

9 April 2015  
Reference: F0002285

Dear XXXX

I am writing in respect of your recent request of 17 March 2015, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

*I would like to request if Thomson reported any Bird strikes dated 10/12/2014 involving any Thomson Flights nation wide and any Thomson flights landing/departing London Gatwick.*

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 incident report is reviewed and, where appropriate, further investigation is carried out and action taken.

We have carried out a search of the CAA MOR database and do hold a report filed by Thomson Airways relating to a birdstrike on 10 December 2014 at London Gatwick.

However, in order to preserve the open reporting culture, which is a vital component of the UK's excellent safety record, information that is provided to the CAA under the MOR scheme, and which relates to a particular person or organisation, is exempt from disclosure under Section 44(1)(a) of the FOIA.

In addition, the CAA also administers an on-line birdstrike reporting scheme which is intended to record birdstrikes in UK airspace regardless of whether damage was caused to the aircraft, as described under Article 227 of the ANO. A birdstrike means any incident in flight in which there was reason to believe that the aircraft had been in collision with one or more birds.

We have searched the CAA birdstrike database for all reports concerning Thomson Airways on the date specified in your request and the CAA does hold a report relating to the same event at London Gatwick. However, information that is provided to the CAA under the birdstrike reporting scheme, and which relates to a particular person or organisation, is also exempt from disclosure under Section 44(1)(a) of the FOIA.

**Civil Aviation Authority**

Aviation House Gatwick Airport South Gatwick RH6 0YR [www.caa.co.uk](http://www.caa.co.uk)  
Telephone 01293 768512 [foi.requests@caa.co.uk](mailto:foi.requests@caa.co.uk)

Section 44(1)(a) of the FOIA provides that information is exempt from release 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 Air Navigation Order is prohibited from disclosure (a copy of this exemption can be found below).

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.

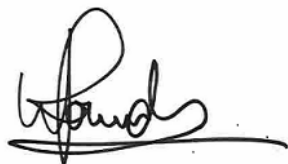
Should you remain dissatisfied with the outcome you have a right under Section 50 of the FOIA to appeal against the decision by contacting the Information Commissioner at:-

Information Commissioner's Office  
FOI/EIR Complaints Resolution  
Wycliffe House  
Water Lane  
Wilmslow  
SK9 5AF

[www.ico.gov.uk/complaints.aspx](http://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

A handwritten signature in black ink, appearing to read 'W. Pounder', with a horizontal line underneath.

William Pounder  
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.

**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).