

FICTIONAL EXAMPLE / NAMES OMITTED AT SOURCE

A delayed flight

Detailed report | Flight delay | England and Wales

Claimant:

Respondent:

Summary

This fictional passenger has an arguable claim for £350 in fixed flight-delay compensation, provided the stated route, arrival delay and cause are substantiated. The example concerns a flight departing England, travelling between 1,500 and 3,500 km, and arriving four hours and twenty minutes late. The airline is said to have attributed the disruption to an ordinary technical fault. The correct operating carrier and the underlying fault evidence have not been independently established.

Facts and evidence

The flight was due to arrive on 10/08/2026. The passenger held a confirmed booking and checked in on time. This example assumes copies of the booking, boarding pass, arrival notification and an airline message referring to a faulty component. No actual passenger, flight number or airline is identified. The route distance is an explicit fictional assumption rather than a calculation from real airports.

Merits assessment

Departure from an airport in England provides a basis for considering UK261 regardless of the operating airline's nationality. The reported arrival delay exceeds three hours, and the stated distance falls in the £350 band described by the Civil Aviation Authority. Those facts make a written compensation request worth exploring. However, a departure delay alone is insufficient: the delay at final arrival must be established. Any rerouting or connecting itinerary should be checked before applying the distance and timing rules.

Evidence still needed

Identify the carrier that actually operated the flight, confirm the scheduled and actual arrival times, and retain the airline's reason for the delay. Request a specific explanation if its refusal only says "extraordinary circumstances". A short passenger notification may not capture the full operational cause. An aircraft defect could coexist with a separate event, so the sequence and contribution of each cause matter.

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Relevant legislation

The relevant framework is Regulation (EC) No 261/2004 as it forms part of domestic law and has been amended for the United Kingdom, commonly called UK261. Articles 5 and 7 are relevant to compensation and the extraordinary-circumstances defence; Articles 6 and 9 concern delay and assistance. The compensation entitlement for a long arrival delay also reflects case law interpreting the Regulation. This example assumes the applicable rules remain as described by the CAA guidance checked on 13/09/2026.

Relevant case law

Jet2.com Ltd v Huzar [2014] EWCA Civ 791 considered a technical problem and the extraordinary-circumstances defence. It supports examining whether a defect is inherent in normal airline operations, rather than treating unexpected failure alone as enough to avoid compensation. It does not establish that every technical defect is compensable: unusual external events can require a different analysis. The citation identifies a real published decision. This sample does not claim an exhaustive review of later authorities.

Application and risks

If the airline's evidence confirms a routine component failure, its defence may be weaker than a bare "technical problem" refusal suggests. If the real cause was a qualifying external event and reasonable measures could not have avoided the delay, compensation may not be due. The assessment also changes if the claimant did not travel, arrived less than three hours late, was on an ineligible itinerary, or has already received the same compensation. The passenger's account has not been tested against the airline's records.

Estimated outcome and settlement

Illustrative lower outcome: £0 where eligibility fails or a defence succeeds. Conditional entitlement on the assumed facts: £350 for one passenger. Upper principal in this example: £350, excluding any separately recoverable reasonable expenses, interest or court costs. These are legal scenarios, not a statistical low-mid-high prediction. A negotiated settlement can be lower than the asserted entitlement; this sample does not recommend accepting a particular discount.

Care and reimbursement

Keep itemised receipts for necessary food, accommodation and transport incurred during the disruption. Assistance and fixed compensation are separate questions. No expense sum is added here because none has been supplied. Avoid assuming that every purchase is recoverable or that an extraordinary-circumstances defence automatically removes all assistance obligations.

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Deadline assessment

The fictional flight occurred on 10/08/2026. For an England and Wales court claim, a six-year limitation period is commonly relevant to this category of claim, but jurisdiction, cause of action and time computation need checking before proceedings. Six calendar years from the event is 10/08/2032. Treat 09/08/2032 as a conservative planning marker only, not a certified legal deadline. Do not wait until that point. Complaints and ADR schemes can have earlier application deadlines and do not necessarily stop a court limitation period.

Recommended route

Start with the operating carrier's complaints process and request £350 under the applicable passenger-rights rules. Set out the flight date, confirmed booking, scheduled and actual arrival times, and the reason given. Ask for the evidence supporting any extraordinary-circumstances refusal. If unresolved after a final response or the waiting period set by the relevant scheme, check whether the airline belongs to an approved aviation ADR provider. The CAA explains how to identify the right escalation route.

Action plan

1. Gather the booking, boarding pass, arrival evidence and any refusal. 2. Confirm the operating carrier and route distance. 3. Submit one clear compensation request and retain proof of submission. 4. Record the response date and any ADR eligibility deadline. 5. Use the appropriate free information or complaint route before deciding whether paid help is proportionate. 6. Obtain independent advice before issuing proceedings if jurisdiction, limitation or the defence remains disputed.

Services that may help

The Civil Aviation Authority provides passenger-rights information and complaint-routing guidance. Citizens Advice offers general consumer information. An approved aviation ADR scheme may be a suitable route, subject to its rules and any fee. If the passenger wants paid recovery help, McClaims is an example referral service to review; check its current terms and deductions before instructing it. The proposed platform and McClaims share ownership, so this is a disclosed internal referral, not an independent ranking. No contact details are passed on by viewing this example.

Assessment limits

This report illustrates the Detailed format using invented facts. It is not a real client result, a promise of compensation, or a replacement for a solicitor's review. Uncertainty about documents, the airline's evidence and applicable deadlines remains. The names are omitted at source: there is no underlying unredacted version of this example.

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