



09 December 2009  
FOIA reference: F0000909

Dear [REDACTED]

I am writing in respect of your recent application of 20 November 2009, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

- 1. In the 2008 calendar year how many times were you informed of a commercial pilot having been convicted of drink/driving?*
- 2. How many of these pilots attended the CAA's Alcohol Misuse Clinic?*
- 3. How many of these pilots in Q.1 were banned from flying*
- 4. Please provide a breakdown showing the airline that the pilots in Q.1 were employed by at the time of their offence.*
- 5. Please provide me with a complete breakdown of all the offence that were notified to you in 2008 of commercial pilots. If any of these individuals was banned from flying please state if the ban was temporary or permanent, what the offence was that was notified to you and what airline they were employed by at the time of the offence.*

In assessing your request in line with the provisions of the Freedom of Information Act 2000, we are pleased to be able to provide the information below.

1. In the 2008 calendar year, the CAA were informed of 8 commercial pilots who had been convicted of drink/driving.
2. All of these pilots attended the CAA's Alcohol Misuse Clinic.
3. Two pilots were temporarily suspended from flying. One remains so and the other has returned to flying after treatment for alcohol misuse.

**Civil Aviation Authority**

Aviation House GW Gatwick Airport South Crawley West Sussex England RH6 0YR [www.caa.co.uk](http://www.caa.co.uk)  
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4. Of the 8 pilots that the CAA were informed had been convicted of drink/driving in 2008, 4 were self employed, one worked for British Airways, one worked for Virgin Atlantic, one worked for Eastern Airways and one for Cathay Pacific.
5. In addition to the 8 pilots detailed above, 12 offences were notified to the CAA Personnel Licensing team during 2008, details of these are listed below. None of the individuals concerned were employed by an airline.
  - 1 Helicopter accident. *Temporary suspension of Instructor rating only.*
  - 2 Bournemouth Controlled Airspace infringement by light aircraft. *Not suspended.*
  - 3 London Controlled Airspace infringement by a Commercial Pilots Licence holder. *Temporary suspension.*
  - 4 Helicopter instructor with admin discrepancies. *Temporary suspension of flight instructors rating only.*
  - 5 Helicopter instructor with student didn't follow ATC instructions. *Not suspended.*
  - 6 Non conformity of fixed wing flight test conducted by instructor. *Temporary suspension of flight instructor examiner authorisation only.*
  - 7 Controlled Airspace infringement. *Temporary suspension of Flight instructor rating only.*
  - 8 London Heathrow Controlled Airspace infringement by light aircraft. *Not suspended.*
  - 9 French Controlled Airspace infringement by light aircraft. *Not suspended.*
  - 10 German Controlled Airspace infringement by helicopter. *Not suspended.*
  - 11 Conduct of fixed wing flying instructor. *Flight instructor course authorisation and flight instructor examiner rating revoked.*
  - 12 Fixed wing commercial pilot, driving without due care and attention. *Not suspended.*

The CAA is under an obligation to be satisfied on a continuing basis as to the fitness and competence of pilots whom it licences; these responsibilities are placed upon it by the Air Navigation Order (ANO) 2005.

Licensing action, which may involve the suspension, variation or revocation of a licence or associated rating, may be taken if the CAA determines that it can no longer be satisfied as to the fitness and/or competence of a pilot whom it has licensed.

It is the CAA's policy to exercise this discretionary power to revoke, suspend or vary a licence to prevent the safety of the pilot and/or others from being compromised. Licensing action is not used to punish licence holders. Where a pilot is alleged to have committed a breach of aviation legislation, the CAA may decide to pursue a prosecution through the Courts, but this is not connected with the variation, suspension or revocation of licences.

Where the CAA has taken licensing action, the licence holder is at liberty to apply at any time for his licence privileges to be restored, and the CAA is obliged to consider that application. Therefore the CAA cannot impose a permanent ban on a particular individual holding a pilots licence, but must be prepared to review its position in the light of any representations made.

If you are unhappy with how we have dealt with your request in the first instance you may approach the Freedom of Information Case Manager in writing at:-

Rick Chatfield  
FOIA & EIR Case Manager  
Civil Aviation Authority  
Aviation House  
Gatwick Airport South  
West Sussex  
RH6 0YR  
[rick.chatfield@caa.co.uk](mailto:rick.chatfield@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 Freedom of Information Act to appeal against the decision by contacting the Information Commissioner at:-

Information Commissioner's Office  
FOI/EIR Complaints Resolution  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
[www.ico.gov.uk/complaints.aspx](http://www.ico.gov.uk/complaints.aspx)

Should you wish to make further Freedom of Information requests, please use the e-form at <http://www.caa.co.uk/foi>.

Yours sincerely

Rick Chatfield  
FOIA & EIR Case Manager

## **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.