

3 February 2015
Reference: F0002188

Dear XXXX

I am writing in respect of your recent request of 6 January 2015 for the release of information held by the Civil Aviation Authority (CAA).

Your request:

Can you please supply the bird strike data.

We are in correspondence with Jet 2 regarding a delayed flight on 21 June 2014. Initially they advised it was a malfunction but now a bird strike. I am attempting to ascertain the details.

Flight number LS678 was our flight from Mahon to EMA.

Our response:

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.

Incident reports are provided to the CAA under the terms of the Mandatory Occurrence Reporting (MOR) scheme, as described under Article 226 of the Air Navigation Order 2009 (ANO). Each report made is reviewed and, where appropriate, further investigation carried out and action taken.

We have therefore carried out a search of the CAA MOR database and can confirm that we do hold a report relating to a birdstrike to a Jet 2 aircraft due to operate a flight from East Midlands to Mahon on 21 June 2014.

However, we are unable to provide further details as information provided to the CAA under the MOR scheme, which relates to a particular operator, is exempt from disclosure under Section 44(1)(a) of the FOIA.

Section 44(1)(a) provides that information is exempt information if its disclosure is prohibited by, or under, any enactment. Under Section 23 of the Civil Aviation Act 1982, information which relates to a particular person (which includes a company or organisation) and has been supplied to the CAA pursuant to an ANO, is prohibited from disclosure (a copy of this exemption can be found below).

Civil Aviation Authority

Aviation House Gatwick Airport South Gatwick RH6 0YR www.caa.co.uk
Telephone 01293 768512 foi.requests@caa.co.uk

For more information about the Mandatory Occurrence Reporting scheme, please refer to CAP382 which can be found at: www.caa.co.uk/cap382

If your request is in relation to a claim for compensation following a delayed or cancelled flight, the CAA's Passenger Advice and Complaints Team (PACT) may be able to provide further advice about your rights. Further details can be found on our website at: <http://www.caa.co.uk/default.aspx?catid=2211&pageid=12725>.

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

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

www.ico.gov.uk/complaints.aspx

If you wish to request further information from the CAA, please use the form on the CAA website at <http://www.caa.co.uk/application.aspx?catid=286&pagetype=65&appid=24>.

Yours sincerely



Mark Stevens
External Response Manager

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.

Freedom of Information Act: Section 44

(1) Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it-

- (a) is prohibited by or under any enactment,
- (b) is incompatible with any Community obligation, or
- (c) would constitute or be punishable as a contempt of court.

(2) The duty to confirm or deny does not arise if the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) fall within any of paragraphs (a) to (c) of subsection (1).