

CAA Non- Executive Board Members: Ms Anne Lambert
Ms Katherine Corich



Mr Giles Dumper

By Email: [REDACTED]

24 August 2023

Dear Mr Dumper

Your Regulation 6 Review
Hearing Date: 17 August 2023

The Review Panel's decision is as follows:

INTRODUCTION

1. Mr Giles Dumper (the "Applicant") holds a Commercial Pilot's Licence (Helicopters) ("CPL(H)" or "licence") and a Flight Instructor certificate issued by the CAA. At the relevant time, he also held a Flight Examiner certificate. On 14 May 2021, the Applicant's licence and certificates were provisionally suspended pending the outcome of the criminal investigation into the authenticity of certificates for revalidation for type ratings in his licence document and also into whether he had flown without an appropriate pilot's licence. As a result of the investigation, the Applicant was prosecuted for offences of forgery, using a false instrument, knowingly making false entries in a personal flying log and acting as a pilot without an appropriate licence.
2. On 10 February 2022, the Applicant pleaded guilty to four offences of forgery, three offences of using a false instrument, three offences of knowingly making false entries in a personal flying log and four offences of acting as a pilot without an appropriate licence.
3. The forgery offences concerned him forging certificates of revalidation for helicopter type ratings in a pilot's licence. The using false instrument offences concerned his use of the forged certificates to present them as authentic to a Senior Examiner, a CAA Staff Flight Examiner and a CAA Investigations Officer. Knowingly making false entries were entries that the Applicant knowingly made in his personal flying log to back-up the forged certificates. The flights he made without an appropriate licence were 78 occasions where the Applicant flew different helicopter types for which he did not have a genuine certificate of revalidation.
4. A proposal to revoke the Applicant's licence and certificates was made by letter dated 3 March 2022.

5. On 16 March 2022, the Applicant requested a review of the proposal to revoke his licence and certificates under Regulation 6 of the Civil Aviation Authority Regulations 1991. On 5 April 2022, the Applicant was sentenced to a total of 24 months' imprisonment suspended for 24 months for the fourteen offences.
6. The proposal to revoke the Applicant's licence has been considered by a CAA Panel, comprised of Anne Lambert and Katherine Corich, who are appointed by the Secretary of State for Transport as Non-Executive Members of the Board of the CAA. The Applicant has now accepted that his certificates should be revoked and therefore revocation of his certificates has not been considered separately by the Panel.
7. The hearing of the Applicant's Regulation 6 review took place on 17 August 2023. The Panel convened to consider the proposal to revoke the Applicant's licence and heard orally from both the Applicant and Civil Aviation Authority's Safety and Airspace Regulation Group ("SARG"). The following written material has also been considered by the Panel:
 - i) The SARG brief for Regulation 6 review;
 - ii) The SARG bundle for the Regulation 6 review;
 - iii) The Applicant's Representations;
 - iv) Bundle to the Applicant's Representations 1;
 - v) Bundle to the Applicant's Representations 2;
 - vi) SARG response to the Applicant's Representations;
 - vii) The Applicant's Comments to SARG's response;
 - viii) Bundle to the Applicant's Comments;
 - ix) Draft Agreed Facts and Issues in Dispute to Reg 6; and
 - x) Appendix 4 to Part-FCL of the Aircrew Regulation¹.
8. This decision letter is structured as follows:
 - i) Section A summarises the relevant background;
 - ii) Section B sets out SARG's proposal;
 - iii) Section C sets out the Applicant's response;
 - iv) Section D assesses the merits of the proposal and the response; and
 - v) Section E is the Panel's conclusion.

SECTION A: RELEVANT BACKGROUND

9. The CAA prosecuted the Applicant for offences of forgery, using a false instrument, knowingly making false entries in a personal flying log and acting as a pilot without an appropriate licence. The forgery offences concerned forging certificates of revalidation. Using a false instrument concerned using the false certificates of revalidation to induce individuals to accept them as genuine. Knowingly making false entries concerned knowingly making a false entry in a personal flying log book. Acting as a pilot without an appropriate licence concerned acting as a pilot on different helicopter types for 78 flights.
10. The Indictment in the CAA's prosecution contained fourteen offences. On 10 February 2022, at Crawley Magistrates Court, the Applicant pleaded guilty to all offences. The offences he pleaded guilty to were as follows:

Forgery (S1 of the Forgery and Counterfeiting Act 1981)

¹ Regulation (UK) No 2018/113 – this Regulation is retained, as amended, in UK law following UK withdrawal from the EU.

