

-1 MAY 20

**TITLE :** **DISRUPTIVE PASSENGERS AT  
MANCHESTER AIRPORT -**  
A PROBLEM-ORIENTED APPROACH

**CATEGORY:** Category 2. Crime and Disorder Reduction

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# DISRUPTIVE PASSENGERS AT MANCHESTER AIRPORT

## SUMMARY

### **The nature of the problem**

Disruptive passengers are a great danger to the safety of air travellers. When incidents occur, onboard aircraft inflight, the offences committed are viewed extremely seriously by the Courts and attract terms of imprisonment. In recent years, the perception of the aviation industry has been that incidents have markedly increased. Three years ago the Greater Manchester Police began the process of using a problem-oriented approach at Manchester Airport. We recognised there are many partners who could affect the problem and its resolution. We started from a position of little data and a lack of understanding of the actual problem.

### **The evidence used to define the problem**

Scanning of the law, other major UK airports, government departments and the aviation industry identified there was no co-ordinated national strategy under which we could take action locally. The media spotlight on a number of serious disruptive passenger incidents focussed the attention of the airline industry and ourselves. We recognised that incidents were damaging to the image of airlines, Manchester Airport, and on a broader perspective, Manchester and the north-west region.

### **The response to the problem**

We believed that it was possible to prevent incidents occurring if key service partners worked more closely together. We began a wide-ranging strategy to provide greater information to airline staff; ground staff; police personnel and the public, on the law and the procedures which could be followed to minimise occurrences. With the same service partners we put in place a portfolio of preventative measures at Manchester Airport, and we developed our strategies for enforcing the law to ensure the best evidence was available from witnesses. All initiatives are still in place, and continue to be developed on a local and national level.

### **The impact of the response and how it was measured**

In the year 2000, over 18 million passengers used Manchester Airport. We have clear evidence that the maximum number of disruptive incidents per 100,000 passengers reduced from 2.71 incidents (per 100,000 passengers) in January, 2000, to 0.26 incidents in June, 2000. These figures reflect ALL incidents at Manchester Airport including those which occur on the ground and those which occur onboard an aircraft inflight. Further analysis illustrates that in the nine month period\* April-December, 2000 (inclusive), there were over eighteen times more incidents reported to the police on inbound aircraft, than there were on outbound aircraft from Manchester Airport. In fact there were only four incidents reported on outbound aircraft. We firmly believe the small number of incidents is due to the partnership approach at Manchester Airport which provides a model of best practice for other airports world-wide.

(\*an enhancement to our data collection means these figures are only available from April, 2000).

# **DISRUPTIVE PASSENGERS AT MANCHESTER AIRPORT**

## **A PROBLEM-ORIENTED APPROACH**

### **1. IS THERE A PROBLEM?**

1.1. Disruptive passengers on aircraft and at airports have repeatedly hit the headlines in the last three years. While the number of offences prosecuted by the police is small compared with the number of passengers (19 million) using Manchester Airport each year there is great potential for disruptive passengers to endanger the safety of the travelling public.

1.2. There are a wide range of incidents which can be classified as disruptive passenger incidents. The spectrum ranges from, at one end, passengers complaining about the service they have received, to serious events where there are assaults on aircrew - and at the most extreme, a hijack situation.

1.3. The reason why disruptive passenger incidents on aircraft inflight attract great attention is that they can divert the attentions of aircrew from their safety duties - with potentially fatal consequences. Passengers and crew onboard an aircraft inflight are unable to call for assistance from the police and are therefore relatively helpless to deal with the circumstances effectively. Their only assistance from the police will come when they land. Perhaps as a result of these factors, and a general perception from the airline industry that the number of offences have been increasing, such incidents are of great interest to the media. As a result there have been some well-publicised, high profile incidents. Publicity can be bad for the image of airports and airlines concerned. There has been publicity in America and Canada, regarding a couple of incidents involving passengers en route to Manchester, which has tainted the international image of people from Manchester and the North of England.

1.4. For these reasons the Greater Manchester Police (GMP) at Manchester Airport view disruptive passengers as a priority, and endeavour to prevent and reduce such crime and disorder by working with service partners such as - Manchester Airport PLC, airlines, handling agents, retailers and licensees.

### **2. WHAT IS THE PROBLEM?**

2.1. We used the SARA model as a basic structured problem-solving methodology. Firstly, we needed to recognise whether there was actually a problem. We found, for the reasons already mentioned, that disruptive passengers are a problem on a number of levels - the incident itself, the affects on the airline, the airport, and the perception of the travellers who believe their safety may be at risk.

2.2. We specifically defined the disruptive passenger problem inflight as being:

*"Any passenger, who on an aircraft\*, carries out any action or pursues a course of conduct which is unlawful according to United Kingdom criminal legislation or which may amount to an offence under the Air Navigation Order"*

(\* 'on an aircraft' in this context means - "physically onboard the aircraft with doors shut and power applied, whether in flight or on the ground")

2.3. We tried to identify the underlying causes which appeared to contribute to the problem. This involved questioning the situation - what was happening? How it was happening? Where and when was it happening? And, probably most important of all, why were disruptive passenger incidents happening?

2.4. We quickly recognised that many of these questions could not be fully answered. This was largely due to the fact there was neither a local, nor a national co-ordinated strategy.

2.5. The problems we identified were:

- We did not believe there was a consistent definition which all parties were using for defining a disruptive passenger incident;
- We recognised we did not have a co-ordinated approach from all police officers at Manchester Airport - we could not guarantee that all police officers would react in a broadly similar fashion to reports of disruptive passengers;
- We did not have any guarantee that all airlines would report incidents to the police;
- We identified a lack of general awareness amongst airline staff, handling agents and airport staff in respect of what they could do to prevent and address the problem;
- We recognised that there was no consistent reporting mechanism which could provide data suitable for analysis to identify underlying causes. Such data would potentially provide answers to who, what, where, when, how and why;
- We recognised there was a paucity of information recorded by the police at each airport in the UK about disruptive passengers. As there was a general lack of appropriate information there was no opportunity to analyse the number and types of events occurring onboard aircraft (either inbound to a UK airport, or outbound) or on the ground - either airside or landside;
- We identified that some UK airports were addressing the disruptive passenger problem in slightly different ways, and that it was becoming increasingly important for airlines reporting incidents at large airports (such as Heathrow, Gatwick, Stansted and Birmingham) to be fairly certain they would receive a broadly similar response from the police at whichever airport they landed;
- We identified that the law was inadequate in terms of the powers available to the police and the penalties available to the Courts.

