



An evaluation into the causes of perpetual disruptive passenger behavior

Katherine Di-Anna Bell¹ 

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Abstract

There is a rising trend in the number of disruptive airline passenger reports filed to the International Air Transport Association's Incident Data eXchange and National Aeronautics and Space Administration's Aviation Safety Reporting System over the past 20 years. Passenger behavioral safety is vital for the comfort, well-being, and safety of other passengers, crew, and an airline's smooth operations. Safety culture has been shown to impact the implementation and efficiency of safety management systems. This paper has evaluated the relationship between disruptive passenger occurrences and the intentions of a safety management system, through the lens of safety culture. An analysis of disruptive passenger reports from National Aeronautics and Space Administration's Aviation Safety Reporting System gave evidence of the consequential actions taken against disruptive passengers. There was a tendency for disruptive passengers to either not be dealt consequences, or be subject to consequences that are not in full alignment with the concept of a robust safety culture. This perpetuated a sense that company support was lacking for frontline staff. It also potentially created an awareness amongst passengers that disruptive behaviors on aircraft were not statistically an arrestable offence. This reduces the efficiency of threat of punishment as a deterrent.

Keywords Disruptive passenger · Unruly passenger · Disruptive behavior · Disruptive action · Airport · Aircraft · Cabin crew

✉ Katherine Di-Anna Bell
BellK15@my.erau.edu

¹ Embry-Riddle Aeronautical University Daytona Beach, Daytona Beach, FL, USA

Introduction

Background

The International Air Transport Association (IATA) has proposed measures to prevent, manage, and deter acts of disruptive and unruly behavior by passengers on aircraft. These measures include the collaboration of stakeholders, such as airports, governments, and airlines. The aim is to increase public awareness of the consequences of unruly behavior, report previously observed behaviors to affected parties, as well as seek criminal prosecution (IATA n.d.). The International Civil Aviation Organization (ICAO) highlights that legal jurisdiction, funding of court cases, and enforcement of penalties can pose a challenge for airlines and the intended state of landing or the diversion state; this results in a lack of prosecution and consequences for the unruly passenger (Colehan 2016; Giesecke 2002). IATA (2020b) states the approximately 60% of disruptive passenger cases go unprosecuted. IATA also recommends that “airlines...have policies in place for effective handling of unruly passengers...develop training for ground and cabin crew...including conflict de-escalation techniques and responsible service of alcohol...” (Colehan 2016, p. 11). Safety Management Systems (SMS) can be used to design and disseminate such policies and procedures. The purpose of SMSs is ultimately to reduce risk through a structured, scientific approach, and improve the safety of an organization through the implementation and execution of data-driven policies and procedures (Stolzer et al. 2010; Stolzer et al. 2011). Support and enthusiastic promotion from top management is vital. They encourage the components of an SMS to permeate every layer of the organizational hierarchy and reinforce a robust safety culture (McCune et al. 2011).

Statement of the problem

ICAO (2019) states that there is an upward trend in occurrences of disruptive events and that the disruption is increasing in severity. Meanwhile, since 2015, SMS is now required of Federal Aviation Regulations (FAR) Part 121 air carriers. There is either a lack of cognition or misalignment between the increasing number of disruptive passenger incidents, the purpose of SMSs, and the ability of SMSs to deliver the benefits of a robust safety culture.

Purpose statement

The aim of this paper is to evaluate the relationship between disruptive passenger behavioral safety, SMSs, and safety culture.

Significance of the study

This study may assist airlines, regulators, and industry organizations in their disruptive passenger management procedures. It may also increase awareness of the urgent necessity of stakeholder collaboration and safety culture alignment in the application of consequential action for disruptive passengers.

Literature review

A robust safety culture incorporates accountability with recourse of an appropriate magnitude (Dekker 2008; Dekker 2016). Without it, the reliability and resilience of an SMS are at stake. Dekker's (2008, 2016) theory that a robust safety culture incorporates accountability with recourse of an appropriate magnitude is usually applied to aviation personnel, medical staff, or construction workers. This paper evaluates whether this theory can also be applied to disruptive passenger scenarios.

The role of SMS and safety culture when upholding disruptive passenger policy

The four components of SMS are policy, safety risk management, safety assurance, and safety promotion. The implementation and execution of these components are essential for the SMS to be effective (Stolzer et al. 2010, p. 25). Commitment from all stakeholders is crucial for an SMS to be impactful. With regard to decreasing the occurrence of disruptive passenger events, vigilance, cooperation, and an aligned safety culture are required from airport personnel, cabin crew, flight crew to the security personnel, legal justice systems, and airlines.

In the second edition of International Civil Aviation Organization's (ICAO 2009) Safety Management Manual safety culture is defined as "the context in which safety practices are fostered within an organization" (p. 2-30). Nearly 10 years later, in the fourth edition of ICAO's (2018) Safety Management Manual safety culture is redefined to "how people behave in relation to safety and risk when no one is watching" (p. 3-1). The focus and ownership is placed on the individual's behaviors as opposed to surrounding, intangible circumstances. If an employee, intentionally or unintentionally, violates a safety policy or procedure then the principles of 'Just Culture' should apply. If the consequential action is too harsh or seen as too soft then the integrity of the company's safety culture could be in jeopardy and the efficiency of the SMS could be threatened (Yantiss 2011, p. 212).

