

Eggleston, Alan (Senator)

From: Clark Butson [md@polaraviation.com.au]
Sent: Monday, 13 February 2012 4:58 PM
To: Eggleston, Alan (Senator)
Subject: CASA

Hi Alan,

This episode with CASA began during a routine Audit on the 14th May 2004. It is common for the company to be audited by CASA once a year. Normally it involves a CASA Inspector over a two day period, and is normally a polite event. What was different about this particular audit was that four inspectors arrived at the office and advised that they would be conducting the audit over a week. They were not polite and it was very obvious from the beginning that hell was about to break loose. To this day I still do not know what bought this behaviour on, there seemed to be no common ground between us. After several heated discussions about operation of twin engine aircraft, carriage of life jackets and Civil Aviation Order 20.11. and making no progress with these officers, they left the office smarting, What followed was a relentless vendetta to close the company down. The court action that followed was defended in the AAT and the Federal court. Polar Aviation won on all occasions. When asked at the Senate Estimates Committee, the total cost of legal bills to date, CASA replied \$43,000 (I think) I found that to a very false statement given that over \$30,000 of that was paid to me when they lost a federal court decision. At the time I had already paid over \$300,000 in my own legal fees. Since our win in court I have advised CASA that we will Sue for damages in the Federal court. Over the last five years CASA has just about ran out of options in the Court, and will soon have to face the reality that they will be made accountable for their actions. CASA had been using Blake Dawson for a few years, and are now using the Government Solicitors. This case is now nearly eight years old. All I want is to tell my story to a Judge, all CASA want to do is avoid that process at any cost. This case has real relevance and should be tested in a court, if CASA has nothing to fear why will they not bring it on.

Should you have any further queries please do not hesitate to contact me.

Kind regards

Clark Butson

Managing Director / Chief Pilot
Chief Flying Instructor

Senate Rural & Regional Affairs and Transport Legislation
Committee
Additional estimates 2011-2012
DEPT OF INFRASTRUCTURE

Tabled document no: 1

1 By: *Senator Eggleston*

Date: *14* February 2012