### **3. HOW WE TACKLED THE PROBLEM.**

3.1. We found that the problem-solving structure clearly identified to us that we would have to take action. We realised we would have to put procedures in place which would enable us to understand the problem of disruptive passengers to a much greater extent. We recognised we could not work in isolation from other service partners or police forces.

3.2. We decided we needed an appropriate "portfolio" of approaches to satisfactorily address the causes of the problem of disruptive passengers. We knew that a single, isolated, response which did not involve service partners would be relatively short-lived, make little impact, and would not provide adequate data for analysis by which further actions could be appropriately targeted.

3.3 We devised a strategy for dealing with disruptive incidents. Our strategy is to:

- To provide information to service partners so they have a greater awareness of what they should do to prevent problems and tackle incidents effectively;
- To encourage service partners to acknowledge their responsibilities and encourage them to take preventative action;

- To enforce the law robustly.

3.4. Service partners have assisted and encouraged the police to co-ordinate a firm strategy to tackle all aspects of the disruptive passenger problem. Through a robust reporting process, and a thorough analysis of incidents, we deliver a portfolio of approaches with service partners which have the effect of preventing incidents, and reducing the number of disruptive passenger incidents per 100,000 passengers. The three main facets of the strategy are addressed below.

### **3.4. Information**

We identified four main groups who need to be better informed about disruptive passenger incidents - airline staff; ground staff; the police, and the public.

#### Airline staff

3.5. In early 1999, we launched a "Disruptive Passenger Protocol" with 39 airlines using Manchester Airport (see Appendix A). The protocol (based upon work which had already taken place at Heathrow and Gatwick airports) advises airlines about what action they should take in the air, and the information they should provide, to ensure the police can deal appropriately with a situation. The protocol also makes explicit to airlines how the GMP will respond to reported incidents.

3.6. Airlines were asked to remind their staff:

- about the Disruptive Passenger Protocol;
- about their obligations to refuse to carry passengers who are drunk;
- that they could contact the police control room (on a dedicated telephone line) to ask for a police presence - when they need support in dealing disruptive passengers;
- to exercise appropriate caution in serving people too much intoxicating drink whilst inflight.

3.7. We sought support from representatives of local airline station managers (via the local Airline Operators' Committee). We gave a number of presentations regarding the protocol and how we could work in closer partnership. One example of a positive result was the response of airlines to our request for the exclusion of intoxicants from vouchers handed out to delayed passengers. The vouchers allowed free provision of a meal and refreshments - including alcoholic beverages. There was a general feeling that alcohol was a contributory, and potentially significant, factor in disruptive incidents. The airlines agreed that the vouchers they gave to delayed passengers would specifically exclude the provision of intoxicants.

3.8. We identified that pilots of aircraft needed a "Quick Guide to the Law" (see Appendix B). The purpose of the 'guide' is that pilots can carry it in their flight briefcases, on the flightdeck, so that if an incident happens inflight they have an immediate guide to the action they should take. A number of airlines based at Manchester Airport have distributed the guide to **all** their pilots. The guide is also to be included as a handout in the UK Flight Safety Committee magazine "Focus" (March, 2001 issue) which will make it available to all pilots in the UK, Europe, and other pilots throughout the world.

3.9. We identified that airline staff need to know exactly what powers they have to manage situations onboard aircraft, and the restraint measures which are safe and appropriate to use in extreme circumstances.

3.10. In 1999, we conducted a survey of cabin staff from seven different airlines which had signed up to the "Disruptive Passenger Protocol". There was a >30% response rate of completed questionnaires. The results indicated:

- 51% felt they had an insufficient knowledge of the law;
- 62% indicated they were not aware of the disruptive passenger protocol;
- 75% had been involved in disruptive passenger incidents and in 54% of those incidents the police were called;
- 76% indicated they felt their training in respect of disruptive passengers was insufficient.

3.11. As a result, airport police train the trainers of a number of airlines at Manchester Airport (ground and flight staff), in relevant law. We will be conducting a further survey in 2001 to assess the impact of what has taken place in 2000, to evaluate the success of our training strategy.

3.12. We have also been invited to train further afield. In 1999, Cathay Pacific (based in Hong Kong) asked for two GMP airport trainers to travel to their headquarters. The officers trained Cathay Pacific's trainers so that appropriate information could be cascaded to all their staff throughout the world. The police trainers were invited to return in autumn, 2000.

#### Ground staff

3.13. We sought continued support from our service partners, and their staff, at all bars and retail outlets. Advisory notices have been placed at all bars warning customers about the consequences of both being drunk in the airport, and attempting to board an aircraft whilst drunk. Licensees have been asked to remind their staff:

- to use discretion and to recognise that drinking and boisterous behaviour are, for some people, a large part of enjoying a holiday - however, that behaviour can become illegal in certain circumstances;
- that they can contact the police control room (on a dedicated telephone line) when they believe "problems are brewing" - rather than waiting for something to actually happen;
- about their obligations under the Licensing Act to refuse to serve people who are drunk;
- to inform GMP of the dates and times when they perceive there may be the greatest difficulties with disruptive passengers - so that a police presence may be arranged.

#### Police

3.14. We recognised the need to ensure all GMP staff at Manchester Airport were familiar with the relevant law, points to prove, and powers of arrest, to ensure that each person would be dealt with appropriately. A series of training sessions were undertaken, and reminder sessions continue on a regular basis.

3.15. We identified the need to collate information on every report of disruptive passengers at Manchester Airport so that we could more firmly identify the scale of the problem. We emphasised the need for staff to correctly record all disruptive passenger incidents on the GMP computerised incident handling system and to complete a disruptive passenger form on all occasions (see Appendix C). The pro-forma must be completed by police staff on every occasion when a disorderly passenger (or group) is reported. The information on the pro-forma is inputted to a Lotus Approach database which allows random searches across many fields to enhance problem analysis (see paras.4.1 - 4.4). The software automatically produces appropriate charts and histograms from which we can identify problems - such as routes, locations, types of incident, key factors causing the disruption, secondary factors, and police action (a limited example is shown at Appendix D). The information has assisted

- To provide additional staff when key times, dates, days and locations have been identified as potentially difficult;
- To ensure that police officers will use their judgement and experience to recognise that some types of behaviour are appropriate, some inappropriate, and some types of behaviour can break the law;
- To target particularly problematic passengers (and those travelling with them) to advise them of the consequences of drunken and disorderly behaviour - especially inflight.
- To record every instance of disruptive behaviour reported to the police which takes place landside, airside or inflight in order to provide information for subsequent analysis;
- To analyse the data on incidents reported to the police in order to provide a greater insight into the problem, and to develop more effective and targeted police responses.

