



“ A plane is not a bar. If someone drinks too much at my favorite tavern, we can push him out the door and call him a cab. Try doing that at 30,000 feet. ”

— Christopher Elliott, *ABC News.com*, Aug 3, 1999

High and Dry?

Alcohol Policy & Air Rage

Sky rage, flier ire, spoiled child syndrome, passenger-induced turbulence, cabin fever, disruptive passenger syndrome (a medical diagnosis in the US), unruly passenger behaviour — whatever you call it, air rage has caught on with the media. Turn on the TV or pick up a paper and you're likely to come across a case of a rowdy, abusive or out-of-control traveler. Some notorious examples:

- passenger attacks flight attendant with broken vodka bottle
- enraged businessman defecates on food cart
- passenger kicks pilot and assaults eight others.

What do these incidents have in common? Alcohol. While data on the factors associated with air rage are sparse, anywhere from 25% to 60% of incidents involve drunken passengers. The reasons:

1. *Some people use alcohol to relax and overcome the fear or stresses of flying.* Many nervous fliers begin drinking before boarding and continue to drink during the flight. Some also take medication to control the jitters, help them to sleep or deal with a chronic illness or condition. Alcohol/drug interactions can lead to dangerous health complications and, in extreme circumstances, irrational behaviour with lethal consequences.

2. *Alcohol has a pronounced effect on fliers.* Due to cabin pressure and oxygen deprivation, "one drink in the air may equal two on ground." Its effects can be compounded by lack of food/delays in foodservice and high concentrations of carbon monoxide in recycled cabin air. The result, according to Muir and Moyle of the College of Aeronautics at Cranfield, is an increase in "aggression, confusion, poor judgement, loss of inhibitions, lack of insight and delayed reaction time" (IAS, 1999).

3. *Alcohol is widely available and promoted in airports and on board aircraft.* Some airlines use alcohol to mollify travelers who have been stranded, bumped or inconvenienced. In some cases, free alcohol is promoted as a service element, competitive advantage, perk for frequent flyers or a travel package bonus. Once expectations are raised it is difficult to reduce service, particularly when problems such as flight delays occur. An additional temptation, particularly to international passengers, is the duty-free shop. Despite being cut off, some inebriated passengers continue to drink from their stash of purchased liquor, albeit illegally. Observes a Canadian union member:

"There is no doubt that in all industry surveys alcohol is a major factor in [air rage] incidents. It is equally true that alcohol has become a part of the ethos of air travel. Drinks are available on board, often for free... airline lounges are stocked with spirits free to the much sought after business class passenger. In most major airports passengers can be assured of a chain of bars, stretching from where the sliding doors let you in, right through the terminal building to the boarding gate at the furthest pier. Nowhere are passengers discouraged from drinking too much or advised that it may be illegal to board the aircraft while drunk. In two recent cases an airline used a wheelchair to take a drunken passenger on board the aircraft. Another distributed free alcohol tokens to passengers who had suffered cancelled flights" (Zeroing in on Air Rage, ITF, 2000).

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4. *Jurisdiction is unclear. In some cases, rules that apply to other alcohol providers don't appear to apply as consistently to the airline industry.* Alcohol is freely available at pre-departure lounges and in first/executive class, often at self-serve counters that would be illegal in most other contexts. In some cases, licensed areas are not clearly marked, making it difficult for police to enforce liquor laws when passengers take refuge in the general waiting areas with a drink in hand. While it is illegal in many jurisdictions for intoxicated passengers to board a plane or to be served alcohol, media accounts of outrageous overservice continue to surface. Yet, to our knowledge, no airlines have been reprimanded.

5. *Airline and airport staff and, in some cases, airport police have difficulty assessing intoxication.* Most receive little or no training in how to assess intoxication or how to distinguish it from behaviours arising out of drug interactions or diabetic and bi-polar disorders, for example. The matter is further complicated by the fact that in many jurisdictions, intoxication is also not clearly defined in law. Whereas courts have to some extent been guided by the legal Blood Alcohol Level and eyewitness accounts of impairment in tort cases involving licensed establishments or social hosts, the airline industry has been insulated from this trend by international laws that restrict their liability for "accidents" — including those arising out of overservice. When alcohol becomes a problem the blame shifts to the perpetrator or the staff. In some cases, flight crew who have barred intoxicated passengers from getting on a flight or stopped serving them alcohol have been reprimanded or fired following customer complaints.

