cabin crew. Their concerns about threatening and disruptive behaviour, the major addition to the legislation, reaffirmed the requirement for changes to the law. The recommendations in the penultimate chapter regarding the sale and regulation of alcohol on board can be directly compared to the prohibition on the sale of alcohol at petrol stations.

Chapter 2
STATISTICAL ANALYSIS

It is very important to appreciate that the chances of actually being involved in an incident are extremely remote. Iain Jack in a paper reprinted by White (1999,22) points out that in 1998:-'out of 41 million passengers carried there were only 262 incidences involving disruption.' This is not meant to reduce the impact that an incident can have on an individual or the danger that can be caused to the rest of the passengers, the operating crew or the aircraft itself. Any incident involving a disruptive passenger is potentially very dangerous. These figures should be treated with caution as they are only illustrate the level of disruption and not the level of incidents. Resolving situations through mediation by the cabin-crew, ground staff and law enforcement agencies before they get out of hand no doubt accounts for potentially reportable incidents that are not recorded.

The CAA was unwilling to provide statistics relating to incidents, which are stored in their very comprehensive data-base, but summaries were available from two reliable sources, The United Kingdom Department of the Environment, Transport and Regions and the National Aeronautical and Space Administration(NASA) in the United States. The Department of the Environment, Transport and the Regions(DETR) requested that, from April 1999 to October 1999, UK airlines should submit reports relating to incidents of disruptive behaviour on board their aircraft to the CAA, who, acting as agents for the Department, collected and anaylised the reports. This has been published by the Department:- 'Disruptive Behaviour On Board UK Aircraft: Analysis of Incident Reports April -October 1999.'(2000).

There has been a reporting system in place for a

number of years, administered by the CAA, called Mandatory Occurrence Reporting (MOR). It is a legal requirement for any person to report an incident or procedure that may endanger the safety of an airline, it's operators, equipment and maintenance. The results are collated by the CAA and circulated within the industry so that everyone can learn and improve their operation. Examples can be an aircraft part that fails or an air traffic controller who fails to maintain adequate separation between the aircraft he or she is controlling. The reports are usually submitted by the individuals concerned to the Company safety manager who will filter the reports prior to forwarding them to the CAA. The CAA has its own filtering process in order to remove those reports which do not directly affect the safety of the aircraft, the passenger or the airline operation and are therefore outside the jurisdiction of the MOR system. At all stages there is feedback to the individual filing the report to ensure that there is no maladministration of the filtering process. Travel rage incidents such as drunken behaviour and violence are liable to Mandatory Occurrence Reporting if they occur on board a UK registered aircraft anywhere in the world or immediately prior to boarding an aircraft at a UK airfield. Only the most serious cases, involving a diversion, and those that directly affect the safety of the aircraft are usually reported and recorded in this way. The offenders' behaviour in the passenger lounges goes unrecorded and becomes the responsibility of the security staff and local police at the departure airport. The means employed in collecting and analysing this data makes the statistical analysis the equivalent of the Official Statistics for crime, reducing the apparent level of the incidents.

The figures listed below are from the report Disruptive Behaviour On Board UK Aircraft:

Analysis of Incident Reports April - October 1999 (2000) :-

Number of Incidents Recorded

* Almost 800 incidents were reported over the seven months.
* The extrapolated number of expected incidents is around 1200 incidents over twelve months
* Incidents varied from minor infringements, arguing with other passengers, over-forcefully expressing dissatisfaction with the service, to serious misbehaviour.
* Of nearly 800 incidents the CAA categorised some 336 as significant incidents, of which 39 incidents were judged to be serious.
* An extrapolated figure of 60-75 serious incidents per year is consistent with earlier indications of the scale of the problem.
* There were no reports of cabin crew or passengers being injured, although was referred to in the description of the events.
* There were no reports of disruptive behaviour contributing to an aircraft accident.

The United States' reporting equivalent of the MOR reporting system is the Air Safety Reporting System (ASRS), staffed and funded by NASA. There is feedback to the industry in various forms including the information circular 'Callback', produced on a monthly basis. Callback Number 250 (2000), the NASA Aviation Safety Reporting System circular for April 2000 describes a "snapshot" of some study data:-

* In 43% of passenger-related incidents, flight crews experienced some levels of distraction from flying duties.

* In more than half these distraction incidents, a pilot deviation was the consequence.
* In 22% of the total study incidents, a flight crew member left the cockpit to assist flight attendants in dealing with an unruly passenger.
* Flight crews diverted to an alternate airport to deplane the unruly passenger in 13% of total incidents.

There is no comparative data available in the United Kingdom even though the flight deck crew must experience some distraction from their duties as a result of concerns about the safety of their cabin crew and the events taking place in the passenger cabin.

The Offenders

Some 75% of all incidents involved male passengers, the serious incidents showing a similar split. Two third of offenders were in their 20s or 30s, less than one quarter of incidents involved people travelling alone. Just over half of all incidents occurred on scheduled services. Given the greater number of scheduled flights and greater number of charter passengers, the suggestion is that disruption is more prevalent on charter flights. Scheduled services disruptive behaviour occurred amongst both business and economy class passengers.

The Offences

Verbal abuse to cabin crew or other passengers occurred in 43% of cases. Arguing with cabin crew or other passengers occurred in 47% of cases. About one third of all cases involved disobeying airline staff. Dissatisfaction with the level of service was a common trigger for unruly or aggressive behaviour. Arguments took place between passengers concerning domestic disputes, use of foul language, seat allocation and

the effects of reclining seats into the passengers behind. The most common misbehaviour, regarded as significant, was smoking in the aircraft's toilet. The 39 incidents categorised by the CAA as serious included passengers who had smoked in the toilet, started fires in the aircraft toilets or had disconnected the smoke detector system. Violence, abusive or unaccountable behaviour including damage to the interior of the aircraft accounts for the remainder. There is evidence of alcohol abuse but little concerning drug abuse.

The Consequences

In 9 incidents a passenger had to be physically restrained, whilst in a further 2 incidents a cabin crew member had to sit next to a passenger. On 6 occasions the aircraft had to divert in the air and 10 when the aircraft was forced to discontinue take-off procedures and return to its parking stand. There were 111 incidents where passengers were refused boarding (usually because of drunkenness) or entered the aircraft and were subsequently disembarked. There are no reliable figures available about subsequent arrests and prosecutions.

The Contributory Factors

In 397 incidents (i.e. around 50% of the total) alcohol was identified or suspected of being a contributory cause. Well over half involved passengers consumed their own private supplies of alcohol. Smoking featured in 290 incidents (36% of the total) of which 165 (21%) involved smoking in the toilet. Smoking and drunkenness were contributory factors in the majority of serious incidents.

It is important to bear in mind the context in which these figures were formulated. During the seven-month period covered by the data, UK airlines operated over 700,000 flights carrying

over 6 million people and yet only 39 serious incidents were reported. The chances of being on a flight where a serious incident takes place are around 1 in 18,000, whilst around only 1 in every 1.6 million passengers will be involved in an incident. It must be emphasised again that these are the reported incidents. Many minor incidents, which go unreported and are dealt with by the local police or security staff. The intervention of supervisory staff, with a few well-chosen words and a clear understanding of a situation, are often enough to resolve a potentially reportable incident.

IATA supplied some statistics covering incidents on board aircraft between 1994 and 1998 on the basis that they will only be used in this research study. They indicate the predominance of alcohol, smoking and disruptive incidents during this period:-

A total of 62 responses received, representing approximately 23% of IATA Member Airlines worldwide.

For the years 1994-1998 the total number of incidents reported are as follows:-

(A)	Alcohol:	3626
(B)	Physical Assault:	629
(C)	Verbal Abuse:	2520
(D)	Unauthorized Smoking on Board:	4359
(E)	Sexual Offences:	168
(F)	Disruptive Passengers:	6059

The common elements in all the survey material are the influences of freely available alcohol, the ban on smoking on board nearly all flights and the stresses of airline travel. The on-board consumption of illicit drugs has not been mentioned in any of the surveys studied and is considered to be statistically insignificant. The

research also suggests that it is not one factor but several issues arising during the course of a flight that builds up tensions to the extent that an incident occurs. An example, resulting in a custodial sentence for the offender, was reported in The Daily Telegraph by Poole (1999):-

> A plumber who went berserk on a packed jumbo jet, butting and biting cabin crew and threatening to kill other passengers, was jailed for three years yesterday for the "worst case of air rage"....Bottomley, injured three stewards and caused £30,000 of damage after being asked to stop looking at pornography on a fellow passenger's laptop computer. Bottomley, who was refused alcohol on the aircraft, had spent the hours before the flight drinking at a friend's barbecue....threatened to urinate over the floor when he found that the toilets were engaged...claimed he had been attacked by the cabin crew when he did not receive a vegetarian meal.
>
> Poole,O (1999:11)

This is just one example of a chain of events leading to a serious offence. If the chain can be broken using persuasive means then the incident is contained and may not enter the MOR system. The law requires that persuasive means of settlement are employed, when time and the situation permits, before physical force can be used to restrain a passenger. The cabin crew, being directly in contact with the passengers, play the prime role in dealing with any passenger instigated disruption. Their influence in maintaining control during an incident is vital to the safety of all persons on board an aircraft. It is in this context that their role, concerns and recommendations are studied in the next chapter.

Chapter 3
RESEARCH STUDY

A research project using airline cabin crew flying both scheduled and charter flights would have been ideal, in order to examine a wide cross-section of the industry. This proved to be impossible as two of the major United Kingdom carriers, British Airways and Virgin Atlantic, who operate both charter and scheduled flights, were unwilling to allow their crew members to be interviewed. No replies were received to letters and e-mails. Airtours International Airways Ltd kindly agreed to allow semi-structured interviews at their East Midlands Airport base. The airline commenced operations in March 1991 as part of the Airtours holiday group, which employs over 2,000 people. All the flights are operated on a charter basis, predominantly serving the package-holiday industry. Flights are to the Mediterranean, the Caribbean and Far Eastern destinations.

