



Jun 12, 2015 10:59 BST

The truth about Norovirus and how Travel Agents and Tour Operators could soon be sued over the Common Cold!

I have never heard of anyone suing a Travel Agent or a Tour Operator for catching a cold or Flu on holiday, but it could happen. The 'Common Cold' – or, to give it its proper name, 'Rhinovirus' or 'Coronavirus' – and Flu are contagious. We have all caught them by being in close proximity to someone who has it in the workplace, or at home. You could just as easily catch it on holiday from a fellow guest. Should Flu mean that you are laid up in your hotel bed for a couple of days, I doubt that you would blame the hotel, your Tour Operator or Travel Agency, let alone sue them!

So, why do cruise customers feel that it is appropriate to try to take action against cruise lines when they pick up another common virus – Norovirus? Whilst gastric illness is unpleasant, the principles are the same as with the Common Cold and Flu – they are viruses. They are all passed from person-to-person and from the surfaces that a person touches. But Norovirus is far more virulent. It may be more contagious than the Common Cold and spreads very easily, but it is a virus, just like the others.

Some newspapers and lawyers would have you believe that Norovirus is found only on cruise ships. It is not. Others falsely believe that, because it is a stomach bug, the source must be food or food preparation. Not the case. The only illness more common than Norovirus is – you guessed it – the Common Cold. There are around 267 million cases of Norovirus worldwide each year. It spreads in any community, whether that be schools, libraries, hotels, army barracks or, indeed, hospitals. That's right: last year in England and Wales, 676 hospitals experienced outbreaks of Norovirus. A hospital, with all its doctors, nurses and staff, still can't stop such a contagious illness – yet for some inexplicable reason, a cruise line is expected to succeed where medical professionals cannot? Notably, Norovirus also only tends to be highlighted in places where there is a medical centre on hand to monitor and record reported cases – such as on a cruise ship.

Fortunately, cruise lines have very high standards of hygiene and do an outstanding job of containing outbreaks – as is acknowledged by many of our guests, who commend our extremely comprehensive plans and procedures. Cruise lines devote a huge amount of time and resource into raising awareness of Norovirus and the importance of personal hygiene. Even so, there are occasions when the virus cannot be stopped – most notably when guests do not 'own up' to any symptoms when boarding (all Fred. Olsen Cruise Lines' guests have to sign a declaration stating they have not been ill within the last 48 hours). That said, as symptoms are not physically evident until 12 to 48 hours after catching the virus, there are times when some cruise guests may be innocently unaware that they are carrying the virus on board.

As soon as someone has had diarrhoea or been sick, there is every chance that they will spread the virus, unless they remain in confinement, which is why cruise lines ask guests to remain in their cabins to protect other guests (providing complimentary room service and entertainment), so that we can concentrate our cleaning and sanitising efforts on where they will have the best chance of being able to contain the outbreak. The virus can survive on

inanimate objects for days, so everything that someone touches will have the virus on it for someone else to pick up – of particular risk are handrails and door handles – as are any areas where someone has been ill.

This is why cruise lines have meticulous cleaning procedures and, on very rare occasions, will even end a cruise early to carry out a 'deep clean' with chemicals to disinfect the entire ship. But – and this is what makes combating the virus so difficult – it only takes one guest to bring it back on board and undo all that hard work.

At Fred. Olsen Cruise Lines, we do everything that we possibly can to stop and contain Norovirus, but sadly it is – and will continue to be – found anywhere and everywhere, at home, at work, in hotels and hospitals, until such time as it is eradicated. Everyone needs to understand what it is and how to prevent it.

In the meantime, we are left in the rather ironic position where a guest, who it appears has helped to spread the virus around the ship for an entire day (after being physically ill), is now seeking compensation from us for having caused their illness and 'loss of enjoyment'.

If we, as holiday companies, have to pay compensation every time someone is ill on one of our holidays – through no fault of our own – then where does it end? If I stay at a hotel in Barbados and catch Flu from a fellow guest, meaning that I spend two days in bed, then should I sue my Tour Operator for 'loss of enjoyment'? If I catch a cold at work, should I seek compensation for my illness over and above my regular sick pay?

If Common Law is not sensible, then we will all catch more than a Common Cold.

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Fred. Olsen Cruise Line operates in the UK with four intimately sized ships for a more personal cruising experience.

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