The impact of common knowledge should also not be underestimated. A passenger may be more likely to become disruptive if it is known that the chance of consequential action is minimal. Passenger behavioral safety should ensure that each stakeholder commits to reduce safety incidents and strive for optimum safety performance through demonstrated actions and behaviors (Cambridge Centre for Behavioral Studies n.d.). Passenger behavioral safety may be influenced by a lack of safety culture, which may fuel unruly and disruptive occurrences (Thomas 2001).

Prevention as a priority with de-escalation as a back-up

IATA (2012) has proposed disruptive passenger de-escalation tactics for personnel, namely cabin crew and airport staff. These tactics may only be effective if there is managerial and governmental support provided for the employees who have to enforce regulations (Stolzer et al. 2011). De-escalation training for airport personnel and cabin crew is vital considering the growing trend. At the same time, the job description of a cabin crew is broader than that of a security enforcement officer and the security training provided for the cabin crew may not be as intense as that of, for example, a police officer or a security officer (Rhoden et al. 2008).

The willingness to take on the responsibility of embodying a security officer may not be desired by a cabin crew applicant. Pinar-Chelso and Fernandez-Castro (2011) found that a cabin crew's ability to de-escalate a conflict with a passenger correlated with emotional intelligence and experience. Therefore, prevention and deterring disruptive behavior should remain the priority. Lack of law enforcement following an act of disruptive behavior could also render de-escalation tactics null and void. As the passenger knows it is unlikely that they will face any legal action.

Aviation psychology and passenger behavioral safety

Gras (2011) evaluates the airline passenger journey and analyzes how components such as the reason for travel, airport checkpoints, aircraft cabin environment, intoxication, or jet lag can catalyze a psychiatric emergency. In-flight this may manifest as disruption. Some passengers are exposed to stressors and comply with regulations. Some abled-passengers are exposed to stressors, do not comply, and become disruptive. Non-compliance changes depending on the individual and the situation (Axelrod 1986; Bicchieri 2006; Camerer and Fehr 2004; Spitzer et al. 2007). Known mentally impaired passengers might require an escort and may be handled differently by ground staff and cabin crew.

In 2016 the top three actions of disruptive behavior were: conduct after intoxication, smoking, and non-compliance with safety instructions (Colehan 2016). In 2020 non-compliance with mask-wearing became a frequently occurring new category (IATA, 2021). Passengers were also reported more likely to be more irritable and thus more antagonistic due to lack of social distancing, perception of exposure to Coronavirus disease 2019 (COVID-19) from passengers exhibiting symptoms, financial stressors due to COVID-19, family stressors due to COVID-19, or the anxiety towards increased exposure within the airport and journey to and from the airport (IATA 2021).

When occupants are inside an aircraft, the actions of one person may dictate the level of safety of all other occupants. The behaviors and actions of disruptive passengers can also affect the mental, emotional, and physical well-being of other passengers (Gerwen n.d.; Pierson et al. 2007; Rhoden et al. 2008). Passenger behavioral safety should ensure that passengers are cognizant that their actions and behaviors can impact the overall safety of flight (Cambridge Centre for Behavioral Studies

n.d.). Information, knowledge, and awareness can encourage compliance (Kendi et al. 2021; Omaki et al. 2017).

Results reveal that passengers' safety behavior is positively influenced by their safety awareness, which is further determined by their attitude, subjective norms, and perceived behavioral control. Furthermore, the relationship between safety awareness and safety behavior is partially mediated by passengers' perceived threat (severity and susceptibility) of risky behavior. Regarding the total effects, safety awareness is the strongest predictor of passengers' safety behavior, followed by perceived behavioral control, perceived severity, perceived susceptibility, attitude, and subjective norms (Wang et al. 2020).

A disruptive passenger may not view his or her behaviors as a threat to the safety of the aircraft. At the same time non-compliance with regulatory instructions can be a threat to the safety of other passengers, crew and maintaining a calm, cohesive environment.

Disruptive passenger classification

The 1963 Tokyo Convention declared that it was unlawful to commit acts that might put in jeopardy the safety of an aircraft, crew, its passengers, or that disturbs good order (ICAO 2019). ICAO (2017) defines a disruptive passenger in Annex 17 as:

A passenger who fails to respect the rules of conduct at an airport or onboard an aircraft or to follow the instructions of the airport staff or crew members and thereby disturbs the good order and discipline at an airport or onboard the aircraft.

IATA (n.d.) reports that globally between 2007 and 2017 there were 66,000 incidents of disruptive and unruly passenger behavior. Showing that neither ICAO's (2017) definition of a disruptive passenger nor the terms and conditions of an airline ticket tends to enthrone compliance for a growing minority of passengers. In 2016 there was one unruly passenger incident for every 1424 flights and in 2017 there was one unruly passenger incident for every 1053 flights (Colehan 2016). At 86% most incidents are categorized as level 1, which are minor behaviors (IATA 2016). These include, but are not limited to, verbal assault, communicating displeasure through a rude gesture, refusal to accept a declined request, non-compliance with cabin crew instructions, or contravening safety regulations. Level 2 behaviors can be threatening physical violence, physically abusive, obscene in nature, intentionally damaging property, or interfering with safety equipment. Level 3 behaviors can include threats to life or the display of a weapon, and level 4 would be actions that would make the aircraft unsafe to continue its flight, an attempted or an actual breach of the flight deck door (Timmis et al. n.d.).

