



Home Office

Stop and search: extending police powers to cover offences relating to unmanned aircraft (drones), laser pointers and corrosive substances
Government response

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Introduction and contact details

This document is the post-consultation report for the consultation paper, *Stop and search: extending police powers to cover offences relating to unmanned aircraft (drones), laser pointers and corrosive substances*.

It will cover:

- the background to the consultation;
- a summary of the consultation responses;
- a detailed response to the specific questions raised in the consultation; and
- the next steps following this consultation, including in light of the recent disruption to Gatwick airport operations in December 2018.

The consultation paper is available at: www.gov.uk/government/consultations/police-stop-and-search-powers

This report is also available at: www.gov.uk/government/consultations/police-stop-and-search-powers

Alternatively, copies of this report and the consultation paper can be obtained by contacting the Police Powers Unit at the address below:

Stop and search consultation
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6th Floor, Fry Building, 2 Marsham Street, SW1P 4DF

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Alternative format versions of this publication can be requested from the Home Office (using contact details above).

Complaints or comments

If you have any complaints or comments about the consultation process you should contact the Home Office at the above address.

Background

1. The consultation paper *Stop and search: extending police powers to cover offences relating to unmanned aircraft (drones), laser pointers and corrosive substances* was published on 9 September 2018. It invited comments on proposals to extend stop and search based on reasonable grounds for suspicion to address the criminal misuse of unmanned aircraft (drones), laser pointers and corrosive substances.
2. The consultation was aimed at the public, police and other interested groups in England and Wales. The consultation paper set out the challenges that law enforcement faces, and asked key questions concerning each of the proposed extensions, including whether extending stop and search would be effective and proportionate. To assist consultees in considering these questions, situational examples demonstrating how stop and search might be used were provided in the annexes.
3. The proposals are summarised for drones, laser pointers and corrosive substances in turn below.
4. Since the consultation concluded, the misuse of drones caused significant disruption to Gatwick airport operations in December 2018. This disruption affected tens of thousands of passengers in the run up to Christmas and was a stark example of why continued action is required to make sure drones are used safely and securely in the UK. This unprecedented incident has informed the Government's proposed next steps in this area.

Drones

5. The Government consulted on including a provision on stop and search in the Drones Bill when it is introduced to Parliament. The provision would provide the police with the power to search any person or vehicle when there are reasonable grounds for suspecting that they will find a drone, and/or any article associated with a drone which has been used or is intended to be misused in a way that contravenes the Air Navigation Order 2016 and the Prisons Act 1952. In this context, misuse would include flying a drone within 5km of a licensed aerodrome boundary or above 400ft where it could pose a danger to manned aircraft, as well as for offences in the Prisons Act, such as flying a drone through a boundary of a prison or using a drone to fly drugs into a prison. These types of offences are currently outside the scope of section 1 of the Police and Criminal Evidence Act 1984 (PACE 1984) or other existing stop and search powers such as the Misuse of Drugs Act 1971.

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Laser pointers

6. Stop and search powers would be used in circumstances when the police have reasonable grounds for suspecting that a person is in possession of a laser pointer that has been used or is intended to be used to commit the criminal offence of shining or directing a laser beam towards a vehicle which is moving or ready to move and the laser beam dazzles or distracts, or is likely to dazzle or distract, a person with control of the vehicle.

Corrosive substances

7. The Government also consulted on extending stop and search powers to cover corrosive substances by amending section 1 of PACE 1984 as set out in clause 10 of the Offensive Weapons Bill. This would have the effect of allowing the police to search a person in circumstances when they have reasonable grounds for suspecting that the person is in possession of a corrosive substance in a public place.
8. The consultation period closed on 22 October 2018 and this report summarises the responses, including how the consultation process influenced the development of the proposals consulted upon.
9. A list of respondents is at [Annex A](#).

