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**Issue 7**

**Key Travel Tips:**

- Always check visa requirements before you travel - try to get written confirmation, from the Embassy of the country you intend to visit, before you go
- Suffered a flight cancellation, were you denied boarding, or had your flight delayed? Check out your rights under EU Directive 261/2004
- If you were ill whilst on holiday, see your GP or Environmental Health Officer as soon as you return to the UK

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**The Death of Corporate Responsibility!**

2008 will go down as the year when Corporate Responsibility died. The thin dividing line between excessive or aggressive behaviour and the quest to increase profits and influence, is usually stemmed by a corporate conscience. 2008 was the year when a corner was turned and whatever pretence existed that corporations worked within Regulatory frameworks, simply disappeared. Whole plane loads of holidaymakers found themselves in dire straights, some were advised upon arrival, that their chosen hotel was no longer available - where was their undeniable consumer rights before departure? Holidaymakers felt compelled to

travel to Kenya at the time of civil strife without Travel Insurance - where was the acknowledgement that those and other Consumers were exposed to a risk destination? Reports received from several resorts, supplied by management and staff, suggested that their monies were severely cut back - for what purpose? Hoteliers from Turkey contacted this Organisation to complain that they have not been paid by a mainstream tour operator - how can such debts be avoided? Reports of injuries to adults and children, such as the one year old whose hand was severely burned by a floor lamp, only for the staff and rep to state it was not a health & safety issue -



where is the recognition that safety is paramount? 'Cairo belly', 'Airborne Viruses' and thousands becoming ill, with an outright denial that events complained of do not exist, masked behind the veneer that their interests are central to operations - what collective thinking promotes such processes?

Enough is enough, now is the time for prescriptive action to restore corporate confidence with consumers!

**Drinks Warning in Kavos!**

We heard from an angry Father, whose son was hospitalised with pancreatitis. This followed from an evening out in one of the many bars in Kavos, where it appears that he had been served with spiked drinks. The dread of any parent is to hear that something bad

has happened to a child, particularly when they are so far from home. Fortunately this young man recovered, and through the steely courage of his Father, who confronted an intransigent insurance company, he won his fight to have him repatriated to the UK. It is how-

ever his Father's desire to warn against the lure of bars offering a good time through drink, and for young British men and their families never to have his family experience. [http://news.bbc.co.uk/newsbeat/hi/health/newsid\\_7544000/7544469.stm](http://news.bbc.co.uk/newsbeat/hi/health/newsid_7544000/7544469.stm) (Link to FCO Campaign)

## To Package or Not to Package?

### The Bio-Hazard & Bio-Crime Detriment!



*'If they knew that there was a problem at this hotel before we went, why did they send me and my family, without warning, to this place?'*

The threat to The Package Travel Regulations still remains. The EU Commission have initially reported that they see a case for a renewal of the Directive, but because of forthcoming EU budgetary and parliamentary elections, such proposals have to remain on 'ice'. That means that the earliest we are likely to witness any draft documentation is likely to be from mid 2009 onwards. In the meantime, as our lead article alludes, there appears to be a collapse in consumer confidence in travel companies. This shortfall in confidence is not wrought from the current financial crisis, but from the complete failure to recognise and provide the consumer with access to the rights contained within the Package Travel Regulations. In September 2007, we attended a meeting at the Department for Business Enterprise and Regulatory Reform (BERR) in which it was stated that the Department or Government could not discern that consumers had suffered detriment within their holiday contracts. That meeting led to our submission of a major report to BERR and the EU Commission. Events since that meeting has led us to conclude, that whatever we stated in 2007, 2008 was the worst year for complaints since 1997! It is the depth and range of complaints that provides deep concern, particularly in the area of health. An examination of media coverage on the main events of that season proves to be limited, and TV companies are now lining up to produce their annual 'infodramas' on those poor old suffering Brits! What is missing from an examination of the scandal of returning holidaymakers illness, is an analysis of the effect, both socially and economically, upon an unsuspecting society. We endeavoured to examine such a cost, albeit in financial terms, in October 2006 (The Shameful Cost of Holiday Illness). Our survey suggested that at its worst, the cost to the nation would