Jurisdiction enforcement, a state's choice and industry response to the upwards trend of disruptive passengers

IATA (2020b) has been enhancing international law with regard to disruptive passengers so that jurisdiction loopholes do not permit perpetrators to go unpenalized. The 1963 Tokyo Convention concerns itself with crimes committed on an aircraft. However, the onus of prosecution is with the state in which the aircraft is registered. The origin or destination may not be the state of registration due to an airline's flight pairing eligibility or the aircraft may be leased. Should a crime be committed away from the aircraft's state of registration, local police may claim that they have no jurisdiction to investigate the offense that occurred onboard. The state of landing also has the freedom to apply its domestic law to any act that occurred onboard an aircraft. The state is therefore not obliged to prosecute a disruptive passenger for what may be deemed as a minor crime, not considered worthy of enforcing its jurisdiction, or worthy of pursuing extradition proceedings to the aircraft's registered state (Giesecke 2002).

Under the Tokyo Convention, a disruptive passenger is defined as committing 'acts that may or do jeopardize the safety of the aircraft or of persons or property therein or which jeopardize good order or discipline onboard' (ICAO 2019, p. 3-1). This terminology has been challenged as vague and not clearly defining how exactly a passenger should conduct themselves onboard or what is classified as an offense. In *U.S. v. Flores* it was ruled that not every disruptive act interferes with the safety role of the crew onboard (Case Text 1992). This adds further complexity to the prosecution of a disruptive passenger.

IATA (2020b) states that for these reasons approximately 60% of disruptive passenger cases go unprosecuted. In 2014 the Montreal Protocol amended the jurisdiction oversight by extending jurisdiction also to the state of landing. It is yet to be ratified by the required number of member states, however, would provide minimum global standards for what can be prosecuted and when a passenger would be deemed as disruptive (ICAO 2019).

The impact of COVID-19 on the disruptive passenger trend

According to a survey by IATA (2016), a disruptive or unruly passenger is one of the top three main concerns of cabin crew, and the stressors of COVID-19 may have increased these anxieties. On 5th May 2020 IATA declared support for the crew to wear masks and passengers to wear face-coverings when onboard an aircraft (IATA 2020a). This initiative would mitigate further the already low risk of COVID-19 airborne transmission while traveling on an aircraft (IATA 2020a). The willingness of all passengers to comply with mandatory face-covering regulations whilst onboard an aircraft is proving to be an area of concern. Under the Federal Aviation Administration (FAA) regulations, crew members are entitled to be safe in their place of work (FAA 2020). This may be used to legally enforce a passenger to wear a face-covering. The motivations of a passenger to voluntarily wear a face-covering could vary depending on many factors. Airlines have now implemented

various compliance information checkpoints throughout the airside process that require passengers to reconfirm that they understand the conditions of their carriage (IATA 2021). If the passenger then opts not to wear a face-covering the passenger is classified as disruptive.

In early 2021, the FAA (2021b) declared that they would no longer be serving disruptive passengers with warnings or mandated counseling. Due to a recent marked increase in disruptive passenger incidents, the FAA would routinely begin pursuing legal action. Over the past 25 years, the FAA has pursued legal action against 4738 persons, which is on average 189 persons per year (FAA 2021a). In the first 5 months of 2021, the FAA pursued legal action against 394 persons. This is notable due to estimates of 2021 passenger traffic have not yet returned to 2019 levels. Following the rise in disruptive incidents in early 2020 Southwest Airlines and American Airlines restricted the service of alcohol in an attempt to stem the anti-social behavior (Ramirez 2021). Alcohol has been identified as a top three contributor to disruptive incidents (Colehan 2016).

Safety versus service

In the ever-prominent aviation industry debate of safety versus service, the perception exists that some airlines may tend to prioritize customer satisfaction and service over the enforcement of some safety and security procedures (Barry 2007; Kelleher and McGillway 2005; Knight and Butcher 1999; Martin 2017; Murphy 2001; Rhoades & Waguespack, 1999; Whitelegg 2007). Whitelegg (2007) emphasizes how even now into the early twenty-first century ‘when the airline recruits its flight attendants with ‘Want to deliver Tender Loving Service in the skies?’ it seems...that we have come full circle, to flight attendants being entertainment figures, not safety professionals’ (p. 125). An airline’s marketing campaign, support for safety assurance from upper management, cabin crews’ perception of their ability to enforce safety regulations, and the company’s reaction to reported safety violations are all representations of the fragile nature of an airline’s safety culture. There is currently a gap in the literature regarding the consequences that disruptive passengers face, how that might influence not only repeat offenders but also new offenders, and the robustness of a safety culture that has penalties in place, yet seldom imposes them (Borillio 2000; Martinussen 2017; McLinton et al. 2020).

Methodology

The National Aeronautics and Space Administration’s (NASA) Air Safety Reporting System (ASRS) database was used to collect reports that featured the words: unruly or disruptive or fight or noncompliant. The search was further refined by selecting Flight Attendant -On Duty, Flight Attendant -In Charge, Flight Attendant -Off Duty, Flight Attendant -Other/Unknown as the Reporter Function. The Event Type was categorized as Airborne Conflict, Ground Conflict, Critical, Ground Conflict, Less Severe, Near Mid Air Collision (NMAC), and Passenger Misconduct. The search

returned 103 different report numbers (ACNs) with events occurring from January 1999 to October 2020.