The structure of the interview, available as Appendix:4, was developed from a pilot study of four cabin crew from the author's airline on a 'personal favour' basis. Their only condition was that the results gained from these interviews would not be used in this research study. The base superintendent of Airtours International, Susy Nahor, chose ten cabin crew members at random who had experienced Air Rage incidents in the last twelve months. She arranged for me to meet them on a one-to-one basis for semi-structured interviews, which were tape-recorded. Care was taken to ensure that those crew members chosen for the interviews would not be traumatised through reliving their experiences. The recordings of the interviews were then transcribed and analysed. Before presenting the analysis three example are describe in some detail to give an indications as to how serious an incident can become if not contained and resolved

successfully, using skills gained during the initial training before commencing flying duties:-

Incident 1

A couple in their mid-twenties boarded the aircraft for the return flight of their holiday, flying into the East Midlands Airport. An alert cabin crew member noticed that the lady was very nervous and made every effort to help her relax and overcome her fear of flying. He arranged to sit near her for the take off and also arranged for her to visit the flight deck during the flight. A meal and drinks were served but, during the coffee service, the same crew member noticed tobacco smoke and that the lady whom he had helped earlier was smoking.

He asked her to extinguish the cigarette and she immediately complied without any problems. Later in the flight she lit another cigarette and again she was asked to extinguish it. This time the cabin crew member was met with a stream of abuse and on closer examination the passenger appeared to be drunk. It was later discovered that she and her partner had consumed a litre of schnapps, purchased before the flight in the duty-free shop. The “yellow card”, giving a final warning of the consequences of her actions, was read to her and she was given a copy, which she tore up and threw on the floor, uttering more abuse. Her personal details were obtained from her ticket and passport. An off-duty police officer, seated in the row behind, agreed to monitor the lady for the rest of the flight. The police met the aircraft and the lady was taken into custody and is due to appear in Crown Court later on this year. She has a previous conviction for a similar offence.

This case is typical of non-compliance with the regulations. Alcohol played a part to make the incident serious enough to warrant further action

on arrival at the destination. The incident also demonstrates that a final warning was given, as is required by the law, so that the passenger is in no doubt as to the results of subsequent disruptive behaviour. There was no violence and the crew member dealt with the incident in the manner he had been taught during his training.

Incident 2

A party of twelve passengers of mixed ages was seated near the rear of the aircraft for a return flight to the East Midlands Airport. The flight progressed normally, a meal and drinks service completed and the cabin crew had returned to the rear galley. A male member of the group, in his early twenties, walked down the aisle and into the galley to obtain a soft drink. Another male passenger in his mid-twenties, also from the group, followed the first man into the galley, threatened and then started to attack him with his fists and kicking him. The four female cabin crew members in the galley reacted quickly and intervened to separate the two men. During the struggle one crew member, who was four months pregnant, received a black eye, bruised ribs and bruising and grazes on both her legs. Another crew member received a cut on her head which required stitches, whilst the remaining two suffered bruises. When the two passengers were separated they were taken to opposite ends of the aircraft and made to sit down next to a cabin crew member. They were not physically restrained but remained seated next to a crew member for the remainder of the flight. There was no more trouble and the police met the aircraft and took both men into custody. When the case was due to heard at the Crown Court one of defenders had absconded but has since been arrested after a warrant was issued by the Crown Court. Alcohol and drugs were not factors in this incident.

This is an unusual incident in that there was little warning that anything was amiss. There was no rowdiness or excessive drinking and it would appear that one of the accused was trying to settle an old score. The instigator also faces the charge of threatening to kill his co-accused, who was also involved in attacking the cabin crew during the melee. The cabin crew strove to contain the incident as quickly as possible as they were concerned that the friends of the two men could have taken sides and started a larger fight. Although physical restraint was necessary during the initial part of the incident, without any verbal or written warnings, its use was legal as the cabin crew, and possibly the aircraft, were placed in immediate danger.

Incident 3

A lady, about thirty-five years of age, accompanied by her partner, boarded the aircraft for a return flight to the East Midland Airport. The cabin crew thought that she was extremely nervous but it transpired later that she was very drunk. During the flight she attempted to light a cigarette, which was extinguished by a member of the crew. She uttered obscene threats to the cabin crew member. Later she lit another cigarette and attempted to set fire to the seat back in front of her. This was spotted and extinguished by another crew member. She was cautioned verbally and given a “yellow card”, which she managed to put in her handbag. During the course of putting out the fire a nearly empty litre bottle of vodka, purchased from the duty-free shop before embarkation, was discovered tucked in the seat next to her partner, who was also very drunk and abusive. The bottle was removed by the cabin crew, as they were concerned that it might be used as a weapon. The lady’s partner later went into the galley area, demanding the return of their drink and was again abusive and threatening. He

was persuaded to return to his seat for the remainder of the flight and there were no further acts of disruptive behaviour. On arrival at the East Midlands the police removed the lady from the aircraft. She became violent and hit a police-woman in the face with her handbag, breaking the police-woman's spectacles. It was later discovered that she had urinated on her seat during the flight. Both passengers were arrested and will appear in the Crown Court. She has history of violent and drunken behaviour.

This incident illustrates the potential dangers to the aircraft and passengers due to a wanton act of arson. Smoke and fire on board can be fatal if not quickly contained. Smoke and fumes pose the greatest threat to human life. Both passengers were very drunk, abusive and intent on causing trouble. The cabin crew were so concerned for their own safety that they removed the vodka bottle from the passengers and locked it in a bar box in the galley. The cabin crew used their skills gained during training to contain the situation without the use of force. Behaviour of this nature will result in a custodial sentence when heard in the Crown Court.

The research data has been obtained from actual incidents involving passenger disruption. The factors quoted are those that have been encountered on board the aircraft and may not have been the initial cause of the offender's displeasure and anger:-

* Smoking, when forbidden or prohibited, was a factor in 80% of the incidents.
* Alcohol, obtained legally and drunk clandestinely, played a part in 50% of the incidents.
* Verbal abuse was experienced in 90% of the incidents.
* 60% involved female passengers.

* 80% of offenders were under twenty five years of age.

Incidents took place:-

* 10% during the climb out after take-off.
* 80% during the cruise portion of the flight.
* 10% during the descent and landing.

Cabin crew numbers involved:-

* 80% required two cabin crew members.
* 20% required four cabin crew members.

Assistance from other passengers:-

* 10% required a passenger's assistance.

Physical constraint devices, which are carried on board all Airtours International aircraft, were not used in any of the incidents, but physical force was needed to separate two passengers in one incident. There were no diversions to off-load disruptive passengers. All passengers, with the exception of one incident, were warned, initially verbally, and then served with a written warning in the form of the "Yellow Card". The police met the aircraft, when requested, on every occasion and on every occasion the disruptive passengers were arrested and subsequently prosecuted, eventually leading to proceeding in the Crown Court.

The cabin crew members expressed the following concerns:-

* All were satisfied with the way the police dealt with the incidents and took initial statements.
* 50% would like more information about how the cases progress through the criminal justice system.
* 80% were satisfied with the help and counselling they received from their employer.

* 20% felt that they were pressured into returning to work too soon after the incidents.

Cabin crew training:-

* 80% were very satisfied with the initial training they received to deal with disruptive passengers.
* 90% would like the police and the Crown Prosecution Service to become involved in real-time scenarios and more time allocated for role-playing.
* 100% felt that the annual refresher training needs to include updates of statistical information about possible disruptions.
* 100% felt that the flight deck crews should be involved in the reccurrent training.

Effects on the cabin crew:-

* 90% are concerned about the increased incidents of abuse and rudeness experienced every day that are not recorded.
* 100% observe the passengers more closely when boarding is taking place.
* 100% are very concerned about the level of drunkenness caused by the consumption of private sources of alcohol.

The nature of the survey incidents, the majority of which involved alcohol and forbidden smoking, reinforce the statistics obtained from the Department of the Environment Transport and the Regions. A major factor was drunk passengers trying to light cigarettes, when smoking was forbidden, and then becoming abusive when requested to extinguish them. This was the underlying scenario in the majority of cases. The major source of alcohol, duty-free sales purchased prior to boarding the aircraft, is beyond the control of the cabin crew, who can only regulate their own bar supplies. It is illegal to

consume personal supplies of alcohol on board an aircraft. The cabin crew are faced with the dilemma of either taking everybody's duty free alcohol from them when they board the aircraft or possibly patrolling the aircraft cabin for signs of illegal drinking. There is insufficient time to collect and label everybody's duty-free purchases prior to departure and insufficient storage space for the items in a secure area on board the aircraft. Cabin service would be compromised if the cabin crew spent the flight solely monitoring for illegal drinking and smoking. The travelling public would find these restrictions unacceptable and choose to travel with an airline, possibly a foreign registered carrier, that is perhaps more liberal in it's attitude to a little 'free enterprise' regarding the consumption of alcohol.

All the cabin crew were concerned about the general level of verbal abuse and the use of obscene language which was experienced on an daily basis. Their passengers, solely holidaymakers, often groups of young male and female adults, may not be aware of the offensive nature of what may be to them is everyday behaviour. It became apparent during the course of the interviews that there is a cultural as well as a language barrier between the cabin crew and their passengers. This would not occur if they were serving first or business class passengers on scheduled flights.

A very positive response was given by all crew members to the manner in which the police behaved when taking statements and dealing with the offenders during their removal from the aircraft. Fifty per cent felt that there should be greater feed-back from the police and the Crown Prosecution Service regarding the progress of their cases. Delays at the Crown Court mean that it can take up to a year before a case is heard, results in a successful prosecution and inevitably

a custodial sentence. Counselling was offered by Airtours International and accepted in all cases. Dissatisfaction was noted in twenty per cent of the cases due to delays of up to three days before help became available. Twenty per cent felt they were being pressurised into returning to work too soon after the incident by the airline's crewing department. These issues were resolved, without any apparent difficulties, by their local manager when brought to her attention.

