| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0675  Responded to: 04 April 2024 |
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Your recent request for information is replicated below, together with our response.

## What specific training do Police Scotland officers receive in terms of legislation and Police powers regarding engaging with members of the public flying drones in a public place.

## Is this training concurrent and in line with the Civil Aviation Authority (CAA) regulations.

In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, to provide guidance for every situation Police Officers may attend is not possible. They are however trained to assess and adapt to each situation.

## Is there a Standard Operating Procedure (SOP) that officers must follow when engaging pilots of unmanned aircraft in the course of the officers duty.

In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, we do not have a Standard Operating Procedure in relation to this.

## How many interactions of Police Scotland officers have resulted in a prosecution for a pilot of an unmanned aircraft?

I can advise you that Police Scotland does not hold the requested information. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held. By way of explanation, the role of the police in Scotland, in relation to crimes and offences, is to investigate the circumstances and where sufficient evidence exists to then report the matter to the relevant Procurator Fiscal. It is a matter for the Procurator Fiscal to decide on and to progress any prosecution through the courts. The disposal in relation to cases reported to the Procurator Fiscal is not routinely passed to the police, therefore, the Service do not hold the information requested.

By way of assistance, I have listed below contact details for the Crown Office and Procurator Fiscals Service who may be able to assist you in this matter:

Crown Office, 25 Chambers Street, Edinburgh, EH1 1LA or via <http://www.copfs.gov.uk/>

## How many interactions of Police Scotland officers have been incorrect/illegal in regards to unlawful detention of a drone pilot where there was no grounds for the detention?

## How many Police Scotland officers have received complaints/retraining/disciplinary action for being incorrect when dealing with a drone pilot?

In accordance with Sections 12(1) (Excessive cost of compliance) and 16(4) (Refusal of request) of the Freedom of Information (Scotland) Act 2002 (the Act), this letter represents a Refusal Notice.

By way of explanation, the information you have requested is not held centrally and we are unable to electronically extract this information.

The only way to provide a comprehensive response would be to contact each of the 13 police divisions within Police Scotland and ask that they search their systems to identify this.

We have assessed that this would take a considerable amount of time and would be in excess of the £600 and 40 hours prescribed by the Scottish Ministers under the Act.

## What advice is readily available on Police Scotland's website that members of the public can access regarding their rights as a Dron pilot when Police Scotland officers make contact?

In terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

(a) states that it holds the information,

(b) states that it is claiming an exemption,

(c) specifies the exemption in question and

(d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”

To be of assistance, I have attached the link to our Police Scotland website where you will find articles around drones with links to external websites.

## [Police Scotland - Police Scotland](https://www.scotland.police.uk/)

## Do Police Scotland officers get specific training to ensure they are aware of the specific limitation regarding weights of drones to ensure that a drone pilot is not illegally detained or required to give personal details when there is no grounds or powers to do so?

Police Officers do not receive specific training on the above. There is however officer guidance on this held.

## 9. What legislation to Police Scotland officers follow when asking a drone pilot for personal information or pilot accreditation.

The legislation Police Officers would use would be The Air Traffic Management and Unmanned Aircraft Act 2021.

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.