(1) Forging three Certificates of Revalidation in the name of [REDACTED] in a pilot's licence.

(2) Forging a Certificate of Revalidation in the name of [REDACTED] in a pilot's licence.

(3) Forging a Certificate of Revalidation in the name of [REDACTED] in a pilot's licence.

(4) Forging three Certificates of Revalidation in the name of [REDACTED] in a pilot's licence.

Using a false instrument/copy of a false instrument (S3/S4 Forgery & Counterfeiting Act 1981)

(5) Using a copy of false Certificates of Revalidation in a pilot's licence to induce [REDACTED] to accept them as genuine.

(6) Using a copy of false Certificates of Revalidation in a pilot's licence to induce [REDACTED] to accept them as genuine.

(7) Using false Certificates of Revalidation in a pilot's licence to induce [REDACTED] to accept them as genuine.

Knowingly making a false entry in a personal flying log (Articles 256(4)(a) and 265(7) and Part 3 of Schedule 13 of the Air Navigation Order 2016)

(8) Knowingly making a false entry in a personal flying log for a revalidation flight on 31 January 2017.

(9) Knowingly making a false entry in a personal flying log for a revalidation flight on 4 May 2018.

(10) Knowingly making a false entry in a personal flying log for a revalidation flight on 21 May 2019.

Acting as pilot without an appropriate licence (Articles 136(1)(a) and 265(7) and Part 3 of Schedule 13 of the Air Navigation 2016)

(11) Acting as pilot of AS350/EC130 helicopters on 23 flights without holding an appropriate licence.

(12) Acting as pilot of EC120 helicopters on 17 flights without holding an appropriate licence.

(13) Acting as pilot SA341 helicopters on 7 flights without holding an appropriate licence.

(14) Acting as pilot of R44 helicopters on 31 flights without holding an appropriate licence.

11. The Magistrates Court concluded that its sentencing powers were inadequate and sent the case to the Crown Court for sentence.
12. In a letter dated 3 March 2022, the CAA set out its findings of non-compliance (in accordance with Part-ARA.GEN.355), as to lack of fitness of character, and made its

proposal to revoke the Applicant's licence and certificates. The letter explained that the offences included offences of falsification of submitted documentary evidence and/or log book and licence records. The letter also explained that they were contrary to role-modelling appropriate behaviour and were relevant convictions. Accordingly, the CAA was required by the Aircrew Regulation to limit, suspend or revoke the licence, associated ratings or certificates, and that its Fitness of Character policy (the "Policy") also required it to consider regulatory intervention if a person no longer had the fitness of character appropriate to the privileges of their licence. The CAA must be satisfied that licence holders demonstrate trustworthiness and a propensity to obey rules.

13. The letter noted that the Applicant had pleaded guilty to offences of forgery, using a false instrument, knowingly making false entries in a personal flying log and acting as a pilot without an appropriate licence.
14. The letter stated that as the offences concerned where a rating has been obtained by falsification of submitted documentary evidence and/or log book or licence records have been falsified, the CAA is required by the Aircrew Regulation to limit, suspend or revoke the Applicant's licence. The letter also said that the facts leading to the convictions, as well as the convictions themselves, showed that the Applicant did not have a propensity to obey rules and/or was untrustworthy, and therefore did not have the fitness of character to hold a pilot licence.
15. The letter stated that SARG had considered whether the Applicant's licence privileges could be limited or suspended for a period of time, but had determined that the offending was so serious and so wholly contrary to aviation safety principles and rules that there was no limitation which could be placed on his licence or reasonable period of suspension by or during which he would meet the standards required or be able to satisfy SARG that his fitness of character to hold a licence had been restored.
16. Accordingly, SARG was satisfied that there were sufficient reasons to revoke the Applicant's licence and proposed to do so. The letter reiterated that he may request a review of the proposal to revoke his licence and associated certificates under Regulation 6 of the Civil Aviation Authority Regulations 1991, which would be reviewed by a panel of CAA non-executive Board Members. The Applicant made such a request on 16 March 2022.
17. The Applicant was sentenced on 5 April 2022, at the Hove Trial Centre (Lewes Crown Court). HHJ Barnes sentenced him to a total of 24 months' imprisonment, suspended for 24 months. The Panel has been provided with a copy of the Certificate of Conviction, the Summary of Facts of offences and extracts from the defence sentencing notes. A breakdown of the sentence for each offence is set out in the table below:

