

2 November 2015  
Reference: F0002504

Dear XXXX

I am writing in respect of your recent request of 5 October 2015, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

*I would like to request details of all complaints or investigations surrounding misuse of drones and unmanned surveillance aircraft over the past five years, broken down per year.*

*Please include the nature of the alleged breach of regulations and, time permitting, any outcome.*

Our response:

Having considered your request in line with the provisions of the Freedom of Information Act 2000 (FOIA), we are able to provide the information below.

### **Complaint strategy**

Drones with an operating mass of 20 kg or less are defined as Small Unmanned Aircraft (SUA). The last two years have seen a rapid rise in the number of applications to carry out commercial work with SUA. In parallel with these formal applications, it is understood that a great many drones have been sold for private use by hobbyists. These devices are not subject to any pilot licensing or registration requirements.

In line with the growing use of drones, the CAA has begun receiving complaints about drone use from a number of sources and our response to complaints has evolved over time. The complaints come under a variety of headings, not all related to our existing legislation. In particular, complaints about surveillance or alleged invasion of privacy are not illegal under civil aviation legislation, which is directed at the safety of flight of these devices, and are a matter for the Information Commissioner's Office. A large number of complaints do not directly identify the operator of the device and many are related to postings of video on social media such as YouTube and Vimeo etc. Other categories of complaints relate to illegal offering of commercial services or flights that the complainant deems to be dangerous or reckless (flights in populous areas or close to airports). It is often not possible to distinguish whether the flights were recreational or for some other purpose.

#### **Civil Aviation Authority**

Aviation House Gatwick Airport South Gatwick RH6 0YR. [www.caa.co.uk](http://www.caa.co.uk)

Telephone: 01293 768512. [foi.requests@caa.co.uk](mailto:foi.requests@caa.co.uk)

In 2014 the CAA started formally logging complaints - prior to this individual case-officers may have offered advice on a one-to-one basis – and formally writing to alleged offenders when they could be identified. This was often a proportionate first step for cases that appeared to lack conclusive evidence, or where it was apparent that the users were largely ignorant that legislation exists governing the use of drones.

### **Current approach**

Complaints are dealt with by one of the following methods after first appraisal:

**1. The reporter is advised to report the incident directly to the local Police.** The CAA enforcement strategy changed in mid-2015 to better reflect the balance of capabilities between the CAA and local Police services. The Police have greater resources, response times and powers of investigation than the CAA and the CAA reached agreement with the Police via the National Police Chief's Council (NPCC) that they will take the lead in dealing with drone misuse incidents, particularly at public events. The Police may use aviation safety legislation or other relevant criminal legislation and the CAA will assist with expert operational and technical advice. We currently recommend that any such incidents are reported directly to the Police. Certain types of drone flights, i.e. those that may be endangering an aircraft or are made in the vicinity of an airport or airfield, in addition to being reported to the Police, should also be specifically reported to the CAA using our online form FCS 1520.

The CAA has started directing resources away from direct investigation of lower-level offences and re-allocating them to support Police investigations. The CAA aims to provide expert technical and operational advice and assistance to the Police as required. There were two successful Metropolitan Police/CPS prosecutions of drone operators in September and October 2015 for which the CAA provided detailed assistance (advice, technical interpretation and statements).

**2. Direct correspondence / postings on social media:** If the alleged operator of the drone can be to some extent identified, they may be contacted directly via telephone or e-mail and warned of the dangers of their activity and the legal requirements. If, as in many cases, the alleged aircraft operator has only posted video or comment on the flight on social media (YouTube, Facebook, Vimeo, etc), the CAA will endeavour to post a safety message onto their site. This action assists in getting out to the message to visitors to the site, however posters have become increasingly wary and content is often removed before the message can be posted or the incident investigated further. Several reports/complaints may be received about the same activity, especially if it is a regularly viewed.

The CAA can also investigate permission-holding drone operators and has a range of options from warning letters to suspension/revocation of the CAA permission. In 2014 the CAA issued one warning letter to an operator and temporarily suspended the permission of another.

