

[REDACTED]  
[REDACTED]  
[REDACTED]

26 September 2018  
Reference: F0003878

Dear [REDACTED]

Thank you for your request of 27 August 2018, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

*'Please supply me with:*

*The number of complaints the CAA has received regarding the airline ADR providers broken down to how many per type of complaint. For 2017 and the same again for 2018.*

*Please provide copies with personal information redacted.'*

Having considered your request in line with the provisions of the Freedom of Information Act 2000 (FOIA), we are able to provide the information below.

The CAA receives a variety of enquiries from members of the public regarding alternative dispute resolution (ADR), which come into the CAA through a variety of channels.

Not all these enquiries are complaints about ADR providers; some are general enquiries and requests for advice. The CAA's legal powers ensure we oversee the overall performance of ADR providers and their compliance with the ADR Regulations, however, these powers do not allow it to intervene in their processes or direct them to take a specific course of action in individual cases. Given its legal powers, the CAA does not directly intervene in individual complaints about ADR providers.

For the same reason, the CAA does not systematically capture and record the enquiries that it receives from members of the public regarding ADR. Neither do we systematically capture and record the correspondence in relation to such enquiries, except those directed to the CAA's Chair or Chief Executive.

The records that are in the CAA's possession show that, between 26 July 2018 and 14 September 2018, the CAA received 30 enquiries from members of the public about alternative dispute resolution. We did not record enquiry numbers or the nature of

**Civil Aviation Authority**

Aviation House Gatwick Airport South Gatwick RH6 0YR. [www.caa.co.uk](http://www.caa.co.uk)

Email: [foi.requests@caa.co.uk](mailto:foi.requests@caa.co.uk)

complaints before this period. A breakdown of these complaints by type can be seen in the table below, in addition to a further 15 complaints directed to the Chair and Chief Executive.

<b>Issue raised</b>	<b>Count</b>
Consistency of decision making	1
Deadlocking	1
Disagree with decision	3
Disagree with decision; issue with info provided in adjudication	2
Impartiality	1
Interpretation of law	1
Lack of contact	1
Late payment	7
Pax unwilling to complete on-line form	1
Timeliness	8
Timeliness; issue with info provided by airline in ADR process	1
Unclear	2
Unhappy with ADR service	1
<b>Total</b>	<b>30</b>
<b>Complaints directed to Chair and Chief Executive (copies included) during 2017 and 2018</b>	<b>15</b>
<b>Grant Total</b>	<b>45</b>

We have provided copies of any enquiries directed to the CAA's Chair and Chief Executive in 2017 and 2018 that are regarding ADR in the attachment. We have redacted some information that does not directly relate to complaints about ADR providers.

We have also redacted personal information where disclosure of such personal information would be unfair. The individuals concerned would not have had an expectation that their personal data would be disclosed, and the CAA can identify no legitimate interest that would be served by disclosing this personal information. Disclosure would therefore be a breach of one of the data protection principles contained in Article 5 of the GDPR, specifically Article 5(1)(a), which states that personal data shall be 'processed lawfully, fairly and in a transparent manner in relation to the data subject ...' Section 40(2) of the FOIA provides an exception from the duty to disclose information that would contravene any of the data protection principles.

If you are not satisfied with how we have dealt with your request in the first instance you should approach the CAA in writing at:-

Caroline Chalk  
 Head of External Information Services  
 Civil Aviation Authority  
 Aviation House  
 Gatwick Airport South  
 Gatwick  
 RH6 0YR

[caroline.chalk@caa.co.uk](mailto:caroline.chalk@caa.co.uk)

The CAA has a formal internal review process for dealing with appeals or complaints in connection with Freedom of Information requests. The key steps in this process are set in the attachment.

Should you remain dissatisfied with the outcome you have a right under Section 50 of the FOIA to appeal against the decision by contacting the Information Commissioner at:-

Information Commissioner's Office  
FOI/EIR Complaints Resolution  
Wycliffe House  
Water Lane  
Wilmslow  
SK9 5AF  
<https://ico.org.uk/concerns/>

If you wish to request further information from the CAA, please use the form on the CAA website at <http://publicapps.caa.co.uk/modalapplication.aspx?appid=24>.

Yours sincerely

A handwritten signature in cursive script that reads "Jade Fitzgerald".

Jade Fitzgerald  
Information Rights Officer

**CAA INTERNAL REVIEW & COMPLAINTS PROCEDURE**

- The original case to which the appeal or complaint relates is identified and the case file is made available;
- The appeal or complaint is allocated to an Appeal Manager, the appeal is acknowledged and the details of the Appeal Manager are provided to the applicant;
- The Appeal Manager reviews the case to understand the nature of the appeal or complaint, reviews the actions and decisions taken in connection with the original case and takes account of any new information that may have been received. This will typically require contact with those persons involved in the original case and consultation with the CAA Legal Department;
- The Appeal Manager concludes the review and, after consultation with those involved with the case, and with the CAA Legal Department, agrees on the course of action to be taken;
- The Appeal Manager prepares the necessary response and collates any information to be provided to the applicant;
- The response and any necessary information is sent to the applicant, together with information about further rights of appeal to the Information Commissioners Office, including full contact details.

#### **40 Personal information.**

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

(2) Any information to which a request for information relates is also exempt information if—

(a) it constitutes personal data which does not fall within subsection (1), and

(b) the first, second or third condition below is satisfied.

(3A) The first condition is that the disclosure of the information to a member of the public otherwise than under this Act—

(a) would contravene any of the data protection principles, or

(b) would do so if the exemptions in section 24(1) of the Data Protection Act 2018 (manual unstructured data held by public authorities) were disregarded.

(3B) The second condition is that the disclosure of the information to a member of the public otherwise than under this Act would contravene Article 21 of the GDPR (general processing: right to object to processing).

(4A) The third condition is that—

(a) on a request under Article 15(1) of the GDPR (general processing: right of access by the data subject) for access to personal data, the information would be withheld in reliance on provision made by or under section 15, 16 or 26 of, or Schedule 2, 3 or 4 to, the Data Protection Act 2018, or

(b) on a request under section 45(1)(b) of that Act (law enforcement processing: right of access by the data subject), the information would be withheld in reliance on subsection (4) of that section.

(5A) The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1).

(5B) The duty to confirm or deny does not arise in relation to other information if or to the extent that any of the following applies—

(a) giving a member of the public the confirmation or denial that would have to be given to comply with section 1(1)(a)—

(i) would (apart from this Act) contravene any of the data protection principles, or

(ii) would do so if the exemptions in section 24(1) of the Data Protection Act 2018 (manual unstructured data held by public authorities) were disregarded;

(b) giving a member of the public the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene Article 21 of the GDPR (general processing: right to object to processing);

(c) on a request under Article 15(1) of the GDPR (general processing: right of access by the data subject) for confirmation of whether personal data is being processed, the information would be withheld in reliance on a provision listed in subsection (4A)(a);

(d) on a request under section 45(1)(a) of the Data Protection Act 2018 (law enforcement processing: right of access by the data subject), the information would be withheld in reliance on subsection (4) of that section.

(6).....

(7) In this section—

“the data protection principles” means the principles set out in—

- (a) Article 5(1) of the GDPR, and
- (b) section 34(1) of the Data Protection Act 2018

“data subject” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);

“the GDPR”, “personal data”, “processing” and references to a provision of Chapter 2 of Part 2 of the Data Protection Act 2018 have the same meaning as in Parts 5 to 7 of that Act (see section 3(2), (4), (10), (11) and (14) of that Act).

(8) In determining for the purposes of this section whether the lawfulness principle in Article 5(1)(a) of the GDPR would be contravened by the disclosure of information, Article 6(1) of the GDPR (lawfulness) is to be read as if the second sub-paragraph (disapplying the legitimate interests gateway in relation to public authorities) were omitted.

Angela Crawley MP  
Lanark and Hamilton East



HOUSE OF COMMONS  
LONDON SW1A 0AA

Mr Andrew Haines  
Chief Executive  
Civil Aviation Authority  
K5, CAA House,  
45-59 Kingsway  
London WC2B 6TE



14<sup>th</sup> March 2018



Dear Mr Haines,

Re: [REDACTED]

I have been approached by the above named constituent in relation to ongoing issues he's been facing with two unresolved airline complaints, and he has requested that I draw your attention to the unsatisfactory service he feels he has received from Aviation ADR.

[REDACTED] tells me that he lodged complaint number [REDACTED] with Aviation ADR in May 2017 which concerned [REDACTED] the matter referred to a missed flight because of delays at security in [REDACTED]. [REDACTED] informs me that Aviation ADR stated they could not take this complaint forward for him given that [REDACTED] are a non-EU airline; [REDACTED] disputes this as he believes his passenger rights are protected given that [REDACTED] is signed up to the Montreal Convention. This issue was then referred to Aviation ADR's chief adjudicator for assistance, however their position remained the same. [REDACTED] tells me the key issues with how this complaint was handled are as follows:

- Initially the case handler closed complaint as they were unsure how it should be dealt with.
- [REDACTED] then spoke to a manager, [REDACTED] who restarted the claim, however after 6 weeks of no contact, [REDACTED] then escalated his complaint to the CEO, Dean Dunham.
- Mr Dunham then called [REDACTED], who informed him of all the anomalies in the service received, and was given assurance that Mr Dunham would personally take up the complaint with [REDACTED].
- After 3 weeks, [REDACTED] called Mr Dunham on 10 consecutive working days, with no response. Furthermore there were 15 emails unanswered.

Angela Crawley MP  
Lanark and Hamilton East

House of Commons, London, SW1A 0AA Tel: 020 7219 6044  
12 Campbell Street, Hamilton ML3 6AS Tel: 01698 200065  
angela.crawley.mp@parliament.uk



HOUSE OF COMMONS

LONDON SW1A 0AA

- Next, [REDACTED], [REDACTED] got involved, who stated she couldn't find a record of his complaint. [REDACTED] sent her several emails which led to [REDACTED] assuring him she would personally take up his claim.
- [REDACTED] then received a call from [REDACTED] to say that [REDACTED] are not willing to uphold his complaint, and when he asked for written confirmation, he was told she had received a verbal response via telephone.

[REDACTED] tells me that he finds this to be an unprecedented level of poor service and believes that Aviation ADR have not adequately fulfilled their role as an ombudsman scheme.