Summary of responses

10. A total of 223 responses to the consultation paper were received. 202 responses were submitted through the online form; 17 responses were submitted by e-mail; and four responses were submitted by post.
11. Of these, approximately 68% of responses were from members of the public; 13% of responses were from law enforcement bodies (including the police and prison service); and 6% of responses were from other key stakeholders (including civil liberties organisations). The remaining responses were submitted by individuals who did not specify their job title or organisation.

Drones

12. Around a third of respondents who answered the consultation's multiple choice questions agreed or strongly agreed that a new stop and search power is required to allow police officers to investigate (32.4%) and prevent (32.9%) the misuse of drones; is proportionate to the threat posed by the misuse of drones (32.8%); and will be effective in operation (30.5%).

Laser pointers

13. Around a third of respondents who answered the consultation's questions agreed or strongly agreed that a new stop and search power is required to allow police officers to investigate (36.6%) and prevent (35.7%) the new offence of using a laser pointer to dazzle or distract a person with control of a vehicle (including aircraft); is proportionate to the threat posed by the misuse of laser pointers (35.7%); and will be effective in operation (34.7%).
14. The most common reason respondents gave for disagreeing with new stop and search powers for drones and laser pointers was that they perceived the threat posed to the public not to be significant enough. They also emphasised that stop and search is an intrusive power and should only be extended when it would proportionately safeguard the public against a serious threat, such as corrosive substances.

For example, one respondent said: *"Drones, lasers and other devices are not naturally dangerous and as such it's not appropriate."*

Corrosive substances

15. The vast majority of respondents who answered the consultation's questions agreed or strongly agreed that a new stop and search power is required to allow police officers to investigate (90.6%) and prevent (72.3%) the proposed offence of possession of a corrosive substance in a public place; is proportionate to the threat posed by the possession of a corrosive substance in a public place (90.6%); and will be effective in operation (89.2%).
16. The main reasons respondents gave for agreeing with a new stop and search power for corrosive substances were the serious impact that attacks with corrosive substances can have on victims and the increasing use of corrosives as a weapon.

For example, one respondent said: *“Acid is [a] reasonable addition to stop and search with the recent development of gangs and criminals carrying it as an alternative to knives.”*

Responses to specific questions

17. The consultation received 223 responses in total, 213 (95.5%) of which responded to questions 1-3, as set out below.

Q1. A new power of stop and search is:

a) required to allow police officers to effectively *investigate* the misuse of drones.

Answers	Responses	Percentage
Strongly agree	54	25.4%
Agree	15	7.0%
Neither agree nor disagree	7	3.3%
Disagree	6	2.8%
Strongly disagree	129	60.6%
(blank)	2	0.9%
Total	213	100.0%

Out of 213 responses, 135 (**63.4%**) **disagreed or strongly disagreed** whilst 69 (**32.4%**) **agreed or strongly agreed** that a new stop and search power is required to allow officers to effectively investigate the misuse of drones.

b) required to allow police officers to *prevent* the misuse of drones.

Answers	Responses	Percentage
Strongly agree	54	25.4%
Agree	16	7.5%
Neither agree nor disagree	6	2.8%
Disagree	6	2.8%
Strongly disagree	130	61.0%
(blank)	1	0.5%
Total	213	100.0%

Out of 213 responses, 136 (**63.8%**) **disagreed or strongly disagreed** whilst 70 (**32.9%**) **agreed or strongly agreed** that a new power of stop and search is required to allow police officers to prevent the misuse of drones.

- c) required to allow police officers to effectively *investigate* the new offence of using a laser pointer to dazzle or distract a person with control of a vehicle (including aircraft).

Answer	Responses	Percentage
Strongly agree	63	29.6%
Agree	15	7.0%
Neither agree nor disagree	2	0.9%
Disagree	2	0.9%
Strongly disagree	129	60.6%
(blank)	2	0.9%
Total	213	100.0%

Out of 213 responses, 131 **(61.5%) disagreed or strongly disagreed** whilst 78 **(36.6%) agreed or strongly agreed** that a new power of stop and search is required to allow police officers to effectively investigate the new offence of using a laser pointer to dazzle or distract a person with control of a vehicle (including aircraft).