The initial training undertaken by the cabin crew members when they joined the company was intensive, eighty per cent being satisfied with the section in the syllabus relating to the handling of disruptive passengers. The remainder would have liked more involvement with the police, taking part in scenarios perfected using experienced gained from incidents, possibly on board an aircraft or mock-up. Unfortunately this was prevented by lack of time, on an already intensive course. All felt that they would benefit from role playing by the flight deck crews in air rage scenarios at their annual refresher training sessions. This does not take place as there is no requirement for flight deck crews to receive training in how to deal with disruptive passengers.

The ages of the cabin crew members ranged from twenty-one to thirty-five years, the least experienced in her first year with the company, whilst the most experienced had been flying for fourteen years. They are extrovert by nature and fairly broad-minded. However, in the course of their duties all have verbally abused, eighty per cent had been spat at and ten per cent had been sexually insulted and assaulted. These are the incidents that go largely unrecorded. It is against this background that offences have to be serious enough to warrant further action. All the cabin crew felt that, as a direct result of their

experiences, they had been made more aware of the need to observe the passengers more closely as they board the aircraft with a view to making a mental note of the possible troublemakers. They all felt that passengers should be able to purchase duty-free alcohol in the duty-free shops at the point of departure or their destination or alternatively on board the aircraft. However the passengers should not receive the goods until they enter the baggage reclaim area and collect their duty-free goods at the same time as their luggage.

The survey has given strength to the causes of air rage and disruption but has only studied the events in the aircraft cabin and relates to two major factors, alcohol and smoking, in a chain of events leading to an incident. The nature and level of abuse suffered by the cabin crew on a daily basis, flying holidaymakers, is unacceptable. The effects of new legislation are difficult to ascertain and bring little comfort to the cabin crew unless the two main aggravating elements, alcohol and smoking, are controlled. These must be considered as the end of a chain of events, which may have increased the stress levels of those boarding the aircraft, possibly commencing with the journey to the airport. The effects of drinking alcohol in a pressurised cabin, which is equivalent to sitting drinking on an 8,000ft mountain, will be presented in the next chapter. The implications of nicotine withdrawal and the cabin environment will be shown to be factors that increase stress levels and lead to disruption.

Chapter 4
SOME CAUSES OF "AIR RAGE"

There are three main areas to be examined in this section, freely available supplies of alcohol, smoking and the impact of the smoking ban and the effects of stress on passengers.

Alcohol

Alcohol is used by many people to "unwind" or relax. It is used extensively at social gatherings to "break the ice" and is socially acceptable in all levels of society. It is basically a sedative, hypnotic and addicting drug. Watson(1997) in his paper The Effects of Alcohol on Pilot Performance and Safety describes the effect on the human body:-

> The ingestion of alcohol influences virtually every system in the human body in some way or another. The most readily apparent effects of alcohol are usually a result of its effect on our central nervous system. The metabolism of all other body systems is altered. Included is the gastro-intestinal tract, the liver and pancreas, muscles, the blood, the heart, endocrinal organs, the immune system, the respiratory system, fluid and electrolytic balance, and possibly the incidence of cancer.
>
> Watson,D (1997:2)

Other variables, such as sleep deprivation, fatigue and the effects of flying at a cabin altitude of 8,000ft further increase the effect of alcohol on the human body, its toxic effects varying considerably from person to person. An excess affects individuals in different ways and is a significant factor, playing a prominent part in a large number of disruptive situations, criminal activities and unsolicited violence within the general community and is not solely restricted

to the aviation industry.

There are laws in place, unfortunately not world-wide, to prevent drunk passengers from boarding aircraft. Passengers, whose companies have paid a lot of money for first or business class seats, may make the airline consider the financial penalties of off-loading them and possibly losing the firm's entire custom to a rival airline. A regular business person's company can spend up to £300,000 on air travel during his or her career of 30 years of air travel. There are those passengers who, when refused alcohol by the cabin crew, will covertly use their own personal supply. A drunk passenger on an aircraft is a serious liability in the unlikely event of an emergency evacuation on landing. Lucas (1999) in his article Disorderly Passenger: The Balpa View expressing the view of the UK pilots' union, The British Airline Pilots Association:-

> What we do know is that 99.99% of passengers who drink on an aircraft are not a problem. In fact they derive legitimate enjoyment from it and would rightly object if they were to be deprived of a normal, civilised freedom and pleasure. If alcohol were a cause we would have a "90%" size of problem, not a "0.001%" problem. Quite clearly, it is some people, in some alcohol related circumstances, who are the difficulty and our efforts will have to be focussed on spotting such people and controlling their ability to board or to drink after boarding.
>
> Lucas,B(1999:2)

This would suggest that it is more socially acceptable to drink on an aircraft than to smoke. In moderation, drinking does not affect other passengers. In fact it makes passengers more convivial, as described earlier. Problems occur

when there is excess consumption either immediately prior to boarding, when its effects are not apparent, or during the flight.

Tobacco and it's Effects at High Altitude

Two factors are considered, the effects on the body's metabolism due to smoking at altitude, in a pressurised aircraft, flying at a cabin altitude of 8,000ft, and the withdrawal of nicotine over a relatively short period of time, during a flight.The long-term health effects of cigarette smoking resulting in cardiovascular and respiratory diseases are well known and will not be considered an issue. The effects of smoking at altitude are described by DeHart(1996) in Fundamentals of Aviation Medicine and summarised :-

> The carbon monoxide inhaled by smokers (and to a lesser extent, by nearby non-smokers) binds to hemoglobin 200 more times more readily than does oxygen. This has the effect of displacing the oxygen when the carboxyhemoglobin rises from its normal level (<1%) to a level as high as 7% in heavy smokers. Such smokers may have an oxygen saturation level of 93%, equivalent to an altitude of about 8,000ft.
>
> DeHart,R.L(1996:93)

This means that a non-smoker at an altitude of 10,000ft has the normal arterial blood approximately 87% saturated with oxygen. If the smokers' 7% is now subtracted the blood is now 80% saturated with oxygen, making the smokers respiratory system operating at about 16,000ft. Hypoxia, lack of oxygen, and it's effect on the human body are described. Ernsting, cited in Nesthus,et al (1997:2) in Effects of Simulated General Aviation Altitude Hypoxia on Smokers and Non-smokers:-"Neural tissue is a particularly avid consumer of oxygen: although the brain

represents only about 2% of the body weight, it metabolizes about 25% of the total oxygen intake." It therefore follows that any reduction in available oxygen is going to have a greater effect on the brain than other parts of the body. The physical and mental effects on the body will now be examined.

McFarland, cited in Nesthus, et al (1997:4) in Effects of Simulated General Aviation Altitude Hypoxia on Smokers and Non-smokers describes the effect of smoking at altitude:- 'The absorption of carbon monoxide derived from three cigarettes produced an addictive effect with a simulated altitude of 7,500ft. Thus the loss of visual sensitivity was about that of a non-smoker at 10-11000ft.' Research by Nesthus, et al (1997:4)in the same paper showed that the same altitude smokers had a higher heart rate, lower carbon dioxide values indicating the greater cardiac output and the hyperventilation necessary to adapt to the apparent increased altitude. The smokers had a higher error rate on some performance tests, showed poorer tracking task ability and less peripheral vision than non-smokers. Nesthus ,et al (1997:2) cites:- 'The opthalmologic effects of altitude include changes in brightness sensitivity, colour detection, ocular motor co-ordination, flicker detection, and peripheral vision.'

The effects of the combination of smoking and altitude can be very disconcerting to those with no previous experience of these symptoms, which in turn can raise stress levels. There is a case to be argued for banning smoking purely due to these temporary effects on the body as a result of smoking in flight. The effects will occur to a lesser extent in non-smokers, seated in the vicinity of the smoker. Dille&Linder (1980) in The Effects of Tobacco on Aviation Safety point out that: 'The odour and irritation of second-hand

smoke may bother others in the cockpit or cabin, a fact mentioned by up to 73% of non-smoking passengers.'

Apart from the health hazards it is not conducive to the good order of the passenger cabin to have a high proportion of dissatisfied and possibly angry passengers.

The Effects of Withdrawal of Nicotine

There is evidence describing the withdrawal of nicotine as a result of banning the smoking of tobacco, cited in Mertens, et al (1983) taking the form of:- 'subjective sensations of irritability, tension and tiredness. Some of these effects occurred in smokers after 1.5 hours of not smoking, including decrements in monitoring tasks and in reaction times.' There is further evidence to suggest, cited in Sommese & Patterson (1995) who discovered that 27 articles concerning various physiological, cognitive and behavioural changes associated with the withdrawal from smoking:-

> Literature suggesting that heart rate, arousal, vasoconstriction, vigilance, concentration, and energy increased with nicotine use; stress and irritability were reduced with smoking....blood pressure, depression, absenteeism, calorific intake, craving, aggressiveness, confusion and impulsivity increased with withdrawal."
>
> Sommese,T & Patterson,JC (1995: 164-7)

Banning smoking is another factor in the chain of events leading to an incident. Smoking in a toilet accounted for 36% of all incidents described in the DETR Survey of April-October 1999, which is indicative of the level of craving. Any or all of the symptoms described above can lead to a person attempting this sometimes expensive and potentially dangerous pastime. A cigarette end thrown down a toilet can result in an

uncontrollable fire, which could destroy ultimately the aircraft. Several operators in the United States have considered supplying nicotine patches to passengers, whilst others print a notice on the reverse side of their tickets advising passengers that there are alternative forms of nicotine available. There is no advice given to passengers in the UK other than smoking is banned on their flight when they book a ticket or arrive at the check-in desk.

The ban on smoking and the stresses of flying can lead passengers into taking another form of drug "therapy", freely available alcohol. A passenger may turn to alcohol in order to "drown" the nicotine craving, should it arise. This may not present a problem on the short-haul flights of less than two hours as many passengers are now used to working in smoke-free environments, have adapted their nicotine intake accordingly and can pace themselves between cigarettes. The duration of long-haul flights poses a problem, along with those passengers who are able to smoke whenever they feel the need, at work or at home.