Each ACN was analyzed for passenger disruptive behavior and rated by the author according to ICAO's levels of disruptive passenger behavior, and marked according to the resultant action that the passenger faced. No action determined that the passenger disembarked the aircraft either voluntarily or with the aid of security agents; however, the police were not called and no arrest was made. Consequences indicate 'no action' as per the above definition however, the passenger was denied boarding, offloaded from the aircraft on the ground or the Captain diverted the aircraft to offload the passenger. Action taken determined that police met the aircraft and may have arrested the passenger. The intent to prosecute was not routinely documented in the ASRS. The ACNs were then grouped according to themes and recommendations were made from recurring trends.

Results

Out of the 103 disruptive passenger ACNs that were analyzed, 69 received 'no action'. For the purpose of this study, 'no action' means that the aircraft was not met by police, and no arrest was made. The 69 reports were comprised of both level 1 and level 2 disruptive passenger ratings. In some cases, there were consequences such as being denied boarding to the flight, being offloaded from the flight whilst on the ground, or the aircraft diverting to offload the passenger. A consequence occurred in 14 out of the 69 'no action' cases. After the ACNs were given disruptive passenger levels and evaluated for action or no action, they were placed into the thematic groups.

There were 34 disruptive ACNs where 'action' was taken. For the purpose of this study 'action' means that the aircraft was met by the police. In two cases (ACN 450197 and 585,302), due to lack of physical violence, the police did not arrest the disruptive passengers. In two cases (ACN 597467 and 1,387,761), the disruptive passengers were released by the police to proceed to their subsequent flight. There was no mention of communicating the incident to the crew of the subsequent flight. In seven cases (446,752, 492,490, 497,186, 552,922, 579,383, 592,866, and 635,446), the police escorted the passengers away from the aircraft. There was no mention of what occurred afterward. In seven cases (447,917, 482,582, 539,299, 607,957, 623,281, 1,438,895, and 1,693,727) there was no information regarding an arrest. In one case (533809), the police took statements, and then released the disruptive passenger. In one case (491198), at the Captain's insistence, the cabin crew did not press charges. Thus, the disruptive passenger (staff ticket holder) was not arrested. There were 14 cases that detailed an arrest (ACN 441291, 453,232, 459,036, 470,442, 470,843, 473,297, 473,464, 487,021, 543,181, 577,741, 602,269, 661,547, 683,787, and 1,265,107) (Fig. 1).

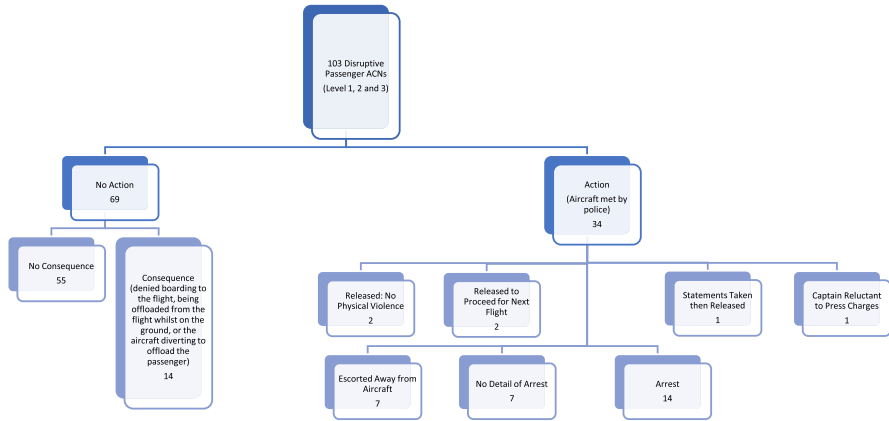


Fig. 1 Occurrences of disruptive passenger ACN incidents outcomes

Evidence of repeated behavior

ACNs 426,910 and 471,986 showed evidence of prior disruptive behavior from a disruptive passenger. In ACN 471986 ‘the pax admitted to being fined on a previous flight for smoking...’. In ACN 441219 a concerned reporter highlights the growing trend that when there is no recourse for disruptive behavior, it is likely to be repeated:

We need stricter standards for pax behavior (acceptable) with all airlines for the safety of everyone. Now poor behavior (disruptions, aggressiveness, verbal and physical abuse) is often looked upon as not good, but acceptable. Many unruly pax just act anyway they want, and then walk off the plane. It’s like the airlines give the message ‘here are the rules, you can choose to follow as many as you feel like, as long as we get your business, you are just fine.’ Perhaps losing travel privileges on all airlines would be great.

This was from June 1999.

Disruptive behavior on an aircraft receives no penalty due to lack of physical violence

In five ACNs (438,966, 450,197, 533,809, 585,302, and 597,467) there was a combination of action and no action. The end result of all five was that the disruptive passenger would not receive a reprimand due to no physical violence. The cabin crew from ACN 438966, 533,809, and 585,302 express their disappointment and the influence a weak safety culture would have on future compliance.

ACN 438966 dated May 1999

Flt attendant #2 and I were disappointed, however, that nothing was done with this pax upon lndg. No official warning, reprimand or punitive action was

taken. We were informed that it has to get 'physical' for the officials to meet the airplane, but I thought we were supposed to try to avoid escalating the sit. This pax verbally harassed the flt attendant #2 several times, he physically bumped him, and he was seen drinking by me (flt attendant #4) preboarding and by pax in the terminal. We believe some type of action should have been taken, because now this pax thinks he can act this way and get away with it. And the way the rules are now, I guess he can. This did not make our crew feel very safe or supported.