Charge	Sentence
(1)	20 months imprisonment, suspended for 24 months; requirement to carry out 25 days rehabilitation activity.
(2)	20 months imprisonment, suspended for 24 months, concurrent; requirement to carry out 25 days rehabilitation activity.
(3)	20 months imprisonment, suspended for 24 months, concurrent; requirement to carry out 25 days rehabilitation activity.
(4)	20 months imprisonment, suspended for 24 months, concurrent; requirement to carry out 25 days rehabilitation activity.

(5)	20 months imprisonment, suspended for 24 months, concurrent; requirement to carry out 25 days rehabilitation activity.
(6)	20 months imprisonment, suspended for 24 months, concurrent; requirement to carry out 25 days rehabilitation activity.
(7)	24 months imprisonment, suspended for 24 months, concurrent; requirement to carry out 25 days rehabilitation activity.
(8)	8 months imprisonment, suspended for 24 months, concurrent; requirement to carry out 25 days rehabilitation activity.
(9)	8 months imprisonment, suspended for 24 months, concurrent; requirement to carry out 25 days rehabilitation activity.
(10)	8 months imprisonment, suspended for 24 months, concurrent; requirement to carry out 25 days rehabilitation activity.
(11)	8 months imprisonment, suspended for 24 months, concurrent; requirement to carry out 25 days rehabilitation activity.
(12)	8 months imprisonment, suspended for 24 months, concurrent; requirement to carry out 25 days rehabilitation activity.
(13)	8 months imprisonment, suspended for 24 months, concurrent; requirement to carry out 25 days rehabilitation activity.
(14)	8 months imprisonment; suspended for 24 months, concurrent; requirement to carry out 25 days rehabilitation activity.

SECTION B: SARG'S PROPOSAL

18. The Applicant was first issued with a CPL(H) under the Aircrew Regulation by the CAA in 2005, with his present CPL(H) licence document being issued on 22 November 2016. SARG submits that Part-ARA.FCL.250 of the Aircrew Regulation provides a list of circumstances in which the CAA must limit, suspend or revoke a pilot's licence issued under the Aircrew Regulation. Specified circumstances are as follows –

- i) Falsification of a logbook and licence or certificate records;²
- ii) Licence holder no longer complies with the applicable requirements of Part-FCL;³
- iii) Evidence of malpractice or fraudulent use of the certificate;⁴ and
- iv) Unacceptable performance in any phase of the flight examiner's duties and responsibilities.⁵

SARG relies on the above circumstances in this case and the CAA must therefore limit, suspend or revoke the Applicant's licence.

19. Part-ARA.FCL.250 provides:

ARA.FCL.250 Limitation, suspension or revocation of licences, ratings and certificates

(a) The competent authority shall limit, suspend or revoke as applicable a pilot licence and associated ratings or certificates in accordance with ARA.GEN.355 in, but not limited to, the following circumstances:

- (1) obtaining the pilot licence, rating or certificate by falsification of submitted documentary evidence;
- (2) falsification of the logbook and licence or certificate records;
- (3) the licence holder no longer complies with the applicable requirements of Part-FCL;
- (4) exercising the privileges of a licence, rating or certificate when adversely affected by alcohol or drugs;
- (5) non-compliance with the applicable operational requirements;
- (6) evidence of malpractice or fraudulent use of the certificate; or
- (7) unacceptable performance in any phase of the flight examiner's duties or responsibilities.

