

# Airspace infringements: review and actions process

July 2017

## Introduction

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An airspace infringement is the unauthorised entry of an aircraft into notified airspace. This includes controlled airspace, prohibited or restricted airspace, active danger areas, aerodrome traffic zones, radio mandatory zones or transponder mandatory zones.

An airspace infringement has the potential to be a serious safety incident and the number of infringements has not declined despite efforts by the CAA, air navigation service providers (ANSPs) and General Aviation representative bodies. Infringements are usually caused by inadequate pre-flight planning, poor airmanship or insufficient pilot knowledge. The purpose of the CAA's airspace infringement review and actions process is to ensure that reported infringements are reviewed and assessed in a consistent way and appropriate actions are identified to prevent recurrence and to maintain pilot competence in UK airspace.

## Airspace infringement reporting

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The CAA receives reports of airspace infringements from a number of sources, but they primarily originate from ANSPs such as the notified controlling authority or air traffic service unit responsible for the airspace that has been infringed. Following an airspace infringement, an ANSP may take two complementary courses of action:

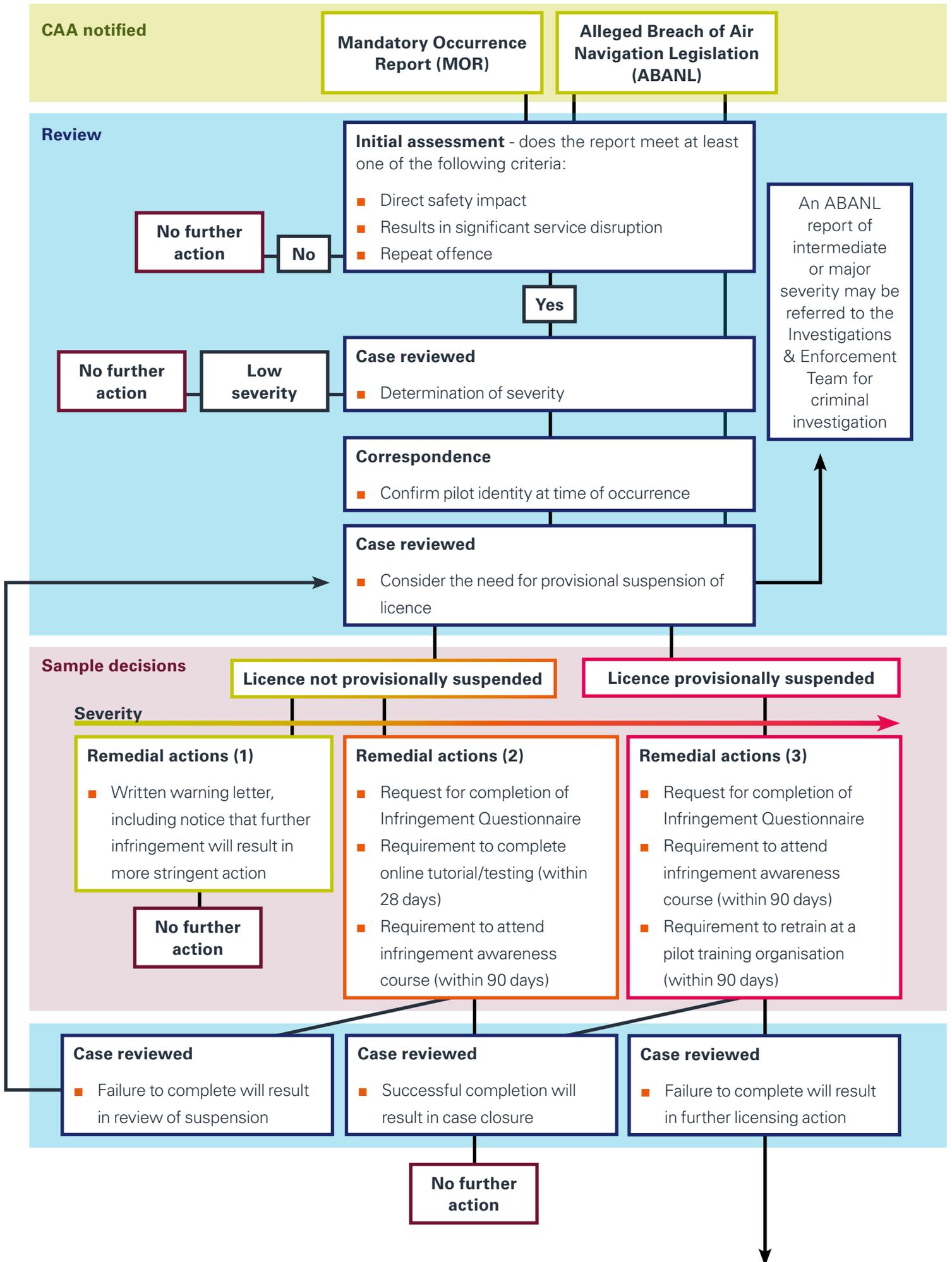
- **Report submission:** The ANSP submits a Mandatory Occurrence Report (MOR) to the CAA, detailing the infringement. The ANSP may also submit a separate Alleged Breach of Air Navigation Legislation (ABANL) report to the CAA's Investigations and Enforcement Team.
- **ANSP procedures:** An ANSP's safety management system will often include its own safety investigation and follow up procedure to be adopted in the case of an airspace infringement event. This will involve a Post Infringement Questionnaire as part of a two-way learning exercise. The information obtained from the questionnaire will be shared with the CAA.

