

*From:*  
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Dear Secretary,

Please see my submission below. My flight experience is over 16,000 hrs of which 10,000 + in command of heavy jets. It also includes training experience on a variety of multi-engine (mainly jet) aircraft. On top of that I have acted as Director of Operations / Chief Pilot in a number of jurisdictions and operating aircraft from light jets and flying boats to high capacity jets like DC8-73, B727, 737, 747, 757 etc. I have a current Australian and US FAA ATPL, and have been a CASA ATO in the past.

Please note that I will not comment on all the points but just the ones which I consider to be of major importance. That is not to say that other points don't deserve attention but it is better in my view to get the major "lines" drawn up correctly before going into the finer details. So, here we go!

(a) pilot experience requirements and the consequence of any reduction in flight hour requirements on safety;

The current minimum experience requirements for a license are fine but any reduction in experience can only lead to reduction in quality of the output unless the reduction is compensated by better quality training. There is also a difference of training someone for GA work (which is predominantly single pilot flying) or for an airline career (exclusively multi crew). The two training concepts are vastly different because they have different aims. Yet you don't find the distinction in the licenses awarded.

Current license requirements are more geared to GA type continuation than to the step into the co-pilot seat of a large transport aircraft fresh out of initial training. There is insufficient attention for Multi Crew operations in the initial training. There are MCC courses but the course content then needs to be followed up during line flying. That is hardly ever the case in GA and consequently most GA aircraft are operated in a single pilot fashion, even if the aircraft has (and must have) two fully qualified pilots in the cockpit. CRM (Crew Resources Management) is often completely misunderstood or misinterpreted by the management of GA operations.

(b) the United States of America's Federal Aviation Administration Extension Act of 2010, which requires a minimum of 1500 flight hours before a pilot is able to operate on regular public transport services and whether a similar mandatory requirement should be applied in Australia;

It is a good idea to require some more exposure to aviation (read more flight time) before people are able to operate larger capacity passenger aircraft.

The notion that this limit should be raised only for REGULAR passenger transport, and exclude passenger charter operations, is a strange leftover from the past.

RPT and Charter these days fly the same equipment and the crews should be expected to produce, and the travelling public is entitled to receive, the same quality and safety level. I would much rather see this (increased to 1500 hrs) experience level as a requirement for any passenger transport operation with aircraft heavier than 15 tons / or seating more than 40 passengers. For passenger operations with aircraft heavier than 10 tons (but lighter than 15 tons) the minimum could be set at 750 hrs. Below 10 tons (Max TOW) there would be no minimum experience required, as would be the case for freight or airwork operations, regardless of the size or weight of the aircraft.

(c) [current industry practices to recruit pilots, including pay-for-training schemes and the impact such schemes may have on safety;](#)

The practice of bonding new pilots for a period of time (3 years?) and for a declining balance is reasonable. Pay for training schemes are pushing the boundaries a bit. There is no assurance the paying student / work-experience pilot is the best quality the operator could get for the job. The co-pilots seat has become just another income earner for the operator.

From a systematic point of view one can see that the spectre of always having a "work experience" pilot in the co-pilot seat is not far off. Because the airline now lowers its cost base by putting through an endless string of such work experience (paying for their experience) pilots, the quality of the crew is by definition far below what it could be, had the new pilot(s) stayed for some years to build up a significant amount of flight time.

Presumably the airline that "receives" the pilot after his work experience period is now better off because the newcomer has at least some experience. If however all airlines employ the same "pay-for-training" methods then two things happen. The overall safety of the operations is reduced because the experience of the co-pilot is now always minimal because he is replaced by a new pay-for-training pilot as soon as he finishes his 500 hrs or whatever the amount is. Secondly the competition for the remaining "normal" jobs will now become very fierce (many applicants with their 500 hrs and not enough workplaces to employ them all.) That then will lead to the operators being able to further reduce the remuneration for their co-pilots (and even let them pay for another type endorsement if that is possible).