(b) The competent authority may also limit, suspend or revoke a licence, rating or certificate upon the written request of the licence or certificate holder.

² Part-ARA.FCL.250(a)(2)

³ Part-ARA.FCL.250(a)(3)

⁴ Part-ARA.FCL.250(a)(6)

⁵ Part-ARA.FCL.250(a)(7)

(c) All skill tests, proficiency checks or assessments of competence conducted during suspension or after the revocation of an examiner's certificate will be invalid.

20. Article 253(2) of the Air Navigation Order 2016 provides that the CAA may, on sufficient grounds being shown to its satisfaction after due inquiry, revoke, suspend or vary any such certificate, licence, approval, permission, exemption, authorisation or other document. SARG submit that good judgement, airmanship⁶ and competency⁷ are assessed skills to hold licence privileges under the Aircrew Regulation. Licence holders must demonstrate trustworthiness and a propensity to obey rules. There are overriding needs to protect the public and maintain public confidence.
21. SARG rely on the CAA's Fitness of Character Policy, which provides that regulatory intervention must be considered if a licence holder no longer has appropriate fitness of character. CAA Policy is that licence holders must demonstrate trustworthiness and a propensity to obey rules. Criminal convictions, falsification of records, providing false information and dishonest behaviour can call fitness of character into question. SARG submit that a licence holder convicted of aviation-related or dishonesty offences is unlikely to have fitness of character.
22. In addition or in the alternative to non-compliance with the Aircrew Regulation, SARG argue that the convictions go beyond calling into question the Applicant's fitness of character because they establish that he is not trustworthy and lacks a propensity to obey rules. The Applicant's convictions were for aviation-related criminal offences; falsification of records, providing false information and dishonest behaviour. The Applicant's offending was contrary to public protection and he himself has agreed that his offending broke aviation safety barriers.
23. SARG submits that the offending is so serious and contrary to public safety that the Applicant's trustworthiness and propensity to obey rules is unlikely to be restored in order for him to hold a commercial licence. It is argued that revocation is necessary to protect the public and maintain confidence in individuals that the CAA licences and the CAA.
24. SARG argue the offending is contrary to airmanship and competency. The Applicant cannot be trusted to comply with the essential safety requirement to accurately log flights or comply with revalidation requirements. The conviction, carrying a sentence of suspended imprisonment, of a commercial helicopter pilot for these offences undermines public confidence in him as a pilot. Public confidence in the CAA's decision-making process would be undermined by taking no action because:
 - (a) no action is contrary to the legal requirement to take action and/or
 - (b) no action is contrary to the Policy.
25. SARG submit that there is no limitation, period of suspension or variation which could be applied sensibly to the Applicant's licence. It is argued that the offending is so serious that there is no limitation or variation which can be placed on his licence or reasonable period of suspension by or during which he could meet the applicable standards or be able to satisfy the CAA that his fitness of character to hold a commercial licence has been restored.

⁶ SARG refer to the definition of 'Airmanship' as the consistent use of good judgement and well-developed knowledge, skills and attitude to accomplish flight objectives.

⁷ SARG refer to the definition of 'Competency' as a combination of skills, knowledge and attitude required to perform a task to the prescribed standard.

26. SARG has considered the possibility of rehabilitation and that the Applicant may wish to apply for a Private Pilot's Licence. SARG refers to the Rehabilitation of Offenders Act 1974, as amended, the rehabilitation period for a 24-month suspended prison sentence is 48 months from the day on which the sentence is complete. SARG's position that this is an appropriate guide to the earliest date on which it could consider an application from him for a Private Pilot's Licence (i.e., 5 April 2028).
27. In terms of the Applicant's medical history, SARG has highlighted that he remains unfit for aviation medical certification. SARG raised that throughout his time as a pilot licence holder, the Applicant has been subject to regular mandatory aeromedical examinations by a CAA-certificated Aero-medical Examiner (AME) to be issued with an aviation medical certificate. Applicants for an aviation medical certificate are required to complete an application form which includes declaring history of any psychological or psychiatric conditions of any sort. Dr [REDACTED] reports that the Applicant had been diagnosed [REDACTED]. However, SARG notes that the Applicant did not declare this history to an AME at any aero-medical examination. If the Applicant is to obtain an aviation medical certificate, SARG states that he must declare [REDACTED] to an AME.