ACN 533809 dated December 2001

JFK police met the flt, took rpt and let go of the pax. I strongly believe pax misconduct and any type of misbehavior of this kind has to be treated as a high risk misconduct and taken to immediate custody. I would love to see the law to be reinforced and to treat this incident with a severe punishment and a fine given immediately to this type of unacceptable incident onboard the acft by any pax.

ACN 585302 dated June 2003

The police told us they would not take the disruptive pax into custody, because she had not touched us. Our placard states 'united states federal law requires you obey instructional signs and crew member instructions.' she did not follow our instructions...

Prosecution depends on destination

Colehan (2016) and Giesecke (2002) present the argument that a disruptive passenger may be prosecuted in one country, yet not in another. One level 2 disruptive passenger was met by police who will be seeking prosecution (ACN 453232 dated October 1999 from DFW to MAN). Another level 2 disruptive passenger was not met by police, but by a gate agent who rescinded responsibility (ACN 615278 dated April 2004 from STL to LAS).

No prosecution due to jurisdiction

Colehan (2016) and Giesecke (2002) present the argument that a disruptive passenger may not be prosecuted due to jurisdiction. A level 2 disruptive passenger was released by local police as they claimed to have no jurisdiction (ACN 483743 dated July 2000 from JFK to SJU). After reporting a level 2 disturbance no police met the flight and the disruptive couple disembarked normally (ACN 496816 dated December 2000 from CCS to MIA). A level 2 disruptive passenger assaulted a cabin crew member; however, local authorities stated that due to the absence of blood they were unable to arrest the disruptive passenger (ACN 520750 dated July 2001 from SKBQ to Colombia).

Evidence of passenger being disruptive on ground yet not offloaded and after take-off the situation deteriorated

In 7 ACNs there are situations where the disruptive passenger displayed behaviors prior to take-off and there were opportunities to remove them from the flight. The disruptive passenger was either placated or excused and the behaviors deteriorated after take-off. 'The pax was intoxicated and should have not boarded or been on our flt' (ACN 496816). 'Pax should have never been allowed to board the plane since he was abusive to agent at the gate' (ACN 520447). 'This pax was disturbed, disruptive, not following crew instructions, not complying with safety measures and was told 3 times to return to his coach seat and kept trying to get up to first class. [Other] pax made comments regarding this pax's behavior at arpt (terminal) – 'strange, aggressive and disruptive'' (ACN 539299). 'Pax had encounters with flt attendant #2 prior to dep' (ACN 585302). 'They had absolutely no respect for the flt attendants. we should have looked at these three more closely during boarding' (ACN 626330).

At that point FA D called the Captain and told him everything that happen since this passenger came on board the flight. FA D requested the Captain to remove this passenger from the flight. However, the Captain came on the PA made an announcement to all the passengers that there was a passenger on board that was not complying with crew instructions and for the passenger to comply with airline instructions right away [or] that he would be going back to the gate. Apparently the passenger immediately put his shoes and mask back on. FA came back to this passenger and his duffle bag was placed in overhead compartment. During take-off he and his traveling companion pulled down their mask, this happened repeatedly throughout the flight (ACN 1766025).

While boarding and during the flt, a female pax was loud and disruptive, annoying pax around her with inappropriate language and sexual overtures. She appeared mentally unstable. Pax complained and we had to constantly ask her to keep her voice down. she was defiant. We had the police meet the acft, but lcl police has no jurisdiction, the fbi was nowhere to be found, and we were required to file charges (at xa30!) (ACN 483743).

Responsibility of other passengers to assist in subduing or restraining the disruptive passenger

Four ACNs provide examples of where passengers become involved in restraining a disruptive passenger, raising the query of passenger responsibility or obligation to assist with a disruptive passenger. 'It took 3 men, 2 women and 1/2 hr. to get this woman restrained, as she was fighting, screaming, and even bit a flt attendant' (ACN 470442). 'She was kicking and screaming, 2 volunteers helped hold her down and get her cuffed' (ACN 577741). 'Several male first class pax then assisted in subduing pax who was very paranoid and extremely irate. Pax was hand cuffed and leg cuffed and also sat on by several people until we reached the gate.' (ACN 635446).

Suddenly he yelled and smacked her in the face. He then started to grab, pushing and pulling her in and at the face very violently. He was grunting loudly. After a second or two of being in shock, I went to try to pull the man off of the #2 ft attendant. He was extremely strong. He was about 5 ft 6 inches to 5 ft 7 inches, 160-170 lbs, and mid-to-late 60's. I began to pull him. He then turned and went after me, pushing me into door 3r area. I believe he still had a hand on her. We continued to struggle with the man. I yelled to get him down, and as we started wrestling to gnd, he grabbed my r leg, btwn my ankle and shin, and was trying to bring it to his mouth. I was able to free my leg and we continued to fight with him to keep him near/on the floor. One of us shouted for the cuffs. As the #4 ft attendant went for her cuffs and man (helper) came and was wriggling his way btwn she and I to help hold him down. The #4 ft attendant returned with the cuffs as well as some other men (helpers). Once the helpers had hold of him, I moved back to the lavatory area (ACN 661547).

Responsibility of airline to other passengers who feel intimidated by disruptive passengers

Flying is one of the safest modes of transport and should not be unenjoyable. A disruptive passenger causes emotional labor for the crew and may also cause mental anguish to passengers who witness and experience their behaviors. 'Children were very scared and were screaming and crying' (ACN 470442). 'On touchdown, the man got out of his restraints and started to run down the aisle, chanting 'i want to go to jail. I want to go to jail.' everyone seated in 10 rows in front of him and in back of him was very frightened by the whole affair, especially the woman sitting in front of the brothers, because he was kicking her seat and touching her head' (ACN 469037).