We are already seeing starting salaries appearing which do not in any way reflect the huge investment in initial pilot training and pay-for-training work experience. Because the flying schools keep pumping out students the downward pressure on salaries will continue. This is good for consumer prices but bad for quality and safety. You would really have to wonder whether (airline) pilot is a job worth pursuing these days.

(d) [retention of experienced pilots;](#)

Experience is not something airlines are willing to pay for these days. Only when a new type is introduced will experience be brought in to cover the requirements of adding the aircraft to the AOC. Otherwise airlines tend to go for the minimum experience that will legally do the job. The costs can be further reduced in this way and less experienced commanders are easier to

manipulate by management. Lower time commanders can be (but not always are) very good quality operators, but coupled with the low time work experience pilots it is not a marriage made in heaven. Older commanders are often less interested in rules and regulations and operate more according to common sense, but they have a far better grasp of the overall picture and are often (but not always) better (and calmer) line trainers. The difference is experience, but experience as a commodity it doesn't attract a high price in today's aviation market. Over 50-ties are usually seen as too expensive and too opinionated by the young MBA's that run airlines and other operators these days. Sign of modern times really, not so good for overall flight safety.

(e) type rating and recurrent training for pilots;

There is generally not all that much wrong with the training to achieve a type rating or endorsement in Australia, and with most major and supplemental airlines recurrent training is taken seriously. Crews should be and mostly are indeed scheduled for sessions in full flight simulators several times a year. This is necessary to remain competent in unusual flight situations, to practice system malfunctions and to fly the aircraft with one or more engines "giving trouble" or failing at randomly selected phases of flight.

This type of training CANNOT be done in the real airplane for several reasons; firstly the exercise may be too hazardous to contemplate (engine failures on or shortly after V1) as the chance of crashing the airplane, as the result of mishandling the failure, is simply too big, or secondly, the exercise cannot be adequately simulated without risking damage to the aircraft's systems or severely (and unnecessarily) reducing the safety of the operation.

Keeping the above rationale in mind it is VERY IMPORTANT that all commercial operators of Multi Engine Aircraft over 5,700 kg are forced by regulation to make sure that their pilots receive simulator recurrency training at least once a year. Only if there is NO simulator of the type available anywhere IN THE WORLD (!) can a concession by CASA be contemplated with the onus on the operator to come up with a credible program to produce the same effective recurrent training.

There are currently operators of twin engine turboprop aircraft in Australia where the crew NEVER see a simulator ever again after their initial training (sometimes many years ago!). This is totally unacceptable in today's operating environment. Simulators are simply part of the costs of doing business in professional aviation these days and not using them because they are too far away or too expensive is simply irresponsible. Unfortunately this practice is legal and thus CASA is as culpable as the operator of negligence in their obligations towards the general public and the crews who are forced to fly aircraft without receiving acceptable levels of recurrent and continuity training.

(f) the capacity of the Civil Aviation Safety Authority to appropriately oversee and update safety regulations given the ongoing and rapid development of new technologies and skills shortages in the aviation sector;

There are enough skilled people in the industry but many wouldn't want to work for CASA. Nevertheless CASA staff (in individual cases) seem to be in general quite capable to follow new technologies. CASA is a bit control freakish in coming up with regulations for anything including rules to cover new technology. In my view more regulations are not necessary in many cases, but education is.

Gross overregulation and draconian actions are the hallmarks of CASA as a rule. Why, for instance, are there separate license endorsements for the various instrument approaches needed? And different currency requirements for these types of approaches. It serves no purpose. Everything CASA does is complicated and cumbersome.

Nowadays the answer or solution in the eyes of CASA is always "a management system", like a fatigue management system, a drug and alcohol management system, a security management system etc, etc. Rules, rules, rules and the bulk of them do nothing for flight safety; they just keep people busy with nothing and often confuse the issues. And following all these systems are the multitude of checks to be dealt with, instrument check, general flying check, CRM test, security test, 20-11 check, dangerous goods check. Of course all these issues must be addressed, but in the form of training and education and not in the form of useless checks which only leads to another box ticking exercise (just for CASA really). Useless and counterproductive is the best that can be said of it.