SECTION C: THE APPLICANT'S RESPONSE

28. The Panel considered the Applicant's representations in opposition to the proposal to revoke. The Applicant said "It is not my intention to refute the facts of my offence, nor the punishment bestowed upon me by HHJ Barnes, of Lewes Crown Court."
29. The Applicant also said "My career has seen me holding company positions of authority and sensitivity, as deputy and head of training; chief training captain; and deputy chief pilot for a number of companies. I have gained the respect of my colleagues, the CAA, and the industry at large through my competence, professionalism, safety, and integrity at the core of my efforts."
30. "That said. I know I have made a series of unacceptable errors of judgment. I have performed actions without thought for consequence or harm."
31. In relation to the offences, the Applicant said that "In accepting the prosecution's case there is substantial room to highlight how out of character the offences are. The charges can be established as four primary offences – those of falsifying and making use of forged certificates."
32. "The presentation of these false documents to senior examiners and investigators is to be expected given the documents were requested. GD [the Applicant] has no recall of carrying out the act of forgery, and therefore believing the documents to be accurate and true, had no reason to withhold them."
33. "Indeed, not producing the documents would be a less understandable and incorrect action."
34. In terms of the support that the Applicant has, he said "I have the support of [REDACTED] [REDACTED] probation rehabilitation sessions; direct support from my work (an aerial film production company); other employers (other aerial filming companies); people I have worked with (pilots – including those targeted in my offences, and other film production personnel); and even private pilots with whom I have spent time either in their training or in checking."
35. The Applicant highlighted his comments on the fitness of character framework – "While the offences, taken in isolation in paper, imply an attitude of rule breaking. When taken in the greater context of his career and life, the acts are clearly an aberration to his usual by the book, high attention to detail, behaviour."
36. "GD [the Applicant] would not have been entrusted as a FE, a form 4 position holder, as a senior, safety critical member of staff in a number of organisations if his character was incapable of following rules."
37. The Applicant's remarks on whether his licence should be suspended are that "GD [the Applicant] had already suffered with a suspension of licence from May 2021 resulting in the expiration of AS355 rating in September 2021 and AS350/EC130 and EC120 ratings expiring in April 2022."
38. "As a result of the existing suspension of licence, GD [the Applicant] had to broaden his employment scope as his primary source of employment was no longer possible. Thankfully his experience in aerial operations, including regulations and management, and

aerial filming has enabled him to act in aerial filming co-ordination roles and drone operations – making use of his years of experience, expertise and safety knowledge.

39. “He has also had the fortune to work with aerial filming companies in development of operations manuals and operational procedures, and continued preparatory work for safety cases and risk assessments for taskings.
40. “A suspension that runs longer than the sentence served – taking into account the year of suspension prior to conviction – would ensure that public perception is aware of the regulator’s actions and that the severity of those actions is greater than the criminal sentence prescribed. At the same time it also allows industry members to see that a suspension appropriate to GD’s [the Applicant’s] character profile and history is made.”
41. In the Applicant’s second comments in response to SARG’s response, the Applicant said “The suspension of licence, as stated before, needs to be greater than the criminal sentence, in agreement with SARG brief 3.3.18. Given that the licence had been suspended a full year prior to the sentencing, GD again suggests that he should be in position to recover his licence no sooner than 2025, which provides a full year after completion of the sentence itself.”
42. In terms of possible revocation of his licence, the Applicant said that “Revocation of licence and barring GD [the Applicant] from recovering his career completely is an excessive regulatory sentence that does not reflect the character or positive impacts that he has had on the industry.”
43. The Applicant has also said that “It is GD’s [the Applicant’s] case, therefore, that because of his experience, history of good character and the entirely out of character nature of his offending, that he should be further suspended from flying for a period extending beyond the convicted sentence. However, it would be inappropriate, and excessive, to revoke the licence of someone whose character has been without question outside of the declared offences, and how subsequent to the realisation of the offences, GD [the Applicant] has made such efforts to effect change, and mitigate any possibility of such an error repeating – exactly the processes that aviation promotes in all of its safety culture.”
44. In terms of the non-disclosure of medical information, the Applicant said “GD’s [the Applicant’s] first class one medical was undertaken in the US where he trained. When he brought up [REDACTED], and his report of diagnosis, the AME enquired whether it was on official record, and how long since he had [REDACTED]. GD [the Applicant] was uncertain about the diagnosis as he was young, but presumed it official given the prescription; he had stopped medication some five years prior. The AME indicated that it would not be worth marking on the list, because it would cause complications, and that given when the diagnosis was made, and the time since coming off the prescription, it should not be a factor.
45. “These statements have remained with GD [the Applicant] throughout his career. Alongside his inability to reach out and request help, the recommendation from a medical professional not to include the diagnosis on a medical form have meant that it has never been ticked.”