3.25. Passengers may be targeted under the "Yellow Card Scheme". The usual pattern of events is as follows:

- A person or group of people draw attention to themselves by their conduct/words/behaviour.
- A member of airport staff (for example bar staff) inform the person(s) that they are acting in a potentially disruptive manner and the police will be called if they continue their behaviour (*this is usually effective and depends largely on the quality of the staff*).
- If the conduct continues the police are informed and attend. (*If the person has access to alcohol further consumption is prevented - by bar staff refusing to supply any further intoxicants*).
- The police have a number of options for how they will deal with the potentially disruptive passenger(s). A logical escalation in police response is given below (bear in mind the police might, if circumstances justify, immediately arrest the passenger(s) if there is sufficient evidence to suggest they have committed a criminal offence):
  - The police attend and stand in the background giving an obvious, physical, overt police presence (*this alone can stop any further misbehaviour*);
  - If the passenger(s) continue their disruption the officers may verbally warn them to behave (*this is a very effective way of dealing with the majority of potentially disruptive passengers*);
  - If the passenger(s) continue the behaviour and there is evidence of an offence, the officers may arrest but if the passenger(s) conduct falls short of providing sufficient evidence to justify arrest, then a written warning in the form of a yellow card is issued to the potentially disruptive passenger(s) (*having received this written warning passengers rarely progress any further with their disruptive behaviour*);
  - If the inappropriate behaviour still continues, a second and final written warning is issued and a notification slip is given to the handling agent responsible for the flight that the potentially disruptive passenger is due to fly with.
  - It is the airline's (aircraft commanders) responsibility to decide whether a "potentially disruptive passenger" will be allowed to be carried on an aircraft.
  - There are occasions when, after this process has been put into effect, officers may believe the passenger(s) is sufficiently disruptive that arrest is the only option. The fact that this process has been followed in an endeavour to prevent the disruptive behaviour is good evidence for a Court to consider.

### 3.26. Enforcement

As mentioned earlier, certain disruptive passenger incidents onboard aircraft inflight, cause a potentially very serious risk to the safety of passengers. If the same conduct took place in

a town centre the perpetrators actions may not even result in the police being called. If the police were to be called to a town centre incident the police could arrest the person - who may be subsequently cautioned or prosecuted. Unless a very serious offence has been committed the sentence of a Court could be minimal. However, the Court of Criminal Appeal, Criminal Division, 1998, found that:

*"Travelling on an aeroplane places a special duty on passengers to co-operate with reasonable orders from the cabin and flight crew and to behave in an orderly manner."*

3.27. In February, 1999, the Crown Prosecution Service (CPS) provided us with a copy of their national guidance on the prosecution and cautioning of disruptive passengers - which reflects the special circumstances surrounding incidents inflight. As a result, we have held meetings with local CPS representatives to ensure all evidential requirements are met, and there is a consistency of prosecution.

3.28. We use a variety of methods to respond to disruptive passengers. The methods include:

- Physical uniform presence in the vicinity;
- Verbal advice;
- Warning notice (see Yellow Card Scheme - para. 3.25 above);
- Final Warning and advice to Gate Staff (see Yellow Card Scheme - para. 3.25 above);
- Arrest (which may result in an official caution or prosecution)

3.29. All police staff are aware of local priorities in respect of disruptive passengers and the protocol we have with airlines. Within that context, all airport police officers are encouraged to use their professional judgement and discretion when deciding upon the appropriate response to reports of incidents.

3.30. We have identified there are shortcomings in the law relating to disruptive passengers. The penalties on conviction available to the Courts, and the powers of arrest available to police officers, are inadequate. Through the UK Airport Commanders' Group, we have managed to convince a senior police committee, the ACPO\* Ports Policing Subcommittee of the need for change (\*Association of Chief Police Officers). We were instrumental in the formation of a Working Party to address the key issues. The outcome was a number of recommendations which were ratified by ACPO General Council (January, 2001). We presented the recommendations to senior officials from the DETR, and representatives of the airline industry, at a DETR Disruptive Passenger Working Group Meeting in March 2001. Our recommendations for amending the inadequacies of the powers and penalties in respect of disruptive passenger offences were accepted, and will be included in legislation which will be drafted later this year.

3.31. We recognised there was a need to enhance the ability of aircrew to support the judicial process by providing appropriate witness statements. An officer at Manchester Airport devised an "Original Notes for Aircrew" package (see Appendix E). The purpose of inflight incident "original notes" for aircrew witnesses is to provide the best possible evidence for the prosecution of inflight offences. The intention is that the form should be completed by each member of aircrew who have witnessed a disruptive passenger incident, as soon as reasonably practicable after an incident has occurred. It is then available to assist the aircrew witness to provide a statement - and can be used by them in Court as their "original notes" to give them an accurate reminder of what took place.

3.32. A similar system has been put in place to enable evidence to be gathered from a large number of public witnesses. In brief, pro-formas are distributed to potential witnesses



which they complete and return in a pre-paid envelope. If it is subsequently clear that they have relevant evidence to contribute, then a full statement is taken by a police officer. The information from all potential witnesses is disclosed to the defence solicitor.

3.33. Finally, the data collection process allows us to analyse the outcomes of police action, so that we can identify whether we are achieving an appropriate balance in the actions we take.

#### 4. HAVE WE BEEN SUCCESSFUL?

4.1. Due to the lack of historical data for comparison purposes it is difficult to clearly evaluate how effective certain parts of the portfolio of approaches have been. For example:

- by making the public more aware of the problem, and the consequences of their actions, the number of incidents could reasonably be expected to go down;
- by encouraging firmer action, and reporting by ground staff and airline staff, together with "Disruptive Passenger Protocols", one could expect that more incidents would be reported;
- by encouraging police officers to take positive action and record all incidents of disruptive behaviour, the number of incidents could be expected to increase.