The Causes of Stress

Stress is a key element in all disruptive incidents. The causes of stress in the aircraft cabin will be identified and examined. The effects of alcohol and smoking have already been studied. Other factors play a significant part in the process. Muir,H and Moyle,J (Undated) in their paper 'Contributors to Disruptive Behaviour' provide a list of stressors in section. 4 'Cabin Environment':-

1. Reduced barometric pressure due to the aircraft cabin being at the equivalent altitude of 8,000ft whilst cruising at 35,000ft, which is not uncommon. The rate

at which the cabin altitude increases also plays a significant part.

2. Hypoxia, which leads to a feeling of euphoria can result from the above.
3. Increased carbon dioxide levels, as a result of air being re-circulated throughout the cabin several times as part of the pressurisation process. The reasons for re-circulating air will be studied later in detail. The effects of too much carbon dioxide are lassitude and headaches.
4. The background noise of the aircraft systems and engines can induce stress and fatigue.
5. The fact that a passenger may be sitting in an uncomfortable seat, cramped leg-room, little opportunity for exercise for long periods of time can induce stress.
6. One's travelling companions, their social graces or lack of them can be exasperating on a long flight.
7. The catering, perhaps the lack of a pre-ordered vegetarian meal, has led to stress and subsequent disruptive behaviour.
8. The temperature and humidity affect the behaviour of individuals in different ways. The environment on board an aircraft has a very low humidity, which may not be realised and result in changes of mood, particularly if a passenger is not in good health.
9. The effect of "jet-lag" can materially affect the level of stress and may go unrecognised. Excessive fatigue due to the inability to sleep can play a significant part.
10. Fear of flying and the effects of three-dimensional motion can be very

disorienting will result in a significant increase in the level of stress.

Clarification is needed as to why air is re-circulated in the aircraft during pressurised flight. Basically, air is sucked into the front of a jet engine and compressed before fuel is added in the combustion chambers. The thrust developed is directed out of the rear of the engine and propels the aircraft. Some of the compressed air is taken from the engine is conditioned and distributed into the cabin and flight deck. In order to produce the thrust required to keep the aircraft flying and to compensate for this compressed air taken from the engine, more fuel is needed by the engine, resulting in increased operating costs. In order to keep costs to a minimum and avoid refuelling stops on the longer flights the amount of air taken from the engines is reduced by automatically recycling the air already in the aircraft, using electric fans and filters. Sometimes the system can be controlled by the pilots. An anonymous Boeing 767/757 pilot in Fairechild(1995:5) Pilots, Please Turn Up The Air! explain the system operation:-

> I know that when I'm up front, those recirculating fans are always switched off. (On the 767/757 planes the recirculating fans are normally ON, meaning they take 50% of the air that would be exhausted overboard and shoot it back through 'particle filters' prior to sending it BACK into the cabin.) I reach up and disable the recirculation system by turning the fan(s) OFF....When both recirculating fans are disabled no 'used' air is fed back to the cabin: it's vented overboard. You can feel and hear the difference immediately.
>
> Fairechild,D (1995:5)

Cost savings of $80 an hour when using recycled are quoted in the same article.

Recycled air, even though it has gone through a filtration process, can contain infectious diseases. Fairechild (2000:3) in Airplane Air quotes the United Stated government advice: 'The US Centers for Disease Control are now advising people with TB to avoid long flights on commercial airline...also saying that 15 million people in the United States are now infect with TB.' The level of carbon dioxide in the aircraft atmosphere is controlled, but not monitored, by a predetermined rate of renewal of air by the aircraft pressurisation system. The symptoms and effects of excess carbon dioxide have already been described.

Causes of air rage incidents, as previously mentioned, are the result of a chain of circumstances and possibly events culminating in an incident. Some are beyond the control of the perpetrator whilst others can be controlled, alcohol and stress predominating. This supposition is the result of statistics from the DETR, the NASA figures and the author's research with Airtours International. Perhaps this is best described by Riding (1999) in a news release from AD Aerospace Ltd The Causes Of Air Rage:

AIR RAGE COCKTAILS

No. 1.

Try "The Holidaymaker"

Ingredients:

1 holidaymaker

Generous helping of party spirits

Copious amount of alcohol

Method:

Place in warm, cramped, claustrophobic area. Restrict movement. Heat, but prevent from smoking. Add a fear of flying, and

introduce other passengers. Mix thoroughly, And bring to boil.

No. 2

"The Businessperson"

Ingredients:

1 businessman or woman

Large amounts of stress

Very short fuse

Abundance of alcohol

Method:

Instil feelings of self-importance-create by Excessive waiting-on, and serving every whim. Increase pressure and stress, whilst reducing control. Stir up thoroughly until an explosion occurs. (For extra strength, add a four-hour delay)

Riding,V (1999:1)

This chapter has considered the medical implications of nicotine and the effects of its withdrawal, over-indulgence of alcohol and the environment whilst travelling on board the aircraft. The initial factors in the chain of events, leading to an incident, may have started before reaching the airport. The two places where most time is spent when travelling by air are the departure airport and the aircraft. Accessible airports possessing user-friendly terminals are key elements in the reduction of stress levels and consequently reduce the risk of disruption. The designs of Heathrow and Gatwick and their relative accessibility will be compared in the next chapter.

Chapter 5
AIRPORT DESIGN AND ACCESS

Passengers become stressed for a number of reasons before they even get to the bottom of the aircraft steps. Tensions can begin from concerns or fears of being strapped into an uncomfortable seat, being subjected to a possibly unhealthy environment, taken to a height of six miles, served unpalatable food, shaken up in some turbulence and then unceremoniously deposited in the destination airport's baggage reclaim area without any luggage. The journey to the airport on congested motorways, often near the peak traffic hours, causes concern about missing the flight. This would be a major worry whether it is a businessman who has a meeting and deadlines or a group of holiday-makers in danger of losing their entire vacation. There must be adequate car parking possessing a frequent passenger transit system if the car park beyond walking distance from the airport terminal. The terminal need to be user friendly with adequate facilities at all stages of the travel process from arrival at the airport entrance until boarding the aircraft.

In 1997 the British Airport Authority (BAA) published a report Gateway To The 21st Century(1997:1)in order to structure the expansion of airports in the south east of England, namely Heathrow, Gatwick and Stansted. Their projection of the expected passenger growth at Heathrow from just over a 100 million passengers a year, made in 1995, to a total of just over 102 million in the financial year 1999/2000 proved to be very accurate. Investment continues with, according to the BAA, £1 million currently being spent every day at Heathrow and £512 million at Gatwick in the financial year 1998/1999. One problem with having a central terminal area is access which, due to the layout of Heathrow, is

by a dual carriageway tunnel. Space in the middle of the airfield is at a premium resulting in severe traffic congestion at peak times, busy at all other times. It is not uncommon for passenger to take twenty minutes to transit the tunnel during peak travel periods. A fourth terminal on the south side of Heathrow has eased the traffic problem to a certain extent as British Airways long-haul flights as well as other foreign operators now use terminal 4. Figures supplied by the BAA detail £450 million spent on the "Heathrow Express" rail link, which runs to Paddington every fifteen minutes.

Despite all these investments there is still the basic problem of reaching a central terminal, such as Heathrow, in time to catch a flight when travelling at peak times. Little comfort to be derived from arriving late at a check-in desk to discover that one's seat has been sold to another passenger. These worries can only add to the stress of air travel. Difficulty in finding a car parking space can only aggravate the stress levels. Continued investment in the terminals has been based on forecast passenger figures, which have since proved accurate. There may be queues at the check-in desks, again a source of stress. The airlines are responsible for providing the computers and software necessary for expeditious processing of passengers. The queuing at the check-in desk is the usually the only delay experienced by most passengers travelling from Heathrow, once they have safely arrived at the appropriate terminal. It only needs a fifteen-second computer delay per passenger for a long queue to build up. Airlines are constantly striving for improvement, using telephone check-in facilities for first and business-class passengers along with a round trip check-in system for those passengers returning on the same day. All of these can help to reduce the stress level of passengers.

It is worth bearing in mind that, according to the BAA figures for Heathrow in 1999/00:-

* The airport handled around 62 million passengers.
* Heathrow is the busiest international airport in the world.
* It is used by ninety airlines serving around 200 destinations world-wide.
* The busiest day was 1st August 1999: 216,714 passengers used the airport.

Gatwick has the advantage of easy access to two terminals, one possessing a main line railway station, both easily accessible by road with no 'bottle-necks'. There is no road tunnel but instead dedicated access roads link each terminal to the local motorway network. Mainline railway services allow passengers to travel to a wide variety of destinations without changing trains. Car parking is easier as there is no central area parking. Car parking is efficient and expeditious with fewer worries about arriving at the terminal on time, and thus easing the stress levels. An internal light railway system enables passengers to travel between the two terminals when changing from one airline to another. Heathrow relies on a system of moving walkways and tunnels between the central area terminals. Passengers travelling between Terminal 4 and the Central Area are reliant on a bus service that uses the public roads and has to utilise the same tunnel as all the other traffic. Gatwick is a very busy airport as illustrated by the BAA statistics:-

* Gatwick is the busiest single runway airport in the world.
* Over 30 million passengers a year use the airport.
* Two terminals are expanding to handle around 40 million passengers a year in ten years time.

* One hundred and two airlines serve over 280 destinations.

The police work in conjunction with the airlines at both airports, using protocols established with the airlines and airport operators, to contain and deal with any trouble as effectively and as speedily as possible. This is one aspect of policing that does not attract the attentions of the public or the media unless a well-known person is involved. The last one of note at Heathrow, as reported by CBC entertainment in their web page: I culture CBC Entertainment (1999) concerned the pop diva Diana Ross and her alleged assault on a security officer:-

> Ross complained the female security officer touched her breast during the pre-boarding search. One witness says Ross screamed and then touched the breast of the security officer. Police boarded the plane, a Concorde bound for the United States, and took Ross into custody. No charges were laid, but police did give her an official warning about her behaviour.
>
> Anon(1999)

Airport design and the facilities available are just two important considerations when travelling by air. The next chapter takes the reader on a 'real time' journey which will co-ordinate all the factors so far studied. The training and responsibilities of the airline ground staff is a key element, whilst cabin crew training enables them to handle a disruptive passenger situation whilst remaining within the law when physical restraint is necessary.