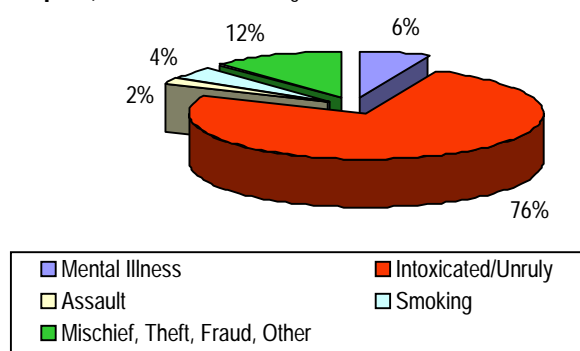
6. *The airline industry worldwide is extremely competitive.* It has become extraordinarily difficult to institute changes in alcohol service at the company level — where the appetite for such change is not big — or at the national level, where jurisdiction over liquor licensing may not normally rest. Airports too are becoming increasingly profit-minded. Far beyond the

"plane stations" of old, many are now upscale entertainment complexes, complete with bars and restaurants to suit all tastes.

Consequently, changes that have an impact on the bottom line or appear to diminish customer service are resisted, particularly if they are not industry-wide and international in scope.

7. *Air travel is in a mid-life crisis.* Air travel has become transportation for the masses, plagued by congestion, delays, poor service, aging aircraft and infrastructure and a number of recent, highly publicized crashes. An increasingly

Table 1. Factors Associated with Unruly Passenger Incidents Involving Police, Pearson Airport, 2000 Source: Peel Regional Police



vocal passenger rights movement is demanding change and is receiving a receptive hearing from regulators in the European Union and North America. An attempt by the industry to take away the perks without investing in improvements is likely to be resented by the travelling public and, more importantly, by frequent fliers, the bread and butter of the industry. Observes CUPE:

"Not all air operators want to report or take action against offending passengers in order to avoid alienation of fare-paying passengers or well-known personages. In one case, an unruly judge was simply escorted into the premium lounge before being allowed to continue on to a connecting flight without advice to the subsequent crew operating this leg. These types of examples breed cynicism among all airline staff that there is an inconsistent corporate

standard of treatment for offending passengers who exhibit unruly behaviour." (CUPE, May 5, 2000).

8. *Regulators, the airline industry, unions and the public have fundamentally different views of what to do about air rage, and, in particular, about alcohol-related air rage.* The airline industry views air rage as a matter of individual pathology where isolated individuals act out their problems and frustrations in ways that are inappropriate and dangerous. Legal and economic sanctions — ranging from fines, to recovery of costs of diverting a plane, to offloading their own responsibility for maintaining a safe workplace by helping employees to sue for damages — are the preferred remedy. Employee representatives see air rage through the lens of labour relations muddled by years of struggle for better wages and work conditions and, in the case of flight attendants, overdue recognition of their role as safety professionals. At the heart of the issue,

they argue, is workplace health and safety, with employers and governments owing a duty of care to shield workers from violence and

health problems resulting from altercations with aggressive passengers, poor cabin air quality and myriad other issues. Passenger rights advocates on the other hand, see air rage as a media invention that tends to overshadow the real issue: declining service as evidenced by flight delays, cancellations, airport congestion, cramped seating and poor food. Their focus is on improving airline quality and the travel experience. Many are leery of attempts to introduce bans and blacklists that would further erode the privacy or mobility rights of passengers. In the middle are the policy-makers and regulators, sensitive to rising media and public pressure but conscious of the fact that air rage is implicated in a relatively small number of cases, and somewhat reluctant to act after years of self-imposed retrenchment and deregulation. Notably absent from the discussions are alcohol researchers, liquor licensing authorities and experts in health promotion and injury prevention.

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In light of these challenges — and the conflicting views of the players involved — it is perhaps a wonder anything at all has been done to deal with unruly passengers. Yet the problem has been met with a flurry of activity nationally and internationally, much of it focused on legislation and enforcement targeting the perpetrator. In Canada, for example, anyone found guilty of behaving in a manner that is threatening to crew members or other passengers will have a criminal record. They may be imprisoned for up to 2 years or face fines up to \$5,000. In the US the penalties are even more severe: fines up to \$25,000 per offense and 20 years in jail; life in jail if armed.