SECTION D: MERITS OF THE PROPOSAL

46. The Panel considers that the burden of proof in this regulation 6 review is on SARG. The standard of proof is the balance of probabilities.

47. The issues for the Panel were as follows:

Whether, on a balance of probabilities:

(1) The Applicant's offending falls under the circumstances set out in Aircrew Regulation (Part-ARA.FCL.250), and as such represents non-compliance with the applicable requirements which is a safety issue under the Aircrew Regulation Part-ARA.GEN.355. If yes, the Panel must limit, suspend or revoke his Commercial Pilot's Licence (Helicopters).

(2) The Applicant's offending demonstrates that he lacks trustworthiness and/or a propensity to obey rules as set out in CAA's Fitness of Character Policy? If yes, the CAA may suspend, vary or revoke his licence.

If the Panel finds that the answer to the first question is yes, then the Panel must decide whether in the circumstances:

(3) revocation, rather than limitation or suspension of the Applicant's licence, is required.

If the Panel decides that the answer to the second question is yes, then the Panel must decide whether:

(4) revocation, rather than suspension or variation of the Applicant's licence, is required to meet the overriding needs of protecting the general public and maintaining public confidence as set out in the Fitness of Character Policy Framework.

48. The Panel answer those questions in turn.

(1) Whether the Applicant's offending falls under the circumstances set out in Aircrew Regulation (Part-ARA.FCL.250), and as such represents non-compliance with the applicable requirements which is a safety issue under the Aircrew Regulation Part-ARA.GEN.355.

Answer: Yes.

49. Part-ARA.FCL.250 of the Aircrew Regulation provides a list of circumstances in which the CAA must limit, suspend or revoke a pilot's licence and associated ratings or certificates

in accordance with ARA.GEN.355. The list of specified circumstances is stated to be non-exhaustive. However –

- i) the falsification of a logbook and certificate records is specifically referred to at Part-ARA.FCL.250(a)(2). This applies directly to the Applicant's offending in this case. The Applicant has pleaded guilty to forgery (Charges 1-4), and knowingly making false entries in a logbook (Charges 8-10). He was sentenced to 20 months' imprisonment, suspended for 24 months (concurrent) for Charges 1-4, and 8 months' imprisonment, suspended for 24 months (concurrent) for Charges 8-10, as confirmed by the Certificate of Conviction; and
- ii) licence holder non-compliance with the applicable requirements of Part-FCL is specifically referred to at Part-ARA.FCL.250(a)(3). This applies directly to the Applicant's offending in this case. The Applicant has pleaded guilty to acting as a pilot without an appropriate licence (Charges 11-14). This establishes non-compliance with the requirement for a CPL(H) to have a rating for the aircraft type to be flown. The applicant was sentenced to 8 months' imprisonment, suspended for 24 months (concurrent) for Charges 11-14, as confirmed by the Certificate of Conviction.

50. Given the above, the Panel is satisfied that the Applicant's offending is a circumstance in which the CAA must limit, suspend or revoke his licence under Part-ARA.FCL.250.

(2) Whether the Applicant's offending demonstrates that he lacks trustworthiness and/or a propensity to obey rules as set out in CAA's Fitness of Character Policy? If yes, the CAA may suspend, vary or revoke his licence.