Chapter 6
THE JOURNEY INTO "AIR RAGE"

The Airport and it's Facilities

An "air rage" incident is the culmination of a chain of events. If the chain can be broken, or better still not allowed to materialise, the incident will be resolved and disruption will be avoided. The links in the chain will be examined during a journey taken by a passenger from leaving his or her place of residence, perhaps a hotel in the case of a return journey, and examine in detail each stage of the travel process.

The first hurdle is getting to the airport. The journey from the hotel requires a frequent dedicated bus service that is not affected by local traffic jams. Bus lanes on motorways are one way of segregating the traffic. Travel by car is stressful when roads and their facilities are inadequate. Car parks must be safe, secure and properly policed. Public transport is a useful alternative to private motor vehicles but must be safe, clean and efficient. Delays arriving at the airport promote stress and become the first link in the chain of events leading to disruption. One solution, quite simply, is to provide a satisfactory road system that will not be subject to traffic delays, even at peak times. This has been addressed by the BAA, who have spent millions on the Heathrow Express rail link together with the local authorities, assisted by funds being made available from central government, who seek to constantly improve the road system around Heathrow.

The terminal must be user friendly, providing an information system for passengers, possess adequate check-in facilities, refreshment and security staff to process the passengers prior to boarding the aircraft. The first stage, having

arrived successfully at the front door of the terminal, is to find the check-in desk. This is facilitated by the use of distinctive 'logos' and branding of the airlines in conjunction with a clear and concise information system. The majority of holiday passengers visit airports just once or twice a year and may be totally unfamiliar with the airport they are currently using. The layout of the check-in areas need to user-friendly, segregating the First and Business Class passengers from those in Economy Class. This means that there is a higher proportion of staff available to process the former, who have paid more for their seats, and as regular business passengers, expect a better service. The check-in computers need to be fast and efficient in order to reduce delays for all passengers. Lack of time, coupled with unfamiliarity with the building's layout and a long queue at the check-in can lead to stress.

The check-in staff are trained to recognise those passengers who may pose a potential problem. They may be the angry and frustrated or possibly intoxicated. The necessary information will be communicated to a supervisor or senior staff member. A friendly ear and a few words of understanding and support from a suitably qualified person can often resolve a situation thus preventing it getting out of hand. The presence of high profile security staff and closed-circuit television help to contain potentially over-boisterous behaviour in the terminal areas, but this may result in artificially subdued behaviour until airborne, taking the potential problem into the air.

Queues developing at the next 'screening stage' when passing through the security checks of the metal detectors and hand-baggage X-raying have resulted in incidents. Queues and the terminally impatient queue-jumping passengers cause

disruption, particularly if a flight is about to depart without them. Jokes about bombs in luggage by the more extrovert members of the travelling public have resulted in passengers being off-loaded and facing the possibility of prosecution. There are clear and concise notices in the security search areas informing passengers of the consequences of this type of humour. The passengers are now in the departure area with little to occupy themselves unless there is a reasonable number of retail outlets and restaurant facilities. Adequate seating and toilet facilities are essential.

Delayed flights cause frustration, which may be aggravated by several factors. Firstly there must be clear, concise and accurate information available concerning any delays. Secondly, delays coupled with the ambience of the holiday mood can lead to an over-indulgence of alcohol and, as the passenger has been through all the necessary check-in and security processes, may go unnoticed until after boarding and the aircraft has departed. One way of reducing the latter is to supply the passengers with food vouchers that cannot be redeemed for drinks of any sort. Thus, at least for a while, they are kept out of the bars. There is an argument here for not serving alcoholic drinks in the departure lounges. The first and business class passengers, in their dedicated courtesy lounges, would then be denied their entitlement to free drinks prior to boarding. They may choose to use another airline, more than likely a foreign carrier with more relaxed regulations, or another airport with a more flexible attitude to the consumption of alcohol. Should alcohol not be freely available in the bars and restaurants it is still possible to buy liquor at the duty-free shop, at duty paid prices, to be consumed in a quiet corner of the lounge. It may be construed in law that if the airport or airline is

responsible for supplying alcohol, knowing that the passenger will arrive at the boarding gate in an unfit state to travel, then the airport or airline could render itself liable to pay compensation for the lost journey.

Departure lounges require dedicated smoking areas, allowing smokers to have one last cigarette immediately prior to boarding the aircraft, and to facilitate those passengers whose flights have been delayed. It is not unusual for passengers suffering lengthy delays to spend more time in the departure lounge than actually on board the aircraft flying to their destinations.

The Flight

Measures have been introduced by the airlines to reduce the number of incidents when disruption is due to the over-indulgence of alcohol. Now let us assume that the passenger has passed through all the check-in and security procedures, exited through the departure gate and has boarded the aircraft. The passenger may not be in a fit state to travel through being drunk, which is against UK law. Article 57 of the Air Navigation Order (1999:Sect1/59) specifically states:-'A person shall not enter any aircraft when drunk, or be drunk in any aircraft.' Unfortunately passengers are sometimes allowed to board aircraft in a drunken state, due to the ground staff in the airport terminal, who just want to get rid of them, turning a 'blind eye' to their condition. There is the problem of the passenger who has consumed a considerable quantity of alcohol immediately prior to boarding which has not yet started to take effect. Legislation from the Joint Aviation Authority(JAA), which came into force on the 1st January 2000, legally enforceable in the United Kingdom, reaffirms the quoted sections of the Air Navigation Order. Legislation and the laws relating to air rage will be explained

in the next chapter. Vivian(2000), in his article Disruptive Airline Passenger Behaviour in the Summer 2000 edition 'Focus on Commercial Aviation Safety'(2000:5) quotes directly from the legislation:-

Subpart B 1.085(e) Crew Responsibilities

The commander shall

(3) Have authority to disembark any person or any part of the cargo, which in his opinion, may represent a potential hazard to the safety of the aeroplane or its occupants.

(4) Not allow a person to be carried in the aeroplane who appears to be under the influence of alcohol or drugs to the extent that the safety of the aeroplane or its occupants is likely to be endangered.

Vivian,M(2000:5)

JAA legislation applies to all staff, both in the air and on the ground, involved with passenger handling, and again, directly from the legislation:-

Subpart O Appendix to 1.1005

(f) Passenger Handling. An operator shall ensure that training for passenger handling included the following:

Advice on the recognition and management of passengers who are, or who become, intoxicated with alcohol or who are under the influence of drugs or who are aggressive.

Subpart P Appendix to 1.1045

Procedures must be in place in manuals to ensure that persons who appear to be intoxicated or who demonstrate by manner or physical indications that they are under the influence of drugs, are refused embarkation.

Vivian,M(2000:5-6)

Legislation ensures that the ground staff are trained to pick out possible 'trouble-makers', who may not be under the influence of alcohol or drugs, but are acting aggressively or abnormally. They will be closely observed and may be not be allowed to travel on their flight. Foreign airport staff training may not be to the same standard as in the United Kingdom, even though the law, quoted above, clearly states the necessary requirements. Incident:3 in the Research Study describes an incident which may well have been prevented prior to embarkation. The aircraft commander has the authority to deny travel to those unfit to travel, but if the ground staff or cabin crew do not bring a problem passenger to his or her attention there is the risk of the commander facing prosecution for allowing such a passenger to be carried. The onus is on the ground staff and cabin crew to keep the commander informed about any passengers whom they consider may be unfit to travel.

Once the aircraft is airborne and until such times as it parks on the allocated parking stand at its destination it is deemed to be in flight. It is legal under section 94(2) of the Civil Aviation Act, 1982,as Amended 1999, for the aircraft commander, and his or her crew, to use force to restrain a violent or unruly passenger. This is only after all other means of placating the passenger have failed or the urgency of the situation demands immediate restraint. If the aircraft has not taken off the Commander must return to the departure gate and seek the assistance of the local police. The cabin crew are required to be trained to mediate with disruptive passengers, issue formal warnings and satisfy themselves that the situation is getting dangerous before physical constraint is considered. The consequences of using physical constraint on a passenger can have

far reaching implications, particularly if the passenger dies as quoted in ABCNEWS.com(1999) 'Unruly Passenger Dies Inflight': 'An unruly passenger died aboard a Malev Hungarian airliner on Saturday after being strapped to his seat and injected with tranquilizers...crew and passengers tied him to a seat..a doctor on board gave him an injection.' Incident:1 in the Research Study illustrates the use of mediation by a cabin crew member, which did not result in any violence or injuries to the cabin crew.

All UK airlines the cabin crew utilise mediation techniques to contain potentially violent situations, as is required by the law. UK companies are required to train their cabin crews to mediate and resolve a situation, before using physical force to restrain the passenger. The level of training depends on the individual company but typically consists of an hour-long video, a workshop and finally role-playing in a mock-up aircraft cabin, which normally lasts about one day. After attempts at mediation have failed a formal warning is given by the cabin crew, making it clear about the consequences of continued disruption or unacceptable behaviour. Although physical constraint has not yet been used, the commander may consider diverting his aircraft and landing and off-loading the offending passenger. It is important that the passenger is made fully aware of the likely consequences of continuing the disruptive behaviour. Most UK airlines have adopted a "yellow card" system, a final written warning informing them that they may face arrest when the aircraft lands and that they will be responsible for the costs of any diversion, which can be several thousand pounds.

Disruption when airborne occurs when passengers attempt to smoke, either in the aircraft cabin when it is prohibited, and in the aircraft

toilet where it is expressly forbidden. Excess consumption of alcohol is often an aggravating factor. Article 58 (2) of the Air Navigation Order(1999) states:-

> A person shall not smoke in any compartment of an aircraft registered in the United Kingdom at a time when smoking is prohibited in that compartment by a notice to that effect exhibited by or on behalf of the commander of the aircraft.
>
> Air Navigation Order(1999) Sect 1/59

Smoking and its impact on the occupants of the aircraft cabin has been discussed at length in chapter 4. The implications of smoking in the toilet are reflected in the severity of the sentence, currently a maximum fine of £2,500 for each offence. The toilet fluid is not normally inflammable and a match thrown down a toilet will normally self-extinguish. A glowing cigarette end with a temperature in excess of one thousand degrees centigrade will cause the toilet fluid to break down chemically, forming a potentially explosive mixture. Aircraft have caught fire and crashed as a result of toilet fires caused by smokers. Unlike the domestic variety, smoke detectors in the toilets are specifically designed to detect, amongst other noxious fumes resulting from a fire, cigarette smoke. When smoke is detected an audio-visual warning of toilet smoke is presented on the flight deck, as well as an attention-getting red light outside the toilet. The dedicated smoker may be tempted to disable the smoke detector. This action constitutes sabotage and in UK law carries a maximum penalty of an unlimited fine or two years in prison or both. Passengers are warned on embarkation that smoking is prohibited in the toilets and that they are fitted with smoke alarms. There are notices in the toilets describing the penalties for non-compliance with the regulations.