(g) the need to provide legislative immunity to pilots and other flight crew who report on safety matters and whether the United States and European approaches would be appropriate in the Australian aviation environment;

Crew who report on safety matters should be protected against recriminations. Only where gross negligence is involved by the reporting pilot should such protection be subject to penetration.

The tendency of CASA and the regulations to focus on "guilt" and "punishment" rather than on "analysis" and "education" actually impedes the promulgation of safety thinking. Most issues are rather hidden than brought to light.

If you are punished by CASA (or by your employer) once for exposing an experience that could have or has caused a safety issue, you are more likely to hide such occurrences in future as much as possible to avoid such punishment. Consequently no one will hear from the occurrence and its safety implications, no one will learn anything and the same issue will keep occurring again and again until the moment that it actually does create an incident, or worse, an accident.

"Learn from your mistakes and let others benefit from those lessons" has been replaced by "hide your experience and let some one else be caught with it". This is of course the exact opposite of what the purpose is and a direct result of not only the strict legal and criminal liability laws that the aviation

**regulator enforces but also the CASA mindset. Stupid really if you thinks about it.**

(h) reporting of incidents to aviation authorities by pilots, crew and operators and the handling of those reports by the authorities, including the following incidents:

**No comment**

(i) the Jetstar incident at Melbourne airport on 21 June 2007, and

**No comment**

(ii) the Tiger Airways incident, en route from Mackay to Melbourne, on 18 May 2009;

**No comment**

(i) how reporting processes can be strengthened to improve safety and related training, including consideration of the Transport Safety Investigation Amendment (Incident Reports) Bill 2010; and

**No comment**

(j) any other related matters.

**The name CASA itself ..... Civil Aviation Safety Authority... ; they are an Aviation Authority and not a Safety Authority (that should be the role of the ATSB), so the name should exclude the adjective "Safety". It is all just political and self-serving spin really. We can live without it.**

**The regulations in general are quite unreadable for normal people and there is way too much of it anyway. There is a problem with CASA in that they really want to control each and every aspect of every flight or maintenance action, or at least make as many rules as possible so the chance of "catching someone out" are vastly improved. Such a "caught out" person can the be punished by the "aviation safety watchdog", as they like to see themselves, and such action is than hailed as a victory for air safety. Hollow nonsense in most cases. This draconian "big brother" mindset, that is so close to CASA's heart, is the root cause of the widespread discontent with the regulator. Look at the FAA to see how pro aviation, relaxed and effective a regulator can be!**

**The constant threatening with fines, demerit points and regulation with a capital R. does absolutely nothing for flight safety. The criminalisation of non compliance with aviation regulation is the very cause of the systematic hiding of occurrences and the box ticking mentality as seen by many operators. In this sense CASA itself is the biggest air safety risk we have in Australia.**

**CASA seems to look down at everybody (including the Government) and the CASA incrowd seems more concerned with maintaining their cosy lifestyle and enjoying the fruits of their unbridled and unchecked power than with working on sensible management of the aviation industry. CASA management is not accountable for anything to anybody, they pretty well do as they like! It is a shocking state of affairs.**

**Best solution would be to send the whole lot (the CASA managers) home and be done with it. Get some fresh thinkers in to construct a new CAA that on the**

one hand fosters aviation and on the other hand manages the risk profile by measured amounts of regulation and lots of educational activities.

The never ending regulatory reform program is a another flop of unbelievable magnitude. Enough has been written about this already. Read the article <http://www.aviationadvertiser.com.au/2010/10/to-hell-with-the-rules/> Surely here should be a senate inquiry into the functioning of CASA as a matter of urgency, and maybe the submissions in this inquiry will lead to just that.

Any attempt to use a gradual change process to improve CASA will be sabotaged and largely ignored by the sitting CASA bureaucracy . They are a law to themselves and take no instructions from anyone, not even the from government.

My apologies for the bad news but it better be stated in plain language than being allowed to continue its existence like a horrible fungus.