amount to £222m per annum. What we did not examine however, was the real effect on the individual, their families, or how the resulting infections may be further propagated within the community at large. We note the many occupations and professions enjoyed by those who contact HolidayTravelWatch. What is of great concern is the number who work in sensitive professions, such as child care, old peoples homes, food production and so on. It is clear that the vast majority of holidaymakers practice a clear responsibility; they seek medical advice, stay away from work, allow for a sensible period of recovery. This is often not without cost or pressure upon that family unit. On many occasions however, the pressure is so great, returned holidaymakers often feel that they have no choice but to return to work. The potential for harm being committed upon those around them, or within food production processes should not be underestimated. Throughout 2008 we received confirmed reports of E-Coli 0157, Salmonella, Campylobacter, Cryptosporidium, Shigella; some we suggest hidden behind the mask and allegations of so called Norovirus! Many holidaymakers return to the UK, never to visit their GP, never to receive a diagnosis. They suffer in silence, never to forget that holiday which has left them with a residual illness, usually in the form of Irritable Bowel Syndrome. However, these holidaymakers are probably, and unwittingly presenting the greatest danger to the issue of Public Health in the UK. This Organisation is aware of the frustration of many Environmental Health Officers (EHO's) on how these health deficits are reported and treated by National Health Authorities. Currently, with the exception of Campylobacter and Norovirus, when a confirmed illness is determined, a questionnaire is completed and sent to the Com-

municable Disease Centre, which is part of the Health Protection Agency. Other than statistical analysis, it appears that is where the enquiry ends! We know that EHO's are so keen to try and control or resolve the hygiene deficits that lead to these serious illnesses, that many write to the tour operators in question; we are told that many do not even receive a reply! This then raises serious questions of corporate responsibility and why we as a Society tolerate the weak controls on poor hygiene and illness within holiday contracts. In The Independent (11/8/07) it was suggested by ABTA that some 44 million holidays abroad were taken that year. In our report on the cost of holiday illness, we estimated that of the 30 million Package Holidays sold (2006), some 1.5 million people suffered with varying forms of holiday illness. We suggest that this sizeable grouping is sufficient to support our concerns and the concern expressed by holidaymakers. We recently spoke to a Travel Consumer who works as a Travel Agent. She and her family suffered with serious illness from a hotel where holidaymakers have confirmed Cryptosporidium. Her comments were most telling, 'If they knew that there was a problem at this hotel before we went, why did they send me and my family, without warning, to this place?'. Her sentiments were also shared by many hundreds of holidaymakers who became ill following their stay at a Turkish hotel. Reports of fleets of ambulances ferrying holidaymakers to hospital, holidaymakers on drips, faecal accidents in swimming pools, angry and sick holidaymakers faced with indifference and the 'cover' that the illness was either 'airborne' or brought in by holidaymakers to the resort. The problem did not stop there. During their flight home, many holidaymakers suffered with sickness, which must have been evident to the

## To Package or not to Package?

### The Bio-Hazard & Bio-Crime Detriment ! (contd)

crew of the aircraft. Intending holidaymakers in their hundreds were not made aware of the problems before travel and many found themselves travelling into a 'nightmare'. As the publicity increased on this major event, a 'three line whip' was clearly developed and all call centre operators, and many travel agents 'froze' out requests for help or to change holidays, citing that 'normal booking conditions apply'. This was the obscenity, that ordinary working people, following a corporate position, were effectively 'stuffing' their fellow working citizens. We understand that such staff have mortgages and bills to pay, but what is the cost to a wider moral and social responsibility? The result was a startling effort by a corporation to create a sense of 'normalcy'; the spread of confusion amongst holidaymakers and the reinforcement of a brand through increased TV advertisements. We say, enough is enough! In the debate as to the future of The Package Travel Regulations, we have suggested that less Regulation is dangerous for individuals and corporations. The idea that a free market with little control over the product delivery, or a clear line of responsibility, as being necessary to save an industry sector, is bankrupt in the extreme. Further, we suggest that National Health Authorities and Government can no longer ignore the financial and social consequences for the failures in holiday contracts. The time has come for a new view on how to reduce the reports and spread of illness. As there is no clear appetite to introduce one safe standard in the arena of health and safety (a good example is the lack of progress on the fire safety directive before the EU Commission/Parliament), then we must now take steps to classify and codify responsibilities where illness occurs amongst holidaymakers.