4.2. As a result, 'success' can be difficult to pinpoint. However, in a limited sense, some success can already be recognised. At Manchester Airport we record the number of disruptive passenger incidents per 100,000 passengers using the airport. The figures for the period January, 2000, to January, 2001, (inclusive) are as follows:

	<u>No. of disruptive passengers</u> <u>per 100,000 passengers</u>
January, 2000	2.71
February	2.23
March	1.09 (introduction of "Yellow Card Scheme")
April	0.61
May	1.61
June	0.26
July	0.82
August	0.72
September	0.44
October	0.71
November	0.96
December	1.91 (no emphasis policy by GMP locally)
January, 2001	2.28 (no emphasis policy by GMP locally)

*(N.B. The data shown above includes ALL disruptive passenger incidents recorded at Manchester Airport i.e. Those which occurred landside; airside, onboard aircraft inflight outbound and onboard aircraft inflight inbound).*

4.3. The figures above clearly indicate that despite a potential environment of increased reporting the introduction of the "Yellow Card Scheme" had a significant impact in March, 2000, which continued throughout the summer period. It is difficult to distinguish exactly why the strategy appeared to be successful because there were a number of contributory factors in the portfolio of approaches we were using, for example:

- the media assisted by reporting the results of high profile cases - especially those which resulted in imprisonment;
- at certain times police officers targeted key flights by having a visible presence near landside and airside bars as well as at check-in desks;
- service partners such as handling agents, airline staff, security staff and bar staff all played their part.

4.4. The months of December, 2000, and January, 2001, did not involve specific initiatives by GMP, in fact we curtailed many of our usual operational activities in October, 2000.

Analysis of December and January incidents reveals that 82% arose from arguments by passengers with ground staff, airline staff or other passengers - only 9% were due to alcohol or smoking. Whilst there is an increase in winter holiday traffic in December and January (for example skiers) we did not place any special emphasis on this period. It appears that delays of flights due to weather conditions may have been a factor in the increase in disruptive incidents in these two months. Nevertheless, we will have to address how we deal with this period in 2001/2.

4.5. Appendix D clearly illustrates the impact of police efforts in co-ordinating a partnership approach at Manchester Airport for the period April to December, 2000, (inclusive). Based upon the assumption that almost as many people fly into Manchester Airport, as there are people flying out, it could be reasonably anticipated that there would be a relatively similar number of incidents on "INBOUND INFLIGHT" incidents as there are "OUTBOUND INFLIGHT" incidents. In fact there were 74 "INBOUND INFLIGHT" incidents and only 4 "OUTBOUND INFLIGHT" incidents reported to GMP in the period April, to December, 2001 (inclusive).

4.6. We have evaluated our strategies informally with our partners and all their responses have been extremely favourable. It is one of priorities for 2001 to conduct a survey to identify the perceptions of partners. We will be asking them four questions:

- What satisfies you about our approach to disruptive passengers?
- What dissatisfies you about our approach to disruptive passengers?
- What should we do more of?
- What should we do less of?

4.7. The questions are deliberately open to allow free text responses from partners. The responses will be analysed for key determinants which affect the quality of our service delivery. Those determinants which are identified as 'satisfiers' we will endeavour to enhance. Those which appear to be 'dissatisfiers' will be tackled.

## 5. Conclusions

5.1. We recognise we have not completed our journey in dealing with disruptive passengers. However, as a result of the problem-solving and problem-resolution undertaken by all police staff at Manchester Airport we have a better understanding of:

- the problem;
- what incidents involve;
- the primary and secondary factors which appear to be the underlying causes of disruptive behaviour;
- how a more consistent approach with service partners can help us to address the problem.

5.2. The data we have for the part year, 2000, illustrates that our interventions were effective. We believe a full year's data, for 2001, will assist us build a better picture to aid our analysis for more enhanced analysis, which in turn will enhance the targetting of our initiatives. Although we have reviewed our strategy (on an ongoing basis) we have recognised the need to conduct regular quarterly reviews through local police Tasking and Co-ordinating Meetings.

5.3. Overall, we have taken local action, but we have recognised that we cannot achieve success without working with other partners. Our 'other' partners are predominantly local to Manchester Airport, however, we have achieved increasing success further afield with police forces, Government Departments, and aviation representative bodies.

5.4. We believe we are some distance along the route of providing a model of best practice for dealing with disruptive passengers which could be followed by the police, and their partners, at any airport in the world.

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## **APPENDICES**

<b>Appendix A</b>	<b>Disruptive Passenger Protocol</b>
<b>Appendix B</b>	<b>"Quick Guide to the Law for Pilots</b>
<b>Appendix C</b>	<b>Disruptive Passenger Pro-forma</b>
<b>Appendix D</b>	<b>Data - April - December, 2000 (inclusive)</b>
<b>Appendix E</b>	<b>Original Notes for Aircrew</b>

## DISRUPTIVE PASSENGER PROTOCOL

(N.B. Full documents are arranged in a binder with a GMP logo and the logo of the airline concerned)

The substantial rise of incidents of disorder on aircraft during flights, has given a great deal of concern to several agencies, particularly, the Department of Environmental, Transport and Regions (DETR); the Civil Aviation Authority (CAA); the National Aviation Security Committee (NASC), and the Association of Chief Police Officers (ACPO).

The recent change in legislation to Section 92, Civil Aviation Act 1982 has extended the jurisdiction of the British Police to enable them to respond positively to all incidents occurring in flight regardless of the country of origin of the aircraft, or location of that aircraft at the time the incident occurs.

Whilst there is a police response to such incidents when reported, there is no doubt, a degree of inconsistency either with the response from various police forces or the sentencing by the Courts in those police districts. The variations in police response is highlighted even further when the aircraft's first point of landing is at a UK Airport which does not have a police presence.

Greater Manchester Police recognise the need to provide a standardisation of its response with airline, victim and crew, and which will minimise any adverse effect on those concerned.

It is our intention to provide a professional and speedy response to all incidents reported to us, and to this end the following protocol has been drawn up.

A protocol is a declaration made by two parties to set out their understanding of their respective responsibilities in relation to a particular matter. It is not a contract, nor is it legally enforceable by one party against the other. It is merely an agreed statement of their respective positions.

For the purpose of the protocol we define a disruptive passenger as ;

*"Any passenger, who on an aircraft\*, carries out any action or pursues a course of conduct which is unlawful according to United Kingdom criminal legislation or which may amount to an offence under the Air Navigation Order"*

(\* 'on an aircraft' in this context means "physically onboard the aircraft with doors shut and power applied, wether in flight or on the ground")

## AIRLINE RESPONSE

### Inbound Flights

1. To assist Greater Manchester Police in providing the correct response to an incident, the following information should, where possible, be obtained and forwarded to Greater Manchester Police at the time of the first request for assistance.