## Review process

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The following pages illustrate the process by which the CAA reviews and assesses reports of airspace infringements and determines appropriate actions. The process may end at different points depending on the information available and responses received, and/or the outcome of remedial measures.

# Process diagram



## Review

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All reports of airspace infringement received by the CAA are initially reviewed and evaluated according to:

- **Safety impact** (e.g. loss of separation, activation of ground/airborne collision avoidance tools, avoiding action turns given by air traffic control to aircraft under their control)
- **Service disruption** (e.g. departing aircraft held on the runway, arriving aircraft vectored from their planned track or delayed in holding patterns)
- **Previous infringement(s)** by the aircraft/pilot (if known)

A reported infringement which has any of the above characteristics is referred to the CAA Infringement Co-ordination Group (ICG).

The ICG is a multi-disciplinary team from across the CAA, comprising staff from the General Aviation Unit, the Investigations and Enforcement Team, Airspace Regulation, Air Traffic Management, Air Traffic Service Investigations, Pilot Licensing Policy, Safety Data and the CAA's Flight Examiners. It also includes representation from the MoD's aviation regulator, the Military Aviation Authority (MAA).

The ICG reviews reports of airspace infringements (using all available material, including information submitted by the airspace controlling authority, information submitted by the pilot and any previous records held by the CAA); confirms the identity of the pilot of the aircraft at the time of the infringement; assesses the severity of these incidents and determines appropriate remedial measures.

## Assessment criteria

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Was radar separation lost?

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Was there service disruption, e.g. avoiding action issued, aircraft broken off approach, aircraft instructed to enter a hold or aircraft departures stopped on the ground?

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What were the airspace structures and complexity?

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What were the prevailing flight conditions?

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Was the flight a visual flight rules (VFR) flight?

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What pre-flight planning did the pilot do?

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Was the transponder used and was Mode C selected?

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Did the pilot respond to radio calls?

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Did the pilot ask for help?

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What licence and ratings does the pilot hold?

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What was the pilot's level of experience?

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Has the pilot infringed airspace before?

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Does the incident suggest that the pilot's skills are deficient?

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What is the pilot's attitude towards and understanding of the event?

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Has the pilot subsequently undertaken any remedial training?

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## Decisions

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Having assessed the severity of the infringement, the ICG decides what, if any, actions are appropriate, as follows:

### Minor infringement

For example, an infringement which does not compromise flight safety or cause service disruption, where the aircraft/pilot has not previously infringed.

