

1:51 (23:00:00)

22.45 Remain fastened until seatbelt light off

24.45 Do you have any bags in the overhead locker?

Yea I do

-

Ah, there's a big hand – suitcase thing with wheels,

Yup

And there's a brown satchel with zips

Yep

And there's a coat that matches this

ok

And a black hat

ok

Thanks

Thank you

is that them?

25.23 That's them yep. That's great, thank you

26.52 Crew, unarm your doors

27.08 Seatbelt light goes off

30.45 (Begin moving toward door)

30.57 Hello sir

Hi

(inaudible)

32.15 (inaudible – about having a vehicle)

32.19 ah yes it's here

32.23 What's your name?

My name's Anthony Gallon – you're number is W109? What's your name?

Damon

Damon.

yeah

32.31 Thank you

32.56 (Arrival card produced). Proceed to sit in a meeting room

33.16 What did you get up to, (inaudible asks about my trip)

33.18 Ok, ah there was a stop over in China and two week holiday in Israel

33.28 Did you have any contacts in Israel or (inaudible)

33.3 Ah yeah I went for an eight day guided tour, and then six nights afterward just to pray and to meet the local people

ok. Whereabouts did you pray in Israel, did you go up to the...

33.52 Mostly at the Western Wall, also at The Holy Sepulchre church the Christian church there

34.1 (other person says he will leave the door open)

34.45 (inaudible – describes how he has been called to attend)

34.52 We haven't received any information until the aircraft arrived at the gate

34.56 (inaudible name) has told me that basically you had gotten upset with how a couple were treating their child

35.01 You stood up, failed to comply with the directions of the airline staff

35.06 No I didn't, that's not true

35.08 Let me finish .. ah, you failed to comply with the directions of the airline staff and eventually you sat down and ah, started reading the bible

35.19 That's the information I've got. What.. tell me your side of the story

35.24 Do you have any details about why they say I failed to comply?

35.28 Nothing

35.29 So they've made that unsubstantiated claim

35.3 Nope, it's not unsubstantiated

35.33 Then what's the substance to it?

35.36 Listen, that's their story
That's not a full story. It either has substance or it's unsubstantiated and I need to know these details

35.45 I'm telling you right now, I've told you all I know, tell me your side of the story

35.54 I'm a man of truth, and that is an unsubstantiated claim and it's false. I did not fail to comply with the directions of the staff

36.06 Ok, is that all you're going to say?

36.07 No. That's not all I'm going to say, but that's an important point that you need to make a correction to, in your understanding, and not go accepting these words without any substance

36.21 Everyone tells us their side of the story.. I've been on this job a short while

36.27 yeah

36.3 There's always two sides to the story, I'm trying to get your side. Tell me what happened on the aircraft.

36.34 Sure. Ah, so I was sitting there. I was watching the video, the TV on the screen, and I heard the child in the seat next to me was crying – across the aisle – was crying. Couldn't see the child. And the man and the woman who was with the child who were obviously the guardians/parents, and they weren't looking at the child, they were looking away like this. The woman was on the window seat looking away in that direction, the man was looking in that direction, and I couldn't see the child but I could hear it crying. And so after about two minutes of that, I thought "why?" "why is it not being comforted?"

37.15 And I got up to have a look, to see the child, and the child was being restrained! The woman had her arm like this .. The child's neck was over the armrest and the woman had her arm over the throat of the child, the child was going like this with it's arms, and it's legs were down here and the man was sitting there with his hands on it's ankles like this, looking out this direction. Just holding it like that. And when I saw this, the child saw me and stopped crying and the man looked up at me and said "what do you want? Go and sit down".

37.5 And I said.. "Why are you restraining the child?" and I can't remember all the exact words that were said in this conversation, it became heated very quickly. But it ended up being that I had to voice, umm, my ah disapproval for that treatment of the child. A child who is in distress like that needs to receive comfort and not restraint. In fact, and it became to the point where I called it an act of torture.. Child abuse, to treat a child that way.

38.26 And Amanda came over, to try and diffuse the situation, and she immediately saw that I was out of my seat and saying that they were abusing the child and she told me to sit down and she said that they have the right to treat the child that way because it's their child. And I disagreed with that. I said "no, you don't have the right to treat a child that way. A child should be treated with the respect, and um, and it shouldn't be forced, ah, to be restrained in that sort of abusive situation.

38.54 Effectively that's what happened.

38.58 Ok, so you're saying that you complied with all the directions given by the airline staff.

39.03 I did sit down after Amanda told me to

39.06 How many times did she tell you to sit down?

39.09 She told me to sit down and I can't remember what she did, but I thought "now I have to get some footage of this" so I took out my camera and pushed the video record button. And I stood up and I held it – because they carried on restraining the child like this even after I told them that it's inappropriate.

39.15 And so I started recording and I got about two or three seconds and they all, the attendants came and the said "hey! Turn off that camera! Turn off that camera!"