In the first instance we suggest that there are 2 defini-

tions that should be considered.

A **Bio-Hazard** is defined (The Free Dictionary) as :

*'A biological agent, such as an infectious microorganism, or a condition that constitutes a threat to humans...that provides a potential danger, risk, or harm from exposure to such an agent or condition'.*

A **Bio-Crime** is defined (Pub Med Central—CPS/Archbold) as:

*'A biocrime is similar to an assault crime, except, instead of a gun or a knife, the weapon is a pathogen or toxin...an assault is committed when a person intentionally or recklessly causes another to apprehend the immediate infliction of unlawful force. An assault can take the form of a battery, that being, when a person intentionally and recklessly applies unlawful force to another'.*

In our view these two definitions should form the bedrock of a protocol and regulations, punishable by criminal sanction. Commentators may cry that such a suggestion is without precedent. We disagree.

Within The Package Travel Regulations, there are 3 examples where law makers created 2 specific criminal offences. For example, Regulation 5 provides for certain requirements in brochures. Where those requirements are breached, the tour operator can be fined upon summary conviction. Under Regulation 7 if certain information is not provided before the holiday contract is concluded, then again on summary conviction, the tour operator can be fined. Surely if law makers can become concerned by the failure to provide information within a contract, criminalising those

failures, then why has the issue of standards and illness that flow from such contracts not provided the same response?

Perhaps the answer lies within the long debate over the Corporate Manslaughter & Homicide Act. The debate for this Act followed on the heels of the Zeebrugge disaster, where there was a natural desire to make the directors and managers of companies responsible for deaths caused by the wilful acts of negligence or omissions. The Act has led to some commentators expressing disappointment that more senior company officials will not be captured by its provisions. They argue that the axe will fall on those within junior and middle management for any failures that are proven to lead to a consumer's death. Solicitors who represent the Travel Industry, are split as to the scope of the Act, insofar as to its applicability to events in a foreign jurisdiction. During the European Tour Operators Association meeting in June 2008 (Travel Trade Gazette 5/6/08), Cynthia Barbour (Solicitor K&L Gates) stated that she felt that the wording of the Act left the position 'unclear' as to whether a company could be prosecuted for the death of a holidaymaker on foreign soil. She is quoted as saying, "There are two schools of thought on this...In my view an operator could be at risk of prosecution if a decision it made in the UK was grossly negligent and led to the accident overseas", She went on to provide an example concerning fire safety issues in a hotel, she asked,

"If letters are sent by guests to the operator pointing out the dangers, but someone from the operator says what the hell, lets take our chances, and people then die, could they be prosecuted?"



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## To Package or Not to Package?

### The Bio-Hazard & Bio-Crime Detriment! (Contd)



*‘The cost of returning illness is a price too high for a cheap foreign holiday. It is time to confront this obscenity, and stop this assault on holidaymakers and the social and economic structure of the United Kingdom’.*