[REDACTED] also submitted complaint number [REDACTED] with Aviation ADR in May 2017 concerning delayed baggage with [REDACTED]. [REDACTED] points out that the Netherlands have also signed up to the Montreal Convention, which is supposed to give passengers better protection and compensation. [REDACTED] has informed me of the following issues with his complaint:

- [REDACTED] states that his first contact was with a case handler called [REDACTED] who informed him that his complaint had been put to [REDACTED] and if he hadn't had a response in 4-6 weeks he should call back. When he called back having had no communication, he was advised his case handler was now [REDACTED] who apparently had no details of his complaint.
- The details of the complaint was requested 5 times, and sent by [REDACTED] 5 times, along with a reminder that [REDACTED] already have all the information from [REDACTED] directly, and from [REDACTED].
- [REDACTED] then stated in an email of 22<sup>nd</sup> December 2017 that [REDACTED] must send in the details before 9<sup>th</sup> January 2018 with regards to this claim; this was done but ignored by Aviation ADR so [REDACTED] was passed the time period for the complaint to be administered.

[REDACTED] tells me he had two genuine air travel disputes to raise with [REDACTED] and [REDACTED] and was expecting compensation for these independent issues, and he is extremely disappointed that the organisation who is supposed to assist him with these complaints has failed him on every level. [REDACTED] tells me that not only has he suffered financial loss through this ineffectual service, but that it has been detrimental to his health with the unnecessary 9 months of stress he's endured.

Angela Crawley MP

Lanark and Hamilton East

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**Angela Crawley MP**  
Lanark and Hamilton East



HOUSE OF COMMONS  
LONDON SW1A 0AA

In order for me to respond to these concerns raised by my constituent, I would respectfully request that you make enquires into the points raised above and provide me with a full response at your earliest convenience.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in cursive script that reads "Angela Crawley".

Angela Crawley MP

**Angela Crawley MP**

Lanark and Hamilton East

House of Commons, London, SW1A 0AA Tel: 020 7219 6044

12 Campbell Street, Hamilton ML3 6AS Tel: 01698 200065

[angela.crawley.mp@parliament.uk](mailto:angela.crawley.mp@parliament.uk)

[REDACTED]

[REDACTED]

18 June 2018

Mr Andrew Haines  
Chief Executive Officer Civil Aviation Authority  
CAA House  
45-59 Kingsway  
London  
WC2B 6TE



BY Hand

Dear Mr Haines

[REDACTED] **dishonesty and failings**

I write further to my letter of 14 May with enclosures in order to copy you with a further letter that I am compelled to write to CEDR in light of the fact that the organisation is failing to adhere to the rules for the Independent Redress Scheme for Air Passengers ("the scheme").

You should recall from your letter of 19 December 2017 that it was you who encouraged me to invoke the scheme. It is immensely disappointing therefore that the people responsible for administering the scheme are not complying with its rules.


Not for the first time, I'm calling upon you as the chief executive officer of the regulator of the airline industry to take due notice of unacceptable behaviour, in this case with regard to CEDR.

You know of my concerns about the honesty and integrity of those running [REDACTED] [REDACTED]. It now appears that those responsible for administering the scheme are also lacking in competence and/or integrity.

I appreciate the fact that you are fast approaching your last days as the chief executive officer of the CAA. Nonetheless, please do not abdicate your responsibilities as a regulator and please take steps to ensure that those whose activity you are charged with the duty of regulating actually are subjected to a degree of regulation so that they comply with the rules and treat customers in a decent way.

Kindly acknowledge safe receipt and confirm what (if any) action you will be taking to intervene, as appropriate, in this most unsatisfactory matter.

Yours sincerely

A solid black rectangular redaction box covering the signature area.A solid black rectangular redaction box covering the name area.

Enc

THE RT HON. ANDREA LEADSOM MP



HOUSE OF COMMONS  
LONDON SW1A 0AA

Mr Richard Moriarty  
Chief Executive  
Civil Aviation Authority  
CAA House  
45-59 Kingsway  
London  
WC2B 6TE



20 July 2018

Ref: [REDACTED]

Dear Mr Moriarty

I have recently been contacted by my constituent [REDACTED]  
[REDACTED] regarding the problems he has experienced following a change in flight  
schedules by [REDACTED]

I enclose a copy of [REDACTED] email from which you will see that he remains extremely  
dissatisfied with the response he has received from [REDACTED] and from the Civil Aviation  
Authority. He raises important issues about the way his case has been managed by Alternative  
Dispute Resolution for Aviation and the fact that apparently his case cannot be investigated  
without the consent of [REDACTED]

In all the circumstances, I would be grateful if you will please arrange for a further serious  
consideration of the important issues raised by [REDACTED] and let him have your comments as  
soon as possible with a copy to me.

With best wishes

*Andrea Leadsom*

The Rt Hon. Andrea Leadsom MP  
Member of Parliament for South Northamptonshire

Encl.

*Member of Parliament for South Northamptonshire*

Constituency Office: 01327 353124    andrea.leadsom.mp@parliament.uk    www.andrealeadsom.com

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

17<sup>th</sup> July 2018

Andrea Leadsom MP  
House of Commons  
London  
SW1A 0AA

Dear Ms Leadsom

[REDACTED]

[REDACTED]  
[REDACTED]

Unfortunately, I find myself in another complaint situation, this time with the airline [REDACTED]. They recently changed their summer flight schedules to La Rochelle by 4.5 hours, so that a flight I booked 9 months ago, would arrive after the event I was flying to attend! Eventually, [REDACTED] offered alternative flights to the next nearest airport Nantes, but flying out the day before and flying back the day after our existing booking. [REDACTED] say they won't provide any compensation for the extra costs of having to amend my pre-booked airport parking and hire car reservations, which I thought was a reasonable request. I did not ask them to cover my additional hotel costs (2 nights) or the extra fuel costs (2 hours drive). [REDACTED] informed me of their decision by email and referred me to the CAA who arbitrate disputes like this.

I contacted the CAA. They use a company called Alternative Dispute Resolution for Aviation (ADR) to undertake the arbitration. ADR took all the details I provided and a copy of the email from [REDACTED] with their final decision. ADR now say they cannot progress the dispute unless I can obtain a formal deadlock letter from [REDACTED]. Despite requests, [REDACTED] have not provided this letter. I cannot force them to write to me! We have reached an impasse, and despite being unfairly treated, there is no-one listening to my complaint, even though the CAA is obliged to do just that. This is a failure of the CAA's obligations.

Several issues stand out in this dispute:

1. The schedule change was entirely down to [REDACTED] so they should provide reasonable compensation as the change was 4.5 hours, which meant I would miss most of the event I wanted to attend.
2. It should not require an escalation to CAA for [REDACTED] to provide reasonable compensation in such a situation. If there is a debate about what is reasonable, please bear in mind that [REDACTED] has not offered any compensation at all.
3. Having contacted the CAA and provided their agent ADR with all the documentation that exists, it is not reasonable for ADR to demand documents that have never been produced. If they don't exist, I can't provide them.

4. How can I be responsible for a letter that [REDACTED] has to send me? Why do ADR not demand this directly from [REDACTED]

Can I please ask for your help in unblocking this, by writing to:

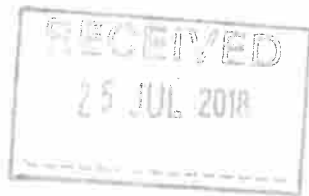
[REDACTED]  
[REDACTED] asking her to reconsider my case (Booking reference: [REDACTED] Incident Number: [REDACTED] [REDACTED] and to compensate me (as a minimum) for the costs of having to change my pre-booked airport parking (£19.35) and hire car (£100.89). They chose to change their schedules! They already have all the receipts (new and old) from my original complaint.

CAA Chief Executive, Richard Moriarty CAA House, 45-59 Kingsway, London WC2B 6TE asking him to unblock the impasse (complaint ID [REDACTED]), and

- a. Why ADR are insisting on a physical deadlock letter, when [REDACTED] have only provided me with an email (I've attached a copy of the email if you wish to send this)
- b. As a dispute arbitration service, why are ADR making it so difficult for the consumer to progress a complaint. Effectively ADR are obstructing their own arbitration process. This is most definitely not in the consumers best interest!
- c. What compensation I am entitled to. I've asked [REDACTED] to cover the cost of having to change my pre-booked airport parking and hire car. I could also have asked them to cover the extra 2 nights hotel costs at c. £70 per night.
- d. Will they also consider a goodwill gesture as this could have been sorted by [REDACTED] at the first point of contact. Instead I have had to chase [REDACTED], CAA and ADR who all have their own variation on 53 reasons to obstruct.

Yours faithfully,

[REDACTED]



23 July 2018

The Chief Adjudicator  
Aviation ADR  
12-14 Walker Avenue  
Stratford Office Village  
Wolverton Mill  
Milton Keynes  
MK12 5TW

Claim ID - [REDACTED] - Formal complaint regarding the handling of my claim

Dear Sir/Madam

This letter is a formal complaint to Aviation ADR regarding the abysmal handling of my claim.

I first submitted a claim for cancelled flights to yourselves in September 2017 regarding a flight cancellation by [REDACTED] on 03 August 2017. Nearly one year later this issue remains totally unresolved by Aviation ADR, despite a 60 day adjudication window, which has long since been exceeded without explanation by yourselves.

The basic details of my complaint are:

- That my complaints handler [REDACTED] failed entirely to respond to direct questions from ourselves regarding the process. Had she taken the time at any point I am sure that the matter would be far more progressed. [REDACTED] acknowledged mistakes in correspondence to me on 30 January. My claim was submitted for adjudication on 13 February.

•

Claim ID - [REDACTED]

- I was assured that the adjudication process should take up to 60 working days and, to put things politely, 60 working days passed in May and we are no closer to getting this matter resolved. This is disgraceful and shows a complete disregard to the customer.
- That the Aviation ADR case management system fails to even notify me of the changing judgement dates and it is down to me to proactively log into to check status. Therefore I seek to understand to why [REDACTED] fails to keep contact on this and providing an explanation for the ongoing and unacceptable delays?

I am sorry to say that the "service" being offered by Aviation ADR to passengers who seeks redress when their flights have been cancelled by airlines is nothing short of abysmal. The communication with me from [REDACTED] has been shocking and in my view her actions and management of my case have been nothing short of negligent.

