

### Passengers sue Qantas and Airbus for physical and psychological injuries

- On October 7, 2008, QF72 from Singapore to Perth was travelling at 11,000 metres when the autopilot disengaged and the plane plunged 200 metres in 20 seconds. Three minutes later it plunged a further 120 metres over 16 seconds. Nine crew and 106 passengers were injured. An investigation found fault with one of the plane's computer programs.
- An Australian law firm is representing approximately 30 passengers suing Qantas for their liability in the incident. The aviation lawyer says that Qantas is liable because it provided tickets for the flight and the compensation claims could be worth millions. However, in Australia pursuing any kind of damages as a result of injuries sustained on an aircraft is particularly difficult.
- More than 120 passengers, including 90 Australians, have also joined the American class action against manufacturers Airbus and Northrup. Claiming damages for psychological injuries is much easier in America than it is in Australia. As the sudden drops were caused by a mechanical default rather than pilot error, the American lawyer believes the claim will be successful.
- These claims are still currently in progress.

### A group of Aboriginal passengers allege false imprisonment

- A group of eight Aboriginal men claim they were thrown off the plane before it left Sydney, and are suing Qantas for damages, accusing the airline of false imprisonment.
- The men were allegedly locked in a bus parked on the tarmac for an hour and a half, before being escorted back to the terminal. They allege they were told they could not travel as a group and would have to catch separate flights, in pairs, the following morning.
- Qantas says it has a zero tolerance policy towards behaviour that could compromise passenger safety. The airline also denied any discrimination.
- A passenger on the flight said "from everything I saw they were behaving no different to anyone else who is a bit excited about catching a plane....It was an extremely heavy handed response."
- A flight attendant said the men were behaving in a rowdy and boisterous manner, with one calling her "white trash".
- A hearing is set to take place in Sydney in August 2013.

### Passenger alleges a screaming child left deaf

- An American tourist, Jean Barnard, was on board a Qantas flight to Darwin from Alice Springs in January 2010.
- She alleged that a three year old passenger screamed so loudly that blood erupted from her ears, leaving her "stone cold deaf". No other passengers were injured.
- Ms Barnard claimed that she suffered severe and permanent injuries, including sudden sensorineural hearing loss, from the child's scream and sought damages for physical and mental suffering, medical expenses and loss or impairment of earning capacity.
- Her lawyer argued that Qantas was negligent because the plane's cabin and cockpit crew failed "to take all the necessary precautions to prevent the accident that resulted" in her "injury".
- Qantas argued that her "injuries, if any, were caused by the arbitrary and volitional act of a three year old child" and that its staff could not possibly be held responsible for "a small child's random, impulsive scream", and event which was not "related in any way to the operation of the aircraft".
- Qantas also claimed that there was evidence Ms Barnard had a hearing problem before the flight.
- The case went to court but in July 2010 the parties entered into a confidential settlement. Qantas declined to say if the settlement included payment to Ms Barnard.

### Long-legged passenger alleges discrimination

- Adam Menzies, a 7 foot tall passenger, is suing Qantas for discrimination after he was forced to pay for extra leg room on a flight.
- Mr Menzies claims he is too tall to fit in standard seats, and that they pose a risk to his safety. He claims it was discriminatory for Qantas to charge him for extra row seats.
- Qantas argues the same rules must apply to all passengers.

### Disabled passenger alleges discrimination

- Sheila King, who has post-polio syndrome and crushed vertebrae, was told she would have to change her travel plans when she phoned to confirm her boarding arrangements for a Jetstar flight from Adelaide to Brisbane in 2008.
- Jetstar said their policy only allowed two people requiring wheelchair assistance on any domestic flight, and Ms King was the third.
- Ms King argued that this policy contravened the Disability Discrimination Act.
- However, in January 2013 the Federal Court ruled in favour of Jetstar, saying that Ms King did not select “wheelchairs” under a special requirements section of the airline’s website and that it had offered to put her on another flight.
- The judge also ordered Ms King to pay Jetstar’s costs, capping the amount at \$20,000.