Alcohol plays a significant part in the chain of events leading to disruption. It is available in flight, often free of charge on scheduled services in all classes. The rate of consumption on the shorter flights is not usually a problem as the cabin crew have a variety of other duties to perform besides a bar service. A meal, tea and coffee, are served on most scheduled flights within Europe. Alcohol can be consumed in quantity, immediately prior to boarding, which may not be apparent to the boarding staff. The passenger who has consumed an unmonitored private supply is most likely cause of a disturbance. Passengers purchase alcohol in the duty-free shops, even at high street prices, which they may intend to consume on the flight. This practice is illegal but various subterfuges are used in order to make it very difficult for the cabin crew to discover, until it is too late.

Closed-circuit television cameras have been fitted to aircraft for several years. They are used by the pilots to observe ground activities that are out of their normal lines of sight, for example the nose-wheel and the tractor during the 'push-back' manoeuvre. Passengers are able to observe the flight deck and the view from the nose of the aircraft during certain phases of the flight on their in-flight entertainment screens, but only when selected by the pilots. This is of great benefit to nervous passengers, putting them at ease and reducing a possible source of stress. Cameras are being fitted inside the passenger cabins of commercial aircraft in increasing numbers.They have proved to be effective in reducing disruptive behaviour in other environments, e.g. town centres. The view of the entire cabin is recorded digitally, date and time marked and requires little maintenance. This form of photographic evidence is acceptable in law in most countries. A cautionary notice in the passenger cabin, as

required by the law, and possibly a printed warning on the passenger's ticket or boarding card could both act as deterrents.

International travel is a mixture of nationalities and cultures all meeting in a single location, the aircraft cabin. Cabin crew are required to be appreciative of the etiquette of address, serving food and drink and taking into account the reactions of neighbouring passengers of different races and cultures. A Moslem may be unhappy sitting next to an Orthodox Greek minister, which may lead to tension. Dealing tactfully with the passenger and arranging for a seat change for one of the passengers is one way of dealing with such a situation. The role of the cabin crew in an emergency and their effectiveness is governed by their ability to command the situation, whatever the nationality of the passengers. This is particularly important where female cabin staff have to issue orders to say male passengers originating from the Middle East and living in a male dominated society. Training to command respect whilst avoiding offending different races and cultures is a vital part of any cabin crew training course.

The importance of adequate staff training has been emphasised in this chapter and is an essential element in the recognition of potentially disruptive passengers. The airport may be the best designed and the most comprehensively equipped but the key element is the people who work there. Laws must be in place, both in the UK and world-wide, ensuring that the jurisdiction to deal with threats world-wide on board British registered aircraft and foreign registered aircraft when they land in the United Kingdom is in place. The next chapter will explain the evolution of international and UK legislation, the protocols in place as a result of international conferences and security committee meeting within IATA, ICAO and the

CAA.

Chapter 7
The Laws Relating to "Air Rage"

International Law

International law relating to the aviation industry is based on multi-lateral treaties, resulting from conventions. The major convention dealing with disruptive passengers is the Tokyo Convention of 1963. This convention was ratified by only 30 States by 1970 but concerns over hi-jacking and passenger disruption have led to it's adoption by about 170 countries. According to Kane(Undated:1) in his paper Disruptive Passenger - Some Legal Aspects the treaty is described as dealing with:- 'Offences and Certain Other Acts Committed on Board Aircraft', which are 'acts which, whether or not they are offences, may or do jeopardise the safety of the aircraft or of persons or property therein or which jeopardise good order and discipline.' It is important to understand that there is no way that the treaty can be effective without the individual signatory states placing the necessary laws on their own statute books to cover all eventualities.

ICAO is the United Nations Specialised Agency responsible for establishing international standards in the aviation world. These may be not technically legal and binding in law, but are generally accepted without question by the member states of the United Nations.Appendix:2 gives an explanation of the role of ICAO. The reliance on individual countries to formulate their own legislation and lack of standardisation of legislation within the aviation industry has been one of the reasons why European and neighbouring countries, currently a total of thirty in April 2000, have formed the Joint Aviation Authority (JAA). This can best be described as a European Community type of organisation, dissolving the barriers of frontiers and enabling

"seamless" legislation to be administered within it's member states. Member states are directly accountable in law to the Authority. Each member state has a regulating authority, embroiled in statute, to enforce the regulations, in parallel with the laws in force in their own state. This is one of the role of the Civil Aviation Authority(CAA) in the UK. JAA regulations have been quoted earlier alongside the relevant UK legislation in the form of the Air Navigation Order(1999) and the Civil Aviation Act(1999).

Airlines, through their trade organisation IATA, have been putting pressures on individual governments to legislate and increase the penalties for air rage and disruptive behaviour. The International Federation of Airline Pilots' Associations, the British Airline Pilots' Association, the Airline Pilots Association (American Pilots' Union) and the International Cabin Attendants' Association have all expressed their concerns to their respective governments and ICAO. The United States and the United Kingdom are considered to be the world leaders in this field of legislation. The commitment of the United Kingdom government has been quoted on numerous occasions in the popular press but a few words from Hansard, 12th January 1999: Column 155 emphasises this commitment:-

> Finally, we ought to register our sympathy for the air crews who have to deal with this kind of problem. They are often in a very difficult situation and have to make fine judgements in relation to the safety of their passengers and aircraft....We are now engaged in a co-operative effort with airlines, airports and the police to tackle this scourge of air rage, sky rage, or whatever you choose to call it....The Government is committed to taking that

> strategy further, not only in this country, but internationally.
>
> Lords Hansard(1999: Column 155)

Legislation in the United Kingdom has seen changes over the last few years, increasing the penalties for air rage and disruption as well as ensuring that foreign airlines fall within the jurisdiction of the laws of the United Kingdom when they land here.

Jurisdiction

Jurisdiction relating to civil aviation activities is one of the problems that is slowly being resolved. Kane(Undated) states: 'Jurisdiction is the right of a State to affect the rights of persons by legislation, by executive decree or by the judgement of a court - in short, to enforce its laws.' The Tokyo convention establishes that the country or state of registration of the aircraft has the power to legislate over offences committed on board its aircraft. Thus a British registered aircraft when flying abroad is required to comply with United Kingdom law, anywhere in the world. The captain and crew have to abide by the legislation put in place by Parliament and also have the legal right to constrain any passenger who breaks the law, but only after warnings and attempts at reconciliation have failed. The state in which the aircraft lands may subsequently release the alleged offender because there may no laws in place to arrest them. The 1996 amendment of the UK Civil Aviation Act(1982) allows UK criminal law to be applied to foreign aircraft whose next point of landing is in the UK, but only if a similar offence exists in the aircraft's State of Registry. The commander's jurisdiction is over-ridden by the laws of the state where the aircraft has landed, the engines are shut down and the doors opened. In order to add clarification Kane(Undated:1) describes a possible scenario:-

Thus, for example, one passenger assaults another on board a German registered aircraft while it is taxying at London Heathrow Airport, the only law applicable will be that of the United Kingdom which has jurisdiction because the offence was committed within its territory. If, however, the offence is not committed until the aircraft has commenced its take-off run, then both States will have jurisdiction, the United Kingdom while the aircraft remains within its territory and airspace, and Germany, through the operation of the Tokyo Convention. The territorial jurisdiction is the superior jurisdiction and thus the UK would, as it were, have first option on prosecuting the offender. It is suggested that this is an option which, in most cases, the territorial State is unlikely to exercise.

Kane,RF(Undated:1)

The above quotation, although no longer valid regarding Germany, who is now a Joint Aviation Authority member, serves to highlight the possible loop-holes in the law if a State of Registry does not comply with the Tokyo Convention and is not a member of the Joint Aviation Authority. The Joint Aviation Authority legislation, in association with the criminal laws in the individual member States, ensures that offenders will be apprehended and prosecuted within those States, with no need to attempt to invoke the Tokyo Convention.

United Kingdom Aviation Law

The Air Navigation Order(1999), the result of many amendments over the years, is the basis for all aviation law in the United Kingdom. The Civil Aviation Act(1982) was placed on the statute book in order to link aviation law to the

criminal law. The CAA is able to prosecute airlines and their employees, the airport authorities and their employees or any other organisations, such as a flying school, should they break the laws relating to flying activities and contained in the Air Navigation Order. The police and the Crown Prosecution Service become involved when other offences, for example smoking when prohibited or drunkenness, that are subject to the Civil Aviation Act, even when the offences are a section of the Air Navigation Order. This legislation is more restrictive than the Joint Aviation Authority's regulations and therefore takes precedence.

Conferences, hosted by IATA, ICAO and the various flight deck and cabin crew unions serve as a platform to review the shortcomings of the laws and regulations in force and bring pressure on governments to amend their legislation. The Tokyo Convention of 1963 was the starting point to establish a protocol regarding the endangering if aircraft by criminal acts. The primary concern was the increased level of hi-jacking as a result of political unrest in the Middle East. In the mid-1990s, there was a dramatic increase in the level of violence on board aircraft, now known as "Air Rage", which was not associated with any political unrest. Recent events have highlighted the shortcomings of the legislation and the weaknesses of over-reliance on a protocol. Concerns in the aviation industry about disruptive passengers going unpunished have resulted in pressure from organisations already mentioned hosting conferences and proposing changes to the law after discussions by the security committees within their own organisations. IATA, following concerns expressed by its members, has been instrumental in presenting a draft list of offences that it would like to see enacted world-wide. ICAO has been instrumental in focusing the

attention of its members on this increasing level of violence on board aircraft, leaving individual States to amend their own legislation. IATA's ideal schedule of legislation, compiled in association with ICAO, is available in Appendix:8.