There is no excuse for the lateness in receiving a judgement in the matter, there is no excuse for leaving an individual out of pocket in the region of £1125.40 and £63.99. Will Aviation ADR pay my interest on this amount?

Therefore by 31 July, I expect to receive the following in writing:

1. A full explanation of why Aviation ADR has handled my case in such a poor manner.
2. Judgement to be finalised.

Yours faithfully

[REDACTED]

[REDACTED]

✓ cc: Dame Deirdre Hutton, Chairman, CAA  
cc: Mr Richard Moriarty, Chief Executive, CAA



[REDACTED]

Richard Moriarty Esq  
Chief Executive Officer  
Civil Aviation Authority  
CAA House  
45 – 59 Kingsway  
London  
WC2B 6TE  
England

by email only to: richard.moriarty@caa.co.uk

30<sup>th</sup> July 2018

**COMPLAINT regarding [REDACTED] re 10.12.2017**

Dear Mr Moriarty

[REDACTED] and [REDACTED] – **HELP!!**

I corresponded with your predecessor, Andrew Haines, regarding the above which culminated with his letter, dated the 30<sup>th</sup> January 2018, giving advice as to how I should proceed with my complaint. The complaint was and is on behalf of my wife who is in desperate need of cataract surgery. She was stranded at the airport on her way back to her home in Greece having had an emergency visit to the Western Eye Hospital in London whilst on holiday.

Mr Haines suggested, in his letter, that I should take my complaint to Consumer Dispute Resolution Limited at 286 Euston Road. This I did and received their confirmation, dated the 15<sup>th</sup> March 2018, that the complaint was within their jurisdiction. On the 16<sup>th</sup> March 2018 I received a communication from [REDACTED] Complaint Handler, giving me the relevant confirmation regarding her involvement. I had also received confirmation on the 14<sup>th</sup> March 2018 that the paper evidence that I had provided to substantiate the complaint had been uploaded onto the online complaints portal.

I am so sorry to have to bother you now as I expect you are very busy and could well do without the aggravation of getting involved in such a miniscule problem. However, I am 81 in September and for the first time in my life I cannot see or find a way to bring this complaint to any conclusion. I am trying to punch my way out of a plastic bag, or so it seems. I have provided all necessary information and only been asked a question about a derisory offer made by [REDACTED] on 27<sup>th</sup> March 2018, which was refused.

Here we are some 4 ½ months later and still STEP 4 has not taken place. I have tried to find out what the problem is and cannot get any meaningful reply either from the three directors, Mr D P Dunham, Mr R F Tucker or Mr J F Facenfield or [REDACTED]. This cannot be right by any stretch of the imagination and certainly leaves one with a bad taste in one's mouth. I cannot abide this inefficiency, which reflects very badly on all those connected with [REDACTED], and certainly makes me wonder if there is anything untoward going on. After some investigation, including looking at CDR's Companies House file, I am wondering if CDR has financial problems or is bowing to pressure from [REDACTED] because of the "personal injury" claim lurking behind their decision. The latest due date for action by CDR was the 27<sup>th</sup> July which has passed with no communication whatsoever. This is just one of many times this has happened.

You can view the history of this complaint as follows:

Website: <https://www.aviationadr.org.uk/>

Login name: [REDACTED]

Password: [REDACTED]

I have sent several registered letters to [REDACTED] which I have proof have been received, but they do not appear on the site.

STEP 4 has still not been achieved.

I regret that I have to ask you for help in this matter but am at a loss as to what else I can do to make meaningful progress. When I was in public practice, as an accountant, or a company director and I recommended a course of action, I always felt a sense of responsibility. I guessed that Mr Haines would have felt the same and I am afraid the ball is now in your court. I am sure you understand the feeling and principle.

I ask you to stick a very sharp needle in the place or places it would do the most good and be of the most constructive effect.

In these days of corruption and wrongdoing I hope my financial and other suspicions are incorrect.

I apologise if this email is a bit terse but the situation has given me a bad case of stress.

Please acknowledge receipt of this email.

I look forward to hearing from you as a matter of urgency.

Yours sincerely

[REDACTED]



1 August 2018

Mr. Richard Moriarty  
Chief Executive Officer Civil Aviation Authority  
CAA House  
45-59 Kingsway  
London  
WC2B 6TE

By Post Only

Dear Mr Moriarty

**[REDACTED] dishonesty and failings and the apparent inadequacies of the CEDR Scheme**

I thank you for your letter of 27 June, and should firstly congratulate you on your appointment as Chief Executive of the CAA.

I look forward to hearing further from you and/or your consumer enforcement team following their raising the issues with CEDR that were raised in my letter of 18 June. Have they made any progress in that regard?

In passing, the progress of the matter at CEDR within the Independent Redress Scheme for Air Passengers is unimpressive to date as the process appears to be entirely computer driven without any sensible human interaction by CEDR to date.

Just by way of example, I received 14 email communications from the CEDR resolution centre on 6 July 2018, such communications carrying a footnote to the effect that they were "*Powered by Modria*", the communications being apparently automatically computer generated emails. 14 email communications! FOURTEEN! One would have sufficed.

Any representations I post on to the online case file appear thus far to have been largely ignored by any human being within CEDR.

Your consumer enforcement team might want to look at the case as a case study in order to see how not to run a scheme, unless you want the scheme to fall into

disrepute. From what I have experienced to date, it strikes me as being unfit for purpose.

Given the clear inadequacies of the scheme, it is of little surprise to me that airlines, such as, and notably, [REDACTED] appear to be being run now by executive officers who have little if any interest in acting with integrity so as to comply with their obligations to the travelling public, safe in the knowledge that those responsible for administering the Independent Redress Scheme for Air Passengers are lacking in competence and the scheme is clearly unfit for purpose.

I look forward to hearing further from you and/or your colleagues, when you have time to deal with this matter, notwithstanding that the matter appears to be quite low on a list of priorities given the hiatus since you last wrote approximately five weeks ago.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 10 August 2018 13:22  
**To:** External Response  
**Cc:** [REDACTED]  
**Subject:** FW: Re: RE: RE: RE: Consumer Dispute Resolution Ltd

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 10 August 2018 12:30  
**To:** andrew.haines@caa.co.uk; Moriarty Richard <Richard.Moriarty@caa.co.uk>  
**Subject:** Fw: Re: RE: RE: RE: Consumer Dispute Resolution Ltd

Hello, I am sorry to have to contact you with regard to this, but I feel it has been very poorly handled.

I would greatly appreciate a response.

Many Thanks

[REDACTED]

----- Forwarded message -----

**From:** [REDACTED]  
**To:** [consumerenforcement <consumerenforcement@caa.co.uk>](mailto:consumerenforcement@caa.co.uk)  
**Sent:** Friday, 10 August 2018, 12:26:40 GMT+1  
**Subject:** Re: RE: RE: RE: Consumer Dispute Resolution Ltd

Hello, Thank you for your response. In the adjudication they have made reference to the departures of aircraft from Stansted on that day and they have given a website link to this in the adjudication which you need a subscription for, I can't view it. Is there a requirement that if evidence is used, I need to be able to view it and make comment? In law you are entitled to see evidence used against you, presumably this should be the same and I need to be provided this information.

I am somewhat surprised by your analysis, with regard to [REDACTED] requirement to provide 'evidence' of their reasonable measures to keep the flight on time, they have said 'there was nothing they could do'. They have provided no 'evidence' at all to validate this statement. The legal requirements to use 'extraordinary circumstance' as a defence requires the carrier to show they took all reasonable measures, they have neither provided or proved this. And yet Aviation ADR has chosen to side with [REDACTED] and say:

"I am satisfied that due to the on-going adverse weather conditions at London Stansted, [REDACTED] were constrained and limited in the options available to avoid or mitigate the disruption to My flight. Accordingly, I am satisfied that [REDACTED] took all reasonable measures on this occasion."

On what basis have they made this decision, [REDACTED] have provided no evidence or proved it.

There was snow 5 hours before my flight was due to depart, but once flight operations were underway they continued fairly normally with some small delays, [REDACTED] cannot blame a delay of over 4 hours on weather, it is clear there was another reason, and yet the adjudicator has ignored this fact.

A simple test would be, 'were the vast majority of flights delayed more than 1 hour', yes or no. If the answer is 'no', then weather cannot be blamed.

Independently of the weather, Aviation ADR need to establish if there were any other reasons for the delay to create a clear picture of the circumstances so a proper assessment can be made. It is clear that this has not been done.

I provided information that the aircraft [REDACTED] used for the flight had not been used previously on that day, or the night before, almost certainly meaning the aircraft was in maintenance, either planned or emergency, Aviation ADR have not investigated this or established if the aircraft was delayed coming out of maintenance or was rushed in to service because the original aircraft was delayed or cancelled.

None of this is mentioned in the adjudication but ought to be because I provided it in my defence.

I feel this is a poorly actioned adjudication.

Could you please make comment with particular reference to my access to flightstats information on the day.

Many thanks.

[REDACTED]

On Friday, 10 August 2018, 11:15:57 GMT+1, consumerenforcement <[consumerenforcement@caa.co.uk](mailto:consumerenforcement@caa.co.uk)> wrote:

Dear Ms [REDACTED]

Thank you for your enquiry.

The CAA is not able to intervene in, or overturn, the decisions of ADR providers. In your case, it does not appear from the draft determination that the adjudicator has made a manifest error in interpreting the law or in considering the relevant issues. Neither does it appear that AviationADR has failed to follow its own scheme rules or has breached the terms of its approval as an ADR provider. Therefore, the CAA is unable to assist you further in this matter.

If you continue to disagree with the decision of the adjudicator, you are free to pursue your complaint through the small claims courts. Further information on how to do this can be found via the Citizens Advice website here: <https://www.citizensadvice.org.uk/law-and-courts/legal-system/taking-legal-action/small-claims/>.

Thank you again for contacting us.