After the disruptive passenger deplaned and was speaking with the police, I asked [another] witness seated [in first class] if she saw the disruptive passenger grab my arm. She stated she did see him do it and that he was 'belligerent and he made me feel very uncomfortable'. I asked her if she would be willing to make a statement if necessary and she agreed. I informed the police of the witnesses but they only spoke to the passenger who was [seated farther back] and he gave them a written statement. The passengers in [first class] actually were the passengers that saw everything however to my knowledge they did not speak with the police (ACN 1265107).

Captain declares threat level 1 and asks to monitor situation. Passenger in seat XXC is a woman. She comes to the front galley and asks if she can stay up here for a minute as she is uncomfortable. I tell her yes. I then see passenger in XXA has moved seats and is crying. I approach her and ask her if she is okay. She says yes but that she was scared and felt trapped because he wouldn't let her out of her seat. I continually check on her (ACN 1438895).

Smoking in lavatory incidents

Smoking in the lavatories has been disallowed on most commercial aircraft since the 1980s due to comfort and safety. Some passengers persist and few receive a reprimand (ACN 447917, 471,986, 540,527). There is a tendency for passengers to become vocal repeat offenders due to the known lack of penalty (ACN 487021).

Passengers threat of lawsuit more powerful than justice

Safety versus service is called into question when a passenger can make a threat of a complaint against a crew member or threaten a lawsuit and consequentially not be reprimanded for the disruptive actions committed.

The rptr said that, in retrospect, they should have gone back to the gate and had her removed. The capt was ready to call for auths, but the father had intimidated the purser of a counter-suit, so the rptr didn't have the capt call for auths to meet the flt (ACN 463560).

On time performance (OTP), overestimation of emotional labor and overestimation of capabilities

The pressure that cabin crew feel to deliver OTP causes them to take on additional emotional labor and potentially overestimation and overcompensate for the capabilities of the role for which they were hired and trained to deliver.

Pax was a 15 yr old, mentally ill child, escorted by an adult male. Pax was unruly and disruptive during the entire flt -- but tolerable. Escort slept most of flt and did not keep pax under ctl. Upon capt's instruction to prepare for lndg, I buckled pax's seatbelt and put tray table upright and told her we were going to land. She allowed this without righting me. I proceeded to chk that the rest of the cabin and when I walked back to sit in my jump seat, the pax had unbuckled her seatbelt and was running up and down the aisle, flailing her arms, screaming obscenities. I went to reach for her, but she spat saliva all over into my eyes, nose and mouth. I tried to reason with her, but she again spat in my face a second time. I was in shock, but yelled at her escort, commanding him to keep pax under ctl. I ran to lavatory to rinse my face. upon lndg, I was taken to medical facility to begin bodily fluid protocol, including hepatitis b vaccine -- a series to be conducted the next 6 months. I had initial HIV blood test and will require continuing blood tests for next 12 months. Airline allowed pax to continue traveling on to Austin, much to my horror and dismay. No auths met the flt to arrest pax (ACN 549158).

Company support

In ACN 491198 the onus was on the crew to file a disruptive passenger report to the police and there was a lack of support from the Captain to do so. ‘The capt strongly recommended that she not file charges, so she complied.’

Lack of communication between crews of disruptive passenger

Three ACNs demonstrate the lack of communication between crews regarding disruptive passenger behavior.

Business class pax became very irate because her children’s special meals were not on board. (She did not bother to tell the flt attendant involved that she was rebooked from an earlier flt, which would’ve explained why the children’s meals were not on our flt.) She was verbally and physically threatening to at least 3 flt attendants after beginning the taxi out period. This was rptd to the capt, who returned the acft to the gate. After arriving in lax, our crew learned that this abusive pax was put on dep JFK-LAS, and the crew was not informed of her history. I personally find this lack of com dangerous and appalling. this only conveys a message of acceptance to this disruptive behavior (ACN 470413).

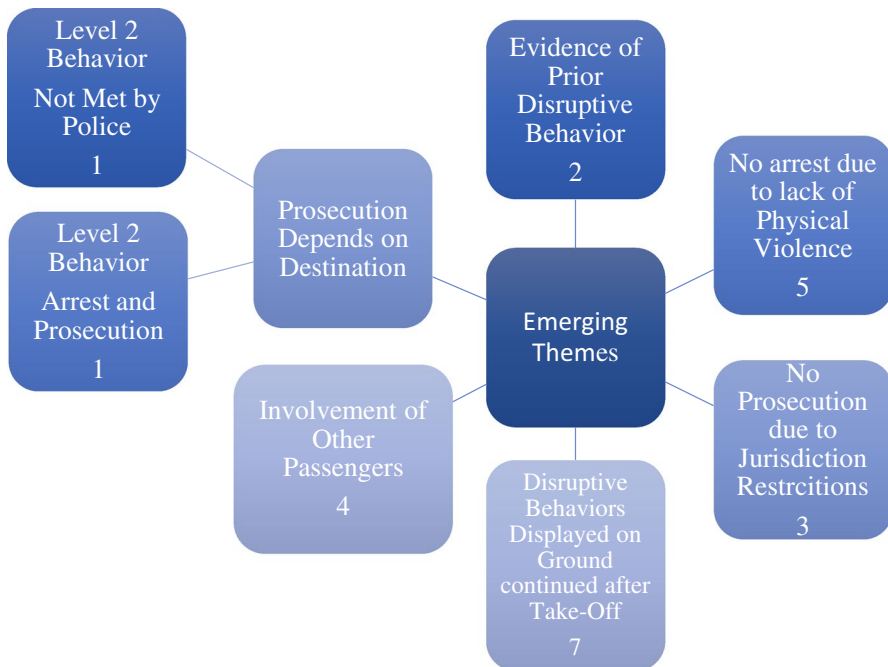


Fig. 2 Occurrences of common themes emerging from disruptive passenger ACNs

The rptr said that the man should have been observed as being intoxicated by at least 3 different company people: at chk-in, when they boarded his chair down in the belly and by the person pushing him to the plane in his wheelchair (ACN 473464).

