

Talia Epstein appears in successful Qatar Airways defence

The Federal Court has dismissed claims against Qatar Airways brought by five women who were subjected to invasive searches by Qatari officials at Doha Airport in October 2020.

The applicants in [DHI22 v Qatar Airways Q.C.S.C \(No 2\) \[2024\] FCA 348](#) alleged that Qatar Airways was liable under the 1999 Convention for the Unification of Certain Rules for International Carriage by Air (known as the Montreal Convention) and in negligence. Justice Halley held that the applicants did not have reasonable prospects of establishing the incident occurred on board the aircraft or in the course of any of the operations of embarking or disembarking, and therefore the claim was not covered by the Montreal Convention. Further, the Montreal Convention provides the exclusive means of establishing civil liability of a carrier in respect of personal injury suffered by a passenger in the course of international carriage by air. Accordingly, the applicants could not separately advance a claim in negligence under domestic law and the claims against Qatar Airways were dismissed.

Talia Epstein appeared for Qatar Airways, led by Bret Walker SC.