

Ms Rachael Griffin  
Coroner's Office for the County of Dorset  
Town Hall  
Bournemouth  
BH2 6DY

11<sup>th</sup> May 2022

Dear Ms Griffin

We refer to the Report to Prevent Future Deaths Issued by Rachael Griffin for the Coroner Area of Dorset (the "Coroner") on 18 March 2022 under paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013 (the "Report").

In the Report, the Coroner noted her concerns regarding the market in the illegal provision of flights for reward on private aircrafts or flown by pilots without an Air Operators Certificate, which do not meet the minimum safety standards for commercial operations and could lead to future aircraft crashes and deaths, and the particular risks posed in the world of sport. The Coroner invited the England and Wales Cricket Board (the "ECB"), amongst others, to consider cascading to all of its members, and anyone else the ECB considers will benefit from the information, the illegality of these flights and the risks associated with them (especially of a future death) to discourage the use of these flights.

#### **Assessment of risk**

Since receiving the Report, the ECB has been taking steps to understand the level of risk that currently exists within cricket in order to better understand what communications and information would be of most benefit to stakeholders within the sport. We have summarised below our understanding of the current position.

#### **ECB flights**

All corporate travel for ECB employees and representatives, including England teams, senior management and the Board, must be booked through the ECB's travel management company Ventur. All flights must also be approved by the executive assistant to the ECB CEO to ensure that the appropriate process has been used.

The ECB arranges flights on behalf of the vast majority of players or coaches who are playing in The Hundred and the same process applies. If players are already in the jurisdiction playing in other ECB competitions, flights will not be arranged by the ECB, but the ECB may make a contribution to the flights arranged by the First-Class County or the player. Some players or coaches also choose to arrange their own flights and then claim the money back from the ECB in expenses, particularly if their family are travelling out with them or it is cheaper for them to arrange their own flights (for example using airmiles). Since The Hundred started, this has only applied in a handful of cases and in each case the player or coach was flying with a major commercial provider and not on a charter flight.

Before the pandemic, Ventur did not arrange any charter flights for the ECB and since the pandemic only a small number of charter flights have been arranged. Charter flights are only arranged for large groups, of c.40-50 people. When Ventur arranges commercial flights on behalf of the ECB, it only uses reputable airlines who comply with Civil Aviation Authority ("CAA") regulations and checks are conducted to ensure that Ventur are comfortable with the safety of the airline selected. If charter flights are required, Ventur use ACS (a reputable charter broker) to identify an appropriate charter. Ventur use ACS as a broker for all of their clients,

not just the ECB, and have done so for at least ten years. The benefits of using ACS as a broker is that they have an internal compliance team who check the airline's documents and provide insurance coverage in respect of the flights.

The airline selected depends on the nature and circumstances of the flight (including availability). ACS usually identify European airlines to ensure they are compliant with the European safety requirements, or large carriers such as Singapore Airlines or Virgin Atlantic, which further minimises the risks. However, if ACS identify a new airline that Ventur have not used before, Ventur also requests copies of the pilot's licences, aircraft certificates and insurance policies to get additional comfort about the safety of the flights. If a charter flight is organised, ECB legal also review the contract in place with the charter provider.

The ECB is therefore very confident that any flights that it arranges for ECB employees and representatives, and in respect of The Hundred, are arranged with legal and reputable providers.

One potential risk which has been flagged is that the ECB arranges for England teams to get to the host nation for any international match or tour but the host nation then arranges any internal flights which are necessary and the ECB has no control over this. The ECB intends to flag this risk to the members of the ECB executive who are involved with arranging international tours so that they can request details of any internal flights which are being arranged for England teams and appropriate checks can be undertaken.

#### **Professional teams**

In the professional game, the ECB raised the issue with the CEOs of the First-Class Counties and they confirmed that there is minimal, if any, use of private charter flights. The only type of journey that may involve a flight would be from one of the furthest away counties to another (e.g. Hampshire to Durham), but that would most likely be a scheduled flight rather than a charter flight.

None of the Regional Hosts (the professional teams in the women's game) have flown by charter flight to date. Given the current stage of development and financial resources of the women's game, this is unlikely to change in the near future.

#### **Professional players**

We understand from the Professional Cricketers' Association ("PCA") that it is very rare that individual players arrange their own charter flights, as opposed to scheduled flights. The ECB also does not arrange charter flights for individual players, only commercial flights.

As detailed below, after speaking to the CAA, we understand that their main area of concern is players arranging last minute, ad hoc flights for themselves between small air fields. As far as we are aware, this is incredibly rare (or potentially non-existent) amongst cricket players, but we will flag this concern and the points discussed with the CAA when we send out information to the PCA.

#### **Recreational teams**

In light of the position in relation to professional teams and players, we have no reason to believe that any recreational teams would have the resources to charter flights.

#### **Communications with the CAA**

The ECB has also contacted the CAA to discuss its proposed action further, in particular to understand what support would be of most benefit to reduce the use of illegal charter flights and prevent future deaths. We spoke to the CAA Assistant Director and Head of Campaigns [REDACTED], who explained that the key



risk area, especially in sport, is in people seeking to get last minute, ad hoc, inexpensive transport, often from one local airfield to another local airfield, and that it is therefore important to target individuals to alert them to the inherent risks and ways these risks can be avoided.

██████ directed the ECB to the CAA's "Legal to Fly" leaflet on their website, which provides guidance for people looking to hire a flight. The guidance, titled "Everything you need to know about flying safely in light aircraft & business jets" includes a section on how to be sure a flight is legal and safe if it is a flight other than a scheduled airliner. The advice leaflet includes points such as:

- (i) ensuring the flight is protected by only using approved operators;
- (ii) checking the operator is legal by visiting [www.caa.co.uk/aocholders](http://www.caa.co.uk/aocholders);
- (iii) contacting the CAA at [fod.admin@caa.co.uk](mailto:fod.admin@caa.co.uk) if the company's name cannot be found;
- (iv) asking to see the Air Operator's Certificate of any company, organisation or individual operating public transport flights as this will prove they meet all relevant insurance and safety requirements;
- (v) doing your own research if a flight has been arranged on your behalf; and
- (vi) contacting the CAA at [iet@caa.co.uk](mailto:iet@caa.co.uk) if there is any suspicion of an illegal flight being offered.

The ECB intends to incorporate this list and a link to the CAA's guidance, into the communications it sends to stakeholders within the game. As ██████ emphasised the need to make individuals aware of these steps as well as representatives who arrange flights, we will make this clear to all stakeholders who receive our communications as below.

#### **Next steps**

We intend to circulate communications to appropriate representatives of the ECB, First Class Counties, Regional Hosts and the PCA within one month of the date of this response. Further, given the CAA's position that these issues need to be brought to the attention of individuals, we will emphasise the importance of ensuring that the information is shared directly with the players and will ask the PCA to circulate the communications to all of their members and to player agents.

As flights for The Hundred are arranged by the ECB, we do not consider it necessary for the communication to be sent to representatives of The Hundred teams but will ensure that the communications are provided to the members of the ECB executive with responsibility for arranging flights for The Hundred.

As an aside, we should note that we have not been able to identify any record of the ECB Chair or Chief Executive Officer receiving either the letter from the CAA dated September 2019 or the Report itself.

Yours sincerely

ECB Legal Department