- i) Precise nature of the incident, including any injuries which may have been sustained.
- ii) The name and seat number of the offender(s).
- iii) Action of crew members or other assistance given by passengers.
- iv) Details of all crew and passengers involved. This will enable Greater Manchester Police to complete a full file in relation to the incident at a later date.
- v) The principal witness, if not interviewed immediately, should be made available at a later time for the purpose of obtaining statements of evidence.

Vii) In the event of a witness not being available for a court case, due to traveling distance to the court (i.e. they live outside the UK), then provision can be made for the statement made by that witness to be admissible in evidence (under section 23, Criminal Justice Act 1988). Airlines should therefore be aware that a witness does not always have to attend court in person.

## **Outbound Flights**

If an incident occur during the outbound leg of the flight, this is not necessarily a bar to the prosecution of the offender(s).

All details as requested on an inbound flight should be obtained together with any additional action that may have been necessary, e.g. flight diverted and passenger off loaded, or foreign police meeting the aircraft at its point of landing. The course of action by local police may influence the course of action available to a UK police force.

Upon return of the aircraft, all details should be passed to Greater Manchester Police who will then make the necessary arrangements to meet and interview the offender(s) upon their return to the UK. This will also allow for statements of evidence to be obtained from crew members involved in the interim period without adverse disruption to their schedules.

## **GREATER MANCHESTER POLICE - MANCHESTER AIRPORT**

Greater Manchester Police will always respond to an incident in the following manner:

- I) The duty Inspector will oversee the response to the incident and ensure that the agreed protocol is adhered to.
- ii) Greater Manchester Police will fully investigated all allegations of disorderly behavior. Any allegation of a criminal nature, e.g. theft, assault, indecent assault will be the subject of a full investigation overseen by a detective officer.
- iii) Where there is sufficient evidence to support a prosecution then positive action will be taken. This will be a report for summons or arrest and charge if a power of arrest exists for that offence.
- iv) When considering 'best course of action' in respect of an offender(s) the Greater Manchester Police cautioning policy will be followed.
- V) Greater Manchester Police will maintain liaison with the appropriate Airline representatives and keep them informed as to the progress of the case.
- Vi) Greater Manchester Police will give support, reassurance and advice to the victims and where necessary refer them to the appropriate care organisation, e.g. Victim Support Scheme. If appropriate we will give assistance to claims made to the Criminal Injuries Compensation Board.
- Vii) Greater Manchester Police will consult and where appropriate cooperate with the airline/individual wishes regarding media releases.
- Viii) Where additional expenses have been incurred by the Airline, such divert and landing fees, Greater Manchester Police will apply for compensation for that Airline as part of the prosecution case, as well as any witness expenses incurred.
- Xi) Where an offender is arrested, liaison will be made with the other Crown Services (HM Customs and Excise, and H.M. Immigration) who will be invited to meet the aircraft with the police in order that their procedures may be completed. If this is not practicable then the offender(s) and their belongings will be made available to these crown services as soon as possible.

# QUICK GUIDE TO THE LAW - FOR PILOTS

The following "quick guide" advice is provided for pilots of UK registered aircraft who have problems with:

## DISRUPTIVE PASSENGERS

**Prevention** - the overall aim is to PREVENT disruption. People who are disorderly and/or drunk when boarding an aircraft are a "risk". It is your decision how effectively you manage the risk.

Most airlines have "Disruptive Passenger Protocols" organised with the police. The following is extracted from such a protocol.

### Inbound Flights

To assist the UK police in providing the correct response to an incident, the following information should, where possible, be obtained and forwarded to the police at the time of your first request for assistance:

- What is the precise nature of the incident, including any injuries which may have been sustained?
- What is the name and seat number of the offender(s)?
- What action has been taken by crew members, or other assistance given by passengers?
- What are the details of all crew and passengers involved?
- Who is the principal witness? (If not interviewed immediately they should be made available at a later time for the purpose of obtaining statements of evidence. In the event of a witness not being available for a court case, due to travelling distance to the court [i.e. they live outside the UK], then provision can be made for the statement made by that witness to be admissible in evidence (under Section 23, Criminal Justice Act 1988). You should therefore be aware that a witness does not always have to attend court in person).
- **Advise your crew members who witnessed the incident to make an immediate written record of the circumstances including words that were said, and what people were seen to do (diagrams can also be used). Accurate "original notes" are very useful for a successful prosecution.**

### Outbound Flights

You can still instigate action against an individual who is disruptive on a flight outbound from the UK:

- Get all details as for an inbound flight (see above);
- You have an option to report the matter to the police at the destination airport, or to send a report later to the police at the UK airport from which you departed - your decision will be dependent upon seriousness of the circumstances, urgency and company policy.
- Upon return of the aircraft to the UK, all details should be passed to the UK police who will then make the necessary arrangements to meet and interview the offender(s) upon their return to the UK. This will allow the police to obtain statements of evidence from crew members involved without adverse disruption to their schedules.

All the criminal offences which can take place on the ground in public places can take place on your aircraft, these include:

Murder, assault, rape, sexual assault, arson, criminal damage, theft, robbery, and a wide variety of public order offences such as affray, threatening and abusive words and behaviour, conduct causing harassment distress and alarm, etc.

Your passengers can be victims of these crimes as much as you, your crew, and your airline. Bear in mind that if you or your staff do not report the matters listed above to the police, the passengers who are victims almost certainly will.

More usually you will be concerned with the following offences which are for the protection and safety of you, your crew, your passengers and your aircraft.

The really serious "inflight" offences are fortunately extremely rare - they include hijacking, and damaging or endangering an aircraft with intent to do so (plus a number of other offences under the Aviation Security Act 1982). "In flight", under this Act means any period from the moment when all external doors are closed following embarkation, until the moment when any such doors are opened for disembarkation.

