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LIFE THROUGH A POSITIVE LENS

It's not unusual for flight training to present a number of challenges and obstacles to overcome, but for Loganair First Officer James Bushe, that journey proved an altogether more challenging endeavour.



James Bushe had long dreamt of becoming an airline pilot before gaining his Private Pilot's Licence at age 17. "I would go flying once every three to four weeks, and in order to fund it I had a part-time job at a go-karting track. After three weeks I would have enough money to fund a flying lesson." Both James and his family appreciated the volatility of the aviation industry, which at the time was being heavily affected by the financial crash, so as a plan B the decision was made to initially study law at university. "I knew after about a week that it wasn't going to be for me," so after graduating he followed in his parent's footsteps and spent several years in the restaurant trade. But the dream of commercial flying never went away, and once the time was right, James began applying to a number of airline sponsorship schemes in the UK. One of these schemes was the Future Pilot Programme with British Airways, and on a sunny day in Glasgow in January 2014 after multiple interviews and assessments, James received the long-awaited news that he had made it through to the final stage of the process. The moment was bittersweet. Fifteen minutes earlier, James sat in a sexual health clinic receiving news that he was HIV positive. "The first thing that came out of my mouth at that

James Bushe is the first, newly-qualified airline pilot living with HIV in the U.K. He began flying for Scottish carrier Loganair in 2020.

point was how long do I have? It was the most gut-wrenching feeling I've ever had, and there is nothing that could happen that will make me feel that way again."

James' family was supportive throughout, and thoughts soon turned to what this meant for the future of his flight training, so James sent an anonymous letter to the UK Civil Aviation Authority in order to find out what it meant for his ability to hold the crucial "class one" medical required for commercial flight training. They confirmed that it would require an OML, an operational multi-crew limitation, to be applied, but that HIV itself was not disqualifying.

"It was initially a huge relief," James tells me: however, on further investigation it wasn't quite as straight-forward as either he or those he had contacted at the UK CAA had thought. The OML could only be applied to the certificates of existing commercial licence holders and not to someone in James' position trying to get it applied to an initial class one medical certificate. In short, due to being HIV+ he fell into

a loophole whereby it was not possible to get the class one medical required to begin commercial training. Despite the regulation stating that HIV was not disqualifying, for James it was now preventing him from pursuing his dream.

“Even to regain my class two medical presented huge barriers, including a full HIV specialist review, neurological, neuropsychological and psychiatric assessments, and a cardiac review.” The process was expensive, with some doctors even refusing to see him, but eventually James completed all the required assessments. Sadly, despite clear evidence that James was fit, healthy, and on successful treatment, the UK CAA continued to follow the EASA guidance which was stopping him from getting his initial class one medical certificate. “I thought, no, this can’t happen. I am successfully on treatment, undetectable, and totally asymptomatic,” and at that moment, the fight to challenge the decision began. James launched an appeal, highlighting that the guidance keeping him in this loophole could be challenged, and it was within the regulators remit to develop their own means of compliance. In addition to this, he also sought clarification from other European member states who were following the same EASA guidance. Some supported his case; however, others questioned why they should let someone “who takes such reckless risks fly a commercial airliner.” The appeal process proved fruitless, and to James it became clear that a lot of this regulation was rooted in stigma as opposed to science. It was time to take things a step further, and in 2017 he contacted the charity HIV Scotland to help him with his case. Armed with knowledge from his law degree, together James and the team came up with a campaign strategy to fight the decision.

James decided to +ell his s+ory anonymously under +he alias “Pilo+ An+hony.”

