

Committee Secretary
Senate Standing Committees on Rural and Regional Affairs and Transport
PO Box 6100
Parliament House
Canberra ACT 2600.

Australian Transport Safety Bureau (ATSB) inquiry submission, an open email.

Dear Senators,

I wish to support those submissions that I've read in regard to the ATSB by Mr. Aisen, Mr. Hobbs and of Mr. Hilton, and contribute additional opinion.

Obviously the ATSB's report into the Mt. Gambier accident is flawed and serious questions must be raised as to the motives or reasons for such a poor report.

Professional and private aviation industry personnel have been following the ATSB's reports for many years, but more particularly since it became an independent Commonwealth corporate body in 2009.

Many, and probably the great majority, now have little or no confidence that the ATSB is capable of producing reports of value. In reality the reverse is true, the Mt. Gambier report, as an example, can only confound those who would look for answers and constructive suggestions that might lead into new avenues for the safety of flight.

Whilst I concur completely with the thoughtful and detailed analysis by the submitters as noted, my concern is to respectfully ask the Senators to consider the broader context and the failed model of governance as represented by the independent ATSB.

Similarly the Civil Aviation Safety Authority, independent since 1988, has failed to live up to its legislated duty to provide, quote, "clear and concise" rules and regulations (see illustration). The result is the most astonishing demise of a once flourishing industry of General Aviation (GA). Though my critique of CASA may not be directly germane to the performance of the ATSB, it does provide a clear demonstration of a failure of governance, by that of the relatively unaccountable independent regulator.

This points directly to the need for a greater degree of Parliamentary control. Without direct and constant accountability to a Minister, or some other Parliamentary body of responsibility, then it is apparent and unsurprising that such bodies can stray from their legislated purpose.

Certain settings have clearly influenced the actions of such bodies, the fact that, unlike a Government Department, they can be sued, has contributed to the CASA attempt to micro manage, to control to an extreme degree. In addition, CASA has caused Parliament, inappropriately, to migrate practically all the rules into the criminal code with strict liability as the standard of proof to ensure maximum prosecution success. This of course has driven incident reporting to very low levels. Who wants to own up and then bear a criminal conviction with all that entails including loss of international travel ability? The

fear of reporting mitigates against safety.

The CASA attempt to 'straight jacket' the aviation industry into an inhuman model of perfection has caused the extraordinary decline of GA that has become so evident. It has failed to produce a safer level in flying. It is easily arguable that flying is less safe because of incompetent administration and rule making.

It is my belief, as a senior instructor and experienced commercial pilot and former GA business owner operator, that the severe punishments available to authorities for even the most minor of infringements (and for some that don't even exist in the USA) have a deleterious psychological effect on pilots. By exacerbating stress levels this can go some way to explain illogical actions. If we can say the Mt. Gambier accident was as a result of illogical decision making then I will argue that stress levels and the loss of adrenaline are factors that should be taken into account and explored thoroughly. I have witnessed these phenomena, and have been personally subject to same, as have practically all pilots to some extent. Even before flight loss of adrenaline can cause extreme weariness and loss of clear and timely decision making.

As others have rightly stated, the Mt. Gambier report deals at length with the operations of Angel Flight and largely ignores the causal factors of the actual accident and possible future remedies to prevent similar occurrences.

Remedies like the provision of portable synthetic vision which reduced weather related visual flight accidents in Alaska by 50% (Operation Capstone).

Provision of flying schools and instructors to teach for the Instrument Rating, unhampered by CASA's near impossible flying school paperwork and super expensive, unnecessary administrative structures could also have been noted for policy adjustment.

Thanking you,

Sandy Reith
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