The more usual offences include those under the Air Navigation Order 1995. For this Act "Inflight" means from the moment when after the embarkation of its crew for the purpose of taking off, the aircraft first moves under its own power, until the moment when it comes to rest after landing. The offences include:

- **Endangering the safety of an aircraft and persons therein** - A person shall not recklessly OR negligently act in a manner likely to endanger an aircraft OR any person therein Article 55 Air Navigation Order, 1995.
- **Drunkenness in aircraft** - A person shall not enter any aircraft when drunk OR be drunk in any aircraft. Article 57(1) Air Navigation Order, 1995.
- **Drunkenness in aircraft by CREW** - A person shall not when acting as a member of the crew of any aircraft, OR being carried in any aircraft for the purpose of so acting, be under the influence of drink, OR a drug to such an extent as to impair his capacity so to act. Article 57(2) Air Navigation Order, 1995.
- **Smoking in an aircraft** - A person shall not smoke in any compartment of an aircraft registered in the UK 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. Article 58(2) Air Navigation Order, 1995.
- **Duty to obey commands of aircraft commander** - It is an offence for a person in an aircraft registered in the UK to disobey 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. Article 59 Air Navigation Order, 1995.
- **Acting in a disruptive manner** - No person shall while in an aircraft:
  - (a) use any threatening, abusive or insulting words towards a member of the crew of the aircraft;
  - (b) behave in a threatening, abusive, insulting or disorderly manner towards a member of the crew of the aircraft;
  - (c) intentionally interfere with the performance by a member of the crew of the aircraft of his duties. Article 59A Air Navigation Order (5th Amendment), 1999.
- **Stowaways** - A person shall not secrete himself for the purpose of being carried in an aircraft without the consent of either the operator OR commander OR any other person entitled to give consent to his being carried in the aircraft. Article 60 Air Navigation Order, 1995.
- **Restraint of disruptive passengers** - Where the commander of an aircraft "in flight" has reasonable grounds; any person on board has done OR is about to do any act which may jeopardise the safety of aircraft, passengers property, good order, discipline (not political, racial, religious discrimination) he may take reasonable measures including restraint (provided the person is released on landing AND appropriate authorities are notified). Section 94 Civil Aviation Act, 1982.

## DO NOT FORGET

If you believe it is illegal it probably is.

Get your crew to gather the evidence and the police/Crown Prosecution Service will decide the actual offence for which someone is prosecuted.

What has been done?

What has been said?

Who did and said what?

**IN FLIGHT  
DISRUPTIVE PASSENGER INCIDENT FORM**

**Flight Details**

Date: \_\_\_\_\_ Flight No: \_\_\_\_\_ Airline: \_\_\_\_\_  
 Departure Airport: \_\_\_\_\_ Destination Airport: \_\_\_\_\_ Via Airport: \_\_\_\_\_  
 Schedule / Holiday Charter / Other \* Seated in: 1st Class / Club/ Business / Economy \* (delete as appropriate)

**Passenger Details**

Surname: \_\_\_\_\_ Forename(s): \_\_\_\_\_  
 DOB: \_\_\_\_\_ Ethnic Appearance: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_ Post Code: \_\_\_\_\_

**Incident Details**

In Flight / At Stand \* Direction: Outbound / Inbound \* Terminal No:- \_\_\_\_\_ Gate No:- \_\_\_\_\_

	Crew	Passengers	
Arguing With:	<input type="checkbox"/>	<input type="checkbox"/>	Disobeying crew
Verbal abuse of:	<input type="checkbox"/>	<input type="checkbox"/>	Refused boarding
Physical Violence towards:	<input type="checkbox"/>	<input type="checkbox"/>	Interference with Equipment
Sexual harassment of:	<input type="checkbox"/>	<input type="checkbox"/>	Drink
Sexual Assault of:	<input type="checkbox"/>	<input type="checkbox"/>	Smoking

Other Please specify: \_\_\_\_\_

**Probable contributing Factors**

	Primary Factor(s)	Secondary Factor(s)
Pre-boarding issues:	<input type="checkbox"/>	<input type="checkbox"/>
Alcohol: Airline	<input type="checkbox"/>	<input type="checkbox"/>
Own on board	<input type="checkbox"/>	<input type="checkbox"/>
Smoking:	<input type="checkbox"/>	<input type="checkbox"/>
Medical:	<input type="checkbox"/>	<input type="checkbox"/>
Prisoner/Deportee in transit:	<input type="checkbox"/>	<input type="checkbox"/>
Conflict with other passengers:	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

Other please specify: \_\_\_\_\_

Offences committed:- \_\_\_\_\_

**With Family / In a group \***

Country of residence: \_\_\_\_\_ Nationality: \_\_\_\_\_  
 Passport No: \_\_\_\_\_

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Figure 1 (below): shows the number of disruptive passenger incidents "INFLIGHT and INBOUND" to Manchester Airport for the period April to December, 2000, (inclusive). The GMP have less influence on "INBOUND" flights. One could expect that the same average number of flights would occur "INBOUND" as "OUTBOUND" if there was no working in partnership to prevent disruptive incidents at Manchester Airport.

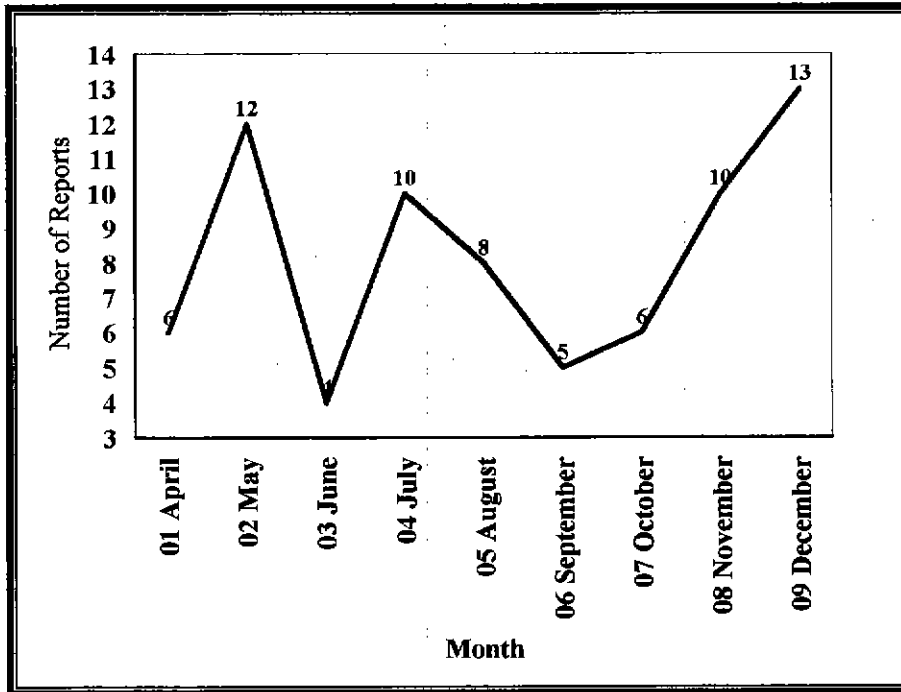


Figure 2 (below): Illustrates the number of disruptive passenger incidents dealt with at Manchester Airport in the period April to December, 2000. It only includes events "INFLIGHT" which were "OUTBOUND" from Manchester Airport, (months in which there were no incidents are not shown). Comparison to Fig. 1 (above) illustrates that a small proportion of offences occurred "OUTBOUND" and "INFLIGHT".