Where alcohol is concerned, actions have ranged from the obvious — enshrining in company policy that it is against the law to serve to intoxication or to allow an intoxicated passenger to board — to the downright dangerous. For example, serving passengers copious amounts of alcohol and then placing employees, many of them female, in the position of having to deny further service to impaired, and often belligerent individuals, in cramped quarters 30,000 feet in the air. The reluctance of the airline industry to take comprehensive action on alcohol is striking. Take the comments of Warren Everson, VP, Policy, Air Transport Association of Canada, for example: "Frequent flyers can go to the lounge and get unlimited drinks before they even board. The preferred approach would be to educate passengers about the need to remain alert enough to follow on-board instructions" (Galt, Mar 5, 2001).

Attempts to minimize the role of alcohol — often excused by the lack of good data, or the relatively small number of incidents compared to the sheer size of the industry — surface frequently in air rage debates. Yet alcohol emerges as an important factor both in jurisdictions where reporting of incidents is mandatory, and in those where it is not.

The United Kingdom introduced mandatory reporting in April 1999. According to the Department of the Environment, Trade and the Regions, alcohol brought on board by passengers or

provided by the airline was a factor in 396 incidents reported by UK airlines in the first seven months of data collection. This represents half of all incidents, ranging from minor to serious, in that time period. Closer to home, Peel Regional Police responded to 543 unruly passenger incidents at Toronto's Pearson International Airport, Canada's largest, last year. Of these, three-quarters (409) involved intoxicated passengers either waiting to board, on the tarmac or in flight.

While these figures pale in comparison to the number of passengers and flights during that same period — an estimated 28 million passengers passed through Pearson in 2000 alone — a single incident has the potential to be witnessed by, or directly affect the safety of dozens, if not hundreds of people. A poll of 3,000 frequent-flying business class travelers published in *Asiaweek* in November 1999, for example, found that 19% of respondents had witnessed drunk disorderly conduct and 2% (60 respondents) reported having been on flights forced to land due to air rage. Thus, the threat to the safety and security of passengers, staff and communities is real — and, where alcohol is concerned, largely preventable.

What to do? The solution may be just as complex as the problem. But regulators and the industry need not wait until a tragedy occurs to take action. Last year, the International Transport Workers' Federation released a good practice guide to prevent and manage disruptive passenger behaviour. Among other things, it recommends that:

Airport authorities:

- consider reducing the proportion of alcohol outlets in the terminals
- restrict alcohol availability in international transfer areas
- set aside alcohol-free designated smoking areas as an alternative to bars.

Business and premium lounge providers:

- be required as part of their contracts to have alcohol service policies that minimize passenger intoxication, along with procedures that help staff

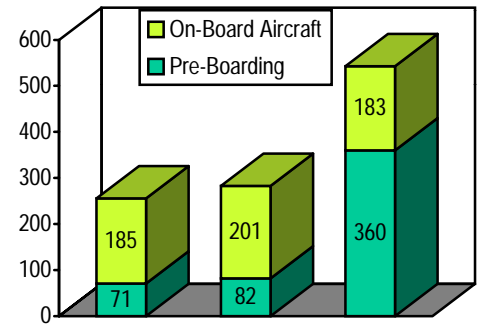


Table 2. Unruly Passenger Incidents, Pearson Airport

Source: Peel Regional Police

manage it if it occurs

- alert gate agents about passengers that have had too much to drink.

Licensed airport outlets:

- train staff about the importance to flight safety of preventing excessive drinking
- have procedures in place to identify intoxicated passengers and notify their carrier.

Air carriers:

- develop clear policies and procedures for denying boarding to intoxicated passengers
- train check-in staff and gate agents on how to handle cases of suspected drunkenness, including skills in non-confrontational communication, de-escalation of conflict and assertive communication
- stop promoting alcohol as a perk of flying
- consider charging for drinks on long-haul flights
- improve controls on cabin baggage and storage to limit passenger access to duty-free alcohol purchases.