- d) required to allow police officers to *prevent* the new offence of using a laser pointer to dazzle or distract a person with control of a vehicle (including aircraft).

Answer	Responses	Percentage
Strongly agree	60	28.2%
Agree	16	7.5%
Neither agree nor disagree	3	1.4%
Disagree	0	0.0%
Strongly disagree	132	62.0%
(blank)	2	0.9%
Total	213	100.0%

Out of 213 responses, 132 **(62%) strongly disagreed** whilst 76 **(35.7%) agreed or strongly agreed** that a new power of stop and search is required to allow police officers to prevent the new offence of using a laser pointer to dazzle or distract a person with control of a vehicle (including aircraft).

- e) required to allow police officers to effectively *investigate* the proposed offence of possession of a corrosive substance in a public place.

Answer	Responses	Percentage
Strongly agree	72	33.8%
Agree	121	56.8%
Neither agree nor disagree	5	2.3%
Disagree	3	1.4%
Strongly disagree	9	4.2%
(blank)	3	1.4%
Total	213	100.0%

Out of 213 responses, 193 (**90.6%**) **agreed or strongly agreed** whilst 12 (**5.6%**) **disagreed or strongly disagreed** that a new power of stop and search is required to allow police officers to effectively investigate the proposed offence of possession of a corrosive substance in a public place.

- f) required to allow police officers to *prevent* the proposed offence of possession of a corrosive substance in a public place.

Answer	Responses	Percentage
Strongly agree	65	30.5%
Agree	89	41.8%
Neither agree nor disagree	25	11.7%
Disagree	19	8.9%
Strongly disagree	12	5.6%
(blank)	3	1.4%
Total	213	100.0%

Out of 213 responses, 154 (**72.3%**) **agreed or strongly agreed** whilst 31 (**14.6%**) **disagreed or strongly disagreed** that a new power of stop and search is required to allow police officers to prevent the proposed offence of possession of a corrosive substance in a public place.

Q2. The proposed new power of stop and search is a proportionate response:

a) to the threat posed by the misuse of drones.

Answer	Responses	Percentage
Strongly agree	51	23.9%
Agree	19	8.9%
Neither agree nor disagree	7	3.3%
Disagree	5	2.3%
Strongly disagree	130	61.0%
(blank)	1	0.5%
Total	213	100.0%

Out of 213 responses, 135 **(63.4%) disagreed or strongly disagreed** whilst 70 **(32.9%) agreed or strongly agreed** that the proposed new power of stop and search is a proportionate response to the threat posed by the misuse of drones.

b) to the threat posed by the misuse of laser pointers.

Answer	Responses	Percentage
Strongly agree	57	26.8%
Agree	19	8.9%
Neither agree nor disagree	5	2.3%
Disagree	0	0.0%
Strongly disagree	130	61.0%
(blank)	2	0.9%
Total	213	100.0%

Out of 213 responses, 130 **(61%) strongly disagreed** whilst 76 **(35.7%) agreed or strongly agreed** that the proposed new power of stop and search is proportionate to threat posed by the misuse of laser pointers.

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- c) **to the threat posed by the possession of a corrosive substance in a public place.**

Answer	Responses	Percentage
Strongly agree	73	34.3%
Agree	120	56.3%
Neither agree nor disagree	4	1.9%
Disagree	3	1.4%
Strongly disagree	10	4.7%
(blank)	3	1.4%
Total	213	100.0%

Out of 213 responses, 193 **(90.6%) agreed or strongly agreed** whilst 13 **(6.1%) disagreed or strongly disagreed** that the proposed new power of stop and search is proportionate to the threat posed by the possession of a corrosive substance in a public place.