Answer: Yes, and as such the CAA should consider suspending, varying or revoking his licence.

51. In accordance with the Policy, the CAA must be satisfied that licensed individuals demonstrate trustworthiness and a propensity to obey rules. The Policy itself provides specific examples of matters that may call into question the fitness of character of the Applicant, including convictions for aviation-related or dishonesty offences, falsification of records, providing false information and dishonest behaviour. These apply squarely to the Applicant.
52. The Applicant pleaded guilty to four counts of forgery (Charges 1-4), three counts of using a false instrument (Charges 5-7), three counts of knowingly making a false entry in a personal flying log (Charges 8-10) and four counts of acting as a pilot without an appropriate licence (Charges 11-14). The Panel considered the circumstances of the offending. The nature and seriousness of the offending itself demonstrates a lack of trustworthiness. The offending was dishonest, occurred on more than one occasion and involved a serious abuse of trust. The seriousness of the offending was such that it warranted imprisonment, albeit suspended for 24 months. The extent of the fraudulent activity (the number of occasions on which it occurred) gave rise to a concern that there was a propensity to act in this way.
53. The Panel has taken into account the Applicant's written representations about the offending. However, the representations did not alleviate the Panel's concerns about his fitness of character. While on the one hand, he expressed that he has made a series of

unacceptable errors of judgment, he also does not appear to accept the seriousness of what he has done, and has also stated that he does not recall carrying out some of these acts. The Panel finds that the offending demonstrated that he lacks trustworthiness and a propensity to obey rules. As such the CAA should consider suspending, varying or revoking his licence.

If the Panel finds that the answer to the first question is yes, then the Panel must decide whether in the circumstances:

(3) revocation, rather than limitation or suspension of the Applicant's licence, is required.

Answer: Yes.

54. The Panel considers that certain principles are fundamental to aviation, including maintaining accurate records and declaring any matter that puts a person, the aircraft or passengers at risk. Safety in aviation requires participants to self-declare matters that may need to be remedied or corrected. The willingness and ability to do so provides a level of assurance that the integrity of the safety systems remain intact. The Applicant did not adhere to these principles and thus poses a risk.
55. The CAA has a duty to protect the general public, maintain public confidence in the individuals that it licenses, and maintain public confidence in its own decision-making process. The Panel considered whether limiting or suspending the Applicant's licence, rather than revoking it, would be appropriate. However, the Panel was of the view that limiting or suspending his licence would not adequately address the risk he poses and would thus not be consistent with these duties.

If the Panel decides that the answer to the second question is yes, then the Panel must decide whether:

(4) revocation, rather than suspension or variation of the Applicant's licence, is required to meet the overriding needs of protecting the general public and maintaining public confidence as set out in the Fitness of Character Policy Framework.

Answer: Yes.

56. The Panel has taken into account the written representations made by the Applicant at all stages, and these were considered in full. The Applicant has had sufficient opportunity to consider and respond to the proposal with additional information in the oral hearing. However, the Applicant has not articulated any coherent plan about how he would demonstrate fitness of character, propensity to obey the rules and trustworthiness in future. The Panel has also heard evidence from SARG about the offences which took place, and the penalties imposed on sentencing at the Crown Court.
57. In light of the offending and his representations, the Panel does not consider that any action short of revocation is appropriate taking all of the circumstances of this case into account. Given the seriousness of the offences, the Panel considers that it will be some

time before the Applicant can demonstrate fitness of character, propensity to obey the rules and trustworthiness, but at present, it is not possible to say how long this might be.

58. The Panel remains encouraged to note that the Applicant is participating in [REDACTED], and is also continuing to contribute his knowledge and expertise within the emerging future aviation technology industry.

SECTION E: CONCLUSION

Accordingly, the Panel is satisfied that the Applicant's licence should be revoked.

Yours sincerely

A handwritten signature in black ink, appearing to be "K. [unclear]".A handwritten signature in black ink, appearing to be "The Review Panel".

The Review Panel

cc: Alison Slater – SARG Lawyer