

[REDACTED]

S.S. Payne
H M Senior Coroner
The Coroner's Court
Stafford Road
Bournemouth
Dorset BH1 1PA

10 April 2015

Our Ref: [REDACTED]

Your Ref: [REDACTED]

Dear Sir

Richard Mark WESTGATE Deceased

Further to your Report to Prevent Future Deaths made under Schedule 5, para 7 Coroners and Justice Act 2009 and Regulation 28 Coroners (Investigations) Regulations 2013 dated 16 February 2015 ("the PFD Report"), I am writing to provide you with the CAA's response as required by 13 April 2015.

The CAA takes its regulatory responsibilities regarding passenger and crew health very seriously. The subject of cabin air quality has been considered by several expert studies over the years as referred to in the annex to the CAA's letter to you dated 23 March 2015, a copy of which we attach as an annex to this response. The overall conclusion of those studies is that there is no positive evidence of a link between exposure to contaminants in cabin air and possible acute and long-term health effects, although such a link cannot be excluded.

As our letter also made clear, further investigations are being conducted by the European Aviation Safety Agency (EASA). EASA is an agency of the European Union (EU) with regulatory and executive tasks in the field of civilian aviation safety across the EU. EASA has recently launched a Preliminary Cabin Air Quality Measurement Campaign and the contract was awarded on 18 March 2015 following a tender process published on 31 October 2014. This preliminary measurement campaign will develop the methodology, including validation of the equipment to be used, in performing cabin and cockpit air contamination measurements, and will be followed by a first flight measurement campaign which will provide initial indications of the cabin or cockpit air quality level. It will pave the way for EASA to commence a large-scale project, including an in-flight measurement campaign on board commercially operated large transport aeroplanes. The EASA preliminary study is due to be completed within 20 months of the award of the tender.

The CAA will co-operate fully with EASA's work on cabin air quality and will review its position in due course with the benefit of the results of EASA's study.

In our opinion the above studies represent a proportionate, evidence-based response to the concerns that have been raised about the health implications of cabin air quality for passenger and crew. They were not taken in response to the PFD Report but have been ongoing for several years.

We would add, by way of postscript, that the evidence which has been provided to you by the legal representatives of the deceased, and upon which the PFD Report was based, is selective and contentious and does not reflect the outcomes of these expert studies. We remain of the view outlined in our letter of 23 March 2015 that it was inappropriate for the PFD Report to have been issued on the basis only of this material and without first inviting submissions from the CAA. Had we been given an opportunity to apprise you of the work that is being done we are confident that you would not have considered it necessary to issue the PFD Report at all.

We shall be writing to the Chief Coroner in these terms inviting him to clarify his Guidance on PFD Reports. In our view, if a Coroner is concerned from information he has obtained that circumstances creating a risk of other deaths will occur, or will continue to exist in future, the Coroner should first establish (a) whether those concerns are reflected by information that he has not seen and (b) what action is already being taken to prevent the occurrence or continuation of such circumstances before issuing a PFD Report. The obvious way of doing that is to invite representations from the relevant public body.

Yours faithfully



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General Counsel and Secretary to the CAA

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