

But for the Plan (Lost Luggage)

Our client, a retiree, traveled to Europe with her daughter and her granddaughter for a 'once-in-a-lifetime' tour. They flew to Rome via Amsterdam but unfortunately, their luggage did not. The airline (not Air Canada) located most of the luggage within a day or two, but our clients did not receive it until two weeks later, at the airport, in time for their return trip home!

The airline had treated them very poorly, making them check back repeatedly to inquire about the status of the luggage and what arrangements were being made to reunite them with their belongings. As a result, they missed out on a number of scheduled tour events, and had to spend time replacing clothing and other items. Although the airline reimbursed them for their receipted costs and purchases, our clients had been significantly inconvenienced and wanted compensation for loss of enjoyment of their dream vacation.

Another lawyer had sent a demand letter to the two European airlines involved. One said the other was responsible for processing the claim; the other never replied. In frustration, the clients came to us.

After doing some research, and canvassing other CAW Legal Services Plan lawyers, we discovered that the Montreal Convention, a treaty signed by members of the International Civil Aviation Organization, makes both airlines responsible for prescribed damages for delayed delivery of baggage. As a result, we recovered the maximum amount allowed at that time under the Convention (\$1,650.00), for each of the three travelers.

But for the CAW Legal Services Plan, our clients would not have pursued this matter, which required persistence in acquiring knowledge about an obscure international law. Once again, the CAW Legal Services Plan assisted its member in obtaining relatively quick and affordable access to justice.