Q3.The proposed new power will be effective in operation in relation to:

- a) **drones.**

Answer	Reponses	Percentage
Strongly agree	40	18.8%
Agree	25	11.7%
Neither agree nor disagree	7	3.3%
Disagree	10	4.7%
Strongly disagree	129	60.6%
(blank)	2	0.9%
Total	213	100.0%

Out of 213 responses, 139 **(65.3%) disagreed or strongly disagreed** whilst 65 **(30.5%) agreed or strongly agreed** that the proposed new power of stop and search will be effective in operation in relation to drones.

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b) laser pointers.

Answer	Responses	Percentage
Strongly agree	49	23.0%
Agree	25	11.7%
Neither agree nor disagree	6	2.8%
Disagree	2	0.9%
Strongly disagree	129	60.6%
(blank)	2	0.9%
Total	213	100.0%

Out of 213 responses, 131 (**61.5%**) **disagreed or strongly disagreed** whilst 74 (**34.7%**) **agreed or strongly agreed** that the proposed new power of stop and search will be effective in operation in relation to laser pointers.

c) corrosive substances.

Answer	Responses	Percentage
Strongly agree	60	28.2%
Agree	130	61.0%
Neither agree nor disagree	7	3.3%
Disagree	3	1.4%
Strongly disagree	10	4.7%
(blank)	3	1.4%
Total	213	100.0%

Out of 213 responses, 190 (**89.2%**) **agreed or strongly agreed** whilst 13 (**6.1%**) **disagreed and strongly disagreed** that the proposed power of stop and search will be effective in operation in relation to corrosive substances.

Q4. Do you have any other comments regarding the proposed new powers on drones, lasers or corrosive substances?

18. Of the 223 consultation responses received, 107 (48%) answered question 4 which allowed respondents to provide a free text response.
19. These written responses have been analysed to understand the information they contain and identify any common themes. Analysis of responses included (although was not limited to): levels of support for the proposals among particular groups (including any reasons given); concerns about the proposals' implementation; and possible alternative approaches. Below we have set out our findings in relation to each proposal category: drones, laser pointers and corrosive substances.
20. Some of the responses to this specific question covered multiple topics and themes. The total sum of the responses grouped by theme as set out below is therefore greater than the total number of consultation responses that answered this specific question (107 responses).

Drones

21. **18 responses** noted the reason they **broadly agreed** that a new stop and search power for drones would be necessary, proportionate and effective.

Most commonly, these respondents noted that it was important for the police to have the necessary capabilities to deal with emerging threats. These respondents were supportive of the police and, without making specific reference to drones, supportive of more extensive police powers in general.

One respondent, on behalf of the Airport Operators Association, commented that: *“To have the powers in-place before the common adoption of these technologies will allow relevant parties to immediately make best-use and assist the Police in carrying out their enforcement duties.”*

The office of a Police and Crime Commissioner commented: *“The PCC would welcome these new powers being available to the police in order that they can tackle the growing misuse of drones, laser pointers and corrosive substances... Criminals have always exploited new technology to commit crime. There are a number of hostile uses for drones. These proposed powers will assist the police in preventing and addressing these emerging threats.”*

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22. However, **54 responses** noted the reason they **broadly disagreed** that a new stop and search power would be necessary, proportionate and effective.

The clear majority of these responses felt that the risk posed by drones is not equivalent to the risk posed by corrosive substances and that extending a sensitive police power such as stop and search is only proportionate when the item being searched for poses a serious or immediate threat to life or property.

One respondent said: *“These powers should be limited to genuine risks. Acids have no uses in public and are carried exclusively as a weapon. Drones/lasers and other devices are not of the same category of risk and as such this power is too intrusive.”*

One respondent said: *“Stop and search must be limited to immediate dangers. Lasers and drones are not carried to cause harm and are not illegal to be in possession.”*

A handful of other responses commented on the risk of criminalising people who use drones legitimately and intruding unnecessarily into their recreational use; for example, those who use drones for aerial photography.

23. **24 responses** noted an **implementation concern** regarding the proposed power of stop and search for drones.