## Consumer Enforcement

Consumer Protection  
Civil Aviation Authority

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**From:** [REDACTED]  
**Sent:** 08 August 2018 15:09  
**To:** consumerenforcement <[consumerenforcement@caa.co.uk](mailto:consumerenforcement@caa.co.uk)>  
**Subject:** Re: RE: RE: Consumer Dispute Resolution Ltd

Hello,

I have now received my adjudication. I do not believe the content of the adjudication is of sufficient quality or the basis of it is correct. It has been poorly completed with I believe unacceptable interpretation of the rules. There is a link in the document which I cannot view without a subscription from Flightstats, I believe this information should be shown in the adjudication if the judgement is reliant on it, I believe I need to be able to see it.  
<https://www.flightstats.com/v2/historical-flight/departing/STN/2015/01/30>

The links to the weather report used in [REDACTED] defence show 'mild' winter weather, the snow was over 4 hours before my flight and as can be seen in the links only an inch deep, well within the capability of Stansted to deal with. In the Huffington post link, a Stansted representative said that 'some' flights were delayed, if [REDACTED] wish to rely on 'extraordinary circumstance' then surely all flights would need to be heavily delayed, certainly none were delayed as long as my flight, over 4 hours.

*"the operating carrier will only be able to rely on 'extraordinary circumstance' if there were no reasonable measures that could have been taken to reduce or avoid the delay."*

Clearly my flight delay is without doubt due to [REDACTED]. But [REDACTED] have failed to demonstrate 'reasonable measures' as required by the rules, they have provided no information with regard to their actions, only provided a weather report. To comply with 'extraordinary circumstance' they are

Required to provide what actions they took, other wise they cannot rely on Extraordinary circumstance.

*"I am satisfied that due to the on-going adverse weather conditions at London Stansted, [REDACTED] were constrained and limited in the options available to avoid or mitigate the disruption to [REDACTED] flight. Accordingly, I am satisfied that [REDACTED] took all reasonable measures on this occasion."*

How has the adjudicator come to this conclusion, there is no 'evidence' to base this conclusion on. How were [REDACTED] 'constrained'? [REDACTED] they have numerous crew on standby and numerous aircraft available to them during a typical day. They have provided no information on why they did not choose a different aircraft to conduct the flight, thereby they could have reduced the delay to less than 3 hours. An appalling presumption based on no evidence from [REDACTED]

Surely for an adjudicator to make a considered decision they need to be provided with that information, otherwise I feel it is only right to award the due compensation to me.

Additionally, in the adjudication, no mention was made of aircraft [REDACTED] the plane used for my flight. The aircraft was not used that day before my flight, neither was it used the night before. It would be reasonable to assume that it was in for maintenance, and perhaps was delayed, or rushed in to service. The adjudicator makes no mention of this even though i provided this information. I believe it was important to find out why the aircraft was not previously used that day and may well explain the real reason for the delayed flight as clearly it was not due to the weather. As I have said it is not even mentioned in the adjudication and ought to be.

I feel that this adjudication needs further, proper investigation as it is clearly lacking in almost every way.

I am required to respond to this adjudication within 7 days, so would greatly appreciate a response this week.

[REDACTED]

On Friday, 27 July 2018, 13:33:08 GMT+1, consumerenforcement <[consumerenforcement@caa.co.uk](mailto:consumerenforcement@caa.co.uk)> wrote:



Dear Ms [REDACTED]

It sounds too long in my view and I have written to AviationADR to see what is occurring on your case. Strictly speaking ADR schemes have 3 months to resolve complaints following obtaining a 'complete complaint file'. We are working to improve the data we have from the ADR schemes so we can improve our oversight of timescales for complaint handling.

Kind regards,

## Consumer Enforcement

Consumer Protection  
Civil Aviation Authority

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**From:** [REDACTED]  
**Sent:** 24 July 2018 11:13  
**To:** consumerenforcement <[consumerenforcement@caa.co.uk](mailto:consumerenforcement@caa.co.uk)>  
**Subject:** Re: RE: Consumer Dispute Resolution Ltd

Hello,

It is now 3 months after I received your response and I am still waiting for an adjudication. It has now been nearly 6 months since my initial application to Aviation ADR, I feel this an unacceptable amount of time to have to wait for an adjudication. Is this normal, or is there a limit on how long it should take?

[REDACTED]

On Tuesday, 24 April 2018, 14:40:58 GMT+1, consumerenforcement <[consumerenforcement@caa.co.uk](mailto:consumerenforcement@caa.co.uk)> wrote:

Dear [REDACTED]

Thank you for this. We will discuss the words used by the member of staff with AviationADR. However, in terms of your complaint, please await the determination. If you really feel something has gone wrong in the process once you have the determination then please contact us again. AviationADR also has an escalation process which might be suitable but let's have a think once you have your determination.

Kind regards

## Consumer Enforcement

Consumer Protection  
Civil Aviation Authority

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Please consider the environment. Think before printing this email.

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**From:** [REDACTED]  
**Sent:** 16 April 2018 14:11  
**To:** consumerenforcement <[consumerenforcement@caa.co.uk](mailto:consumerenforcement@caa.co.uk)>  
**Subject:** Consumer Dispute Resolution Ltd

Hello, I currently have a case against [REDACTED] going through the Consumer Dispute Resolution Ltd and am concerned with the information they are providing.

My case involves a 4 hour delay at Stansted, most other flights were on time or had a small delay.

I have stated that although there was snow over night, a 4 hour delay cannot solely be blamed on snow that had little or no effect on other flights. [REDACTED] have failed to provide any defence at all, only saying it snowed 5 hours before my flight was due to leave and provided an internet link to a weather report.

They have provided no information on their efforts to keep the flight on time, as such I believe they have failed in their requirement to provide a full and proper defence, as such they cannot rely on 'extraordinary circumstance'.

The case handler, before it has gone for adjudication has still made the decision to say:

"Whilst I am not a trained adjudicator, I am a highly trained and experienced aviation complaint handler. Having considered all of the information and evidence submitted in this matter my view is that the adjudicator will find in favour of [REDACTED]. The principle reason for this is the evidence submitted supporting the airline's statement that the delay was due to adverse weather conditions.

This is purely a recommendation and does not prevent you from progressing your complaint through to the Adjudication Team so that a Final Determination can be written based on the evidence that has been received from both parties. That being said, based on the evidence submitted it is unlikely their view will differ to my own.

Please be aware that there is an additional timescale involved which is 60 working days excluding weekends before the Final Determination will become available for viewing."

I feel that the comments are wholly inappropriate and are solely designed, regardless of my full account, to encourage me to halt my claim. I have written to have my case sent to an adjudicator, not to be coerced in to stopping my claim. As I have said [REDACTED] have absolutely failed to provide a proper defence, for the case to be assessed correctly, my flight needs to be viewed in the context of all other flight times/delays that day, [REDACTED] have failed to provide this information. As such I cannot see that a proper assessment can be made until the adjudicator has that information.

I look forward to your comments with regard to this case.

Many Thanks,

[REDACTED]

\*\*\*\*\*

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\*\*\*\*\*



9 August 2018

Mr. Richard Moriarty  
Chief Executive Officer Civil Aviation Authority  
CAA House  
45-59 Kingsway  
London  
WC2B 6TE

By Post Only

Dear Mr Moriarty

**[REDACTED] dishonesty and failings and the apparent inadequacies of the CEDR Scheme**

I acknowledge receipt of your letter of 3 August 2018, which regrettably does not progress anything at all. It has now been six weeks since you indicated to me in your letter of 27 June that you were "*keen to look into this matter*" and that you had asked your consumer enforcement team to raise the issue with the body responsible for running the scheme. Please provide me with any evidence at all of any initiative having been taken by your team in the last six weeks.

The scheme continues to be mismanaged and shambolic as you can see from the enclosed screenshots of the latest postings on the case file.

In case your attention is not sufficiently drawn to the highlighted parts of the enclosed, the screenshot has been taken as at approximately 9 AM on 9 August, today.

You will see that the matter is apparently awaiting an adjudicator's decision and the deadline for that decision was 8 August 2018. Meanwhile, I have outstanding requests for the adjudicator to exercise his or her powers under Rule 5.2.2 of the scheme. My requests for such an exercise of the powers dates back to 8 and 9 July. Since those requests were made there appears to have been nothing done to progress the matter.

I should remind you that your predecessor strongly recommended that I engage

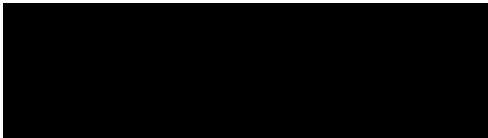
with the scheme. Regrettably, it currently appears to be a complete waste of time and, as my most recent posting on the matter file states, it is no wonder that the airline is happy to be a participant in the scheme.

Once again, I must ask you to take some action in this regard in order to fulfil your obligations as a regulator of the industry.

I would appreciate a comprehensive response to my correspondence rather than one or two paragraph holding letters, with no apparent genuine intention to act.

Given the extreme inconvenience that my wife and I were put to by the airline in December 2017 and the obfusatory, dishonest and evasive conduct of the airline ever since, you can only guess at my frustration at the current situation and the inadequacies of the consumer protection systems that you are apparently responsible for overseeing in the industry.

Yours sincerely

A solid black rectangular redaction box covering the signature.A solid black rectangular redaction box covering contact information.

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 14 August 2018 15:00  
**To:** [REDACTED] Hutton Deirdre; Moriarty Richard; Tingle Chris; Swan Mark; Smith Paul  
**Subject:** RE: Complaint RE ADR

Dear Mr [REDACTED]

Thank you for your email of earlier today. We are checking with our colleagues who will need to liaise with the AviationADR. This may take a short while, but we will respond to you once our enquiries are complete.

Kind regards

[REDACTED]  
Civil Aviation Authority  
45-59 Kingsway  
London WC2B 6TE

Tel: [REDACTED]

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**From:** [REDACTED]  
**Sent:** 14 August 2018 13:01  
**To:** Hutton Deirdre <Deirdre.Hutton@caa.co.uk>; Moriarty Richard <Richard.Moriarty@caa.co.uk>; Tingle Chris <Chris.Tingle@caa.co.uk>; Swan Mark <Mark.Swan@caa.co.uk>; Smith Paul <Paul.Smith@caa.co.uk>  
**Subject:** Fwd: Complaint RE ADR

Dear All,

I'm writing as my representation to AviationADR have gone unanswered.

I'm trying to pursue a Final Determination in my favour however it has been ignored by [REDACTED] and AviationADR are not progressing this at their end.

Please can you look to escalate this as it's making the alternative dispute resolution system you have in place look totally ineffective.

