

Supplementary Submission in response to CASA's reply.

In reply to CASA's response to my submission I would simply like to reiterate the following:-

A Westwind jet has been lost by a company called Pel Air on three occasions in the last 25 years. I doubt that Qantas would still be in business with a similar record, no matter how many different business entities were involved.

CASA audited, and appears to have found, some deficiencies with Pel Air in the period before the most recent crash.

However, it also found significant problems in the special, secret audit conducted immediately after this crash. Breaches that had "existed for a number of years, which is indicative of broader organisational failures."

This alone indicates a systemic failure of the auditing procedures by CASA that existed before the crash. This point is further reinforced by the damning criticism of CASA made by ICAO and the FAA following audits conducted both before and immediately after the crash. A US embassy cable details a proposed timetable for resolution of these issues and indicates that if these are not satisfactorily completed by March 2010 then Australian airlines risk being downgraded to Category 2.

CASA then conducts its own crash investigation which details the errors of the pilot. The final finding in the conclusion notes that the legislation is "less than adequate for specifying remote island alternate fuel reserves when conducting air ambulance flights carrying passengers."

The ATSB report into the crash makes little mention of the special audit, (which was never intended to be made public), CASA's inadequate legislation (ditto) nor the problems found by the FAA and ICAO.

John McCormick, during his 4 Corners interview ignored the audited deficiencies with his own organisation, the special audit findings with Pel Air, the less than adequate legislation and simply blamed the pilot.

No impartial reading of the above account(s) can conclude that the pilot alone is at fault. It is clear that at the time of the crash significant problems existed with Pel Air and with CASA and that these have been wilfully ignored in the final report. One can only conclude that this was done for reasons of self interest.

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