

**Sue Davis**

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**From:** TAYLOR, Tanya  
**Sent:** Tuesday, 21 April 2009 3:09 PM  
**To:** 'Sue Davis'  
**Subject:** Notes of Meeting held Thursday 16 April 2009  
**Attachments:** Notes of Meeting Held with Aerospace Aviation on Thursday 16 April 2009.doc

Dear Sue

I have attached my notes of our meeting held last Thursday. Can you please advise if there are any changes required especially in regard to the technical part, ie naming of course or components.

Thank you for your time on Thursday I found the meeting to be very beneficial and as you can see from my notes shed quite a bit of light on each of the students whos files we examined.

Regards

Tanya Taylor  
Senior Case Manager  
ESOS Provider Support & Compliance Unit | International Quality Branch  
Australian Government Department of Education, Employment and Workplace Relations

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## Notes of Meeting Held with Aerospace Aviation on Thursday 16 April 2009

Present: Tanya Taylor (DEEWR)  
Sue Davis (Aerospace Aviation Pty Ltd, Principal Executive Officer)  
Chris Stephens (consultant Phoenix Compliance Management)

### Background

For 2 groups of international students who were coming from India from Airlines a block of 12 weeks of theory training was delivered in India prior to their commencing with Aerospace Aviation (Aerospace) in Australia. The theory delivered was to Australian standards and used Australian textbooks etc.

The idea behind delivering the bulk of the theory in India was that it was taking approximately 12 weeks for students to obtain their visas. By delivering the theory in India it was seen as a constructive use of the 12 weeks wait before the student could commence their course. The students would still need some theory component once the course commenced but it would be more of a refresher unit prior to sitting the appropriate exams. This method had the potential to reduce the actual amount of time students would need to be in Australia to obtain their Commercial Pilots Licence (CPL).

When the students arrived in Australia to commence their course, Aerospace conducted general flying knowledge test to ascertain how much the students had learnt from the theory course in India. A number of the group failed the test therefore Aerospace delivered the whole theory component to the group again. In Australian the theory components are not delivered in 12 week block but rather delivered in several blocks covering the area the students are up to in their course progress. By delivering the theory again it was also expected that the students who had passed the general flying test the first time would obtain better passes in each of the theory units.

An Australian CPL requires a minimum of 150 hours flying time, the normal amount of flying time students require is between 160-180 hours. For a student to obtain a licence in India they require 200 hours of flying time.

Bookings for flights are made by the booking clerk. Flight lengths and types are determined by what the student has completed towards that part of the course. Once the booking clerk schedules a flight an email is sent to the student advising them of the flight time, flight content, instructor etc. 24 hours before the flight time another email is sent to the student reminding them of their booking. A new process that has been introduced since the compliance visits that the booking clerk phones the student the evening before the flight to remind them again.

### Student files reviewed

The following student's files were examined and the contents discussed with Sue. Each of these students have made a range of allegations and complaints about Aerospace and have initiated legal action against Aerospace to be placed in liquidation. The students have also either contacted, or been contacted by, *The Australian* newspaper.

### Vinesh DESHMUKH

Vinesh was enrolled in the Certificate IV in Transport and Distribution (Aviation Flight Operations) from 24 September 2007 to 24 September 2008. This included Command Instrument Rating (CIR) and the training required to convert the CASA CPL to Indian standards. This qualification requires approximately 220 hours of flying.

Vinesh initially failed the general flying knowledge test conducted when he first arrived at Aerospace.

REFERRED TO IN THE AFFIDAVIT  
OF SUEEN MARGARET DAVIS  
SWORN AT Sydney  
AMTB and KinDiller  
BEFORE ME  
C. H. H.  
CHRISTOPHER H. H.

No new CoE was created for the student however he continued the course. On 2 February 2009 he formally withdrew from the course.