A Police and Crime Commissioner commented: *“Whilst I would naturally support any measures to successfully tackle dangerous and criminal activity concerning drones, laser pens and corrosive substances I am not sure that the case for how enhancing stop and search powers specifically will address this is made in this consultation. Operational colleagues will be better placed to comment but I would imagine utilising the powers, particularly with regard to drone use in public, could be fraught with difficulty.”*

24. **11 responses** noted an **alternative approach** regarding the proposed power of stop and search for drones.

One respondent highlighted options around tighter regulation on drones sales: *“Stop and search in the context of drones/uav [unmanned aerial vehicles] will be fairly limited in its effectiveness. Tighter regulation around licensing for drone/uav use for aircraft over a specific weight (perhaps 1kg) would make this work in practice.”*

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While a respondent from the drone manufacturing industry commented: *“The law should, of course, be fully enforced in cases of a clear and provable breach to the Air Navigation Order 2016 or Prison Act 1952, and it is also reasonable that occasional checks on drone users, like for cars or mopeds, might take place to inspect registration and permission evidence. However, this is not the same as stop and search powers which could subject drone users to undue level of suspicions or, worse, negative profiling. Instead, we urge the police to develop a more exact method for identifying the small minority who misuse drone technology for malicious purposes. This could include specific training for police officers to recognise actual threats from drones, and standards for police interactions with drone users.”*

Laser pointers

25. **15 responses** noted the reason they **broadly agreed** that the new stop and search power for laser pointers would be necessary, proportionate and effective.

Most commonly, these responses highlighted the need for the police to have the ability to deal with new threats. These respondents were supportive of the police and, without making specific reference to laser pointers, supportive of more extensive police powers in general.

Some responses also highlighted the specific risks posed by laser pointers to aircraft and the potential ease with which a laser pointer could be concealed on a person.

The National Police Chiefs' Council lead for airport policing commented: *“The ability of the police to proactively use stop and search in an intelligent led way to prevent reckless or deliberate attacks, to mitigate risks and to respond to reports of drones or laser activity is a positive step in keeping our public and airports safe. Because evidence to prove offending (e.g. drone controllers or laser pens) is really hidden in pockets, bags or other places, we urgently need the search powers to find these items to protect the public.”*

Another respondent said: *“The offences would be pretty meaningless without an associated power of search as many are committed by offenders in public places and the evidence can be readily hidden on the person or in a vehicle.”*

One respondent also raised concern in relation to high-power lasers and suggested that the proposed powers should be extended to include reasonable grounds for suspecting possession of a laser device capable of causing permanent injury.

26. However, **53 responses** noted the reason they **broadly disagreed** that the new stop and search power for laser pointers would be necessary, proportionate and effective.

As with drones, the clear majority of these responses felt that the risk posed by laser pointers was not equivalent to the risk posed by corrosive substances and that extending a contentious police power such as stop and search is only proportionate when the item being searched for poses a serious or immediate threat to life or property.

One respondent commented that: *“Drones and lasers are not direct threats to people or property.”*

Another respondent commented that: *“Stop and search should not be expanded – Acid is a fair and balanced expansion as acid is replacing knives as a weapon on the streets. Drones / Lasers are not weapons and there is no evidence to suggest they could be used as weapons at the same level of risk as knives or acid.”*

27. **19 responses** noted an **implementation concern** regarding the proposed stop and search power for laser pointers.

One respondent from North Yorkshire Police commented: *“It is agreed that the new power will be effective however it does need to include Private land as this will limit what officers can do and lasers and drones can be used on private land. Our feedback is wholly supportive of the legislation but I think it is too restrictive to say it is only on public land... I can foresee a scenario where a laser pen or drone could be impacting on a public space but being controlled on private land. This would remove the ability to conduct a search.”*

In addition to concerns about the potential impact of any extension of stop and search on BAME groups, other general concerns about stop and search procedures were also raised. One respondent commented: *“Police is often playing catch up and process procedures and reporting protocol is so stringent, time-consuming and out-dated that officers will still not be able to increase number of searches.”*

28. **10 responses** noted an **alternative approach** regarding the new proposed power for laser pointers.

