

Pilots were only union members

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I refer to the article by Susana Ng of Allen & Overy ("Know your rights - emotional statements can be costly", November 28).

Whilst Ms Ng's article is generally an objective summary of the issues raised in the recent case of John Simpson Warham and Others vs Cathay Pacific Airways (SEHK: [0293](#)), it contains a factual inaccuracy. In her article she states that the airline "...decided to sack 49 pilots who instigated and played an active role in the [contract compliance] campaign".

The pilots who were sacked ranged in seniority, or length of service, from the most junior to the most senior, including a retired senior fleet management pilot.

It was no coincidence that the selection was such that every pilot in Cathay Pacific, no matter how junior or senior, had a member of his peer group selected for dismissal.

This was an attempted "union bust", plain and simple, and the selection was intended to intimidate the remainder of the pilot force.

Many of those dismissed were simply members of their union and, other than attending and voting at union meetings, neither "instigated" nor "played an active role" in any form of campaign.

In fact, during the court case, Cathay was unable to provide any evidence whatsoever to substantiate the allegation that is repeated in Ms Ng's article - a fact that was remarked upon by Mr Justice Anselmo Reyes in his judgment in favour of the pilots wherein he characterised the defendants' defence as, "contradictory ...[trying] to be different things at different times" and "embarrassing assertion and name-calling ... [which was] of no help to the court at all".

The sentence referred to in your article can be taken to imply that the sacked pilots were all "union activists" intent on causing disruption to the airline's operations - in effect repeating one of the defamatory statements that the pilots complained about.

The truth is that the majority of the pilots sacked by Cathay were simply rank-and-file members of their union who shared their union's concern about deteriorating flight safety standards at their airline.

John Simpson Warham, Sai Kung