#### Prabmeet SINGH

Prabmeet was enrolled in the Certificate IV in Transport and Distribution (Aviation Flight Operations) from 24 September 2007 to 24 September 2008. This included Command Instrument Rating (CIR) and the training required to convert the CASA CPL to Indian standards. This qualification requires approximately 220 hours of flying. He deferred the start of his course to 29 October 2007 to complete on 29 October 2008.

Prabmeet achieved his first solo flight on 4 December 2007 after only 12.9 hours of flying. He then progressed to first Training Area Solo after 45.1 hours flying on 2 March 2008 and GFP (General Flight Principle) Test after 67.8 hours of flying on 18 August 2008. He then moved onto the PPL component.

Prabmeet was regularly underprepared for his flights. He lost flying standard quickly and had to have remedial flying. He was hard to contact, not answering his phone or returning calls. Several bookings for flights were made which he did not turn up to take. Work was playing havoc with his training, after one flight he admitted to the instructor that he had only had 2 hours of sleep.

By the end of the CoE he had not completed his course, a new CoE was issued for the period 22 December 2008 to 22 December 2009 for him to complete. He withdrew from the course on 2 February 2009.

#### Surendra EGALAPATI

Surendra was enrolled in the Certificate IV in Transport and Distribution (Aviation Flight Operations) from 30 July 2007 to 30 July 2008. This included Command Instrument Rating (CIR) and the training required to convert the CASA CPL to Indian standards. This qualification requires approximately 220 hours of flying.

Surendra achieved his first solo flight after 31 hours of flying (the normal requirement is between 15 to 20 hours). He then progressed to first Training Area Solo after 36.1 hours flying and GFP Test after 53.3 hours flying.

Surendra was regularly poorly prepared for flights. He regularly turned up late for flights or failed to attend. He had a lack of enthusiasm for flying, difficulty in multi-tasking and was tunnel visioned with tasks. He failed a number of pre-licence test flights and required constant remedial flying.

By the end of the CoE he had not completed the course and a new CoE was given from 13 October 2008 to 13 October 2009.

On 24 January 2009 he didn't turn up for a flight and when attempts were made to contact him he refused to take the call from Aerospace only willing to give messages through a friend. On 27 January 2009 Aerospace issued him with a notice of intention to report and an email was also sent to his parents in India. No response was received to the notice of intention to report and the student was reported for unsatisfactory course progress on 10 February 2009. The student withdrew from the course on 2 February 2009.

#### Mukesh Ravji Harji PINDORIA

Mukesh was enrolled in the Certificate IV in Transport and Distribution (Aviation Flight Operations) from 27 August 2007 to 27 August 2008. This included Command Instrument Rating (CIR) and the training required to convert the CASA CPL to Indian standards. This qualification requires approximately 220 hours of flying.

When enrolling Mukesh said he had a private pilot licence from America. Then in April 2007 he admitted that he didn't have an American private pilot licence but he did have a Kenyan private pilot licence. Documentation was supplied and this was forwarded to CASA for verification and recognition. CASA eventually recognised the Kenyan licence and Mukesh was required to undertake a conversion theory test to have it formally recognised. He did the conversion flying on the navigation system but to date had not sat the exam.

Mukesh refused to attend the theory parts of the course. He complained that he was not given enough flights but Aerospace has record of numerous flight bookings made for him that he didn't turn up to take. In January 2009 Aerospace asked him for copies of his exam results but he had not provided them.

By the end of August 2008 he had not completed the course and a new CoE was issued for 20 October 2008 to 20 October 2009.

Mukesh was sent a notice of intention to report for unsatisfactory course progress on 9 February 2009. On 27 February 2009 he contacted Aerospace stating he hadn't received the appeal form that was attached to the notice of intention to report. Aerospace sent him another appeal form but to date has not heard back from him in regard to his appeal.

#### Kapil RAJ

Kapil was enrolled in the Certificate IV in Transport and Distribution (Aviation Flight Operations) from 29 October 2007 to 29 November 2008. This included Command Instrument Rating (CIR) and the training required to convert the CASA CPL to Indian standards. This qualification requires approximately 220 hours of flying.