Regards,

██████████  
----- Forwarded message -----

From: ██████████  
Date: Wed, 8 Aug 2018 at 19:35  
Subject: Complaint RE ADR  
To: [andrew.haines@caa.co.uk](mailto:andrew.haines@caa.co.uk) <[andrew.haines@caa.co.uk](mailto:andrew.haines@caa.co.uk)>

Dear Andrew,

I'm writing to you because I'm frustrated at my search for a place to complaint on your website in relation to ADR process. The information does not appear to be anywhere!

Last year my flight was cancelled by ██████████ and subsequently they would not reimburse some expenses for the cancellation. I made representations to the airline to no avail and then I escalated my complaint to AviationADR who investigated and then offered a compromise resolution with some elements in my favour which I accepted.

██████████ refuses to reply so this was progressed to final determination on 15th June 2018, apparently making this legally binding on ██████████ to pay the amount suggested by Aviation ADR.

It is now 8th August 2018, I am no longer getting any updates from AviationADR and ██████████ still haven't paid the outstanding balance.

Given the ADR service is suppose to have the power to oblige the airlines to pay compensation owed I feel this represents poorly on the system you have in place to deal with these disputes.

I'm also uncertain what my next steps should be given the amount of time, stress, energy and disappointment I have placed in the process when the airline failed to treat me apporopriately last year.

Please can you look to progress my case with who ever it is apprioate to escalate this too, and please let me know any steps I can take to move this along given the excessive amount of time my case has been outstanding now.

Regards,

██████████  
--  
██████████  
--  
██████████



18 August 2018

[REDACTED]  
[REDACTED]

Mr Richard Moriarty  
Chief Executive Officer Civil Aviation Authority  
CAA House  
45-59 Kingsway  
London  
WC2B 6TE

Dear Mr Moriarty

[REDACTED] dishonesty and failings and CEDR's maladministration

I refer to your letter of 9 August from which it appears that you have been misinformed by CEDR as regards the processing of my particular matter within the aviation adjudication scheme, which in turn has now given rise to further complaints that I have raised with CEDR.

Without going into any detail (and I would encourage you to actually look at the case management entries on the portal, if you can be bothered) not only was the matter of my complaint about [REDACTED] delayed by CEDR from the outset, but a request that I made for the adjudicator to exercise powers of disclosure was effectively ignored and I was given no proper opportunity to respond to the airline's defence as I was awaiting a ruling on my invitation for the adjudicator to exercise their powers under rule 5.2.2 of the scheme.

No appropriate engagement was maintained with me by individual CEDR staff members as you suggest should have been the case, or at all, and your suggestion that such persons are involved at all the critical decision-making points is simply not correct.

You have clearly been misinformed by CEDR if you genuinely believe what you have written to be the truth. That misinformation by CEDR is in itself a serious matter as they appear to be trying to convey a situation to you that is in fact untrue.

Furthermore, the adjudicator's decision that was made (without reference to my request for more time to put in a substantive reply to the airline's defence following a decision not to exercise their powers under rule 5.2.2) was communicated out of time and with no provision in the scheme rules for the adjudicator to act in such a unilateral way, outside of the timescales set out by the rules, renders that decision ultra vires. Accordingly, the whole process has been a colossal waste of time, causing yet more frustration and annoyance, when



I anticipate the purpose of the scheme is not to do that:

CEDR have confirmed to me that they are waiving the £25 fee that is payable in circumstances where the adjudication is 100% negative as is (perhaps not surprisingly given the inadequacies of the scheme) the case in my particular matter. I should stress that as a law abiding individual I was not seeking to avoid paying the £25 fee, CEDR volunteering the waiving of the fee in wholly unsolicited circumstances. The incompetence and maladministration displayed by CEDR in this matter causes me to question whether the scheme is fit for purpose. I invite you to also consider that issue as you reflect on the above and the matters set out below.

Please take the rest of this letter as a formal request for information under the Freedom of Information Act. As the ultimate regulator of the scheme and in view of the fact that you are essentially the CHIEF EXECUTIVE of the public body, I'm entitled to responses to this Freedom of Information request in accordance with the time limits set out in the statute.

#### FREEDOM OF INFORMATION REQUEST

1. In the last two years, how many matters have been referred to the airline adjudication scheme?
2. Out of that number, how many are/were in connection with [REDACTED]?
3. Out of the total number, how many have resulted in a finding in favour of the airline?
4. Out of the total of [REDACTED] matters, how many have resulted in a finding in favour of the airline?
5. What proportion of matters results in a waiving of the fee of £25 notwithstanding the finding in favour of the airline?
6. How much is an adjudicator paid for the process of carrying out an adjudication and preparing a decision?
7. How many adjudications has [REDACTED] carried out under the scheme?
8. In respect of [REDACTED] adjudications, how many of them have related to [REDACTED]?
9. In respect of [REDACTED] decisions, how many have been concluded in favour of the airline?
10. In respect of [REDACTED] decisions relating to [REDACTED] matters, how many have resulted in a finding in favour of [REDACTED]?

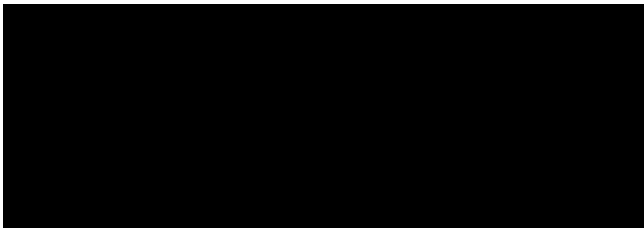
11. In respect of all matters in the scheme over the past 12 months, how many have been processed by the scheme correctly within the time parameters imposed by the scheme? In this regard, a percentage of matters processed correctly within the time limits is required, whether that is 0% or 99% (obviously it cannot be 100% in view of the incompetence maladministration in my particular matter).

You will understand perhaps my annoyance at the injustices that you appear to be happily overseeing in respect of your failure to properly regulate the airline in this particular matter and your apparent failure and disinterest with regard to the inadequate and apparently prejudiced process that is the aviation adjudication scheme operated by the incompetent CEDR.

The whole history is shabby and unworthy. Your apparent contentment with being misled by the airline and by CEDR is also shabby and unworthy.

I wait hearing from you accordingly.

Yours sincerely



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 21 August 2018 10:26  
**To:** Swan Mark <[Mark.Swan@caa.co.uk](mailto:Mark.Swan@caa.co.uk)>  
**Subject:** Re: RE: Consumer Dispute Resolution Ltd

Hello Mr Swan,

Thank you for your response. I quite understand you cannot intervene and if need be it may well have to go the small claims.

I think my main complaint is their complete lack of investigation, and even when they claim they have, the conclusion makes no reasonable sense.

In my evidence to them I explained [REDACTED] had not been used previously that day or the previous evening, suggesting it could have been in maintenance and may well have been late coming out, or rushed in to service, but no where in the draft adjudication have they investigated this.

Having had to subscribe to flightstats to see the 'evidence' they claim to have looked at, it is clear that the plane was not delayed by the weather. At 1120, the original departure time, the planes that were ready, were leaving 25 minutes late, I would consider this small delay normal in airport terms. At 1530 the actual departure time, again planes were leaving on time, clearly demonstrating there was no weather delay. There were some planes running late, presumably running late from a previous sector, but provided planes presented themselves to ATC at their scheduled departure time, they were leaving close to on time.

FLIGHT NUMBER	SCHED DEP TIME	ACTUAL DEP	SCHED ARR	ACTUAL ARR	DELAY Hour Min
FR8343	0925	1059	1150	1314	1H 24M
FR1884	0930	1100RW	1220	1316	56M
FR2371	1000	1104	1120	1202	42M
EASYJET 3103	1010	1114	1310	1409	59M
FR3131	1025	1115RW	1655	1721	26M
FR8162	1030	1125	1420	1502	42M
FR682	1050	1223	1405	1533	1H 28M
FR32	1105	1218RW	1400	1501	1H 1M
FR8776	1105	1424	1340	1655	3H 15M
	1120	1528RW	1430	1849	4H 19M
FR2374	1120	1200RW	1425	1449	24M
FR2336	1120	1329RW	1420	1604	1H 44M
FR712	1125	1252	1405	1528	1H 23M
FR8445	1145	1401RW	1505	1702	1H 57M
FR1007	1150	1227RW	1655	1718	23M
FR1886	1155	1253RW	1440	1508	28M
FR7496	1205	1447RW	1320	1546	2H 26M
EASYJET 257	1210	1227	1325	1339	ON TIME
FR2281	1210	1258	1520	1607	47M
FR3072	1210	1303RW	1540	1625	45M
FR4194	1210	1252RW	1510	1530	20M
FR8883	1220	1417RW	1335	1515	1H 40M
FR8363	1225	1258RW	1615	1614	ON TIME
		RW=RUNWAY			

FLIGHT NUMBER	SCHED DEP	ACTUAL DEP	DEP DELAY
EASYJET 3131	1440	1437	3M EARLY
FR8117	1450	1454	4M LATE
EASYJET 3005	1515	1615	1 H LATE
FR613	1525	1529	4M LATE
	1120	1528RW	4H 08M LATE
FR5996	1530	1556	26M LATE
FR1118	1540	1558	18M LATE
EASYJET 259	1545	1548	3M LATE
FR4196	1555	1645RW	22M
FR3014	1610	1657RW	23M
FR8028	1615	1626	11M LATE
FR9014	1620	1635	15M LATE
		RW=RUNWAY	AVERAGE 16MIN

I think looking at the times above, the 4h delay of my flight [REDACTED] is clearly at odds with the other flights, and this is not 'weather'. As [REDACTED] have failed to 'prove' the link between the delay and the weather, I see no reason why Aviation ADR could possibly come to the conclusion that I am not due compensation. [REDACTED] did not have a plane available at the scheduled time, if they did, it would have left no more than 30 minutes late, this plane was not delayed by weather, there was no plane to delay, it was simply not available, and this was down to [REDACTED]

I feel and hope at the very least, my case is used to show how Aviation ADR are failing to provide an impartial adjudication service to customers, and more needs to be done, it is unfair to customers.

I look forward to your response.

Many Thanks.

