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# postmagazine

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## My life: John Warham

As the former Cathay Pacific pilot prepares to tell all about the plight of the 49ers, he explains why he has not given up without a fight

**Mark Footer**  
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Photo: David Wong

**FLYING START** I was brought up with flying. My father was a pilot during the second world war, and so was his younger brother. Uncle Arthur was killed in 1944, in a Mosquito, so I never met him, but one of my aunts tells me I remind her very much of Arthur. I went to Leeds Grammar School [in northern England], where they had a Combined Cadet Force; I joined the Royal Air Force section. I left school and worked in the laboratory of a chemical company. At the time, British Airways was advertising for cadets. I went to the College of Air Training in 1973 and they said graduates would go straight into the third seat of a Trident but, three months later, the Yom Kippur war started and oil prices went up to the equivalent of US\$120 a barrel ... so they didn't need us. I sold insurance for a while and went back to digging holes in roads. Then I got in my car and drove round all the airfields in the north of England and started banging on doors, to see if there were any jobs going - and I managed to pick one up; flying air taxis. When my father died, I was based in Paris, working for TAT, a French airline. I went back to the UK for the funeral and saw some jobs being advertised for a wet-lease organisation, on a Boeing 707. I banged on their door quite hard and got a job with them for about a year, mainly based in Libya and Egypt. I flew with Monarch Airlines for about six years then got a job with Cathay, in 1985.

**FOR BETTER OR WORSE** Cathay, in those days, was seen as one of the premier airline jobs for Europeans. It was a great job but if you wanted to work for them you had to live in Hong Kong. I came out here as a first officer on a 747 and four years later got my command. Cathay was like Hong Kong, which was always governed as a benevolent dictatorship. Cathay made you feel part of the company; you were a valuable asset; you were contributing ... and you worked 110 per cent for them.

In 1993, they started 'corporate engineering'. They brought in consultants and they started benchmarking everyone. We could see we needed to make changes because the airline had gone from being a regional operation to being long-haul. But negotiations broke down - which was going to become the theme for the next 10 bloody years. They issued new contracts to all the pilots and said, 'They are purely voluntary but if you don't sign, you'll never be permitted to go on a basing', which was becoming an issue with 1997 coming up. Some guys were worried about the future; they wanted to be based overseas.

I wasn't involved with the union at this point and I was happy here. I didn't sign the contract because they'd completely rewritten just about every clause that offered any employment protection. Then they said, 'If you won't sign the new contract, we'll kick you out of the training section.' I was a training captain and I love training people. I decided that if they wouldn't let me give something back to my profession through training, I'd find another way, and I joined the union committee. Within a year, I was president of the whole sorry mess.

**RIGHTS AND WRONGS** In July 2001, they sacked 49 of us in one go; giving no reasons. We filed legal actions in London, Los Angeles, Sydney and Hong Kong. [Employee protection] is one of the things we are fighting for; our success in the House of Lords means any person residing in the UK who may be employed by a brass-plate overseas company is entitled to protection. It was a huge win. In Australia, our case was going really well, right up until 2005, when some of my guys were pressured into accepting a shoddy union-brokered deal. At the end of that there were only 18 of us left and, as one of us put it, 'Now we've got just the 18 hard bastards - and it's an easier team to lead.' And it was. We got to court in Hong Kong in 2009 - and we won. Everything. We got over HK\$4 million each in damages. [Cathay] went to the Court of Appeal, which reduced our damages and overturned one of the three legs of the case, the breach of contract issue - which has huge implications for everyone in Hong Kong. Basically they are saying the Employment Ordinance overrides whatever's written in a contract and an employer has the right to terminate employment at any time by giving notice or payment in lieu. That cannot be right.

We've applied for leave to appeal to the Court of Final Appeal. As pilots, you'll never get the public on your side because they just see us as overpaid playboys - but this has gone from being about a bunch of overpaid pilots to being an issue that effects every single man and woman working in Hong Kong. If this is allowed to stand, then Asia's World City might as well be Asia's Third-World City.

**FIGHTER PILOTS** At some points in all this, I've been in the deepest, blackest pits of despair. I've been on enormous highs, as well. Some of the guys have got other jobs, but at second- or third-tier airlines. One guy got himself an HGV licence and he's a trucker over in Canada. There are three people dead as a result of all this. Some guys got out of aviation altogether. I was out of it until October last year, when I was offered a job as a simulator instructor, which is great, because I'm in aviation again. The cost has been horrific: the broken marriages; the lost lives; people lost their houses - I lost my house, I lost my wife. But we will finish this and I think the opposition has worked that out by now; that they picked the wrong blokes to have a go at.

**ANIMAL INSTINCTS** I'm chairman of the Animals Asia Foundation, with Jill [Robinson]. We met in the UK then I moved out here. She came out here to live with me and we got married. I was at home one day, when Jill came back from China. She was working for International Fund for Animal Welfare. She'd been on a trip and found these bears ... but the IFAW weren't putting funding into it. One evening, she said, 'I want to start my own foundation.' Fortunately, a benefactor in Hong Kong gave us US\$1 million to start us off, so I didn't have to mortgage the house. I've stayed on as chairman because I know, at some point, some corporate raiders are going to come in and try and take it over. This is not going to go the way of so many other charities, where it becomes just a business.

**FAMILY MAN** I've got two kids, Nicola and Richard. There was a period of about seven years when I didn't see my children. I married when I was very young and divorced when I was very young, before coming to Hong Kong. Nicola, came over for the trial in 2009 and read the transcripts - there's stuff in there about where I come from. She said, 'You should write all this down so Oscar [Warham's grandson] can know about his grandfather, his great-grandfather ...' So the book is for my daughter - and my mother. I left the UK in my late 20s so, Mum, this is what I did when you didn't see me all those years.

*The 49ers, The True Story, published by Book Guild, will be released on March 24.*