**3. Referral to the CAA Investigation and Enforcement Team (IET):** When it appears that there is a case suitable for investigation (due to the serious nature of the incident plus likely available evidence) the case is referred to the CAA Investigation and Enforcement Team.

**4. Investigations are not initiated:** This is either because there is no obvious evidence of a possible offence or it due to the alleged offences being 'time-barred' i.e. The Air Navigation Order Articles 166 and 167 offences are summary-only offences and subject to time limits. Depending on when the alleged offence took place and how long after that it was reported/investigated, the time limit might already have run out. These allegations can still attract our safety message if the video remains posted on social media.

We have also introduced preventative guidance notices and other easy-to-understand education material as we realise that the majority of drone pilots do not receive any formal flight training and do not have any specific knowledge of aviation practices and procedures (airspace considerations, pre-flight planning etc). This is available at [www.caa.co.uk/droneaware](http://www.caa.co.uk/droneaware).

### Details of complaints

Complaints	Response
<b>2011:</b> <b>Complaints:</b> No records identified.	<b>Response:</b> Nil.
<b>2012:</b> <b>Complaints:</b> No records identified.	<b>Response:</b> Nil.
<b>2013:</b> <b>Complaints:</b> 10	<b>Response:</b> IET investigations only. One resulted in a successful prosecution in 2014 (see below)
<b>2014: (see attachment 1 for further details)</b> <b>Complaints:</b> 119	<b>Responses:</b> 75. Two successful prosecutions by IET: <ul style="list-style-type: none"> <li>• Mark Spencer at Stafford Magistrates Court 14 May 2014 for a flight over Alton Towers.</li> <li>• Robert Knowles at Furness and District Magistrate Court on 1 April 2014 for a flight at Barrow-in-Furness.</li> </ul> Both drone operators were fined.
<b>2015: (January – August: see attachment 1 for further details)</b> <b>Complaints:</b> 169	<b>Responses:</b> 99. <b>Two successful prosecutions by Met. Police/CPS (September and October 2015)</b>

If you are not satisfied with how we have dealt with your request in the first instance you should approach the CAA in writing at:-

Caroline Chalk  
Head of External Information Services  
Civil Aviation Authority  
Aviation House  
Gatwick Airport South  
Gatwick  
RH6 0YR

[caroline.chalk@caa.co.uk](mailto:caroline.chalk@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 FOIA to appeal against the decision by contacting the Information Commissioner at:-

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

If you wish to request further information from the CAA, please use the form on the CAA website at <http://www.caa.co.uk/application.aspx?catid=286&pagetype=65&appid=24>.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Stevens'.

Mark Stevens  
External Response 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.

18 January - 23 December 2014

**Decode:**

**Unspecified location: The location is not recognisable or attributed; most often on social media.**

**IET:** CAA Investigation and Enforcement Team.

**NFA:** No further action.

**Incomplete record:** Due to internal reorganisation/staff resources, lack of identification of the aircraft operator and possible removal of evidence from social media.

**Time-barred:** Air Navigation Order article 166 and 167 offences are Summary offences and subject to time limits. Depending on when the alleged offence took place and how long after that it was reported/investigated, the time limit might run out.

**Correspondence / postings on social media:** Traditional correspondence by letter has been found to be ineffective in many cases due to lack of ID of the alleged aircraft operator. The more effective method of posting a safety message on social media (YouTube, Vimeo etc with links to the CAA website and basic legal and safety requirements) has recently been adopted. This also gets the message out to a larger number of viewers of the video channel and is effective when there is no direct identification of the operator.