[REDACTED]

On Tuesday, 21 August 2018, 09:03:16 GMT+1, Swan Mark <[Mark.Swan@caa.co.uk](mailto:Mark.Swan@caa.co.uk)> wrote:

Dear [REDACTED]

Thank you for your email of 10 August 2018 to Richard Moriarty about the handling of your complaint against [REDACTED] by AviationADR. Richard is currently on annual leave so I am responding on his behalf.

I am sorry to hear that you feel that your claim has been poorly adjudicated by AviationADR. As my colleagues have explained, we are not able to intervene in, or overturn, the decisions of ADR providers and therefore we cannot assist you further in relation to your complaint. If you continue to disagree with the decision of the adjudicator, you are free to pursue your complaint through the small claims courts. Further information on how to do this can be found via the Citizens Advice website here: <https://www.citizensadvice.org.uk/law-and-courts/legal-system/taking-legal-action/small-claims/>.

In relation to your query over whether AviationADR is under a duty to disclose documents to you, I should explain that alternative dispute resolution is different from the traditional court process where there is a duty on both sides to be transparent. In alternative dispute resolution, there is no such legal requirement in the ADR Regulations. However, I do appreciate that it is frustrating for you to not be able to see the flight statistics information. I will therefore request that my colleagues raise this as a general point with AviationADR.

Thank you again for contacting us.

Yours sincerely

Mark Swan

Group Director Safety and Airspace Regulation

---

**From:** [REDACTED]  
**Sent:** 10 August 2018 12:30  
**To:** [andrew.haines@caa.co.uk](mailto:andrew.haines@caa.co.uk); Moriarty Richard <[Richard.Moriarty@caa.co.uk](mailto:Richard.Moriarty@caa.co.uk)>  
**Subject:** Fw: Re: RE: RE: RE: Consumer Dispute Resolution Ltd

Hello, I am sorry to have to contact you with regard to this, but I feel it has been very poorly handled.

I would greatly appreciate a response.

Many Thanks

[REDACTED]

----- Forwarded message -----

From: [REDACTED]

To: consumerenforcement <[consumerenforcement@caa.co.uk](mailto:consumerenforcement@caa.co.uk)>

Sent: Friday, 10 August 2018, 12:26:40 GMT+1

Subject: Re: RE: RE: RE: Consumer Dispute Resolution Ltd

Hello, Thank you for your response. In the adjudication they have made reference to the departures of aircraft from Stansted on that day and they have given a website link to this in the adjudication which you need a subscription for, I can't view it. Is there a requirement that if evidence is used, I need to be able to view it and make comment? In law you are entitled to see evidence used against you, presumably this should be the same and I need to be provided this information.

I am somewhat surprised by your analysis, with regard to [REDACTED] requirement to provide 'evidence' of their reasonable measures to keep the flight on time, they have said 'there was nothing they could do'. They have provided no 'evidence' at all to validate this statement. The legal requirements to use 'extraordinary circumstance' as a defence requires the carrier to show they took all reasonable measures, they have neither provided or proved this. And yet Aviation ADR has chosen to side with [REDACTED] and say:

"I am satisfied that due to the on-going adverse weather conditions at London Stansted, [REDACTED] were constrained and limited in the options available to avoid or mitigate the disruption to My flight. Accordingly, I am satisfied that [REDACTED] took all reasonable measures on this occasion."

On what basis have they made this decision, [REDACTED] have provided no evidence or proved it.

There was snow 5 hours before my flight was due to depart, but once flight operations were underway they continued fairly normally with some small delays, [REDACTED] cannot blame a delay of

over 4 hours on weather, it is clear there was another reason, and yet the adjudicator has ignored this fact.

A simple test would be, 'were the vast majority of flights delayed more than 1 hour', yes or no. If the answer is 'no', then weather cannot be blamed.

Independently of the weather, Aviation ADR need to establish if there were any other reasons for the delay to create a clear picture of the circumstances so a proper assessment can be made. It is clear that this has not been done.

I provided information that the aircraft [REDACTED] used for the flight had not been used previously on that day, or the night before, almost certainly meaning the aircraft was in maintenance, either planned or emergency, Aviation ADR have not investigated this or established if the aircraft was delayed coming out of maintenance or was rushed in to service because the original aircraft was delayed or cancelled.

None of this is mentioned in the adjudication but ought to be because I provided it in my defence.

I feel this is a poorly actioned adjudication.

Could you please make comment with particular reference to my access to flightstats information on the day.

Many thanks.

[REDACTED]

On Friday, 10 August 2018, 11:15:57 GMT+1, consumerenforcement <[consumerenforcement@caa.co.uk](mailto:consumerenforcement@caa.co.uk)> wrote:

Dear [REDACTED]

Thank you for your enquiry.

The CAA is not able to intervene in, or overturn, the decisions of ADR providers. In your case, it does not appear from the draft determination that the adjudicator has made a manifest error in interpreting the law or in considering the relevant issues. Neither does it appear that AviationADR has failed to follow its own scheme rules or has breached the terms of its approval as an ADR provider. Therefore, the CAA is unable to assist you further in this matter.

If you continue to disagree with the decision of the adjudicator, you are free to pursue your complaint through the small claims courts. Further information on how to do this can be found via the Citizens Advice website here: <https://www.citizensadvice.org.uk/law-and-courts/legal-system/taking-legal-action/small-claims/>.

Thank you again for contacting us.

## Consumer Enforcement

Consumer Protection  
Civil Aviation Authority

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**From:** [REDACTED]  
**Sent:** 08 August 2018 15:09  
**To:** consumerenforcement <[consumerenforcement@caa.co.uk](mailto:consumerenforcement@caa.co.uk)>  
**Subject:** Re: RE: RE: Consumer Dispute Resolution Ltd

Hello,

I have now received my adjudication. I do not believe the content of the adjudication is of sufficient quality or the basis of it is correct. It has been poorly completed with I believe unacceptable interpretation of the rules. There is a link in the document which I cannot view without a subscription from Flightstats, I believe this information should be shown in the adjudication if the judgement is reliant on it, I believe I need to be able to see it. <https://www.flightstats.com/v2/historical-flight/departing/STN/2015/01/30>

The links to the weather report used in [REDACTED] defence show 'mild' winter weather, the snow was over 4 hours before my flight and as can be seen in the links only an inch deep, well within the capability of Stansted to deal with. In the Huffington post link, a Stansted representative said that 'some' flights were delayed, if [REDACTED] wish to rely on 'extraordinary circumstance' then surely all flights would need to be heavily delayed, certainly none were delayed as long as my flight, over 4 hours.



*"the operating carrier will only be able to rely on 'extraordinary circumstance' if there were no reasonable measures that could have been taken to reduce or avoid the delay."*

Clearly my flight delay is without doubt due to [REDACTED] But [REDACTED] have failed to demonstrate 'reasonable measures' as required by the rules, they have provided no information with regard to their actions, only provided a weather report. To comply with 'extraordinary circumstance' they are Required to provide what actions they took, other wise they cannot rely on Extraordinary circumstance.

*"I am satisfied that due to the on-going adverse weather conditions at London Stansted, [REDACTED] were constrained and limited in the options available to avoid or mitigate the disruption to [REDACTED] flight. Accordingly, I am satisfied that [REDACTED] took all reasonable measures on this occasion."*

How has the adjudicator come to this conclusion, there is no 'evidence' to base this conclusion on. How were [REDACTED] 'constrained'? [REDACTED] they have numerous crew on standby and numerous aircraft available to them during a typical day. They have provided no information on why they did not choose a different aircraft to conduct the flight, thereby they could have reduced the delay to less than 3 hours. An appalling presumption based on no evidence from [REDACTED]

Surely for an adjudicator to make a considered decision they need to be provided with that information, otherwise I feel it is only right to award the due compensation to me.

Additionally, in the adjudication, no mention was made of aircraft [REDACTED], the plane used for my flight. The aircraft was not used that day before my flight, neither was it used the night before. It would be reasonable to assume that it was in for maintenance, and perhaps was delayed, or rushed in to service. The adjudicator makes no mention of this even though i provided this information. I believe it was important to find out why the aircraft was not previously used that day and may well explain the real reason for the delayed flight' as clearly it was not due to the weather. As I have said it is not even mentioned in the adjudication and ought to be.

I feel that this adjudication needs further, proper investigation as it is clearly lacking in almost every way.

I am required to respond to this adjudication within 7 days, so would greatly appreciate a response this week.

[REDACTED]

On Friday, 27 July 2018, 13:33:08 GMT+1, consumerenforcement <[consumerenforcement@caa.co.uk](mailto:consumerenforcement@caa.co.uk)> wrote:

Dear [REDACTED]

It sounds too long in my view and I have written to AviationADR to see what is occurring on your case. Strictly speaking ADR schemes have 3 months to resolve complaints following obtaining a 'complete complaint file'. We are working to improve the data we have from the ADR schemes so we can improve our oversight of timescales for complaint handling.

Kind regards,

## Consumer Enforcement

Consumer Protection  
Civil Aviation Authority

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**From:** [REDACTED]  
**Sent:** 24 July 2018 11:13  
**To:** consumerenforcement <[consumerenforcement@caa.co.uk](mailto:consumerenforcement@caa.co.uk)>  
**Subject:** Re: RE: Consumer Dispute Resolution Ltd

Hello,

It is now 3 months after I received your response and I am still waiting for an adjudication. It has now been nearly 6 months since my initial application to Aviation ADR, I feel this an unacceptable amount of time to have to wait for an adjudication. Is this normal, or is there a limit on how long it should take?

[REDACTED]

On Tuesday, 24 April 2018, 14:40:58 GMT+1, consumerenforcement <[consumerenforcement@caa.co.uk](mailto:consumerenforcement@caa.co.uk)> wrote:

Dear [REDACTED]

Thank you for this. We will discuss the words used by the member of staff with AviationADR. However, in terms of your complaint, please await the determination. If you really feel something has gone wrong in the process once you have the determination then please contact us again. AviationADR also has an escalation process which might be suitable but let's have a think once you have your determination.

Kind regards

## Consumer Enforcement

Consumer Protection  
Civil Aviation Authority

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**From:** [REDACTED]  
**Sent:** 16 April 2018 14:11  
**To:** consumerenforcement <[consumerenforcement@caa.co.uk](mailto:consumerenforcement@caa.co.uk)>  
**Subject:** Consumer Dispute Resolution Ltd

Hello, I currently have a case against [REDACTED] going through the Consumer Dispute Resolution Ltd and am concerned with the information they are providing.