She concluded that the harm within the Act is not defined as physical harm, so therefore, “The harm could be caused by a grossly negligent and reckless action in the UK”. Her counterpart, Peter Stewart (Field Fisher Waterhouse) is quoted as saying, “The position for outbound operators is improved in some ways by the new law because they cannot be liable for deaths overseas”. The key debate appears to centre around what is classified as ‘emergency circumstances’ and the apparent exclusion of Consumers from what is seen as the relevant duty of care. Notwithstanding, there appears to be a clear territorial limit on the laws applicability. Not to be beaten back, Peter Stewart commented the following week at the ITT Conference in Cyprus, he stated, “In reference to the question of whether or not a UK company can be prosecuted under this Act for a death overseas, the answer is a resounding no”. He continued, “How can I be so dogmatic when there are often so many grey areas in law? Because the wording of the legislation and, most importantly, the government made it clear that this act was not designed to cover deaths overseas as it is unfair to apply UK health and safety standards”. And that is the crux of the arguments of the Travel Industry. The argument has centred solely, whether it is through the courts or within parliament, that the imposition of a ‘higher’ UK standard in health & safety is unfair; it is an argument that has the lobbying force of many tens of thousands of pounds. In our

view the argument is skewed. If the courts and government appear impotent on the issue of illness in holiday contracts, then perhaps the time has come to review the obligations of tour operators and the UK Health Authorities. The logic is this; if we are unable to protect the consumer in resort because of some artificial debate on which standard to apply, then it seems sensible and appropriate to impose standards of reporting biohazards and creating a biocrime offence where a holidaymaker becomes ill from a biohazard.

We propose that within the Package Travel Directive/ Regulations, provision should be made to impose 2 obligations; one to deal with biohazards, the other to create a specific offence of causing injury through a biocrime.

The new obligation of dealing with biohazards involves the recognition of outbreaks of illness and its reporting to the Health Protection Agency (HPA). At the onset of reports of illness, the tour operator should be required to notify the HPA immediately of a potential threat to Public Health in the UK from returning holidaymakers. That reporting obligation should extend to air crew, with the proviso that they should alert the Port Health Authorities (PHA) of the nature of the illness of the passengers on board. The PHA should then examine, and take the necessary samples from each passenger for further reporting. Where serious infection is recognized or suspected, then the aircraft should be taken

out of service for deep cleaning to prevent the risk of further infection. In addition, where a tour operator is contacted by a health authority, the new regulation should impose a duty upon them to reply and provide timed structured reports of their investigations and complaints received. Failure by any tour operator or airline to comply with such a provision should be subject to a criminal sanction with a fine of up to £250k.

The most serious proposal involves the situation where a holidaymaker is introduced to a holiday location, where an illness problem is known or suspected. If a tour operator either with intent or through reckless actions, causes a holidaymaker to suffer illness, then they should be subject again to a criminal sanction. To reinforce the seriousness of such an offence, a penalty of imprisonment and/or an unlimited fine should be imposed upon the company officers and company who committed the offence.

In recent weeks, holidaymakers have reported how they have suffered faecal accidents both on holiday and since their return to the UK; some have reported confirmed diagnosis, others now suffer an intensive drug regime, some have not yet returned to work.

The cost of returning illness is a price too high for a cheap foreign holiday. It is time to confront this obscenity, and stop this assault on holidaymakers and the social and economic structure of the United Kingdom.

# Sick Aircraft - Time to apply a Regulation!

The inspirational anti-pesticides campaigner, said of her recent High Court victory that, "The UK government's relentless and extraordinary attempts to protect industry, as opposed to people's health has been one of the most outrageous things to behold in the last seven years of my fight" (BBC News Online - 14/11/08).

Her fight for personal justice stemmed from the after-effects of farm pesticide exposure, which was reported to have caused blistering, flu type symptoms and other ill-effects. Her principal argument to the court was that residents who lived adjacent to farm land should receive information and warnings about the dangers of exposure to pesticides. It is clear that the Judge, Mr Justice Collins saw logic from this argument and noted the allegation that the government fell short of its EU legal obligations. He considered that there was a disparity between the 1986 Control of Pesticides Regulations whereby beekeepers were required to be given 48 hours notice when pesticides were to be used; it appeared that humans did not enjoy the same benefit. He commented, "It is difficult to see why residents should be in a worse position". Indeed! He agreed with Ms Downs and, based upon the 'solid evidence' showing that she and others had suffered harm, he declared that the government must think again and create the conditions that provide sufficient information and warning to nearby residents of agricultural land. During 2008 we continued to