Location of alleged breach	Outcome
Unspecified location	Unable to contact alleged operator
Kittiwake Court, London	Legal responsibilities communicated to alleged operator/safety advice given
Unspecified location	Incomplete record
Ammanford	No further information received from complainant - NFA
Alton Towers near Blackpool / Barrow in Furness	<b>CAA IET investigations Successful Prosecution of Mark Spencer at Stafford Magistrates Court 14 May 2014. This followed on from another separate prosecution of Robert Knowles at Furness and District Magistrate Court on 01 April for misusing a drone at Barrow-in-Furness. Both aircraft operators were fined.</b>
Unspecified location	Legal responsibilities communicated to alleged operator/safety advice given
Datchet	Legal responsibilities communicated to alleged operator/safety advice given
Leyland, Lancs	IET Investigation. Aircraft operator cautioned
Unspecified location	No action possible - no point of contact
Unspecified location	Legal responsibilities communicated to alleged operator/safety advice given
International School of Aberdeen	Insufficient data. Telephone advice to complainant
Staines	Legal responsibilities communicated to alleged operator/safety advice given
Unspecified location	Reply to complainant - NFA
Unspecified location	Legal responsibilities communicated to alleged operator/safety advice given
Unspecified location	Legal responsibilities communicated to alleged operator/safety advice given
Unspecified location	Incomplete record
Godmanchester and Cambridgeshire	Incomplete record
Unspecified location	Incomplete record
Unspecified location	Incomplete record
East Anglia	Incomplete record
Unspecified location	Legal responsibilities communicated to alleged operator/safety advice given
Unspecified location	Legal flight - NFA
Unspecified location	Incomplete record

Jersey	Legal responsibilities communicated to alleged operator/safety advice given. NFA, outside CAA jurisdiction
Various UK TV locations	Correspondence - no further action
Gatwick Airspace	Legal responsibilities communicated to alleged operator/safety advice given
London	Incomplete record
Belfast City Airport	No ID and no point of contact
East London	Online evidence removed
Burrow Mump, Somerset	Legal responsibilities communicated to alleged operator/safety advice given
Unspecified location	No ID and no point of contact
Tower Bridge & The Shard	Incomplete record
Southend	No further action possible
Loch Lomond	Incomplete record
Shetlands	Incomplete record
Various UK	Incomplete record
London	Aircraft operator contacted by ISP UAV Policy. NFA
Isle of Wight	Safety message posted on social media
Northern Ireland	Incomplete record
Devils Dyke	Incomplete record
Liverpool	Incomplete record
Chester Rocks	Incomplete record
Various UK	Incomplete record
Skegness + others	Incomplete record
Mayday Run	Incomplete record
Various	Incomplete record
Wembley Colour Run.	Incomplete record
Bournemouth	Incomplete record
Aberdeen Area	Incomplete record
Various UK	Incomplete record
Somerset	Incomplete record
Perranporth	Incomplete record
Cornwall	Incomplete record
A14 near Peterborough	Incomplete record
Driftland	Incomplete record
Llanarmon	Incomplete record
Bannockburn	Incomplete record
Hereford	No ID. Advised to report further events to the police
Newhaven	Incomplete record
Wirral	Incomplete record
Belfast City	Incomplete record
New Forest	Incomplete record
Liverpool	Incomplete record
Newhaven	Incomplete record
Glasgow	Incomplete record
Various UK	Referred to IET but time-barred.
Various UK	Safety message posted on social media
Preston	Referred to IET. Time-barred due to limits on summary dealing.
Belfast various	Not identified. Standard CAA safety message posted on social media.
Yorkshire, Tour de France stage	IET investigation, insufficient evidence. Standard CAA safety message posted on comment board

