

The Case: R v James Matthews

James Matthews is 32 years old. He lives with his partner and two children aged 6 and 8 in Brabont Close, a cul-de-sac of 12 houses.

Until recently he was friendly with his next-door neighbours, Frederick and Sandra Simms and their son Donald, aged 12. However, five months ago Donald received a Superfly Spy drone for his birthday. The drone has a camera attachment and is regularly flown around the neighbourhood by Donald. James complained to Frederick & Sandra about this and they promised it would not happen again, but it has, regularly. After further complaints concerning both his family's safety and privacy came to nothing, James informed the police who visited the Simms family and warned them about the Civil Aviation Authority Drone Code which forbids the flying of Drones such as his above residential areas.

Initially the complaint seemed to have worked, although it did nothing for James's relationship with the Simms family who refused to acknowledge or speak to him. Before long, however, the drone returned and would regularly hover close to the house. For James it became a nuisance and a source of anxiety and concern.

Several weeks later matters came to a head. On a Sunday morning, James opened his bedroom curtains only to see the drone directly outside, its camera pointing into the bedroom. He put on his dressing gown and marched next door to complain, but was ignored. James called the police again and demanded action but was told at that stage that nobody was available to help him and it was not an emergency. He was told to call back next week.

Later that same morning he saw the Simms family leave Brabont Close in their car. Still simmering with anger, he noticed that their garage door had been left open. Determined to retrieve the drone himself, he went inside. Unable to locate it, he kicked open an inside door which leads from the garage to the kitchen. Once inside the house, he searched untidily through the kitchen and living room. He then went upstairs and after trying several doors, found Donald's bedroom. The drone was on the floor. He picked it up and left the house. As soon as he was outside, he threw the drone onto the ground and stamped on it, leaving the wreckage on the Simms' driveway. James then looked up to see the Simms family return in their car. Donald ran over to pick up his ruined drone and burst into tears. A loud argument ensued, and the police attended and arrested James for burglary. At the police station he fully admitted the offence, saying he did not know what had come over him, but seeing the drone spying on him in his own home was the final straw.

Frederick & Sandra Simms have provided statements to the police saying that Donald has trouble sleeping at night and worries that James will come into his bedroom again. He is too scared to buy another drone.

James Matthews has since repaid the full £900 cost of the drone and £300 for damage to the door direct to the Simms family. He works as a logistics manager for a transportation company and the court has a letter from his employer stating that James is a valued and excellent employee, but a custodial sentence would result in the termination of his employment. Three of James's neighbours have also written to the court attesting to his friendly and helpful nature. James's partner has recently been made redundant. The family has no savings and relies upon James's earnings. James pleaded guilty at his first court appearance. He has no previous convictions or cautions.