hear of fume events on board aircraft, many we suspect have gone unreported. Air passengers are blissfully unaware of the potential for serious injury following the exposure to fumes or smoke that may enter an aircraft cabin through an air bleed supply. November (2008) RoSPA Occupational Safety & Health Journal, highlights the plight of crew and passengers who have been subject to exposure and serious illness. The article's author, Nick Scott, considered that the main route to protect health could be through the Control of Substances Hazardous to Health Regulations (CoSHH) which is not only designed to protect employees but also to 'others who may be affected'. There is currently a sophisticated and determined response to the crew and consumers call for protection and action. The government has ordered a study (which is already criticised for being flawed) by the Cranfield University and the Committee on Toxicity (COT). Leaving to one side the apparent lack of legal progress in these cases over many years, there is a need to acknowledge the sheer courage and determination of Georgina Downs and establish a clear route to the Consumer's right to know of a danger and of a government's obligation to act.

Of particular note is the concern expressed in recent years of the so-called secret blacklist of airlines within EU airspace. Eventually the secret list became public through the EU Directive 2111/2005. The enactment of this legislation provides the

important right of a consumer to know of safety deficits in the air transport they use. In preamble 9 it states that information on the safety of airlines should be published. Preamble 10 provides that, "it is important that consumers receive the necessary information to be able to make informed choices". Preamble 15 importantly states that, "Air carriers should pursue a policy of transparency vis a vis passengers regarding safety information. Publishing such information should contribute to passenger awareness of the reliability of air carriers in safety terms". The power to go beyond a National impasse on any safety related issue is dealt with under preamble 20 where it states that, "Where there is a risk to safety that has not been adequately resolved by the Member State(s) concerned, the Commission should have the possibility of adopting immediate measures on a provisional basis". The Directive then fails to promote the preamble adequately but helpfully sets out the criteria within its annex when the Commission may be forced to act. This would be when:

1. There is serious evidence of safety deficiencies by an air carrier,
2. Lack of ability or willingness on the part of an air carrier to address the safety issues,
3. Lack of ability or willingness of the authorities to deal with the safety deficiencies of an air carrier.
4. Insufficient ability of the Authorities to ensure



that the aircraft is operated according to the Chicago Convention.

Information to passengers is only defined in terms of the identity of the name of the aircraft operator and how their rights under 261/2004 is affected! How the airlines and the Travel Industry must have jumped for joy with that specific exclusion!

We wonder at what depth did the EU Commission drill down for Consumer opinion on this important issue?

We consider that the need for an open dialogue, a recognition of the important evidence cited within The Aviation Contamination Air Reference Manual, the lack of suitable and convincing action by government is sufficient evidence for the EU Commission to act under 2111/2005.

The brave action of Georgina Downs should spur on Campaigners, Consumers and Solicitors alike!

## HolidayTravelWatch Clinic™ - Case Study:



*‘It is frankly nonsense to suggest that a Consumer has the benefit of a flight when the accommodation part of the ‘package’ has failed’.*

Mr & Mrs C booked their dream Greek Island Cruise and looked forward to their idyll in the sun! Those dreams came crashing down when they arrived at their destination airport to discover that their boat was not going to meet them at the local port but was situated at a port on another island! They were put on a ferry boat and when they arrived, they discovered that they were the only guests on the boat. No real facilities existed on the boat and they could not make contact with the local tour operators representative. Their journey did not last long as they had to pull into a nearby port due to

engine trouble! Out of the one week’s holiday, they spent the next 4 days in dock with very few of the facilities on the boat being available. They later discovered that the other passengers had been put up in a hotel on mainland Greece, also stranded by the mechanical difficulties of this boat. They received no assistance from the tour operator and some abuse from the local staff because they had decided to complain. When they returned to the UK they lodged their complaint with the tour operator, complaining that their holiday had been destroyed by the mechanical failure of this boat. The tour

operators response was slow. The first response came with the provision of a voucher (£150) and after further correspondence they were provided with a cheque for £517. The tour operator claimed that they could only provide compensation for the accommodation part of the holiday contract; in this case they ‘allowed’ 4 days. They also claimed that they could not refund the airline costs as these made up 60% of the holiday cost and this service was delivered without any prejudice being suffered! Mr & Mrs C were not pleased with the response and wondered what they could do.