The team contacted multiple HIV experts to gather evidence proving that HIV does not impact flight safety, as well as focusing on getting the story in the media spotlight where, due to the stigma around the condition, James decided to tell his story anonymously under the alias “Pilot Anthony.” The plan worked, and along with a letter to his member of parliament, the campaign soon gained extensive media and political traction. Both Nicola Sturgeon, Scottish First Minister, and the Transport Select Committee in Westminster discussed the case in parliament, and it was agreed that something had to change. The hope was that with the evidence provided, the UK CAA would exercise their right to challenge the EASA guidance, and a few months later in January 2018, following the combined political, media, and medical pressure, James and the team at HIV Scotland received some fantastic news: the UK CAA decided to grant the issue of initial class one medical certificates with multi-pilot limitations for those living with HIV. Finally, four years after his diagnosis, James could begin

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POSITIVE

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commercial pilot training and after an “intense but amazing” twelve months, he was fully qualified.

However, the stigma surrounding HIV meant he was still not open about his status. “There was no way that I was willing to come out and further hinder my chances of employment,” as, at that time, many airlines would not accept applications from pilots with an OML restriction (something that has now changed as a result of the campaign). However, James persevered and soon after applying to a number of airlines he received a job offer from Loganair, the national carrier of Scotland, which “felt like the happy ending to the story.”

But James wanted to tell the full story authentically and reveal his identity and status publicly for the first time, believing that not doing so “would have been a complete misuse of the platform, perpetuating all of the stigma and misconceptions surrounding living with HIV.” So, as he started at the airline in January 2020 with the full support of the airline CEO, Jonathan Hinkles, “Pilot Anthony” was revealed to be James Bushe, Europe’s first newly-qualified airline pilot living with HIV. “The purpose of doing so was to say if you are a pilot that is living with HIV, you can fly. If you are a person living with HIV facing discrimination, you should challenge it, and to show the public that HIV is no longer what it once was.”

The campaign also led to further regulatory advancements, and now any person with a condition that requires an OML, such as diabetes, can get an initial class one medical and start commercial pilot training. “It’s started a conversation within the industry,” James explains, “why should the burden always lie with the individual to prove they are fit to fly? We should not blindly accept the guidance with every condition.” The plight of pilots who were already living with HIV but have been too scared to declare their status at yearly renewals was also highlighted by the campaign, something that James is now urging the UK CAA to address by guaranteeing that they can now freely disclose their status without consequence or a loss of their medical.


During the pandemic, James focused his efforts on raising awareness. He recently launched a website to share his journey and address HIV stigma.

Following a recent EASA guidance document, recommending the continued application of the OML in the case of HIV, the UK CAA have again developed their own means of compliance and have instead announced that upon receiving updated neuropsychological assessments, they will be removing the OML restriction from James’ and other




One of James’ earliest interviews after going public with his legal win for pilots living with HIV.

HIV+ commercial pilots’ medical certificates altogether—an incredible outcome. However outside of the UK, there is still work to do, as some member states have now hardened their stance on HIV. Upon reading the guidance document, James discovered that flawed and stigmatizing evidence has been used to come to these decisions. “It’s unbelievable and way off the mark—HIV does not exclusively impact gay men, it is not a representation of a lifestyle, it can affect anybody. What we want to do now is show other member states that the UK has a great model here, and it’s a safe one.” As a result, he is now actively helping those outside of the UK who find themselves in the same position he did, providing a campaign framework and advice to follow to fight regulators.

During the pandemic when flights are still few and far between, James, now 33, has focused his efforts on raising awareness and recently launched a website to share his journey and address the stigma surrounding HIV. “There is a lot of work still to do to break the stigma, so I continue to speak about it and to say that HIV is a virus that could affect anybody. Treatment has come a long way, and we now know that undetectable = untransmittable,” meaning that anyone on effective treatment cannot pass the virus on to their partners. Most recently, he has been working with former Welsh rugby player Gareth Thomas CBE on his “Tackle HIV” campaign, which aims to educate people and correct the myths surrounding HIV. “It’s important that as many different voices from as many different backgrounds, regardless of gender, race or privilege, speak out. I am living my life as I would have without the diagnosis. Living with HIV has changed and it’s time to get that message across to everyone.” 

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