The Civil Aviation Authority, on behalf of the UK Government has, as a direct result of the various conferences and lobbying by other interested parties, made major amendments to the Air Navigation Order in 1999. There are now specific offences relating to violence and drunkenness which are in the following schedules:-

Endangering safety of an aircraft

A person shall not recklessly or negligently act in a manner likely to endanger an aircraft, or any persons therein.

Endangering safety of any person or property

A person shall not recklessly or negligently cause or permit an aircraft to endanger any person or property.

Drunkenness in Aircraft

A person shall not enter any aircraft when drunk, or be drunk on any aircraft.

Smoking in Aircraft

A person shall not smoke in any compartment of an aircraft registered in the United Kingdom at a time when smoking is prohibited in that compartment by a notice to that effect exhibited by or on behalf of the commander of that aircraft

Authority of commander of an aircraft

Every person in an aircraft shall obey all lawful commands which the commander of that aircraft may give for the purpose of

securing the safety of the aircraft and of persons or property carried therein, or the safety, efficiency or regularity of air navigation.

Air Navigation Order(1999: ANO Sect 1/ 59)

These are specific regulations which the travelling public must comply with or face the possibility of criminal proceedings. As a direct result of increased disruption in flight the following sub-section has been added to article 59:-

Acting in a disruptive manner

59A No person shall while in an aircraft:

use any threatening, abusive or insulting words towards a member of the aircraft;

behave in a threatening, abusive, insulting or disorderly manner towards a member of the crew of an aircraft; or

intentionally interfere with the performance by a member of the crew of the aircraft of his duties.

Air Navigation Order(1999: ANO Sect 1/ 60)

These recently amended regulations, which specifically target major behavioural problems relating to disruptive passengers ensure that arrest, successful prosecution and possibly a custodial sentence are the outcome of any incident. Even when there is no physical violence involved the airlines and the police need to be reassured that the Crown Prosecution Service will proceed with every case brought to their attention. Training and guidance is required to ensure that all airline staff work within the law, thus ensuring that there are no grounds for an appeal. The next chapter will outline some suggestions and procedures that may assist and facilitate the due process of the law. Concerns are the excess illegal

consumption of duty-free alcohol prior to and during the flight and the illicit cigarette smokers. There is also the suggestion that closed circuit television may be used as evidence in all cases involving disruption.

Chapter 8
RECOMMENDATIONS

Airports need to be readily accessible by road, clearly sign-posted, possibly with a dedicated junction for each terminal in order to segregate the arriving traffic. There must be adequate parking, and, where required, a rapid means of transport to the terminals, possibly using dedicated private roads. Adequate 'drop-off' areas are required for passengers arriving by taxis, whilst public transport, either in the form of a rail service or dedicated bus services to the local major towns, is essential. This removes the concern of getting to the airport on time. Airports need to be well lit and ventilated and provide adequate refreshment and toilet facilities. A stranger needs to find his or her way through the entire public area without any difficulty or concerns about getting lost. Clear directions and an information system that is kept up to date are essential for the well-being of the travelling public.

There needs to be an effective means of ensuring that passengers are made fully aware that they will not be allowed to travel if they are intoxicated. Large signs, quoting the relevant legislation and accompanied by public address warnings, similar to those given about the dangers of leaving luggage unattended, may be one way of bringing the message home, even to the most dedicated drinkers. Unfortunately the definition of drunkenness is not available from within the Air Navigation Order or the Civil Aviation Act, therefore a level must be decided within the airline industry. One criteria could be the passenger's ability to handle him or herself in an emergency situation without becoming a liability to the cabin crew or an obstruction to other passengers in the unlikely event of an incident. Airlines and airports may find themselves

involved in expensive litigation if a passenger is denied boarding and later judged to be sober by a third party.

The trade organisation IATA, in conjunction with the governing organisation ICAO, various flight safety organisations and the pilot and cabin staff unions have been instrumental in ensuring that there is adequate training for all staff that come into contact with the travelling public. Study groups have been set up specifically to address the training issues. IATA in it's Passenger Services Conference Resolutions Manual (1999:1138), Appendix:5, addresses the problems faced by airlines, but these are, in law, only recommendations. IATA's influence on its member airlines' governments will be studied in the next chapter. There is a legal requirement for cabin crew training in the recognition of potential trouble-makers but there is little formal legislation concerning the content of the training material. The UK airlines have developed their own individual training programs for cabin crew, but unfortunately not for the flight deck crew, as there is no legal requirement for the flight deck receive this training. Training is usually conducted in-house, with assistance from outside agencies. There is little evidence, from the research conducted with Airtours International, of adequate continuation training in this field when cabin crew undergo their annual refresher training.

The disruptive passenger training normally lasts for a single day with the emphasis being placed on resolution by negotiation. The content of the course has been described earlier in this chapter. It is essential that reconciliation be attempted before using physical restraint, but only if time and the situation permit this course of action. Cabin crew are taught negotiating techniques whilst at the same time identifying the level of

threat and adjusting their actions accordingly. Initially a request to extinguish a cigarette, dealt with sensibly by both parties, would not be reported. If verbal abuse or non-compliance with regulations occurs, perhaps emphasised by issuing a "yellow card" warning, a report of the incident would be completed and action may be taken, resulting in a prosecution. As a last resort physical restraint can be used and a diversion may ensue. It is important that cabin staff are trained to recognise different levels of disruption and react to each individual situation accordingly.

The ability to purchase alcohol at duty-free prices has become part of the holiday. The demise of the duty-free concession, due to European Community legislation, has had little impact on sales. Passengers are allowed to keep their goods with them at all times. In the event of a considerable delay, and to save money, it is not unusual for this source of alcohol to be consumed prior to departure. The airline will refuse to carry them if they appear drunk, but unfortunately this does not always happen! Another major concern is those passengers who consume their own supplies on board the aircraft when the cabin crew refuse to serve them from their bar. The reason for not serving a passenger is that they consider that if the passenger consumes any more alcohol he or she will become drunk and incapable. Provision should be made to sell duty-free sales at the point of departure, in flight or at the point of destination. Duty-free goods should not be given to the passenger until after landing at the destination airport. A major factor in the disruptive passenger scenario would then under the control of the cabin crew.

Nicotine patches are a widely used tobacco substitute, which should be prescribed by a doctor or administered by a pharmacist. Benefits will be gained during a period of enforced withdrawal

of cigarette smoking but there are side effects, which may raise the stress levels of the user. A passenger on a long-haul flight, seeking relief from nicotine withdrawal, should be advised to start a course of patches several days before travelling. The airlines, as medically unqualified organisations, should not distribute patches to passengers, who may have medical conditions precluding their use, at the check-in or ticket desk. An additional notice on the ticket could be used to advise the passengers about the need to take care when using the patches.

Problems and concerns regarding surreptitious smoking and drinking have been described earlier, but difficulties associated with detection and identification, unless a passenger is caught in the act, have resulted in offenders going unpunished. The smell of tobacco smoke is present in the cabin but all the passengers declare themselves to be non-smokers. The cabin crew has a large number of duties to perform during a flight, which means that some sections of the aircraft cabin may be at times unattended. They may be busy in another part of the cabin, behind a curtain separating the different classes, serving other passengers. Video camera systems are available which can view the entire cabin throughout the flight, have a date and time code and can be downloaded to the destination airport police prior to landing in order to secure the arrest of an offender. These are fitted to aircraft in the United Stated and other countries but, unfortunately, are not mandatory or fitted to any aircraft registered in the United Kingdom. Legislation is required to make cameras mandatory on board all UK registered aircraft.

Generally the travelling public do not bother to read the conditions of carriage which are normally in very small print inside the ticket. One of the inside pages describes those articles that

are prohibited, such as gas stoves and mercury thermometers, which are clearly illustrated and receive more attention. Warnings concerning disruptive behaviour and the consequences could be printed, in bold letters to attract their attention, on the rear of the ticket. There could also be a reminder that there is no smoking on the flight and that the passenger may wish to seek medical advice about obtaining an alternative source of nicotine prior to travelling. Passengers could be reminded, if that is the case, that there is a central index of offenders, held by the airline, preventing them from flying again should they become involved in an incident. Legal difficulties, explained in Appendix:7, have so far prevented a world-wide data base of offenders. This could also be a useful deterrent to business passengers who rely on air travel for their livelihood. Some United States airlines already print this information on the rear of their tickets and boarding cards. Airtours International print such a warning in their in-flight magazine, reminding passengers of the consequences of disruptive behaviour. The travelling public must be informed that airlines will prosecute all serious incidents of disruptive behaviour, even if violence is not an issue.

Aural and visual warnings regarding the consequences of unacceptable behaviour need to be broadcast in all the airport departure terminal areas. Passengers should be reminded that they are not allowed to consume their duty-free alcohol in the terminal or on board the aircraft. The locations of designated smoking areas and the regulations concerning smoking are already broadcast at UK airports. Recently a jury in the United Kingdom recommended that the 'welcome aboard' public address, describing the operation of the emergency equipment and its locations, should also contain a warning about

drunken and disruptive behaviour. This announcement already contains warnings about the consequences of smoking in prohibited areas and when smoking is prohibited. When the announcement is made, prior to take-off, the majority of passengers take little notice. The proposed addition would lengthen the announcement and still go unnoticed by the majority of passengers. The inclusion may assist the airline when offenders are prosecuted as the airline can categorically state that the relevant warning has been given prior to the commencement of the flight.