Regulators/policy-makers:

- require airports and airlines to develop effective alcohol/drug and smoking policies
- establish common standards for staff training, passenger notification and denied boarding
- introduce mandatory reporting of incidents both prior to boarding and in-flight.

Recently amended Canadian aviation regulations make it illegal for an operator to allow an intoxicated passenger to board

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an aircraft, or to serve or provide alcohol to a passenger whose faculties may be impaired by alcohol or drugs. Passengers are also prohibited from consuming alcohol they or others bring on board. Guidelines on managing disruptive and unruly passenger behaviour released by Transport Canada last year encourage airlines to develop comprehensive policies to prevent and manage unruly behaviour. They also identify areas for staff training, including company policies and procedures regarding alcohol service and crew responsibilities with respect to impaired passengers. It is unclear to what extent these guidelines have been implemented. Certainly, carriers have begun to advise the travelling public of the potential consequences of unruly behaviour, get tough with perpetrators and train staff in conflict management.

Effective prevention of alcohol-related incidents, however, would require much more targeted action. In Canada, airlines are regulated federally and hence largely outside the jurisdiction of provincial liquor licensing legislation. The airline industry is extremely competitive and self-regulation has yet to produce substantive change. Perhaps the time has come for the *Canadian Aviation Regulations* to be updated to: 1) clarify the minimum drinking age on board Canadian-registered aircraft; 2) define low-risk alcohol service and consumption practices in an air travel environment, including times and locations where it is inappropriate to serve alcohol, ways to prevent intoxication, etc.; 3) require cabin crew and selected ground personnel to be certified as alcohol servers; 4) require the industry to abide by a code of conduct with respect to alcohol sales and promotion and 5) outline enforcement strategies and penalties for non-compliance.

Liquor authorities also have a role to play. The situation at Pearson Airport, for example, might benefit from a closer look at the number, location, mix, hours of operation and sales and service practices of retail and licensed outlets. Duty-free liquor stores in Ontario airports have been privatized. It may be worthwhile to look for ways to strengthen the social responsibility mandate of operators. In addition to training staff on responsible alcohol sales, they could post signs on alcohol and the law, or pilot methods of bagging liquor purchases to make them harder or more conspicuous to open, for example. Stricter enforcement may also be needed to ensure that bars, restaurants and lounges are complying with their legal responsibilities and passengers are not boarding an aircraft or driving home intoxicated. In some jurisdictions, police are asking intoxicated drivers where they had their last drink, and forwarding the information to provincial liquor licensing authorities. It may be time to pilot a similar program in an airport environment. Airport licensees are not immune from liability and it is only a matter of time before more are sued for over-service and its consequences.

Is all this much ado about nothing? Certainly human error, overcrowded runways and aging aircraft are bigger challenges to the airline industry. Yet regulators have long acknowledged alcohol as a threat to passenger safety. Not only does it impair judgement and inhibitions —both common in air rage cases — it also affects reaction time and motor functioning, factors crucial to survival in emergency situations. Reforming alcohol promotion, sales, service and consumption practices in the airline industry is not without costs. But when safety hangs in the balance, can we really afford to do nothing?

This article is based on a paper by Lise Anglin, Paula Neves, Norman Giesbrecht and Marianne Kobus-Matthews, presented at Kettil Bruun Society Meeting in Toronto, May 29, 2001. For more information, including links to news stories, statistics and research, please see the Air Rage Action Pack on www.apolnet.org.

About Us

Alcohol Policy Update (APU) is a free quarterly fax-newsletter of the Alcohol Policy Network (APN), a project of the Ontario Public Health Association. Our mission is to facilitate the development of policies that prevent problems associated with alcohol use and enhance the health, safety and well-being of individuals and communities across Ontario.

APN fulfills its mission by offering a range of products and services including information and referral, regional workshops and seminars, publications and a comprehensive website called APOLNET.

APN does not take public positions on issues although its members and its host, the Ontario Public Health Association (OPHA), may do so.

Information appearing in this newsletter in no way constitutes an endorsement by OPHA or its members. Submissions are welcome. Printing is subject to space availability.

APU is distributed via fax to over 600 subscribers active in substance abuse prevention, injury prevention and public health. It is also available on APOLNET, www.apolnet.org.

For more information on this newsletter or APN's other products and services, please contact Paula Neves, Project Manager, apn@opha.on.ca.

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