- Usual minimum CAA action: warning letter or pilot instructed to undertake the online tutorial/test or attend the Airspace Infringements Awareness Course

### Intermediate infringement

For example, an infringement which does not compromise flight safety but the aircraft/pilot has previously infringed; or an infringement which causes service disruption to IFR traffic.

- Usual minimum CAA action: pilot instructed to undertake the online tutorial/test or attend the Airspace Infringements Awareness Course

### Major infringement

For example, an infringement that compromises flight safety; the aircraft/pilot has previously infringed.

- Usual minimum CAA action: immediate provisional suspension of licence; attend the Airspace Infringements Awareness Course, and/or to attend a pilot training organisation for remedial training, as may be determined by a CAA Flight Examiner, and sign-off

## Provisional suspension of a pilot's licence

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At any point in the process, the ICG may provisionally suspend a pilot's licence if the CAA cannot verify that the pilot meets the requirements to hold a licence or the CAA is not satisfied that the pilot has the skills, knowledge or competence to fly. Normally, pilot licences will be provisionally suspended when a pilot declines to undertake a remedial measure or fails a remedial measure.

The pilot will be informed by telephone and in writing of the CAA's decision to provisionally suspend the licence.

A provisional suspension will be removed usually when the pilot has successfully completed one of the other remedial measures described below; this may not be the case if the pilot is subject to a criminal investigation by the CAA.

### Overview

The ICG decides which action(s) is/are appropriate.

Successful completion of a remedial measure will usually conclude the process, unless the pilot is subject to other enforcement action by the CAA. The remedial measure and outcome will be recorded on the pilot's CAA licence record.

If a pilot fails to successfully complete or declines to participate in any of the measures described below, the ICG will review the case and make a decision on which, if any, further remedial measure or licensing action is appropriate. Licensing actions include provisional suspension, suspension, limitation or revocation of a pilot's licence.

### Remedial measures

#### Online tutorial and test

The online tutorial contains knowledge expected of a competent pilot, refreshing and then testing understanding of airmanship. The material has been compiled independently.

Pilots will be provided with log in details. The tutorial can be viewed at [infringements.caa.co.uk](http://infringements.caa.co.uk).

#### Airspace Infringements Awareness Course

The Airspace Infringements Awareness Course is a one day course run by CAA-approved organisations. It is designed to collaboratively increase awareness of mitigation measures and the impact of infringements. Successful completion of the course entails: provision of required identification to the course provider; timely arrival to and completion of each programmed element; and full participation.

Pilots will be required to cover the cost of their attendance.

#### Refresher training at a pilot training organisation

The CAA will prescribe elements of the pilot training syllabus to be covered by the pilot. A minimum of six hours of refresher training must be attended at a pilot training organisation of the pilot's choosing. Training may be flight training, be ground-based or a combination of both.

Completion of training must be documented by the Head of Training or Chief Flying Instructor, with written confirmation of the topics covered and time spent on each topic provided to the CAA. A record of the training should also be retained by the pilot training organisation and may be subject to audit or inspection.

Refresher training at a pilot training organisation is conducted at the pilot's expense.

### Referral for investigation

The ICG may refer an ABANL report of intermediate or major severity to the Investigations and Enforcement Team for a criminal investigation.

## Lessons learnt

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Lessons learnt will be shared with Local Airspace Infringement Teams (LAIT) and the Airspace Infringement Working Group (AIWG). The ANSP's Post-Infringement Questionnaire may also be used to inform LAIT and the AIWG.

LAIT are established at major infringement locations to design and implement local measures to reduce airspace infringements. LAIT membership includes representatives from the CAA, the air traffic service unit, airlines, local aerodromes and local flying schools.

The AIWG is a cross-industry group which develops and implements a national strategy to reduce airspace infringements.

The CAA will publish data on its website showing the following:

- Online tests taken, passed and failed
- Awareness Courses successfully completed and not completed
- Refresher training completed at a pilot training organisation
- Provisional suspensions of licences
- Other enforcement activity, e.g. prosecutions