Unspecified location	Advice supplied to complainant. No further information received
Unspecified location	Evidence inconclusive. Safety message sent to alleged operator
Cambridge, Tour de France	Lack of evidence, YouTube video clip removed.
Shoreham	Safety message posted on social media, response from poster saying has now got commercial qualifications.
London, various UK	Inconclusive evidence. Safety message sent to alleged operator
Sussex	Safety message posted on social media
Truro, Cornwall	Safety message and legal requirements communicated to the alleged operator
Glasgow	E-mail correspondence and safety message posted on social media. Response confirming used commercial sub-contractors
Cornwall	Inconclusive evidence.
Mayford/Worplesdon	ID of operator not established
Newark on Trent	E-mail correspondence. NFA
Unspecified location	No further ID possible. Standard CAA safety message posted on social media
Unspecified location	No direct evidence of commercial use. Operator now has commercial permit
Burton Salmon	Aircraft operator not identified
Parliament Square.	NFA - IET Informed of Police action.
Surrey	Safety message posted on social media
Tiverton, Devon	Liaison with Police. NFA
Winchester Crop circles.	IET Investigation - Closed NFA
Cowes	Correspondence with alleged operator
Pudsey, Leeds	Safety message posted on comment board.
Historic Scotland site (playing field)	Correspondence with alleged operator who is gaining commercial qualifications. Standard safety message posted on social media
Elephant & Castle, London	Online ID only. Standard CAA safety message posted on social media
Dartmoor	No flight risk. Related to intrusion/privacy. NFA
Bangor, NI	Complainant reported flight to Police - NFA
Weymouth	Safety message posted on social media
Football Stadiums various Derby, Etihad Manchester etc, Tower Bridge and The Shard other landmarks	IET / Police dealing. Agree case to be handled by Met. Police and CPS: <b>*Successful Prosecution Westminster Magistrates Court 15 September 2015</b>
Hadley Wood, Enfield and Totteridge and Whetstone	IET Investigation - closed NFA.
South West UK	E-mail correspondence. Advised of correct flight procedures.
Lyme Regis	Safety message sent to alleged operator
Llanymynech	Correspondence. Non-commercial flight
Adderbury, Banbury	Safety message posted on social media
Turners Hill, Wakehurst	Safety message posted on social media
Largs, Scotland	Correspondence. Aircraft operator to apply for commercial use permit.
Cardiff	Safety message sent to alleged operator
Margate disused funfair	Safety message posted on social media
Northern Ireland film set plus other locations	Safety message posted on social media & PSNI informed
Kingsbridge Estuary	Safety message posted on social media
Teeside	Correspondence with alleged operator
UK various rural locations	No ID and no point of contact
Southwark, London	No ID and no point of contact
Various UK, Northwest	Correspondence with alleged operator and safety advice
Birmingham	Correspondence with alleged operator and safety advice
Blackpool	No point of contact
Manchester restaurant	Owners confirmed that the flight was a one-off private marketing venture.



Liverpool	Closed NFA
Staffordshire	IET investigation - closed NFA
The Shard, London	Safety message posted on social media and correspondence.
Bristol Suspension Bridge	IET Investigation - closed NFA
London Eye	Legal flight - NFA

January - September 2015

Notes:

**Due to the increase in drone complaints the individual reported circumstances have not been recorded separately, but instead have been dealt with in one of the following methods after first appraisal:**

**1. The reporter is advised to report the incident directly to the local Police.** The CAA enforcement strategy changed in mid-2015 to better reflect the balance of capabilities between the CAA and local Police services. The Police have greater resources, response times and powers of investigation than the CAA and the CAA reached agreement with the Police via the NPCC that they will take the lead in dealing with drone misuse incidents, particularly at public events. The Police may use aviation safety legislation or other relevant criminal legislation and the CAA will assist with expert operational and technical advice. We currently recommend that any such incidents are reported directly to the Police. Certain types of drone flights, i.e. those that may be endangering an aircraft or are made in the vicinity of an airport or airfield, in addition to being reported to the Police, should also be specifically reported to the CAA using our online form FCS 1520. The CAA's remit is limited to safety and does not include concerns over privacy or broadcast rights.

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Month	Number of Allegations/Reports of misuse	Response/Actions (where identified: safety message, e-mail or recommended to contact the Police). Figure may reflect actions taken to address an allegation in a the previous month.
January	4	4
February	22	16
March	25	8
April	14	20
May	12	4
June	36	10
July	26	2
August	30	35
September	Figures not yet compiled	Figures not yet compiled