

**Gobbitt, David**

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**From:** [REDACTED]  
**Sent:** Friday, 6 October 2017 2:58 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: ATPL licence condition [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [REDACTED]

We need to be careful with what is discussed with Domenic as the draft final report into the Westwind accident is protected under S32 of the TSA.

For [REDACTED] to be asking 'how his judgement in flight from on November 18 2009 is still under question' shows he still doesn't understand the gravity of the situation and his part in it.

The draft final report makes it clearer that [REDACTED] lacked good decision making skills at that time and since then CASA has been given no evidence that that has changed.

I do not want to keep [REDACTED] from returning to a command role but believe the only way we could be satisfied is to continue with the assessment as planned in the F20 simulator.

[REDACTED] does not appear to accept this from me so perhaps a response from a more senior manager may be appropriate.

Regards,

[REDACTED]  
Certificate Team Manager  
Safety Assurance Branch  
CASA\Aviation Group

[REDACTED]  
Level 2, 260 Elizabeth Street, Surry Hills NSW 2010  
GPO Box 2005, Canberra ACT 2601

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**From:** [REDACTED]  
**Sent:** Friday, 6 October 2017 2:25 PM  
**To:** [REDACTED]  
**Subject:** Re: ATPL licence condition [SEC=UNCLASSIFIED]

Hi [REDACTED]

The conditions my legal team consented were not to be used as a unreasonable means of preventing me from flying, but simply as a confirmation for CASA that my standard of flying had been achieved and was being maintained. At any rate, given the additional information that has come to light through the Senate Inquiry and FOI, the known facts have changed significantly and not in CASA's favour.

Given the multiple assessments I have passed to date, as well as the thorough FlightSafety course, and given that I have had no difficulties passing these assessments, can you please explain the safety case for this 'in flight diversion', using the facts on record as of today, and address how my judgement 'in flight' on November 18 2009 is still under question.

Regards, [REDACTED]

On 5 Oct 2017, at 13:22, [REDACTED] wrote:

UNCLASSIFIED

Dear [REDACTED]

I refer to your email below, querying why the aeroplane proficiency check condition (clause 2(ii)) on your ATPL includes an unplanned weather related diversion. By letter dated 6 March 2012, your legal representative agreed to the imposition of this condition. In any event, the accident demonstrated deficiencies in your flight planning and judgment, and the weather related diversion, as is expressed on the condition, is designed to assess your "in-flight command decision making." On this basis, CASA considers the condition is appropriate and reasonable.

Regards,

[REDACTED]  
Certificate Team Manager  
Safety Assurance Branch  
CASA Aviation Group

[REDACTED]  
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-----Original Message-----

From: [REDACTED]  
Sent: Thursday, 5 October 2017 1:35 PM  
To: Campbell, Malcolm  
Subject: ATPL licence condition

Hi [REDACTED]

A quick question: my current ATPL licence condition refers to a assessment of an 'unplanned weather related diversion', which implies that this issue is central to the accident sequence and that my diversion calculations were in error. However the ATSB investigation and the Senate Inquiry have focussed on many other issues involving multiple other parties, but diversion planning has not been a part of this. At no stage during the accident sequence did I contemplate a diversion, much less calculate one, as the weather information I had did not legally require me to divert, and Nadi ATC withheld an amended

forecast that would have compelled me to divert. Given that this issue is not relevant to the accident, why is this specific assessment being asked of me?

Regards, [REDACTED]