To ensure that misuse of laser pointers is more effectively dealt with, some respondents suggested additional ways in which the Government could address the issue, beyond police powers.

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A response on behalf of the National Police Air Service commented that they experience regular laser dazzle incidents, and have a strong interest in the effective investigation of these offences, but added: *“In 2016 we experienced 64 laser strikes, and in 2017, 65. There have been only 35 so far this year which is consistent with a general reduction in the number of incidents nationally, reduced by factors including strong sentencing and increased public knowledge.”*

Another respondent commented: *“Perhaps control could be via sale only by licensed manufacturers. At the moment these things can be bought on the net with a very wide power / colour range with no checks at all”.*

Corrosive substances

29. **47 responses** noted the reason they **broadly agreed** that a new stop and search power for corrosive substances would be necessary, proportionate and effective.

The most common reason given for their broad agreement was that the impact that a corrosive substance attack has is well understood by police and public alike and is recognised to be a serious threat and the police need the necessary capabilities to address the issue.

One respondent highlighted that: *“Acid has a short history of causing significant harm and there is no reason to carry it [in public].”*

This sentiment was shared by another respondent who said: *“Acid is a real and documented threat which has been realised.”*

30. **13 responses** noted the reason they **broadly disagreed** that the new stop and search power for corrosive substances would be necessary, proportionate and effective.

The predominant theme of these responses was that existing legislation already allows officers to stop and search a person carrying a corrosive substance if they have reasonable grounds to suspect there is intent to use it as an offensive weapon, and this power covers the vast majority of operational situations in which the police would need to stop someone to seize a corrosive substance.

One respondent commented: *“Existing legislation around offensive weapons is adequate for a stop and search for a corrosive substance, why else would you search the person unless you suspect that they are likely to cause harm with it.”*

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Another commented: *“There is no explanation in the ‘situational policing examples’ provided why the officers would not have had reasonable grounds to suspect that the individuals intended to cause harm and so could have relied on current powers under PACE.”*

31. **19 responses** noted an **implementation concern** regarding the proposed new stop and search power for corrosive substances.

Although not limited to the new proposed power for corrosive substance, some respondents were concerned about the impact of any extension of stop and search on BAME groups.

32. **9 responses** noted an **alternative approach** regarding the new proposed new stop and search power for corrosive substances.

One response said: *“I cannot think of a single reason for this to be available to any member of the public and think its sale should be strictly licensed to only sold to registered trades people.”*

A response from a Police and Crime Commissioner, in their capacity as a national portfolio lead within the Association of Police and Crime Commissioners, commented on the importance of officers’ ability to use stop and search if they believe that corrosive substances (as well as drones or laser pens) will be used for criminal intent, but also commented on the importance of wider preventative work: *“Police and Crime Commissioners and Forces must also keep working with partners across communities as part of their prevention work - and nationally as part of their work on the Serious Violence Strategy - to help stop corrosive substances, drones and laser pens from being used for criminal purposes in the first instance.”*

Other responses received

33. The Independent Office for Police Conduct; Liberty; The Police Action Lawyers Group (PALG); StopWatch; and The Youth Justice Board responded to the consultation through the submission of a short narrative, rather than addressing directly the consultation's specific questions.

34. There were several recurring concerns raised within these submissions which have been outlined below, in no particular order:

- The perceived ineffectiveness of stop and search as a method of preventing or reducing crime.
- The perceived discriminatory use of stop and search and racial disproportionality in police use of existing powers.
- The detrimental effect of misused stop and search on community relations and public confidence in policing.
- The need for children to be treated fairly and proportionately during the stop and search process with appropriate safeguards in place to ensure powers are not abused.
- The importance of officers being well trained and competent to use the powers at their disposal.
- The importance of transparency and accountability when using stop and search powers, including the important role of external scrutiny/monitoring groups to ensure local communities have a voice.