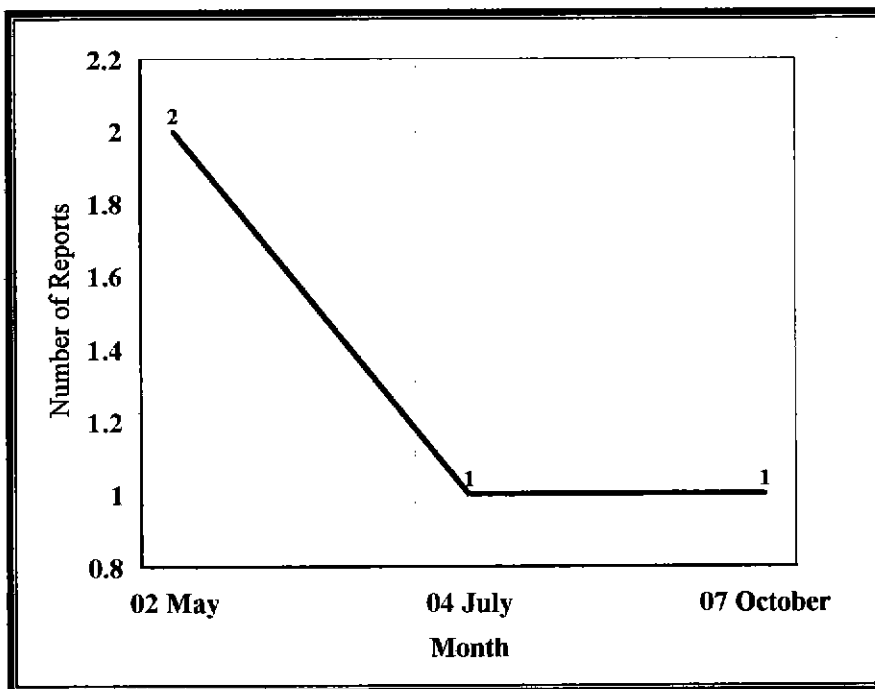


Figure 3 (below): shows the location of ALL disruptive passenger incidents at Manchester Airport in the period April to December, 2000 (inclusive).

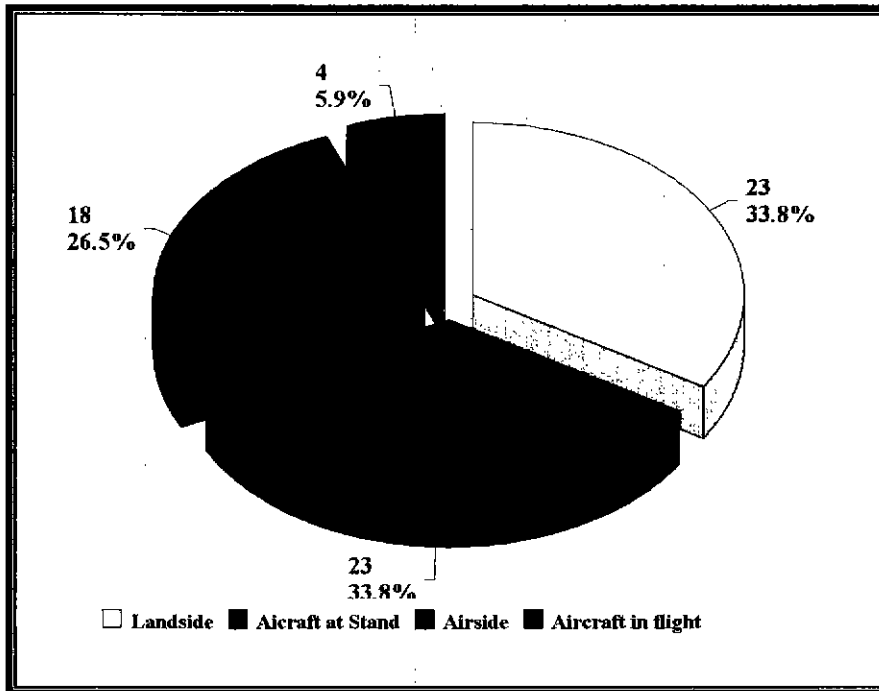


Figure 4 (below): Illustrates the action police took for offences which took place "INFLIGHT and INBOUND" to Manchester Airport for the period April to December, 2000, (inclusive).

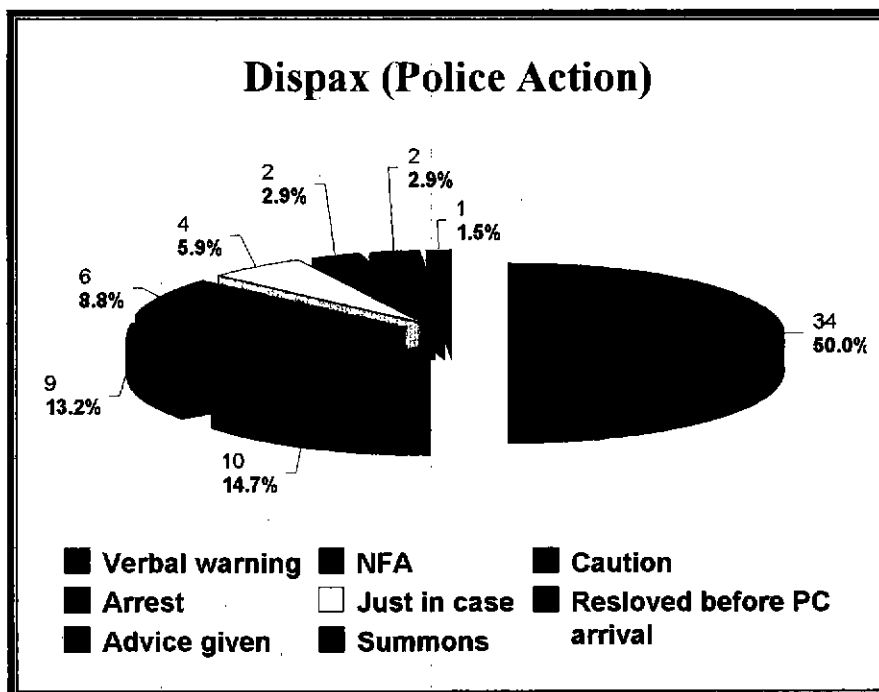


Figure 5 (below): Illustrates the number of 'Yellow cards' issued by police officers at Manchester Airport in the period April to December, 2000 (inclusive) - months when no cards were issued are not shown.

