

Subject: **LASER ILLUMINATION AND FLIGHT SAFETY**

Further to your letter dated 13 February 2018, reference AS 8/5 – 18/17, I take pleasure in advising you of the legal provisions and progress made by the United Kingdom regarding laser illuminations and flight safety.

In 2016 there were over 1,200 reported laser attacks on aircraft in the United Kingdom (UK), a figure that has remained steady over the last 5 years. 2016 also saw over 270 reported attacks involving UK operators overseas.

In the UK, shining any light (including that produced by a laser) at an aircraft in flight so as to dazzle or distract the pilot is an offence under Article 225 of the Air Navigation Order 2016 which carries a penalty of up to £2500. Offenders can also be prosecuted under Article 240 of the Air Navigation Order for endangering the safety of an aircraft, this carries a penalty of unlimited fine and up to five years imprisonment. The limitation of this offence is that the prosecution needs to prove that the aircraft was endangered which is not always possible. Under the offence to dazzle or distract the pilot of the aircraft, there were 16 prosecutions 2015 and 10 in 2016. Prosecution figures for the 'endangering an aircraft' offence are not broken down to laser related offences.

The UK Government has also introduced the Laser Misuse (Vehicles) Bill which is currently going through the UK Parliament. This legislation is intended to capture the use of laser pens and pointers, and other means of producing a laser beam, in a way which dazzles or distracts, or is likely to dazzle or distract, a person when driving, or otherwise in control of, a vehicle on a journey or a person providing air traffic services. The first offence would apply in relation to a "vehicle", which is defined as any vehicle which is used for travel by land, water or air. The second offence would apply to an air traffic facility, or a person providing air traffic services. A person convicted of one of these offences could face imprisonment of up to 5 years, an unlimited fine, or both. These offences will give the

police more powers than they currently have to investigate and it will not be necessary for the prosecution to prove intent to harm or endanger.

We hope this new law will act as a deterrent to prevent these dangerous incidents happening in the first place but if they do then these proposals will help the police bring the offenders to justice and provide tougher penalties to reflect the seriousness of the offence.