### Suggested Resolution:

The primary issue in this case was the fact that the boat was not situated at the designated rendezvous point. It was established that there was a mechanical defect with the boat - the tour operator was later to claim that it had been relocated due to bad weather! It was clear that even before Mr & Mrs C left their home address, there was already a major and significant change to their holiday contract. Regulation 12 and 13 of the Package Travel Regulations set out very clearly what the pre-departure rights are. Options must be given to the consumer, the right to cancel without penalty; the right to

other accommodation options; a refund and compensation. Notwithstanding, they found themselves in this predicament when they arrived! Regulation 14 provides a right when a significant proportion of the services can not be provided in resort. If that is the case the tour company must find a solution and the consumer must give a good reason not to accept such an offer. Where the alternative is refused, the tour company must return the Consumer to their first point of departure. So much for the rights of Mr & Mrs C! It is common for tour companies to try and split a ‘Package Holiday’ into

components almost as if it were a DIY Holiday. It is frankly nonsense to suggest that a Consumer has the benefit of a flight when the accommodation part of the ‘package’ has failed. We have provided Mr & Mrs C with detailed information on their rights and arguments to counter this split resolution to their holiday complaint. They have decided that they will try once again to resolve this matter through correspondence. Routes open to them thereafter include ABTA Arbitration, Small Claims Court, MoneyClaims Online and direct legal advices!

# Time for Carbon Monoxide? - Guest Article:

In February Molly dropped her daughter Sheree, aged 21 off at Heathrow to join her son Gary, aged 26 for the last week of his holiday in Tenerife. The next day she received a telephone call and nothing was ever the same again for the Maher family. The call told Molly that Gary was dead and Sheree was critically ill and in a coma from an apparent suicide attempt with pills and gas. Peter, Molly's husband took charge. Somehow the couple, together with their other daughter, Lindy, got themselves together and flew to Tenerife the next day. On arrival they found it was true, Gary was dead and Sheree had received the last rites in hospital. Expecting help, all they received were false reports of a suicide pact and corruption. Peter, an experienced builder, insisted on a Judge and solicitor being present in the deadly flat. Peter then closed the windows, lit the water heater and took photos and measurements. The Judge panicked and shouted, 'we could all die'. So much for the police reports and the suicide pact. An illegally installed gas water heater was the culprit when Sheree had run a bath. For the first time they learned about carbon monoxide (CO), a deadly gas which can be emitted from any faulty appliance powered by any fuel that burns (gas, coal, oil, wood etc.). CO cannot be sensed using human senses. Less than 2% in the air can kill in about two minutes. If only someone had told them about the dangers and the need to leave a window open. The family received no help from the Government authorities or anyone else in either England or Tenerife. The first person to express concern was the then Labour leader of Brighton Council, Steve Bassam, now Lord Bassam. He introduced the family to journalists, who remain friends today. Media exposure of the dangers of CO was all the family could do. When Peter died, Molly somehow found the courage to carry on. Nigel Griffiths MP contacted her and together they formed the charity Consumer Safety International (CSI) to try to prevent CO deaths and injuries and other avoidable holiday tragedies such as fire, low balconies, pools etc. I started campaigning for children's activity holiday centres to be licensed after our son, Alex, then aged twelve, suffered a clot on the brain as a result of a fall while on a residential sailing holiday on the Isle