Conclusion and next steps

35. The Government consulted on proposals to extend stop and search powers to better understand how effective and proportionate this action would be in enforcing new or proposed laws
36. Following careful consideration of the responses received, we have set out next steps for the proposals in turn below.

Drones

37. Drones and other unmanned aircraft present both exciting benefits to society and challenges we must address. As drones have grown in popularity in the UK in recent years, we have unfortunately also seen an increase in the misuse of drones in ways that have risked the lives of pilots and passengers on board manned aircraft and threatened the safety and security of our prisons.
38. In 2014, there were only six reported incidents of a drone coming into close and potentially unsafe proximity with an airliner, helicopter or other aircraft. Since then, incidents have increased rapidly: in 2017, 93 such incidents were recorded and in 2018, 125 were recorded. Incidents recently have included a drone coming within 10ft of a collision with a Virgin Atlantic plane over central London. Flying a drone this high, as with the majority of the incidents, has been illegal for quite some time, as a drone pilot is required to only fly a drone where they can see it. In May this year, the Department for Transport strengthened laws in this area, to specifically ban the flight of drones above 400ft or within 5km of an aerodrome. Nonetheless, restrictions alone are not a sufficient deterrent for those with malicious intent. Since these new flight restrictions have come into force, Airprox incidents of drones above 400ft have still been reported.
39. Criminals, such as serious organised crime groups, are also using drones to deliver contraband such as drugs, mobile phones and weapons into prisons. The profits on offer, together with the accuracy and reliability of this method, can make it worthwhile for criminal gangs to prepare and run these relatively sophisticated operations. By bringing in large amounts of drugs per delivery these criminals can cause a deterioration in the stability and security of prison regimes. This in turn affects the safety of prison staff, the prisoners in their care and damages the prospects of rehabilitation.

40. Despite this, responses from the public to the consultation were broadly unresponsive of the proposed new stop and search power that would allow police officers to conduct a stop and search of a person or vehicle in a public place if the officer has reasonable grounds for suspecting that they will find a drone and/or any article associated with a drone, which has been used, or is intended to be used, in the commission of offences under the Air Navigation Order 2016 and the Prisons Act 1952.
41. However, between 19 and 21 December 2018, hundreds of flights were cancelled at Gatwick Airport, following reports of drone sightings close to the runway. This unprecedented incident caused major travel disruption, affecting about 140,000 passengers and over 1,000 flights.
42. Following the incident at Gatwick Airport, the Government has been working closely with the police to examine whether they have the necessary powers to respond should the misuse of a drone cause widespread disruption to the operation of an aerodrome. The police have been clear that in certain circumstances, a power to stop and search a person in relation to offences concerning flying a drone within the restriction zone of a licensed aerodrome would enhance their ability to respond should a similar situation arise in the future. We consider such a power to be proportionate and beneficial in enabling the police to tackle incidents causing widespread disruption to the operation of aerodromes and the Government will continue to work with the police to define the detailed scope of this power.
43. In addition the Government is working closely with the police to examine whether they have the appropriate powers to respond effectively to other offences, including around prisons, that might be committed using a drone. If this work reveals further meaningful operational gaps, the Government will take further legislative action.
44. The Department for Transport has recently consulted on the policy and regulation surrounding the use of drones, including a broader range of police powers, which it is hoped will enable the police to better enforce aviation offences committed by drone users. for inclusion in the draft Drones Bill¹ The Government response to this consultation was published on 7 January 2019 and can be found here: www.gov.uk/government/publications/government-response-to-future-of-drones-in-the-uk-consultation.

