

## DOCTOR IN THE SKY: MEDICO-LEGAL ISSUES DURING IN-FLIGHT EMERGENCIES

*UN MEDECIN DANS L'AVION: PROBLEMES MEDICO-LEGAUX EN CAS D'INCIDENT EN VOL*

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**Introduction:** More people are traveling by air and in-flight medical emergencies are becoming more common. Some in-flight emergencies require assistance from passenger doctors including aviation physicians, who act as good Samaritans in the sky. Their liability and the associated medico-legal issues of providing assistance in mid-flight emergencies are unknown. Although provisions exist in theory about good Samaritans on the ground, it is unclear to what extent these doctrines are applicable to good Samaritans in the sky.

**Background:** This oral presentation reviews in-flight medical emergencies and their management. It examines the obligations, liability and legal protection of doctors including aviation physicians when acting as good Samaritans in mid-flight emergencies. It analyses the jurisdiction, existing legislation, case law in the United Kingdom and compares with their equivalence in the United States and to some extent, with the legal provisions in France. It appraises airlines' liability for injuries sustained by passengers during flight, with reference to case law.

This presentation derives from the LLM research thesis undertaken by the author at the Lancashire Law School, UK. A portion of the thesis has been accepted for publication at Medical Law International journal. An abstract has also been accepted for oral presentation at the UNESCO Chair in Bioethics 12th World Conference Bioethics, Medical Ethics and Health Law at Limassol, Cyprus from 21st-23rd March 2017.

**Discussion:** Aviation medical management of in-flight emergencies is not uniform; automated external defibrillator is not installed in all airliners. Medical data of mid-flight emergencies is scarce. Doctors' liability when volunteering assistance in these emergencies is unclear and uncertain; their legal protection is inadequate and inconsistent. Airlines' liability to passengers is restricted by the courts.

**Summary:** This presentation concludes with reforms proposed to address the aviation medical and legal deficiencies identified in this abstract.