

[REDACTED]

Date: 14 October 2024

Reference: F0007013

Dear [REDACTED]

Thank you for your request of 24 September 2024, for the release of information held by the Civil Aviation Authority (CAA). For reference your original enquiry was as follows:

*Request for Information Regarding Drone Prosecutions I am writing to request information under the Freedom of Information Act 2000.*

*I would like to receive the following information regarding drone-related prosecutions within the past 12 months, and any prosecutions planned for the next 12 months:*

*1. Prosecutions in the Last 12 Months: Please provide all details of prosecutions initiated or completed by the Civil Aviation Authority relating to breaches of drone regulations within the last 12 months. This should include: - Case citations and relevant case numbers. - A summary of the offences committed. - The outcomes of each case, including fines, penalties, or other actions taken and geographical location.*

*2. Future Prosecutions: Please provide any details of prosecutions or legal actions related to drone use that are currently scheduled or listed for the next 12 months. This should include: - Case references and court location. - A brief description of the alleged offences.*

*3. Regulatory Breaches: In addition to the above, I would also request any relevant information or summaries relating to common breaches of drone laws or regulations that the CAA has observed over the past year. This may include data on complaints, investigations, or warnings issued.*

*4. How many CAA staff in the UAS Unit proactively review breaches? If any of this information is already publicly available, I would appreciate it if you could provide the appropriate links or references.*

Your request has been considered in line with the provisions of the Freedom of Information Act 2000 (FOIA). I can confirm that the CAA holds information within scope of the above request; if I may I shall each of your points in turn:

*1. Prosecutions in the Last 12 Months: Please provide all details of prosecutions initiated or completed by the Civil Aviation Authority relating to breaches of drone regulations within the last 12 months. This should include: - Case citations and relevant case numbers. - A summary of the offences committed. - The outcomes of each case, including fines, penalties, or other actions taken and geographical location.*

Civil Aviation Authority

Aviation House, Beehive Ring Road, Crawley, West Sussex RH6 0YR. [www.caa.co.uk](http://www.caa.co.uk)

Email: [foi.requests@caa.co.uk](mailto:foi.requests@caa.co.uk)

Within the last 12 month the CAA has undertaken no prosecutions; for this element of your request the CAA's response is 0. As such the remaining elements of your request fall away.

*2. Future Prosecutions: Please provide any details of prosecutions or legal actions related to drone use that are currently scheduled or listed for the next 12 months. This should include: - Case references and court location. - A brief description of the alleged offences.*

The CAA has no prosecutions scheduled or listed for the next 12 months; for this element of your request the CAA's response is 0. As such the remaining elements of your request fall away.

*3. Regulatory Breaches: In addition to the above, I would also request any relevant information or summaries relating to common breaches of drone laws or regulations that the CAA has observed over the past year. This may include data on complaints, investigations, or warnings issued.*

- A total of 34 reports relating to drones were received.
- 10 reports led to formal investigations.
- 9 reports were advised to report to police.
- 182 Alleged Breaches of Legislation\*

\*It should be noted that the CAA do not pass cases directly to the police; we do, however, advise the reporter of the ABL to do this themselves with their local police force.

Reports relating to privacy and criminal behaviour are outside of the CAA's remit.

Please note these figures relate to held recorded information. It is possible that more were 'reported' to the CAA verbally with verbal advice and assistance given. Additionally, as can be seen, it should be noted that the receipt of a reported incident does not and should not be considered as definitive confirmation that either a breach or offence has occurred.

Additionally, it is possible that within scope events may have reported to the CAA via the Mandatory Occurrence Reporting (MOR data) mechanisms. For further information with respect to MOR data please see the below explanatory annex.

*4. How many CAA staff in the UAS Unit proactively review breaches? If any of this information is already publicly available, I would appreciate it if you could provide the appropriate links or references.*

The CAAs UAS Unit (now referred to as RPAS Team) is made up of 13 employees. Please note however that reviewing potential RPAS breaches forms only a part of the roles and responsibilities of these staff. It would be inappropriate to infer that the 13 number of staff mentioned as part of this information release sole and only task is to monitor and proactively review potential breaches.

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:-

FOI.Requests@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 out below. A request for an internal review should be submitted within 40 working days of the date of this letter.

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  
<https://ico.org.uk/concerns/>

If you wish to request further information from the CAA, please use the form on the CAA website at FOI - Freedom of Information ([caa.co.uk](http://caa.co.uk)).

Yours sincerely

**Communications & Engagement Team**  
Information Rights Specialist  
Civil Aviation Authority



Follow us on Twitter: [@UK\\_CAA](https://twitter.com/UK_CAA)

*At the CAA we respect agile working so, while it suits me to send this now, I do not expect a response or action outside of your own working hours.*

Please consider our environment. Think before printing.

## **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.

### **Explanatory annex – in the alternative use of Section 44 (prohibitions on disclosure)**

In the alternative the CAA would seek to rely on section 44 (prohibitions on disclosure) should any relevant information be held in Mandatory Occurrence Reporting Data (MOR Data); in this instance the CAA would seek to neither confirm nor deny whether information within scope of your original request is held.

For clarify I should like to take this opportunity to stress that no inference either way should, or indeed can, be taken from the CAA's position; we are unable to neither confirm nor deny whether we hold information. If there is any ambiguity in the following as to whether the CAA holds or does not hold relevant information then the overriding principle that the CAA neither confirms nor denies whether in-scope information is held would take precedent.

