Ministry of Defence

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Ref: FOI2026/23682

Jurgen Swinnen
mail@jurgenswinnen.com

20 November 2026

Dear Mr Swinnen,

Thank you for your email, dated 14 October and received by the Air Historical Branch (RAF), requesting

"I am an independent historical researcher from Belgium investigating the loss of Supermarine Spitfire MH474, reportedly flown by Flying Officer Thomas Michael Cipriani (service number 154714) of No. 126 Squadron RAF on 22 November 1944.

I am currently trying to establish the exact location and circumstances of the aircraft's loss.

I would be grateful for your advice on the following points:

RAF Casualty File: Could you please confirm the correct procedure and the appropriate forms required to request the casualty file for F/O Thomas Michael Cipriani? I am particularly interested in any records identifying the crash location, time, recovery circumstances, witnesses or map references.
No. 126 Squadron Operations Record Book: I am seeking the original operational records for 21 and 22 November 1944, particularly Forms 540 and 541, including any appendices or associated operational messages relating to MH474 and its pilot.
Conflicting crash-location reports: Secondary sources variously associate the loss with the River Scheldt in Belgium or with an unidentified Spitfire crash site near Huijbergen in the Netherlands. I have not yet established a definitive identification of the Huijbergen wreck as MH474.
Reference to the Scheldt area: Research notes refer to the wording "FALLEN OUTSIDE THE SCHELDE AREA!!", reportedly associated with the No. 126 Squadron ORB. I would like to verify whether this wording appears in the original record and, if so, understand its context.
Could you please advise whether these records are held by your department, whether any relevant catalogue references are available, and how I should proceed with the appropriate requests?"

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence, and we can confirm that some information in scope of your request is held.

Please find attached a copy of the Casualty File for Spitfire MH474. Please note that some information has been redacted from the file, using the following exemptions:

Section 38 (Health and Safety)
Section 38(1) relates to our duty of care regarding Health and Safety, especially mental health, as enshrined in the European Convention on Human Rights (ECHR) Article 8 - Right to Respect for Private and Family Life. ECHR 8 includes not just a right to privacy, but also embodies the MoD's duty of care not to release information that might cause distress to living relatives. Section 38(1) is a non-absolute exemption and a Public Interest Test has been held to assess whether this information should be released. On balance of interests, it has been decided to redact this information.

Section 40 (Personal Data)
Some of the information falls entirely within the scope of exemptions provided for at *Section 40* and has been redacted. *Section 40(2)* has been applied in order to protect personal information as governed the General Data Protection Regulation 2018. *Section 40(2)* requires the Department to conduct a balancing exercise, weighing the rights and interests of individuals against the legitimate interests in disclosure. This is not the same as the Public Interest Test (PIT) associated with certain exemptions in FOIA. The balancing exercise determines whether the exemption in *Section 40(2)* is engaged. Please note that, unlike qualified exemptions, there is no assumption of disclosure in the legitimate interests test. The outcome of the balancing exercise lay in withholding the third-party personal data identified in the attached information. Any names and contact details of officials in the Senior Civil Service (SCS) and their military equivalents (Commodore, Brigadier, Air Commodore and above) are considered to be available in the public domain and have not been redacted, however, their signatures are redacted.

Section 41 (Information provided in confidence)
Some of the requested information has been redacted under Section 41(1)(a) and (b) as release would constitute an actionable breach of confidence. Section 41 is an absolute exemption and is not subject to public interest testing. The exemption applied relates to medical and Record of Service information.

Under Section 16 (advise and assist), please note that the MoD holds no other information in scope of your request. The Operations Record Books (ORBs) for No 126 Squadron are held by the National Archives, where they are open to the public, under the references AIR 27/927/17 and AIR 27/927/18.

A catalogue of TNA's holdings is available via their website www.nationalarchives.gov.uk together with all the necessary details to arrange a visit. If you are unable to visit TNA yourself, you can request that they digitise a document and send you a PDF copy of it. TNA also offer a paid research service or you can select from a list TNA provide on their website an independent private researcher who may undertake the work for an agreed fee. Details are available by following the link on the website: 'Records > paying for research'. Alternatively, TNA may be contacted as follows:

The National Archives
Ruskin Avenue
Kew
Richmond
Surrey
TW9 4DU
Tel: 020 8876 3444

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at https://ico.org.uk/.

Yours sincerely,

Air Historical Branch (RAF)