The legislation requires that negotiation be attempted before physical restraint can be used, unless the situation is rapidly deteriorating and requires immediate physical action. There is a requirement to warn the offender verbally, issue a written warning and, if no notice is taken of the instructions from the cabin crew, as last resort, physical constraint may be used. The written warning usually takes the form of a 'yellow card' and the passenger's personal details are noted in case it is decided that further action needs to be taken. IATA and the International Airline Pilots' Association(IFALPA) have suggested a grading system and report forms for dealing with an incident, which are available in Appendix:6. Also included is a suggested report form compiled by Vivian(1999:243).The forms ensure that all essential information has been collected before the passenger disembarks or is arrested by the police. This method of recording and reporting incidents needs to be adopted by all airlines to ensure successful prosecutions.

The majority of the cabin crew taking part in the interviews felt that their initial training was satisfactory. They all felt that annual continuation training should have time dedicated to the subject of dealing with disruption on board the aircraft.

This is as a direct result of their experiences with disruptive passengers. One major concern was that there is no formal training given to the flight deck crew. Flight deck crews, world-wide require training to deal with disruptive passenger situations. Their only source of information and guidance about handling those passengers is in the relevant manuals, supplied by their airline. There is no requirement for training to be given to UK flight deck crews in the handling of disruptive passengers. This needs to be resolved. The flight deck crew need to be trained, using videos, classroom instruction and role-playing exercises as part of their mandatory safety training.

Air rage incidents are normally reported on the same day as they occur on national television and radio news, whilst the tabloids normally follow with an in-depth story the next day. Air rage is very much in the public eye, therefore any publicity given to the penalties, usually custodial, may deter some of the potential offenders. The fear of loss of employment and gaining a criminal record all help to deter a potential offender. The airlines and the police must ensure that the Crown Prosecution Service proceed in every incident. All parties in the judicial process must be made aware of the dangers of any form of disruption and, if possible, observe the role-playing that takes place during cabin crew training.

UK airlines take turns to 'host' a disruptive passenger event, without the aircraft starting it's engines or moving off the parking stand. Flight deck, cabin crew and catering for the 'flight' are provided by the host airline. The observers are seated in a departure lounge, pretending to be 'passengers', waiting to board the aircraft. The disruptive elements, usually played by serving police officers, arrive. They will appear to be drunk, are often aggressive and employ obscene

language. Attempts may be made to board the aircraft before the rest of the passengers and their behaviour will be of a level that the ground staff can contain the situation. They are then allowed to board and are deliberately seated amongst the 'passengers', making the scenario as realistic as possible. There is verbal abuse, but not excessive, as they do not want to be off-loaded and spoil the exercise. When the aircraft doors are closed and after drinks have been provided and a meal served, the worst excesses of disruption take place. Mock fights take place between the participants and there is extreme verbal abuse of fellow 'passengers' and the cabin crew. It is common for observers to ask to leave the aircraft as they are extremely frightened. Of course they are allowed to leave but it is emphasised that they would not have this choice at 35,000 feet! The lessons learnt from these scenarios by prosecutors, judges, magistrates and court clerks have ensured that when the airline requests that a disruptive be prosecuted it will go ahead, possibly proceeding to the Crown Court.

The police were praised by all the cabin crew members that were interviewed when they attended incidents and detaining alleged offenders. They found that their understanding and care taken was instrumental in reducing post-traumatic stress. Airtours International provides counselling for all cabin crew after such incidents. Half of the interviewees felt that they had not been kept up to date with developments and decisions taken in the Magistrates' Court. All the cases in the survey were committed for trial to the Crown Court, sometimes taking a year before a case was heard. Protocols need be in place whereby a cabin crew member is able to maintain contact with a dedicated member of the police force who is in charge of monitoring the progress of the individual cases relating to air

rage. Every airline should arrange its own individual protocol with the local police constabulary. This is beginning to take place the major airports, for example Heathrow and Gatwick. At the time of writing, there is no scheme in place between Airtours International and the Leicestershire Constabulary but they will have a scheme in place very shortly.

The aviation industry world-wide is suffering from a dramatic increase in the level of passenger disruption. The Aviation Security Panel of the International Air Transport Association, at their tenth meeting in Montreal from the 10th to the 14th April 2000, reported:-

> The international air transport industry and the international community have become concerned over recent years with the significant increase in the frequency and severity of unruly incidents on board aircraft. Reported incidents cover a broad spectrum, from abusive language and property damage to bodily injury inflicted on crew and on fellow passengers....the most cited factors contributing to such occurrences are excessive alcohol consumption, nicotine withdrawal symptoms, and the increased level of stress typically associated with air travel.
>
> Anon(2000:1)

The comments in the above quotation are an up to date perception from the one of the leading international organisations, ICAO, working with IATA to make the aircraft cabin a safer environment for both passengers and crew. The conclusion will expand on this statement.

Chapter 9
CONCLUSIONS

Concerns, previously expressed over the last few years, about increased levels of violence and disruption, have resulted in changes to the United Kingdom legislation, which has been strengthened with the inclusion the new Section 59A offences, described in the chapter 6. These became law just two months before the end of the period of the statistics, obtained from the Department of the Environment, Transport and the Regions, with no incidents quoted as being prosecuted and sentenced using the new legislation. The Civil Aviation Authority, which administers a very comprehensive data-base of all reported incidents, was unwilling to directly assist the author with any research. This necessitated the use of limited survey information from the Department of the Environment, Transport and the Regions, which had been collected and analysed on their behalf by the Civil Aviation Authority. No reasons were given for this lack of co-operation as there were no replies to letters or e-mails. The International Air Transport Association supplied statistics, articles relating to the subject as well as an extract from their manuals. This information was only supplied when the author's authenticity had been verified by his employers. The United Kingdom Flight Safety Committee's publication, Focus on Commercial Aviation Safety, supplied the information and legislation quoted from the Joint Aviation Authority. The author, a member of the Royal Aeronautical Society, has access to their electronic library which produced some relevant information, as well as providing links to the trade union movements and other interested parties within the aviation industry.

British Airways and Virgin Atlantic both declined requests for semi-structured interviews with their

cabin crew, no reasons being given. Airtours International have been very helpful and co-operative, but this resulted in the research study being solely related to charter flights. Their cabin crew, apart from confirming the causes of disruption on board an aircraft, have provided a valuable insight into the problems cabin crew face on a day to day basis. Their assistance has been invaluable when making recommendations described in the previous chapter.

The disruptive passenger is the end product of a chain of events. The chain may start before arriving at the airport, aggravated by delays and queues at the check-in desks, inaccurate information concerning reasons and duration of any delays and assisted by possibly delays at the airport security check. There are no statistics available to ascertain the levels of disruption prior to boarding the aircraft, resulting in the research being dedicated to the in-flight phase of the journey. The figures quoted in the statistical research describe the annual expected number of incidents by extrapolating the data gathered between April and October 1999. The changing nature of incidents, and an increase in threatening behaviour, has resulted in amendments to the laws. The level of disruption in the United Kingdom and in UK registered aircraft has stabilised, but changes to the legislation have been required to ensure that international flights remain within the jurisdiction of their own and other world-wide legislation. There was a requirement to legislate to bring foreign registered aircraft into the United Kingdom criminal justice system when they land in the UK, as a similar offence must be in place in the aircraft's state of registration before proceedings can take place in the UK, which has been addressed.

Confrontations with cabin crew resulting from

unauthorised smoking and the over indulgence of alcohol predominate. Nervousness and fear of flying can result in large intakes of alcohol prior to boarding. This has been addressed in law by denying boarding to those passengers who may be drunk, but only if they appear to be under the influence of alcohol. Research indicates that, whilst the cabin crew can regulate the distribution of alcoholic drinks supplied by the airline, problems arise when passengers consume their own unregulated supplies, usually purchased in a duty-free shop prior to boarding. The demise of the duty-free system within the European Community has done little to dampen the enthusiasm of passengers, particularly those travelling on holiday, from making purchases even at local high street prices.

The readily available supply of alcohol in the departure lounge bars and restaurants, liberally consumed prior to boarding in the event of a delayed flight, needs to be addressed. The only check on the sobriety of the passengers, who have checked-in and passed through the security checks, is prior to boarding at the departure gate. Whilst the ground staff are trained to recognise the drunk passenger there is the problem of assessing an acceptable level of intoxication. Fear of flying and concerns about the aircraft cabin environment are just two factors which lead to an increase in the consumption of alcohol beyond acceptable levels.

The cabin environment has been quoted as being an aggravating feature in air rage. Cramped seating, inadequate temperature control and unpalatable food, all increase the stress levels. The quality of the air in the aircraft cabin, mainly re-circulated, has resulted in the prohibition of tobacco smoking anywhere on board an aircraft on nearly all flights. Whilst the consumption of alcohol in moderation is acceptable public

opinion concerning tobacco smoking has undergone a radical change over the last ten years. Smoking is generally regarded as an antisocial and dangerous pastime. Smoking has been banned from many shopping malls, airport lounges and other public places and yet some passengers still persist on trying to smoke on board aircraft. Banning smoking on aircraft has had a negative effect on flight safety. Nicotine patches can, unless properly prescribed and used, be detrimental to the well-being of the smoker. Passengers, attempting to hide lighted cigarettes in their clothing in order to avoid discovery, have set fire to themselves and the aircraft interior fittings. They may go into the toilet for a cigarette, possibly tampering with the smoke alarm to avoid detection. The dangers of toilet fires, described in chapter 6, cannot be over-emphasised.

The cabin crew who took part in the survey felt that police action was justified in all the incidents described in the interviews. The expeditious manner in which the police behaved when arresting the offenders, coupled with the sympathetic manner adopted when collecting statements, helped to lessen the trauma they had experienced. Airtours International arranges visits to the Crown Court prior to the court proceedings, enabling the cabin crew to gain familiarity with the environment. Half of the survey felt that there should be more feed-back from the police and the Crown Prosecution Service prior to the trial. They all felt satisfied that everything was being done to bring the offenders before the Courts, one alleged offender being remanded in custody whilst another was arrested on a warrant for breach of his bail conditions.

This dissertation has attempted to introduce the reader into the way in which the commercial aviation community is managed internationally and attempts to deal with “air rage” and disruptive

passengers. The International Air Transport Association, in conjunction with the International Civil Aviation Organisation, can be seen to be key organisations, attempting to influence governments, ensuring that aviation related legislation is in place to serve a common cause, the international travelling public.

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