



Senator Susan McDonald
Chair
Standing Committees on Rural and Regional Affairs and Transport
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Dear Senator McDonald

Status of prosecution brief of evidence in relation to the matter of Mr Damian Mills

Thank you for your letter of 2 December 2019 seeking an update on progress in relation to the brief of evidence in regard to alleged offences by the owner of the vessel Ten Sixty Six.

As you are already aware from our evidence at the Brisbane hearing in September, AMSA provided a draft brief of evidence to the Commonwealth Director of Public Prosecutions (CDPP). The CDPP reviewed the brief and requested that AMSA collect additional information to support the case.

An Australian Maritime Safety Authority (AMSA) investigator was in Perth between 27 October and 1 November 2019 to conduct investigations into the allegations raised against Dolphin Dive Centre Fremantle Pty Ltd and Mr Daniel Lippiatt.

As a result, additional material, including a statement of facts and a number of statements and exhibits were provided to the CDPP on 8 November 2019 for prosecution assessment.

AMSA has approached the CDPP for an update on the status of the case and is currently awaiting a response.

I will keep the committee informed when we receive any updates on this matter.

I would also like to take this opportunity to update the Committee with advice that an external consultation version of Marine Order 504, with updated passenger safety requirements, will be available on December 16, 2019.

Yours sincerely

ALLAN SCHWARTZ
Acting Chief Executive Officer

5 December 2019