of Wight. After a battle with the medics, (who preferred to take the view that Alex's acute head pain was either migraine or my imagination), Alex had had brain surgery to remove the clot. In about a year, he had made a complete recovery. The fall was an accident but what concerned me was the lack of correct First Aid, which meant the 'sailing instructors' had not been qualified. I was afraid far worse could happen to other children. Being a barrister, I did some research and was horrified to find there were basically no controls on children's activity holiday centres. I then joined the canoe parents, who had lost four teenagers who drowned in Lyme Bay in March 1992. There was no safety boat and the students hadn't been drilled to blow up their life jackets – something our then eight year old knew to do. I wrote my first ever legal article, kindly published by the New Law Journal. The article advocated licensing children's activity holiday centres as the most flexible and sensible way of applying common sense safety. Eventually the Activity Centres (Young Persons' safety) Act 1995 became law. It was through this work that I met Molly. She helped me with my work and I helped her with CSI. Molly had been lobbying the Tenerife authorities trying to persuade them to make safety improvements or at least put up warning notices. They were polite, but pointed out that the UK had its own problems. Molly found this hard to believe, 'but we have the Health and Safety Executive, CORGI and British Gas' she exclaimed. Then Molly heard that a young couple had been found dead in front of their gas fire on Christmas Day and on 25<sup>th</sup> January, CO-Gas Safety was launched at the House of Commons. I agreed to run the charity as a full time volunteer. Our data of deaths and injuries (<http://www.co-gassafety.co.uk/stats.html>) are almost certainly the tip of an iceberg as there is no automatic test on dead bodies for CO; GPs hardly ever think of CO,

when a patient presents with TATT (Tired all the time e.g. Dr. Copperfield in The Times Body and Soul 23<sup>rd</sup> August 2008). 45% of households have never received any information about CO (UCL research). How do you protect yourself against a deadly gas you cannot sense using human senses and you don't even know exists? I have been sitting on committees, made up almost entirely of wealthy industry, since 1998 to discuss how to raise awareness of the dangers. The industry has simply refused to pay for the needed warnings. HSE recommended that a levy be imposed to pay for this in 2000, yet Government failed to implement this. The Gas Emergency Service does not even have equipment to test for CO although it has a duty to 'make safe' from it. So without proof of CO the industry can allege that there isn't a problem or at least that it's tiny. The Corfu parents, who tragically lost Christi, aged 7 and Bobby, aged six in 2006 to CO, knew nothing about CO. If they had they might have had a CO alarm with them and the children might still be alive. **Gary died in 1985, twenty one years before Christi and Bobby, yet so little has changed.** CO-Gas Safety was launched in 1995 and despite all our work, not much has changed, even in the UK. At a recent, much publicised event at the House of Lords, which I organised, we asked Lord McKenzie, Minister responsible for the Health and Safety Executive, what he thought should be done? He responded that industry needed time. We asked him how many decades would it take before the government decided to impose a levy? CSI tried hard to work with the travel industry, the tour operators, ABTA, the FTO, the Foreign Office etc. We even suggested to Baroness Amos that she impose compulsory insurance for those travelling abroad but she said this would impinge on civil liberties. What about the civil liberties of the parents who can't even afford to pay for the return of

the body of their dead child? We suggested, as an alternative, an increase in the passport fee by a pound or two to pay for repatriation of the severely injured person or the body and a Helpline. She refused. The passport fee has increased vastly, but where are the benefits? CSI also worked with Brenda Wall of Holiday-TravelWatch and we greatly admire her work and that of Frank Brehany, who has so ably stepped in to fill the gap sadly left by Brenda's death. A huge amount of work has been done by victims, their families, campaigners and charities to prevent deaths and injuries. Where is the help, co-operation and funding by big business and/or Government? There's still no properly set up and funded body to help injured travellers or victims of fuel poisoning. I've even been awarded an OBE for my work on gas safety, which is great but I'd far rather the changes that are needed to stop these deaths and injuries, had been brought in by Government so I could retire from my all-the-hours-God-sends-existence plus the huge frustration and grief of yet another unnecessary tragedy. CO-Gas Safety is looking for sponsors for the second year of a schools' poster competition to inform children, young people, families and teachers of the dangers of using fuel that burns. We ran one in 2007-8 and are having a prize giving at the Houses of Parliament in the autumn, at which we will also launch the 2008-9 competition. The costs of the competition are around £20,000 – peanuts to big business. This poster competition is supported by the Corfu parents and their MP, Ed Balls, Secretary of State for Children, Schools & Families. You'd expect companies to be falling over themselves to support us. It is surely, to put it in language corporations understand, 'a win, win, win situation'. So if a big corporation, an energy company or perhaps one of the tour operators, wants to sponsor the competition, do visit <http://www.co-gassafety.co.uk/competition.html> and do drop me a line [office@co-gassafety.co.uk](mailto:office@co-gassafety.co.uk) Come on, surprise us.