My case involves a 4 hour delay at Stansted, most other flights were on time or had a small delay.

I have stated that although there was snow over night, a 4 hour delay cannot solely be blamed on snow that had little or no effect on other flights. [REDACTED] have failed to provide any defence at all, only saying it snowed 5 hours before my flight was due to leave and provided an internet link to a weather report.

They have provided no information on their efforts to keep the flight on time, as such I believe they have failed in their requirement to provide a full and proper defence, as such they cannot rely on 'extraordinary circumstance'.

The case handler, before it has gone for adjudication has still made the decision to say:

"Whilst I am not a trained adjudicator, I am a highly trained and experienced aviation complaint handler. Having considered all of the information and evidence submitted in this matter my view is that the adjudicator will find in favour of [REDACTED]. The principle reason for this is the evidence submitted supporting the airline's statement that the delay was due to adverse weather conditions.

This is purely a recommendation and does not prevent you from progressing your complaint through to the Adjudication Team so that a Final Determination can be written based on the evidence that has been received from both parties. That being said, based on the evidence submitted it is unlikely their view will differ to my own.

Please be aware that there is an additional timescale involved which is 60 working days excluding weekends before the Final Determination will become available for viewing."

I feel that the comments are wholly inappropriate and are solely designed, regardless of my full account, to encourage me to halt my claim. I have written to have my case sent to an adjudicator, not to be coerced in to stopping my claim. As I have said [REDACTED] have absolutely failed to provide a proper defence, for the case to be assessed correctly, my flight needs to be viewed in the context of all other flight times/delays that day, [REDACTED] have failed to provide this information. As such I cannot see that a proper assessment can be made until the adjudicator has that information.

I look forward to your comments with regard to this case.

Many Thanks,

[REDACTED]

\*\*\*\*\*

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[REDACTED]

---

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** [REDACTED]

**Sent:** 01 June 2017 16:47

**To:** Haines Andrew <Andrew.Haines@caa.co.uk>

**Cc:** Hutton Deirdre <Deirdre.Hutton@caa.co.uk>

**Subject:** Centre for Effective Dispute Resolution Case: [REDACTED]

Dear Haines,

I wish to register a complaint against CEDR and the manner in which it adjudicated on my complaint against [REDACTED] last winter.

The superficial issues with [REDACTED] was a delay on my outbound flight, causing me to miss a flight connection, and the cancellation of my return flight without prior notice. CEDR appeared to have ignored the underlying cultural issues in both situations which eventually led to the communications meltdown last weekend.

When I reached my outbound destination I registered my complaint with CEDR following a refusal by [REDACTED] management to entertain my claim. This was followed later by my complaint regarding the consequences of the cancellation of my return flight. CERD refused to consider my second complaint because it was under the same booking reference as my outbound flight. Unhappily, they do allow for an appeal and the emailed decision does not offer the courtesy of the Adjudicators name. They also took an unreasonable length of time to come to that decision.

CERD did not state the grounds on why it rejected my initial complaint regarding the outbound delay. While it might be argued that the delay did not breach EU regulations, it was the underlying issues which are of concern and are unacceptable. And these underlying issues were also apparent when attempting my return journey. Those issues were subsequently highlighted publicly last weekend by both the media and independent Brand Analysts.

[REDACTED] management have cut costs to such an extent that they have left themselves no room to maneuver in the event of a systems failure. In addition, I found their ground staff unhelpful by refusing to assist, explain my rights and entitlements, or to offer minimal assistance in getting to my final destination. I believe CERD's involvement ignores these underlying issues in arriving at its decisions. It was these issues that contributed to the catastrophe last weekend. And, because of the excessive cutbacks and poor service, the concern must now be for the future, and the safety of passengers on this airline. But I do not believe CERD considered these issues and is not in their in their competence to do so.

Therefore, I do not believe CEDR are fit for purpose and await your response.

Yours sincerely,

A solid black rectangular redaction box covering the signature area.

[REDACTED]

---

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]

Sent: 02 June 2017 15:34

To: [REDACTED]@caa.co.uk>

Subject: Centre for Effective Dispute Resolution Case: [REDACTED]

Dear [REDACTED]

Thank you for your reply to my mail concerning CEDR.

As my complaint is being investigated, there are additional issues which do not appear to have been addressed.

- A substantial part of the delay to our outbound flight was due to the delivery of a wrong electronic component to the ground engineers for the servicing of a faulty on-board toilet. I put this to [REDACTED] but they refused to respond.
- After a two hour wait and immediately following my query regarding meal vouchers to a member of [REDACTED] boarding staff they announced that boarding of the aircraft would commence.
- On boarding, it was announced that there would be a further delay because three passengers had not boarded. Later it was announced that the said passengers were in fact on board. This raised some suspicion concerning the true reason for the further delay.
- During the flight I noticed that a toilet at the rear of the aircraft was out of order. When I put it to [REDACTED] that this was the reason for the earlier delay in our departure they refused to respond.
- When I added the above issues to my submission to CEDR there was no comment.
- I received no notification of the cancellation of my return flight. This resulted in a further five hour wait at the airport. [REDACTED] offered no assistance in organising an alternative flight and did not offer a meal voucher; refusing same when approached by me.
- Having organised an alternative flight, the check-in desk was unable to allocate an aisle seat even though they were available on their system. It was eventually arranged by [REDACTED] service desk due to my persistence.
- CEDR refused to consider my complaint on any issues relating to my return flight for the reasons explained in my previous email.

I trust the above will assist CAA in its investigation.

Yours sincerely,

[REDACTED]



[REDACTED]

4<sup>th</sup> October 2017

Mr Andrew Haines,  
Chief Executive Officer,  
Civil Aviation Authority  
45-59 Kingsway,  
London,  
WC2B 6TE.



Dear Sir,

I am writing directly to you in order to resolve a problem that has been consistently ignored up to this point. I am disabled, suffering constant pain. My condition was worsened during both transits of [REDACTED] last November/December due to severe stress resulting from unwarranted and unexplained actions. I note from the media that this airport has a terrible reputation for assisting disabled passengers, but I have to include the response from [REDACTED] and your own organisation's complaint process.

During my previous two trips my disability scooter was returned to me at the gate unburdening me from the disabled service. Not having to deal with this organisation made the challenging process bearable. Despite clearly stating my wishes before the date of travel and at check in on both legs of the journey my scooter was not returned. The inward journey was further aggravated when I was told that I would miss my connecting flight as there was no one available to get me to the gate. If I wanted to catch it then my wife would have to push the wheelchair.

When I contacted [REDACTED] complaints they provided no explanation citing Data Protection! When I escalated to your CEDR I was told that there was no legal redress. It would appear that there is no protection for disabled passengers.

I can, of course, provide you with all correspondence relating to this matter if you require. Much of the substance can be sourced through your CEDR reference [REDACTED] and [REDACTED] Customer Reference: [REDACTED]

Despite a great deal of effort on my part, effort which worsens my clinical condition, I have yet to receive any meaningful resolution. It is for this that I seek your help. Of further concern is that I have to repeat this journey this December and due to the failure to be given any explanation I am terrified that the nightmare will be repeated.

Thank you for your attention in this matter.

Yours faithfully, [REDACTED]

[REDACTED]

[REDACTED]

---

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** [REDACTED]  
**Date:** Thursday, 12 Oct 2017, 8:59 am  
**To:** Haines Andrew <[Andrew.Haines@caa.co.uk](mailto:Andrew.Haines@caa.co.uk)>  
**Cc:** Aviation <[aviation@cedr.com](mailto:aviation@cedr.com)>  
**Subject:** Fw: [REDACTED] Scam

Please note your incompetence.

My Name is [REDACTED]

My case Number is [REDACTED], now please respond Mr. Haines to my emails.

----- Original Message -----

**From:** Aviation  
**To:** [REDACTED]  
**Sent:** Monday, October 02, 2017 4:43 PM  
**Subject:** RE: [REDACTED] Scam

Good afternoon [REDACTED]

Good afternoon [REDACTED]

Thank you for your email.

CEDR are able to deal with complaints that have exhausted the relevant airline's complaint procedure. This can be either through the airline sending you a final response, referring you to our service, or 8 weeks having passed since submitting your initial complaint, which remains unresolved.

If you wish to make an application to use the service you will need to complete our online application. You can find this at [www.cedr.com/aviation](http://www.cedr.com/aviation) . Just click 'Apply' and then 'Apply online' and upload any supporting documents you may have.

Once we your application has been received it shall be assessed in accordance with our procedure and you will be informed whether or not this dispute falls within the scope of the scheme.

Please note that CEDR is not affiliated with Complaint Resolver and has no way of accessing any documents supplied to them, however, you may use the Resolve Case File as supporting evidence. Please refer to our website for any further information. [www.cedr.com/aviation](http://www.cedr.com/aviation)

Kind regards,

██████████  
CEDR

---

**From:** ██████████  
**Sent:** 02 October 2017 13:40  
**To:** [andrew.haines@caa.co.uk](mailto:andrew.haines@caa.co.uk)  
**Cc:** Aviation; ██████████@guardian.co.uk; ██████████@express.co.uk; ██████████@telegraph.co.uk; [david.davis.mp@parliament.uk](mailto:david.davis.mp@parliament.uk)  
**Subject:** ██████████ Scam

Dear Andrew

If you remember back in June I contacted, in regards a scam ██████████ were operating in order to I presume boost revenue.

That scam being to impose a levy, on UK customers.

Having been banned and threatened by ██████████ from contacting them, I took the appropriate route via the CEDR to seek answers.

I have to date not received a response from both the CEDR & ██████████ or CAA.

From this we can determine that there is no desire by the CAA, to stop or prevent unlawful activities taking place. Will you know take some sort of responsibility in this case, to prevent thousands of passengers from being scammed, and for those already scammed be allowed redress?

If you decline to help, it would appear you are supporting, and indeed perpetuating this scam.

Please make it clear to ██████████ I will not be bullied in my quest to stop this unlawful activity, my next course is to forward details to Simon Calder ( the Independent ) and the other notable travel journalists, already contacted and awaiting response.

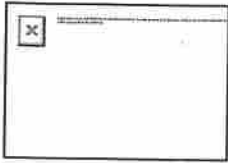
With the demise of Monarch Airlines, the cancellations of Ryanair, ██████████ can not be excluded from investigation & public awareness, we can ascertain thousands of passengers are entitled to refunds for a mis-sold baggage tax/levy.