39.29 And so I turned off the recording of the camera and they tried to say "you're required to delete that. You're not allowed to have footage of the attendants" and I said "well, I'm not going to delete it". And then um, they released the child and the child stopped crying and then Amanda said "would you like to move to another seat?" and I said "well actually, yes I would". And she said "ok,

well there's a seat down the back" and she went up to the cockpit and I sat down and I was waiting and I pushed the button for the service and it was about one or two minutes later I pressed the button to say "hey, um, is there a seat ready for me?" and Amanda came back and put me in the front seat.

40.08 In row number two. And so I was sitting there, and um, began to, um, regather my peace. And uh,.. um, I could hear over the sound of the plane what sounded like a child was crying.

40.3 And I stood up and I turned around to have a look and I couldn't see the child again. And I was going to walk down and sit on the seat opposite them again so I could make sure that the child was ok, that it wasn't going to continue to be abused in that way. But by that time, the other two attendants had walked up the corridor with their coffee dispenser, and they blocked the corridor. I wasn't able to go past, and Amanda came out and said "hey, go and sit down on row number two, you don't go back to that one".

40.57 If you don't sit down right now, we're going to call security to meet you at the gate when we arrive.

41 I said "well that's ok, but this child needs protection". And I had to be requested three times.

41.1 ok

41.12 And then I sat down on the chair and I said "now you need to give a message to the pilot for me" and she said "I can do that" so I wrote down the message for the pilot and I instructed the pilot that he needs to take responsibility for the situation, that he needs to provide supervision for that child. That he has the responsibility to that child to ensure that it's safe on his aircraft.

41.31 And so I sent that note forward to the pilot.

41.41 Ok. There's a couple of points that have come out when you were talking to me. When an airline staff member gives you a direction when you're on an aircraft, you don't get one or two chances, you listen to them. And there's a reason for that. Most of that has got to do with safety.

42 So, do you accept that?

42.06 What are you talking about?

42.08 I'm talking about when a person gives you an instruction, an authorised person gives you an instruction on an aircraft travelling at 30-40-50-60,000 feet, you are to comply with those directions.

42.19 Would you agree?

42.21 Sure.

42.23 Yep. So, being asked three times before doing what they asked, do you think that's acceptable?

42.31 I think so, given the attitudes that she was showing toward the safety and welfare of that child. She was not accepting at any time that the child deserved the protection and the justice that I was asking for.

42.42 I had to insist before she allowed me to request to send to the pilot. I would rather that the situation was resolved in a much easier way.

42.45 Yep. Probably the best way, would have been to let the situation happen

43 No! No way I would let that happen to a child, and don't you dare suggest that I should, sir.

43.1 What you just displayed now, shows me what you were doing up on that air

Right! Right! So, as a Police officer, you're suggesting that child abuse should be tolerated, and that's unacceptable.

Did I say that?

Yes you did. You said that I should have allowed the situation to happen.

I'm not going to argue with you. I can see that you

Those were the words

43.3 I can see that you've failed to comply with an instruction. I'm going to wait on the flight report from the air hostess so she can tell me what exactly has happened. You've given me your version of the events. Are you willing to give a statement?

43.43 On video. With you present.

43.45 Yeah, of course.

Being recorded.

Yes, we can do that. That would actually be faster.

43.51 Sure.

What we'll do is we'll get you cleared through MPI, alright. You've given me your side of the events.

Before we get into the interview, in fact, I'll give you your bill of rights now.

You're being detained for a civil aviation regulation offence, and I'm speaking to you about that. You have the right to remain silent. You do not have to make any statements, anything you say will be recorded and may be given in evidence in court. You have the right to speak with a lawyer without delay, and in private before deciding whether to answer any of my questions. We've got a list of lawyers that you can speak to for free. Do you understand those rights?

44.35 I do. Can you clarify please, are you placing me under arrest?

44.38 No, I'm not.

44.44 What I said up there, you're not under arrest. We're still talking.

I have to give you a bill of rights, alright, so what we'll do is we'll take you back down to Quarantine, get you cleared through Customs, and then we'll come back here.

45 I need to use the lavatory as well.

53.15 (Declares packaged dried dates & chocolates to Customs)

55.02 (Describing contents of suitcase to Customs)

57 (Giving name to Customs)

58.45 Are they going to make us wait for a bit?

58.47 They want to have a chat to you as well.

58.49 Is there a toilet nearby?

59 I just need to go to the toilet

1.01.53 (Talk about insect damage to ornamental – request quote to have it treated)

1.02.56 Do you have any kids, Anthony?

1.02.58 No children, no.

1.03.04 How about yourself?

1.03.05 Just the one.

1.03.6 Would you restrain him on a chair like that?

1.03.09 Depends what age he was mate. We called him chase.

1.03.11 Is that a fact?

1.03.14 Yeah that's a fact, and he'd run off the side of a cliff. Should have called him (inaudible).

1.04.21 (other passenger passes by) Good luck bro

1.04.22 You're either right or wrong

39.3 Just makes it easier than repacking it all tight.

39.32 Ok, look. I'm not going to take a video statement off you. I've gotten some new information from an independent witness.

