

Minister Albanese,

The CASA ICC states in Executive Summary paragraph 4 that the "Frost Incident"(among others) was not known to CASA prior to it becoming a matter for the AIRC. The ICC further states that I "claim" to have informed CASA (as well as the Kendell Safety Facilitator) at the time of the event (August 1997) in para 6.2.

Para 9.1 , 9.6 9.9, 10.7.1 all repeat this position.

The ICC has misrepresented the documentary evidence available in CASA files.

I Informed CASA of the "Frost Incident" in writing in August 1997. The letter is retained on CASA files. As a result of me writing this letter Flying Operations Inspector Henry spoke to both me and Chief Pilot Langshaw about the matter in August or September.

Henry's visit to Kendell Airlines concerning the matter should be retained on "Operational Files" of this period. It is documented that I informed CASA immediately the event occurred and before I was dismissed in December of that year. There was no AIRC involvement at all at this juncture. CASA and Henry knew Kendell had no anti icing equipment and yet did not ensure the airlines compliance with CAO 244. Mr Henry should have attended his responsibility to ensure compliance and that no pressure was placed on me to ignore CAO 244. He did not do so. In fact he later actively assisted Chief Pilot Langshaw in trying to circumvent this regulation. I will return to what the ICC himself said about this circumvention later. As a result of this incident de icing equipment was later provided.

CASA FOI Wilson later refers to this incident in his letter C98/2321 to me dated 19 MAR 1998. It is clear from this letter Henry did know about the "Frost Incident" immediately it occurred and before AIRC involvement. The records are all contemporaneous written documents.

Could the Minister ask the CASA ICC why this documentary evidence contradicts his report ?