Section 44(2) of the FOIA does not require a public authority to confirm or deny whether it holds any information, if even in doing so would, in itself, reveal exempt information.

It is the CAA's position, therefore, we unable to confirm or deny whether information is held as to either confirmation would release into the public domain sufficient information prohibited from release by way of section 44 (prohibitions on disclosure) of the FOIA.

The request, as worded, requires to satisfy it confirmation or deny that information is held within MOR data;

-should the CAA confirm such information is held within MOR data (a Yes) this would release information validating this fact.

-should the CAA deny such information is held within MOR data (a No) this would, in turn, release information proving the negative.

### **Section 44 (prohibitions on disclosure)**

When public authorities receive a request for information they normally have a duty under section 1(1)(a) of the Freedom of information Act to inform the requester whether the information is held. This is called "the duty to confirm or deny". However, in certain circumstances, this duty does not apply and public authorities are not obliged to say whether or not they hold the information. It is the CAA's position that in this instance we can neither confirm nor deny whether we hold relevant information with respect to your request under section 44 (1)(a)(prohibitions on discourse) of the Freedom of Information Act.

It is the CAA's position that the requested information, if held, would be exempt from disclosure by way of section 44(1)(a) (prohibitions on disclosure)(by virtue of Regulation (EU) No. 376/2014 Recital 33; assimilated into UK law in accordance with The European Union (Withdrawal) Act 2018) of the FOIA.

Recital 33 of Regulation (EU) No. 376/2014;

*The purpose of ... limiting access to the European Central Repository solely to interested parties participating in the improvement of civil aviation safety, is to ensure the continuing availability of safety information so that appropriate and timely preventative action can be taken and aviation safety improved... information should be used strictly for the purpose of maintaining or improving aviation safety and should not be used to attribute blame or liability*

It is the CAA position, therefore, that as the information was furnished to us and Regulation (EU) No. 376/2014, by way of Recital 33, puts a bar on further disclosure (other than to improve safety – please see section below entitled “Disclosure of information for the purpose of maintaining or improving aviation safety”) the exemption at section 44 of the FOIA is engaged.

Under section 44(1)(a) (prohibitions on disclosure) of the FOIA, information is exempt if its disclosure is prohibited by or under any enactment; in this case the CAA considers that the disclosure of occurrence information into the public domain in response to a FOIA request is not permitted by Regulation (EU) No. 376/2014 which, as mentioned below, is assimilated into UK law in accordance with The European Union (Withdrawal) Act 2018.

### **Occurrence Reporting**

Occurrence reports, which the above original enquiry relates to, are held by the CAA in accordance with Regulation (EU) No. 376/2014 on the reporting, analysis and follow up of occurrences in civil aviation (“the Regulation”). At the end of the transition period on 31 December 2020 the Regulation, as amended by The Aviation Safety (Amendment etc.) (EU Exit) Regulations 2019, is assimilated into UK law in accordance with The European Union (Withdrawal) Act 2018.

An occurrence means any safety-related event which endangers or which, if not corrected or addressed, could endanger an aircraft, its occupants or any other person. The aim of the Regulation is to improve aviation safety by ensuring that relevant safety information relating to civil aviation is reported, collected, stored, protected, exchanged, disseminated and analysed.

The civil aviation safety system is established on the basis of feedback and lessons learned from accidents and incidents. Occurrence reporting and the use of occurrence information for the improvement of safety depend on a relationship of trust between the reporter and the entity in charge of the collection and assessment of the information.

The purpose of protecting safety information from inappropriate use, and of limiting access to occurrence information solely to interested parties participating in the improvement of civil aviation safety, is to ensure the continuing availability of safety information so that appropriate and timely preventive action can be taken and aviation safety improved.

The Regulation requires that appropriate measures are put in place to ensure that information collected through occurrence reporting schemes is kept confidential, and that such information is not made available or used for any purpose other than for the maintenance or improvement of aviation safety.

This position has, in the past, been upheld by the ICO; for decision notices upholding this position please use the following links:

[fs\\_50633690.pdf \(ico.org.uk\)](#)

[Freedom of Information Act 2000 \(Section 50\) \(ico.org.uk\)](#)

For further information on Section 44 (prohibitions on disclosure) exemption under the terms of the Freedom of Information Act please visit the independent regulators, the Information Commissioners Office, website: [Section 44 guidance notes](#).

### **Disclosure of information for the purpose of maintaining or improving aviation safety**

However, if you consider that you require the information for the purpose of maintaining or improving aviation safety, you are able to make an application to the CAA on that basis using the form at [www.caa.co.uk/srg1605](http://www.caa.co.uk/srg1605).

### **Available statistics**

You may also be interested in the following published information:

Statistics - Airspace Safety

Birdstrike data | Civil Aviation Authority ([caa.co.uk](http://caa.co.uk))

### **UK Airprox Board**

You may, however, be interested in the freely available UK Airprox Board reports which provide details of reported airprox, along with any resulting investigation, assessment and/or recommendations. All Airprox are classified within the 'type of aircraft' (if known) field as:

Drone  
Balloon  
Kite  
Model aircraft  
Unknown object  
or  
Unknown aircraft

The published reports can be found at the following link:

Individual airprox reports | UK Airprox Board