Kapil arrived late to commence course. After 14.8 hours of flying he was ready to undertake his first solo but had not finished the theory exams therefore could not go solo. He had numerous absences from the theory classes.

He flew consistently through January to May 2008. In June 2008 his course was suspended due to non payment of fees. Numerous contacts were attempted but he refused to accept the calls.

He withdrew from the course in October 2008.

#### Rakesh SARAVANAN KARIKALAN

Rakesh was enrolled in the Certificate IV in Transport and Distribution (Aviation Flight Operations) from 24 September 2007 to 24 September 2008. This included Command Instrument Rating (CIR) and the training required to convert the CASA CPL to Indian standards. This qualification requires approximately 220 hours of flying.

Rakesh had received 65 hours of flying and had not obtained his GFP Test. He could not progress further without obtaining a pass in that test.

He would regularly not turn up for flight bookings, and on occasion said that he had been to a party and was drinking heavily, he was still drunk when he was meant to be flying.

By the end of September 2008 he had not completed the course and a new CoE was issued for 4 November 2008 to 31 October 2009.

Warning letters were sent regarding unsatisfactory attendance in November and December 2008. A letter was sent to his father in October 2008 regarding his unacceptable behaviour.

On 14 January 2009 a GFP Test pre-test was booked; he did not turn up for the flight.

His father withdrew him from the course on 13 February 2009.

#### Nitin SHARMA

Nitin was enrolled in the Certificate IV in Transport and Distribution (Aviation Flight Operations) from 24 September 2007 to 24 September 2008. This included Command Instrument Rating (CIR) and the training required to convert the CASA CPL to Indian standards. This qualification requires approximately 220 hours of flying.

Nitin was up to the PPL phase of his course. He was not going to complete his course within the original CoE duration so a new CoE was issued from 23 October 2008 to 22 October 2009.

Nitin had 7 internal incident forms on file. Numerous flights were cancelled due to paperwork not being complete and Nitin not being prepared to fly or just not turning up. He was very sloppy with paperwork saying that close enough was good enough. He received extra assistance with completing paperwork and one on one tuition in this regard.

Notice of intention to report for unsatisfactory course progress was sent to Nitin on 17 February 2009 and a meeting held on the same day. At the meeting, Aerospace went through the reasons why he was going to be reported and gave Nitin the opportunity to respond and give reasons as to why he shouldn't be reported.

An outcome letter was sent to Nitin rejecting his appeal and it included the reasons for not accepting his appeal.

#### Karthikeyan VARMAN

Karthikeyan was enrolled in the Certificate IV in Transport and Distribution (Aviation Flight Operations) from 24 September 2007 to 24 September 2008. This included Command Instrument Rating (CIR) and the training required to convert the CASA CPL to Indian standards. This qualification requires approximately 220 hours of flying.

An extension CoE was created for 4 November 2008 to 31 October 2009.

Course fees are made in a payment plan that is to be completed within the first 3 months of the course. Karthikeyan didn't make a payment for 5 months and it took him 15 months before he had fully paid for the course. His training was suspended for non-payment of fees while payments were in arrears.

Karthikeyan went on leave on 30 November 2008 with an expected return date of 5 January 2009. As at 16 January 2009 he had not returned so Aerospace reported him for 'cessation of studies'.

He did show up on 27 January 2009 at which time he was advised that his CoE had been cancelled.

Aerospace received an email from the student on 2 March 2009 advising his wish to withdraw from the course. In his email he states his reasons for withdrawing. Impression received from email

indicates that his expectation was that his payment for his course was for 220 hours of flying and as he had only received 113.4 hours of flying he was entitled to a refund for the remaining hours. The agreement and the offer letter sent to the student clearly sets out the course costs and what the costs cover, including exam fees, theory, uniform etc.

#### Conclusion

On the basis of the above, it would seem that the students' claims have little or no foundation and while Aerospace's reporting and monitoring procedures could have been better in some respects, the actions of the provider contradict the students' claims.