¹ <https://www.gov.uk/government/consultations/drone-legislation-use-restrictions-and-enforcement>

Laser pointers

45. Lasers have become a growing concern, particularly near airports where they can dazzle and distract both pilots and air traffic controllers. These attacks can have very serious, potentially fatal consequences. This is why the Government passed legislation on this issue and offenders now face tough penalties for endangering the lives of others.
46. Having reviewed the consultation responses, the Government recognises that there are mixed views as to whether extending stop and search powers in relation to this offence is necessary. We hope that existing measures will act as a deterrent against the misuse of lasers, but it is important that the police have the powers they require to enforce these new offences. As this new law only came into force last July, we will continue to monitor the situation carefully and engage the police to further understand their operational requirements – to ensure the law can be enforced and the travelling public are protected from laser attacks. We will keep the proposal under review to allow for this.

Corrosive substances

47. Given the significant number of respondents who either agreed or strongly agreed that extending stop and search powers for corrosive substances was a proportionate and effective response to prevent corrosive attacks, the Government will be taking this proposal forward. The use of corrosive substances as a weapon can cause significant harm and injury to individuals, families and communities and the Government is determined to take strong action in response in order to prevent these horrendous attacks. The Offensive Weapons Bill, currently before Parliament, includes a legislative measure to extend stop and search powers for corrosive substances in England and Wales.
48. Several respondents felt that the police already had the power to conduct a stop and search for corrosive substances under the Police and Criminal Evidence Act 1984. However, this is only in the situations where an officer has reasonable grounds to suspect that an individual is carrying a prohibited article with the intent to cause injury, such as where the corrosive substance has been poured or decanted into another container to make it easier to use as a weapon. It does not cover situations for example when the corrosive substance is being carried in its original packaging. The intention of extending stop and search is to ensure that there are no gaps in police powers, particularly in the light of the proposed new offence of possessing a corrosive substance in a public place within the Offensive Weapons Bill. The extension of stop and search will help ensure that the police have the capability to effectively investigate and prevent this new offence.

49. Concerns were also raised about the need to ensure that an extension of stop and search powers is used proportionately. We will work closely with the police so that the extended powers are used in a targeted and intelligence led way. We have also jointly commissioned the Defence Science and Technology Laboratory with the National Police Chiefs' Council to help us identify an effective and robust testing regime which will allow police officers to be able to safely test suspect containers for corrosive substances.
50. The importance of wider work, outside of stop and search, to help prevent corrosive substances being used for criminal purposes is very much recognised by the Government. This is why we have also put in place an action plan to tackle the use of acid and other corrosive substances in violent attacks and this now being delivered as part of the Serious Violence Strategy². Good progress is being made on the action plan, which is based on four key strands: effective support for victims and survivors; effective law enforcement; ensuring that existing legislation is understood and consistently applied; and working with retailers to restrict access to acids and other very harmful corrosive products.
51. The Government is clear that stop and search is an important tool for the police to prevent, detect and investigate offences, including some of the most violent and devastating, thereby helping the police to protect and safeguard the public. The use of stop and search, when proportionate, lawful, and intelligence-led, is an integral part of the policing response in tackling serious violence, and in preventing and deterring people from carrying weapons. However, it is also important that when stop and search is used it is done effectively, professionally, and, as far as possible, with community consent.

² <https://www.gov.uk/government/publications/serious-violence-strategy>

Consultation principles

The principles that government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the consultation principles.

www.gov.uk/government/publications/consultation-principles-guidance

Annex A – List of respondents

Respondents to the consultation included:

- Airport Operators Association
- Association of Police and Crime Commissioners
- Bar Council
- Criminal Bar Association
- DJI (drone manufacturer)
- Independent Office for Police Conduct
- Kelcey and Hall Solicitors
- Liberty
- Mayor's Office for Policing and Crime
- Members of the public
- National Police Air Service
- National Police Chiefs' Council
- Police Action Lawyers Group
- Police and Crime Commissioners
- Police Federation of England and Wales
- Police officers
- Prison officers
- Regional stop and search monitoring groups
- Standing Committee for Youth Justice
- StopWatch
- Transition to Adulthood Alliance
- UK Flight Safety Committee (Laser Working Group)
- Westminster City Council
- Youth Justice Board



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