The pax seated in yg stopped me to tell me that he was acting very disruptive in the terminal and was yelling at her. She told me that 'they' were aware of him outside the terminal before boarding (ACN 479050).

Lack of communication from airport personnel

Three ACNs demonstrate the lack of communication between crews regarding disruptive passenger behavior. 'Disruptive pax deplaned due to loud, obnoxious language, foul language and jokes about plane crashes. the pax had been acting the same way at the ticket counter and gate. they should have been denied boarding to begin with' (ACN 485549) (Fig. 2).

This pax seemed very nice and normal to me when I served her. She had a bloody mary and did not appear intoxicated or strange in any way. However, after the incident, many pax told me that they saw her prior to boarding drinking beer and playing with a wheelchair. If our agent saw this behavior, he/she should have informed a fit attendant prior to boarding. alcohol could have been a factor, but she had 1/3 of her drink when the #1 fit attendant took it away. Then we re-seated her. She was totally fine for the first hour of the fit (ACN 577741).

At that point, I was called up to the FC (First Class) cabin to meet with the customer service agent. He asked me what happened and I told him what seat the passengers were in and he already knew who I was referencing because he had issues with [this passengers] aggressiveness out in the gate area (ACN 1406836).

Discussion

At the first instance of disruptive behavior the decision to offload a disruptive passenger should be assessed. When a reporter is contacted for further comment in the evaluated disruptive passenger ACNs, regret is often expressed at not acting sooner, namely offloading the passenger from the flight. The first instance of disruptive behavior could be one of aggression, intoxication, irritation at requests for compliance, or challenging authority. The first instance of non-compliance should be treated as a violation of the air tickets' policies and regulations and intent to not follow future instructions. A passenger that exhibits such behaviors demonstrates a potential threat. A zero-tolerance policy would be enforced if there were a robust safety culture.

Whilst cabin crew are taught de-escalation tactics, these should be used as a primary means to take control of a situation on ground until the security services or

police arrive. On ground de-escalation tactics should not be used to placate the disruptive passenger in order to prioritize on-time performance and close the final door or complete cabin secure checks for take-off. An organization with a robust safety culture would prioritize safety and offload the disruptive passenger on ground as opposed to prioritizing on-time performance, placing the remaining stages of the flight in jeopardy, or risking the cost of a diversion. In the air, the de-escalation tactics become the cabin crew's primary means of self-defense.

It was often observed in ACNs that some disruptive passenger behaviors were not arrestable offenses. The level of emotional labor that cabin crew are expected to tolerate requires further study. Research has been conducted on service industries and emotional labor, and research has focused on cabin crew and emotional labor (Al-Serkal 2006; Chang and Chiu 2009; Hülshager and Schewe 2011; Lee et al. 2018; Okabe 2020; Schiffinger and Braun 2019; Whitelegg 2007). Further research is required into the trauma of repeat emotional labor, particularly intimidation, threat, or aggression, and how it affects cabin crew well-being long term (Baruah and Patrick 2014). Cabin crew job expectations could be evaluated alongside the scenarios experienced and measured impact of trauma. Assessing the effects of the trauma could be assessed and compared with acceptable levels of workplace harassment; especially when the disruptive passenger is a known offender. The airline would therefore be knowingly placing the disruptive passenger on an aircraft with employees for whom they are responsible. An airline with a robust safety culture would focus on mitigating threats and risk to employee welfare. Airlines have a responsibility to ensure that the mental welfare of their personnel is not avoidably placed in jeopardy whilst at work.

Considerations should be made regarding the mental well-being of passengers who are exposed to the actions and behaviors of disruptive customers. ACNs 1,438,895, 1,265,107, 469,037, and 470,442 show the relief expressed by several passengers at the removal of one or more disruptive passengers. An investigation could be made into the responsibility of the airport and airline of a disruptive passenger who displays observed behaviors prior to take-off, is not offloaded from the flight, and then continues to disturb good order in-flight. Airlines may receive passenger complaints after the flight and then compensate those passengers. However, if the disruptive passenger was known to the airline, then an argument could be made into the legal obligations of that airline to not expose passengers to a known threat. Another scenario could be if the disruptive passenger were known to airline A, and then became disorderly on airline B; research could be made regarding the responsibility of airline A. Had airline A communicated with airline B passengers may not have been subjected to unsettling behaviors and passenger mental well-being could have been preserved. Safety promotion is important within an airline, but also across the industry. To ensure congruent SMS practices are being promoted and upheld, airlines and airports with a strong safety culture could begin the trend of communicating disruptive passenger behavior and mitigating risk across the industry.