Article by Co Gas Safety  
Author: Stephanie Trotter OBE  
Co Gas Safety © 2008  
Presentation: House of Commons  
Tuesday 20 January 2009

The next issue of 'Get'away' - Your Route to Travel Rights - will be published on 31 March 2009.

In the next edition read about:

- The couple who took a tour operator to court who alleged that they had booked a DIY Holiday
- The new Consumer Rights under The Unfair Trading Regulations
- The new rights for disabled persons at EU Airports
- Continuing our articles on aircraft emissions, we ask what comes out of the exhaust of a jet engine and how does it affect those on the ground
- Update on the threat to the Package Travel Regulations
- Update on the Regulation of Travel Insurance
- Plus many more features

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[www.holidaytravelwatch.com](http://www.holidaytravelwatch.com)

## Current 'Calls to Arms':

Regular visitors to HolidayTravelWatch will be aware that we advise when we have received reports of illness, injury or other contractual problems, either within hotels, on airlines or within cruise ships. Our 'Calls to Arms' are an indication that holidaymakers are not alone, and they may, through our service, discover a range of options to try and resolve their travel dispute. Currently we are dealing with a wide range of complaints. We have received complaints of sickness affected cruise ships either on main cruise routes or on the River Nile. We have also received serious illness reports from holidaymakers who stayed at the [Holiday Village Sarigerme \(Turkey\)](#), [Numerous Hotels Sharm El Sheikh \(Egypt\)](#) and [Riu Garopa & Funana \(Cape Verde\)](#). We are also continuing to deal with [serious flight delay scenarios](#) with several Charter Airlines. If you, or anyone else you know, have been affected by any of these issues please call our helpline - 08450179229 - or contact us through [www.holidaytravelwatch.com](http://www.holidaytravelwatch.com)

On no account accept any offer to settle your claim without seeking independent advices

## HolidayTravelWatch PTR Tip:

We often hear from holidaymakers who do not receive their holiday information in time for their holiday. Regulation 8 of The Package Travel Regulations creates the obligation that information must be provided in good time. Before the journey starts, information must be provided to the holidaymaker in writing or 'in some other appropriate form'. That information includes, times of transport, stops, details of accommodation on transport. The names, addresses and telephone numbers of the local representative or agency where there is no rep—if neither exist, the contact details of the tour operator. There are additional details that must be provided where the holidaymaker is under 16 years of age. Where an insurance policy has been taken out, information on that policy. The Regulation goes on to state that where the information is not supplied, the tour operator shall be guilty of a criminal offence, which on either summary conviction or conviction on indictment they can be subjected to a fine.

## About HolidayTravelWatch:

HolidayTravelWatch was formed from the 'Holiday from Hell' experience of our Founder, Brenda Wall. She and her Husband experienced appalling conditions and several notifiable diseases. She led the first group action under the then fledgling Package Travel Regulations, and won in an out of court settlement. She then formed HolidayTravelWatch, and 13 years later, it remains the foremost consumer travel advice organisation in the UK. HolidayTravelWatch has advised over 165,000 people and guided 46% toward resolving their own claims; the remainder have gone onto win substantial damages. HolidayTravelWatch remains at the forefront of campaigning for safer travel and improved consumer rights protection, and frequently provides advices through media sources. The services of HolidayTravelWatch remain free to the travel consumer.

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