Kind Regards

██████████

aviation

*CEDR Europe's leading independent dispute resolution service: The fast track to resolving differences*  
How we can help with consumer disputes



CEDR - Centre for Effective Dispute Resolution  
70 Fleet Street, London, EC4Y 1EU

T: +44(0)20 7520 3800

F: +44(0)20 7536 6001

W: [www.cedr.com](http://www.cedr.com)

Scheme	Telephone	Email
Aviation	0207 536 6099	<a href="mailto:aviation@cedr.com">aviation@cedr.com</a>
ABTA	0207 536 6111	<a href="mailto:abta@cedr.com">abta@cedr.com</a>
CISAS	0207 520 3814	<a href="mailto:cisas@cedr.com">cisas@cedr.com</a>
ISCAS	0207 536 6091	<a href="mailto:info@iscas.org.uk">info@iscas.org.uk</a>
Lottery	0207 520 3817	<a href="mailto:applications@cedr.com">applications@cedr.com</a>
POSTRS	0207 520 3766	<a href="mailto:postrs@cedr.com">postrs@cedr.com</a>
WATRS	0207 520 3755	<a href="mailto:info@watrs.org">info@watrs.org</a>

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[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

-----Original Message-----

From: [REDACTED]

Sent: 16 October 2017 15:26

To: Haines Andrew <Andrew.Haines@caa.co.uk>

Subject: Advice

Sir

I had complaints against [REDACTED] 4 months ago CAA put me onto retail ombudsman. I find them absolutely hopeless. They haven't done a thing except send me in circles and state several false hoods.

I ended up dealing with a chap called Dean Dunham. 7 weeks ago on telephone he assured me he would pursue certain enquiry.

Since then I have left 15 telephone messages sent same email 12 times without even the courtesy or professionalism of an acknowledgement. Who do they answer to? Any advice will be appreciated Regards

[REDACTED]

[REDACTED]

From: [REDACTED]  
Sent: 19 September 2017 11:41  
To: dean dunham <dean.dunham@cdrl.org.uk>  
Cc: [REDACTED]@cdrl.org.uk  
Subject: Re: ADR CLAIM ID: [REDACTED]

Im back in country today  
What I don't understand is  
7 weeks ago you said you would contact [REDACTED]?  
Ive sent and explained to [REDACTED] by email yet never even had acknowledgement  
Bearing in mind this was all sent to [REDACTED]  
And she called me to get clarification on couple of [REDACTED] baggage dispute  
Yet Im no further on  
Perhaps we need another chat  
Regards [REDACTED]

[REDACTED]

On 8 Sep 2017, at 11:50, dean dunham <dean.dunham@cdrl.org.uk> wrote:

Dear Mr [REDACTED]

I write further to our exchange of emails this morning. I have now checked the position with the complaint handler who informed me that she sent you an email on 11<sup>th</sup> August (shown below) and posted a message to you on the portal.

I note that we have not received the following from you:

- PIR form
- Receipts for your expenditure
- Bank statement showing your £300 withdrawal

You will recall that I previously asked you to forward all emails you had sent to the initial case worked [REDACTED] You subsequently did this. However, none of these emails contained the above evidence needed.

If you do not have the evidence requested it may naturally have a detrimental effect on the outcome of your complaint.

I note that this matter has now been sent to the adjudicator for determination. If you are able to confirm to me that can produce the evidence requested I will ask him to wait to receive it before finalising his decision. Please can you let me know within the next 7 days..

Regards

<image001.png>

**Dean Dunham (hons) – Barrister & Solicitor-advocate  
Chief Executive Officer**

**E:** [dean.dunham@cdri.org.uk](mailto:dean.dunham@cdri.org.uk) **W:** [www.cdri.org.uk](http://www.cdri.org.uk) **T:** [REDACTED]

**Main Office:** 12-14 Walker Avenue | Stratford Office Village | Wolverton Mill | Milton Keynes | MK12 5TW

**Registered Office:** 33rd Floor Euston Tower | 286 Euston Road | London | NW1 3DP

<image002.png><image003.png> <image004.png><image005.png>  
<image006.png>

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**From:** [REDACTED]@theretailombudsman.org.uk>

**Date:** Friday, 8 September 2017 at 11:41

**To:** dean dunham <[dean.dunham@cdri.org.uk](mailto:dean.dunham@cdri.org.uk)>

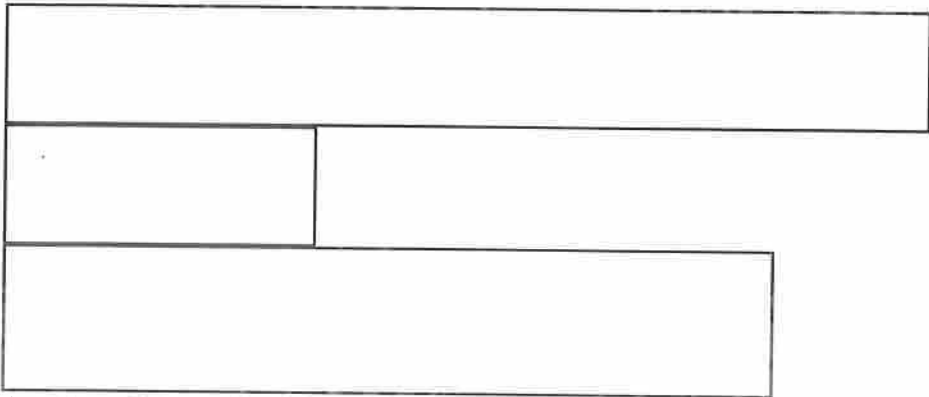
**Subject:** FW: ADR CLAIM ID: [REDACTED]

[REDACTED]  
Complaint Handler  
AviationADR

**E:** [REDACTED]@cdri.org.uk **W:** [www.aviationadr.org.uk](http://www.aviationadr.org.uk) **T:** [REDACTED]

**Main Office:** 12-14 Walker Avenue | Stratford Office Village | Wolverton Mill | Milton Keynes | MK12 5TW

**Registered Office:** 33rd Floor Euston Tower | 286 Euston Road | London | NW1 3DP



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**From:** [Redacted]  
**Sent:** 26 July 2017 10:20  
**To:** [Redacted]@theretailombudsman.org.uk>  
**Subject:** Re: ADR CLAIM ID: [Redacted]

Now I cannot log in to dashboard

On 25 July 2017 at 10:27, [Redacted]@theretailombudsman.org.uk> wrote:

Dear [Redacted]

Thank you for your email. I can confirm that you have been sending me emails and I have received them.

Please be advised that I have requested on several occasions for all of the emails that you have stated that you sent [Redacted] by email to be forwarded to me so that I can progress your complaint.

I have informed my Team Leader that to date we have not received the requested documentation as detailed below:



I specifically require the PIR Form and the Bank statement copy that details that £300.00 was withdrawn from your Bank Account, this will help support your complaint.

Please can you place your response on the Portal rather than communicating by email so that we have a complete audit trail of conversation between us. If you are unable to provide the above requested documentation then please send me a message on the Portal so that I am fully aware of your reasons for this.

I have detailed below your Log in Information

Go to <https://www.cdri.org.uk>

click AviationADR

Click Dashboard Login

User Name

[REDACTED]

Password

[REDACTED]

I have checked the Website and can confirm that you are able to log in and successfully use the website.

In order to successfully investigate the complaint it would be beneficial that the documentation that I am requesting is supplied so that your complaint is fully supported. I will not be able to advise you on the outcome of your complaint without this documentation being received.

Please also be advised that this is my last formal request to gain this documentation from you.

Kind Regards

[Redacted]

[Redacted]  
Complaint Handler  
AviationADR

E: [Redacted]@cdri.org.uk W: [www.aviationadr.org.uk](http://www.aviationadr.org.uk) T: [Redacted]  
Main Office: 12-14 Walker Avenue | Stratford Office Village | Wolverhampton  
Milton Keynes | MK12 5TW  
Registered Office: 33rd Floor Euston Tower | 286 Euston Road | London  
NW1 3DP

[Redacted]

[Redacted]

[Redacted]

Consumer Dispute Resolution Ltd is approved by the Secretary of State and is an approved alternative dispute resolution provider pursuant to the Alternative Dispute Resolution Service for Consumer Disputes (Competent Authorities and Information) Regulations 2016

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From: [REDACTED]  
Sent: 25 July 2017 10:02  
To: [REDACTED]@theretailombudsman.org.uk>  
Subject: Re: ADR CLAIM ID: [REDACTED]

Ive sent you several emails .Thought you maight acknowledge  
regards

On 14 July 2017 at 10:33, [REDACTED] wrote:

I cannot log in to dashboard that's why I have called you every day this week

All was sent to [REDACTED] she assured me she had received everything over the telephone .When I called last week she has left.Now some idiot asks me to send again 1 I cant log in

2 dashboard doesn't allow me to load emails to my case

Why are you so set against us speaking

Surely that is the way forward

On 12 July 2017 at 13:25, [REDACTED] wrote:

I sent 5 emails to [REDACTED] today find out she left

Can you call me on [REDACTED]

On Wednesday, 5 July 2017, [REDACTED]@theretailombudsman.org.uk> wrote:

Dear [REDACTED]

Please log into the portal as we are waiting on your response regarding your complaint against [REDACTED]  
In order to progress this complaint further.

Kind Regards,



Complaint Handler

<image007.png>

<image008.jpg>

Airline Dispute Resolution (a division of The Retail Ombudsman) is approved by the Civil Aviation Authority (the aviation regulator) to operate as an ADR body for aviation consumers

We're social, please connect with us!

<image009.jpg><image010.png><image011.jpg><image012.png>

**Main Office:** 0203 540 8063, Ext. 000

**Website:** [www.theretailombudsman.org.uk](http://www.theretailombudsman.org.uk)

**Address:** The Retail Ombudsman, 33<sup>rd</sup> Floor Euston Towers, 286 Euston Road, London NW1 3DP

**Web:** [www.theretailombudsman.org.uk](http://www.theretailombudsman.org.uk)

**Address:** The Retail Ombudsman, 33rd Floor Euston Towers, 286 Euston Road, London NW1 3DP

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