1.39.49 What I need is an explanation from you as to why you didn't listen to the air crew when they told you to sit down.

At what point was that?

It was when they told you three times (chuckled)

No-no-no, they didn't tell me three times,

That's what you told me earlier

39.58 Yeah well I remembered the details

40 Ok, well I'm, I'm ... (pauses for a moment)

40.07 Tell me the reason why you didn't sit down.

I was concerned that nobody was taking the safety and wellbeing of that child seriously. And so when I said to her that I would like to return to my original seat so I could be sure that the child doesn't continue to be mistreated that way, she said "no, you must sit in that seat now" and I said

“well, would you send somebody else then to keep an eye on the child”, she said “no I won’t do that either”. I said “well, would you let me make a statement to the pilot then?” and she said “yes you can do that, but please return to your seat”. And so I returned to my seat (inaudible).

40.42 So that’s where this number three came from.

(inaudible)

Really, you should have sat down the first time

Well I had to ensure the safety of the child

Let me show you that I serve The Lord God Almighty, alright? And He has authority over all of us.

Yep

41.01 And this is what He says: Stop doing bad. Learn to do good. Seek justice. Relieve the oppressed. Defend the orphan. Plead for the widow.

This is what He wants from us. This is my number one priority. You can put me in jail for that if you want to.

I’m not going to put you in jail. I don’t need to put you in jail. What I’m trying to sort out is what happened on that aircraft. When an air crew member tells you what to do, you’ve got to listen.

I’m very concerned that they didn’t take the safety and welfare of that child to heart.

Did anyone approach you and agree with you about what was going on about that child?

No, everybody was silent.

Have you ever taken care of a child?

41.48 Have you ever taken care of a toddler?

I’ll tell you what, that child stopped crying when I saw him

41.54 No, you answer. Have you ever taken care of a child, a toddler?

42.04 Don’t think so, I don’t know. But I wouldn’t take care of it in that way. That’s not taking care of it, that’s abuse.

Until you have a child, I’m telling you this right now, and I’ve told you this. The name of my child is Chase. He was running everywhere.

Let me tell you

Nah nah, listen.

42.14 He was running everywhere. And if I didn’t restrain him, he would have hurt himself. He would have run out onto the road in front of a car, killed himself.

That child didn’t do that (inaudible). Real love is when we do to others as we would like them to do to us.

Yep. I’ll tell you another thing. A separate passenger has written a statement to the fact that you weren’t very nice. Your approach toward those parents, who would have been stressed. They wouldn’t have enjoyed doing what they were doing.

What about my approach?

Your approach was that you were nasty.

No, I stood there, he said the first words to me, he said “what are you doing?”

I’ll show you a portion of the testimony.

Let me ask you another question. You consider yourself a man of God?

Yes, I am.

So, how are you supposed to treat people?

Be kind, gentle, feed the hungry.

ok.

I’m going to read this out to you, alright. This is from somebody different from the parents.

An unpleasant situation on the plane. A toddler, probably 15 months old, who cried most of the time. The parents did what they could to settle him. Consoled him, fed him, had a bottle. He settled well eventually. Unfortunately, a man sitting opposite the family made loud and unpleasant complaints. Threatened them with unkind words, used his video camera (phone) was going to report them to the authorities (whoever they were). Mother was becoming very upset. Flight attendants did really well. That was an independent witness that described your actions as being unkind.

Why did that witness come forward?

Why did you come forward? Do you think that your behaviour was appropriate?

I wish it hadn't have become that.

I wish the parents had have stopped as soon as I had told them. Even the flight attendant who came over, she covered her badge.

This is what happens when the light comes and we reveal what's really going on. People don't like the light.

How long have you been a religious man, Anthony? How long?

Why are you asking this question?

I think it's an appropriate question, cause I'll give you an answer of my own. To that same question.

What's the purpose of that?

Tell me the reason why.

Why are you asking this question?

45.26 Why do you think?

Because you're trying to put your authority over mine, that's what I think.

Ah!

That's what I think.

Is this a power issue now, is it?

I think so.

(Damon goes to explain that he has grown up in a religious home – Anthony is talking over him, saying that the child was screaming, held by it's throat, pinned down by two grown-ups that are meant to be caring for it)

45.47 Show me your video

45.5 I'm not prepared to do that

Exactly. Because there's no evidence. There's no evidence of what you're saying, is there.

Which is why I'm going to issue you with a ticket for failing to comply with instructions. Your explanations to me haven't been appropriate. There's an independent witness that has come forward and has told me exactly your behaviour on that flight.

46.2 \$500 and no criminal record.