The sharing of information about disruptive passenger behavior or suspicious actions by passengers between crew in-flight, between crew operating the subsequent flights of disruptive passengers, and amongst airport personnel needs to

be ameliorated. More than one ACN detailed information about repeat passenger behavior. Disruptive passengers should face fines, detention, or arrest. Repeat offenders of disruptive action, that was not deemed worthy of arrest but caused disruption to good order, could also experience consequences for their actions, such as, being placed on no-fly lists. The sharing of information would show qualities of a robust safety culture across the industry and also decrease instances of repeat offenders.

Several ACNs detailed instances of passengers being offloaded from an aircraft whilst it was still at the gate or once the aircraft had pushed back from the gate, but was still on ground. If the decision was made to offload the passenger whilst the aircraft was taxiing to the runway, the flight crew would have to return the aircraft to the gate to offload a passenger, which would most probably cause a delay to on time departure. The ACNs that detail follow-up action indicate that after being offloaded the passenger was not arrested or that the passenger was rebooked onto different flights. The penalty of being offloaded from the original flight is a consequence. However, when a disruptive action causes a passenger to be removed from a flight the penalty could be forfeiting the air ticket as they have not complied with the terms and conditions of the ticket. This would show that an airline is willing to follow through on its safety policies. As part of safety risk management, a penalty could also be being blacklisted by that airline. The penalty could also be being blacklisted from airlines that agree, as part of a zero-tolerance of disruptive passenger initiative, to not fly passengers that have exhibited disruptive behavior. Depending on the severity of the disruption the ban may not have to be a lifetime ban.

ACN 602269 indicates that even when a passenger is level 2 disruptive, hit a cabin crew member twice, the aircraft discontinued flight and returned to the departure airport, police met the aircraft upon arrival and the passenger was prosecuted by the district attorney, 'it is hard to prove criminal intent' as stated by the district attorney. This lack of justice for cabin crew or accountability for disruptive passengers could perpetuate disruptive behavior as there is no disincentive. Safety policies may be in place, however there is no form of Just Culture being executed where a disruptive act receives a consequence.

In ACN 602269 it is also highlighted that the airline is responsible for blacklisting the disruptive passenger. Further research is necessary into the number of documented disruptive passengers each airline experienced, how many were blacklisted, and the criteria each airline has for blacklisting passengers. This would provide further insight into the airline's safety policy and ability to uphold it. Repeat undermining of safety policies is not constructive for positive safety promotion. Further research could also be done into the progression of an alliance between airlines to also blacklist disruptive passengers and protect cabin crew or passengers from physically abusive actions.

In 2019 the European Union Aviation Safety Agency (EASA) launched a safety campaign entitled '#notonmyflight' (EASA 2019; EASA n.d.). The aim was to have proactive safety promotion and increase awareness about the types of behavior that would be classed as disruptive and that would not be tolerated. Seriwatana (2018) explains how a passenger's safety knowledge influences the passenger's actions and behaviors whilst on an aircraft. Over 75 airlines, airports, aviation regulators,

or aviation organizations pledged allegiance to the campaign. There was no information detailed about increased communication between these stakeholders regarding the communication and contingent consequences of disruptive passengers or the adoption of shared responsibility for the mental wellness of passengers across airlines. The campaign did encourage other passengers to participate by sharing '#notonmyflight' on social media platforms. Safety promotion is important when building a robust safety culture. It becomes more valuable when violated safety policies are met with suitable consequential action.

The responsibility of fellow passengers to assist in controlling a disruptive passenger has not been established. In ACNs 635,446, 470,442, 577,741, and 661,547 fellow passengers assist the cabin crew in restraining the disruptive passenger. Zhao (2021) details how a captain requests assistance from 'strong males' to restrain a disruptive passenger. Airlines would not want to encourage passengers to intervene without invitation during a disruptive passenger incident as the situation may escalate. At the same time, trained professionals traveling as passengers, such as police officers or prison wardens may be more skilled and experienced than cabin crew. There may be occasions when additional assistance is required due to the size and number of cabin crew and the size and strength of the disruptive passenger. Medical professionals would be solicited for their knowledge and assistance in medical cases. Pierson et al. (2007) researched onboard psychiatric emergencies and the legal liabilities for physicians who chose to assist and legal obligations of physicians who chose not to assist potentially due to the limited resources or treatment options available onboard.

Conclusion

The lack of congruency between stakeholders regarding the consequences of disruptive passenger behavior could amplify the number of occurrences of disruptive events and increase the severity of the level of disruption. These ACN reports were submitted over a period of 21 years and yet there appears to have been no progress in the level of justice that cabin crew were able to obtain against disruptive passengers.

More support is required for airport staff and cabin crew so that communication channels are open and the behaviors of disruptive passengers can be effectively transferred. This would assist in the prevention of a known disruptive customer boarding an aircraft. Should a disruptive act occur whilst the aircraft is on the ground, the cabin crew should have the support from the company to offload the passenger prior to take-off. This could generate savings of not having to divert the aircraft and also not awarding compensation to affected passengers.

The FAA will now apply harsher penalties more often to disruptive passengers. The agenda is to catalyze a change in the nonchalance of some disruptive passengers towards committing acts that disrupt good order and discipline, distracting crew from their safety responsibilities and putting the aircraft, other passengers, and the crew in danger. Further effort is required to solve the problems encountered with jurisdiction and prosecution between states and countries. However, if safety culture

is robust and reinforced throughout the passenger journey, the tendency of passenger behavior reaching the point of arrest might be minimized.

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