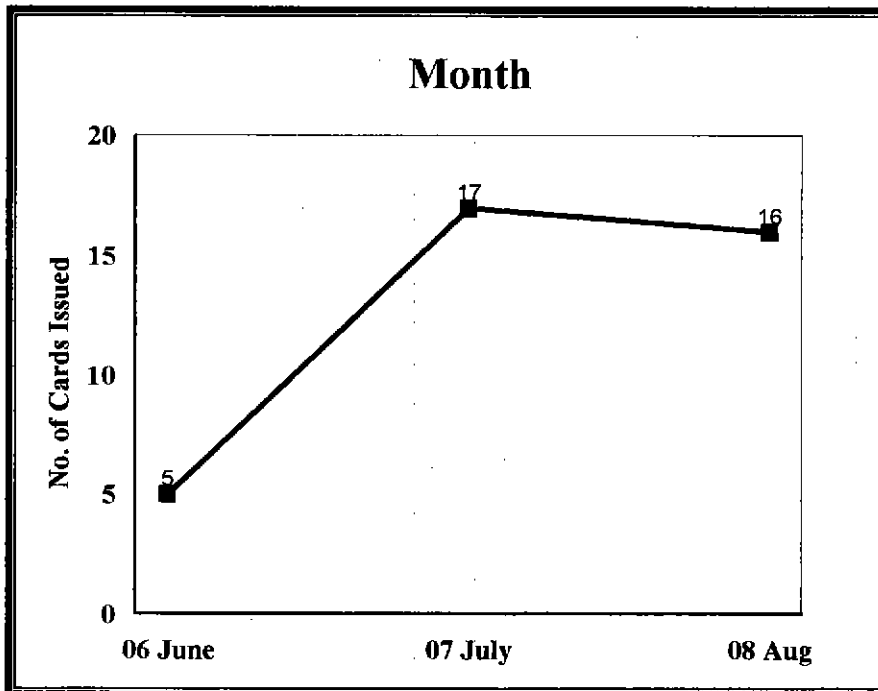
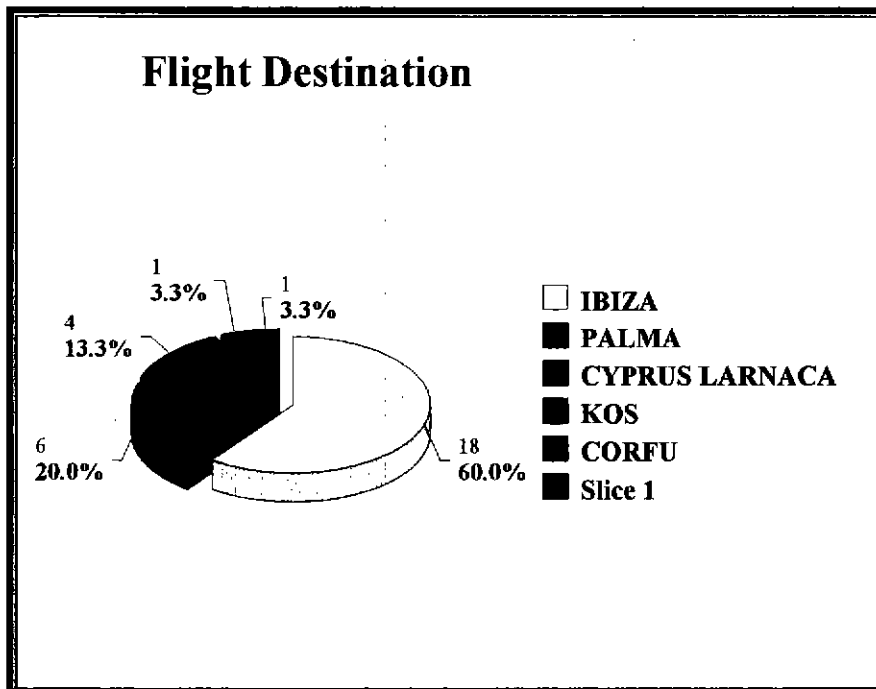


Figure 6 (below): shows the destination of persons who were issued with 'Yellow Cards' for the data illustrated above in Fig. 5. Comparison with Fig 2 indicates that only one person in the three month period, June, July and August was actually disruptive on a flight outbound from Manchester Airport.



**"ORIGINAL NOTES" - for use by aircrew**

The use by air crew witnesses of the inflight incident "original notes" form (see page 20) is to provide the best possible evidence for the prosecution of inflight offences. The intention is that the form should be completed by each member of air crew who have witnessed a disruptive passenger incident. It should be completed as soon as reasonably practicable after an incident has occurred.

**(N.B. A similar form is being designed for police to hand to witnesses of a disruptive passenger incident).**

**Features**

The key features of the "original notes" form are:

- It is a pre-printed form which covers the key facts required by the police.
- The form provides advice on the key points the air crew witness should include in their description of what happened.
- The form should be readily available to air crew as part of their organisational requirements and procedures for dealing with disruptive passengers.
- "Original notes" should always be retained by either the individual witness or by the airline company.

**Advantages**

The key advantages of the questionnaire are:

- If completed as soon as practicable after an incident has occurred, the "original notes" become a valuable tool for the recollection of the facts by an air crew witness.
- The air crew witness's personal account of an incident would be of greater evidential value at Court if their recollections were committed to paper on the form as **soon as practicable** after an incident.
- If a police officer is unable to contact a member of air crew to take a statement for some time (the incident may have been on the outbound leg) then the "original notes" can be used by the air crew witness to refresh their memory when a statement is taken.
- The use of the "original notes" should, over time, lead to an improvement in the overall quality of statements taken.
- If the disruptive passenger is arrested, only one member of air crew (who is the key witness) will need to give a statement immediately on landing in the UK. Other air crew witnesses will be saved valuable time - they should merely complete the "original notes" as soon as practicable after the incident and give a copy to the police - who will contact them at a later stage if a statement is required from them.