

**A SUBMISSION
TO THE SENATE RURAL AND
REGIONAL AFFAIRS AND
TRANSPORT COMMITTEE
RE
An Inquiry into the
Administration of the Civil
Aviation Safety Authority (CASA)
and related matters.**

by

SHANE ALAN URQUHART

**NB: THIS DOCUMENT IS A SUMMARY PREVIEW OF THE
FULL SUBMISSION**

Senate Committee (Rural and Regional Affairs and Transport) Inquiry into the Administration of CASA and related matters.

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PREAMBLE:

My name is Shane Urquhart and my interest in this Inquiry relates to events and issues which have transpired since the Lockhart River (LHR) air crash of 05 May 2005. My daughter and 14 others lost their lives in that horrific and preventable incident, the worst air disaster in Australia for 40 years. During the past three years, those events and incidents mentioned above have led to the observation that the Civil Aviation Safety Authority is a sorry example of how an organisation can deteriorate over a period time due to endemic incompetence, self-interest, favouritism, corruption, dereliction of duty and bastardisation of the regional airline industry. Unfortunately, it has done so without any notable intervention from the governments of the day.

I hasten to add that I am far from the only person in Australia who holds this view. The most appalling fact is that this situation has developed since 1988 and has not improved. Hopefully this inquiry will answer why this is the case and hold those responsible, accountable for their complicity.

Since May 2005, with the accumulation of a great deal of information and statements from affected people, advice from industry experts and the outcomes of a Coronial Inquest in Queensland, there is overwhelming evidence that CASA and its predecessors, have not only significant culpability for LHR, but several other fatal air accidents in the past 20 years; incidents which have claimed 70+ lives since 1998. Most other family members of the victims of these incidents hold my view. It is only until now, that my questions, requests and comments have fallen on deaf ears.

I would like to respectfully request that the scope of this Inquiry go back beyond 2003 as much of the chronic problems of CASA were born in these times. They have grown significantly since then. To deal only with the time from 2003 to now will not serve to get to the root of the problems and who is involved.

Also, I would request that this Inquiry be of more than one day's duration. I respectfully advise the committee that this inquiry needs several days just to get through the mountain of information that is relevant to a fair and transparent process.

The issues, in no particular order: (to be further developed in the full submission.)

- *The appalling behaviour of CASA personnel, including the CEO, during Rural and Regional Affairs and Transport Senate Estimates committee hearings.*
- *The Lockhart River crash and CASA's disgraceful attempts at covering up its mismanagement of the companies involved.*
- *The Coroner's Inquest into the Lockhart River crash and CASA again attempting to deflect its responsibilities, as contained in the Inquest Transcripts. This includes the appointment as Counsel Assisting the Coroner, someone who has represented CASA over a long period of time for significant remuneration.*
- *The ongoing attempts of CASA officers to discredit the ATSB Report into LHR and the Investigators involved.*
- *The Eastland Air Crash Coroner's Inquest and CASA's involvement, as detailed in the Inquest transcripts.*
- *The long-term, disgraceful behaviour of CASA's North Queensland Offices.*
- *The long term practices of CASA favouritism towards certain airline operators vs harassment of others.*
- *The Rob Collins issue.*
- *The failure of a succession of CASA, CAA etc CEOs or Chairs, to advance reforms touted as early as 1988. This includes the present CEO.*
- *The tacit approval of various Transport Ministers, of CASA's operations. This includes the present Minister.*
- *The significance of the 2007 election, to the families of LHR.*

- *The roles played by senior Public Servants within the Transport Department, then and now.*
- *CASA's stated policy that it is a "model litigant" when nothing could be further from the truth.*
- *Incidents and events where CASA knew what had happened, but failed to act.*
- *The Aerotropics affairs and issuing of certain Air Operator's Certificates by CASA; and other matters.*

This is by no means an exhaustive list.

I would also like to make a comparative statement about justice in the public service sector and white-collar crime.

It is a fact that in Australia, there are many who have committed serious fraud and other white-collar crimes against citizens of the country. Several have been convicted and received custodial sentences. This is also the case with government departments or organisations where serious offences have occurred. The Australian Wheat Board debacle is a case in point. People went to jail, or lost their jobs or were heavily fined, or all three.

There is no difference but one, when it comes to CASA and Department of Transport employees with regard to what they have been doing....compromising the safety of Australian and in several cases, with disastrous results. (70+ fatalities since 1989.) **The one difference is that in those other examples, no-one has died.** Surely the seriousness of such actions is greater than those where no-one has lost their lives? Surely there is no argument here?

My final request is that I be granted leave to appear in person at the Inquiry and be given adequate time to speak to my submission and respond to any questions.

Want we (my family) want from the inquiry:

-That all air operations in Australia, whether large commercial airlines, regional airlines, small commercial companies or individual operators, are regulated and supported by a **worlds best-practice safety regime.**

-That there is a major "root and branch" overhaul of CASA, that does not allow for any band-aid or lip-service solutions to the major problems endemic in its operations. The Minister responsible has to have a clear knowledge of the actions of senior public

servants within the Transport Department, now and in the past and **take positive action on receipt of complaints from the industry.**

-That this inquiry is extended and establishes the parameters for further investigation and questions into the operations and behaviours of those CASA officers adversely mentioned in this Senate Committee Inquiry. These parameters must be prior to 2003 and include the time from when Mr Toller was CEO of the CAA and/or since the abolition of the Department of Civil Aviation. **Most of CASA's problems and systemic failures date from post-1988.**

-That the Inquiry recommends that any Public Servants within CASA and the Transport Department who are found to be derelict or negligent in their duties and complicit in illegal and unethical conduct, **are dismissed from office and face either criminal or civil prosecution, or both..**

- That here must also be a rigorous, monitoring of internal systems in place within CASA, **to ensure that the practices of the past do not re-occur.** Experienced and widely respected industry persons who are not and never have been, CASA employees, should have a major role in this. A CASA 'internal' aviation ombudsman responsible to the CEO/Director is not the solution. **Any aviation ombudsman must be responsible to Parliament via the Commonwealth Ombudsman; and operate under a clear and concise framework of accountability.**

-That, as a result of the Inquiry, appropriate changes in the relevant legislation are facilitated in a transparent but timely manner, including **the prompt and efficient completion of regulatory reforms begun in 1988.**

-That the independence of the ATSB **never** be compromised. The USA NTSB model of independence should be adopted where the ATSB is removed from the Transport Department and made **directly responsible to parliament.**

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