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# **DISRUPTIVE PASSENGERS**

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## **EXECUTIVE SUMMARY**

The safety of a perfectly normal flight may suddenly be in jeopardy because of possible violence or harassment from a passenger. Few statistics are available, but it would seem that frequency and level of abusiveness are rising.

The current International Legislation of the Tokyo, Hague and Montreal Conventions do not provide sufficient legal protection. Jurisdiction to prosecute rests solely with the State of registration of the aircraft. National legislation to ensure full jurisdiction over all offences committed on aircraft operating to and from a State is required, as introduced by some countries such as Canada, the United States, Australia, and most recently the United Kingdom.

Airlines must be committed to a programme of zero tolerance for disruptive passengers and provide adequate training and support for their employees.

## **BACKGROUND**

An FAA Advisory Circular entitled 'Interference with Crew Members in the Performance of their Duties' provides definitions and guidelines in regard to dealing with disruptive passengers. It addresses airline policies and programmes, and law enforcement issues and establishes a misconduct category and action table.

US regulations state that no person may assault, threaten, intimidate or interfere with a crew members' duties on board an aircraft and most passenger violations in the United States are filed under this rule. The boarding of a passenger who appears to be intoxicated, or the provision of alcohol to such a person is prohibited.

## **IFALPA INTEREST**

IFALPA actively promotes a policy of zero tolerance against disruptive passengers and calls for unified procedures among airlines. Efforts are made to improve the national legal systems through its Member Associations.

## **EXTERNAL INTEREST**

One of the most important aspects of any programme dedicated to the reduction of disruptive behaviour is the commitment of each individual, including those with management responsibilities. The precise actions that should be taken in the event of this type of incident and how, when possible, potentially dangerous passengers can be kept from boarding aircraft should be made clear to aircrew, cabin staff, and other airline employees by means of written programmes. Passengers should be advised of a zero tolerance policy and the consequences in case of a violation.

Appropriate aviation personnel including all flight crew should receive both theoretical and practical confrontational management training for dealing with disruptive and violent passengers. Training courses

have to control disruptive passengers. Checklists should be in place to record all court-relevant facts, such as identification of witnesses and geographical position at the time of incident.

All States should adopt laws, regulations and procedures which permit local authorities to conduct proceedings quickly and easily against persons alleged to have committed acts of endangerment of aircraft or occupants. In order to restrict the possibilities for offenders to avoid proceedings and punishments, States should frame their laws and codes such that prosecutions for endangerment offences may take place in the State of - Aircraft registration; Control, charter, or principal business of the operator; Citizenship of the offender; Residence of the offender; or Disembarkation of the offender - regardless of nationality of the aircraft or operator.

Each State should

- (a) Permit the disembarkation of persons believed by the aircraft commander to have committed, or been about to commit an act of Unlawful Endangerment of an Aircraft or Occupants.
- (b) If requested by the aircraft commander, detain such persons and conduct judicial or other, appropriate proceedings against them.
- (c) Avoid immediate deportation of such persons on the same aircraft from which they were disembarked.
- (d) Impose no hindrance or charge on an aircraft which has landed to disembark such persons.
- (e) Co-operate fully with the needs and circumstances of the captain of the aircraft in respect of servicing, replenishment accommodation or other aspects of operation and care of the aircraft, cargo or occupants.
- (f) Permit the continuation of the aircraft itinerary without undue or unnecessary delay to any crew member or passenger for the sake of legal or other formalities, after the furnishing of a statement of particulars of any alleged offence or act.

A suitable form "Airline Passenger Disturbance Report", which in the event of any disturbance should be completed, is shown at Attachment A.

A unified system for collecting information on incidents is required. The purpose of this system should be to provide standard categories of disruptive behaviour, to reveal underlying reasons for incidents, and to allow the exchange of information.

## **OTHER INFORMATION SOURCES**

Convention on Offences and certain other Acts committed on board Aircraft ("Tokyo Convention"), 14 September 1963

US DOT/FAA Advisory Circular 120-65, 18 October 1996

# **AIRLINE PASSENGER DISTURBANCE REPORT**

Passenger disturbances are classified into three levels:

- **LEVEL 1**

**PASSENGER RECEIVES A VERBAL WARNING BECAUSE OF DISTURBING  
BEHAVIOUR**

Passenger stops disturbance - no other action needed. (No report will be filed).

- **LEVEL 2**

**PASSENGER CONTINUES DISTURBANCE**

The corresponding section of an *AIRLINE PASSENGER DISTURBANCE REPORT* (available in several appropriate languages) is completed and the tear-off part at the bottom of the form is handed to the passenger.

- **LEVEL 3**

**PASSENGER STILL CONTINUES DISTURBANCE**

The Level 3 section of the *AIRLINE PASSENGER DISTURBANCE REPORT* is completed by the Captain. The authorities will be called to meet the passenger at the end of the flight for positive identification.



INFORM AIRLINE OPERATIONS – ☎ .....

Flight Number	Aircraft Registration	Date
Place of Departure		Destination

**LEVEL 2** (following Level 1 - Verbal Warning)

Passenger Information

Name	Seat Number
Nationality	Passport (country and number)
Address	
Description of Incident	

Name of Captain	Employee Number
Phone	Signature

**LEVEL 3**

Witnesses Information (Witnesses can be other crewmembers, record as many as possible, use additional sheet if required)

Name	Seat	Phone
Address		

Name	Seat	Phone
Address		

Captain (involved) Name	Employee Number
Phone	Signature

**Captain provides this portion to passenger as a Level 2 warning !**

Passenger Name	Flight Number	Seat Number
<b>Your behaviour may be in violation of the law and you may be liable for costs, including diversion.</b>		
Your immediate co-operation is required if you wish to avoid prosecution and removal from this		