

[REDACTED]

From: CASA Safety Assurance <CASA.safetyassurancecorro@casa.gov.au>
Sent: Friday, 3 February 2017 7:36 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: For input - F17/521 - Stephen Purvinas - ALAEA - Qantas - Incidents of concern [SEC=UNCLASSIFIED]
Attachments: Tyre pics.pdf; TCAS.PNG; Tyre entry.PNG

UNCLASSIFIED

[REDACTED]

Below is an email from Stephen Purvinas that has come to us through the Hotline.
Would you like to review and let us have advice in terms of responding.

Let us know – due date is 17 February 2017.

Kind thanks

[REDACTED]
[REDACTED]
Safety Assurance Branch | Aviation Group
[REDACTED]

Safe Skies for All

From: Hotline Mailbox
Sent: Friday, 3 February 2017 10:13 AM
To: CASA Safety Assurance
Subject: FW: Incidents of concern [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello,

Can you please respond to the email below as required.

Thank you,

[REDACTED]

[REDACTED]
[REDACTED]
Safety Promotion & Communication branch
CASA Stakeholder Engagement Group

[REDACTED]
16 Furzer Street, Phillip ACT 2606
GPO Box 2005, Canberra ACT 2601

www.casa.gov.au



From: Federal Secretary [mailto:fedsec@alaea.asn.au]
Sent: Wednesday, 1 February 2017 4:12 PM
To: Hotline Mailbox
Subject: Incidents of concern

Hi CASA,

I emailed you guys a few weeks back about a safety concern I had in relation to an accident on a Jetstar aircraft in Townsville. I have two other matters I would like to report to you in relation to Qantas and their operation. Previously I would report them directly to the airline and attempt to have them investigate the concerns in accordance with their own policies/procedures. Last year I reported about 20 matters directly to the airline and they did not take any action to do anything other than hide the mistakes that are now regularly happening.

Incident one

I include a copy of the Tech Log in relation to this matter regarding the Traffic Collision Avoidance System (TCAS). The aircraft arrived into Sydney as Qf 432 on the 19th of November 2016. The Tech Crew reported that – *TCAS some targets displayed in wrong position last 3 sectors, IE aircraft landing in Mel appeared 90 Degrees out on final.*

I am concerned that crew had noticed errors in relation to the TCAS system that put aircraft in incorrect positions and that they knowingly did not report them until the end of their flying day. The consequences of allowing the aircraft to continue further flights with such an error could have been catastrophic. If the TCAS system activated in flight, it may have instructed the aircraft to fly towards another aircraft instead of away from it as the system clearly did not know where other planes were.

This error should have been reported in the Technical log by the Tech Crew as soon as it was noticed on the first sector.

Incident two

I include a copy of some internal reports and photos of an aircraft tyre. In this case the aircraft, VH-VXP, was undertaking a transit in Townsville. From the Tech Log the Engineer in Townsville noted that the #1 wheel had tyre wear described as "tread reinforcement/cut protector ply wear (exposed)". He did not replace the wheel because the base had "insufficient manpower available". Instead the defect was placed as a hold item under AMM 32-45-00-700-803. The aircraft then operated its next sector to Brisbane.

Qantas Engineers in Brisbane were notified in advance the wheel would need replacing upon arrival due to the damaged tyre. The attached photos were taken in Brisbane after the tyre was removed. Engineers in Brisbane contacted me on the day, shocked that an aircraft was allowed to depart Townsville with a wheel in this condition. Not only has the wear on the tyre exposed the cut protector or outside ply, it has worn completely through it and worn completely through much of the second layer as well. The tyre also had pieces of rubber hanging from the what remains of the tyre itself. The Brisbane Engineers were shocked to see an aircraft released in this condition and agree that additional wear to this level could not have simply occurred on the Townsville to Brisbane sector.

I am concerned that commercial pressure was placed upon the LAME in Townsville to declare this aircraft airworthy. This is evidenced in part by the comment about the defect being deferred due to insufficient manpower and a call to Brisbane Engineers declaring that the wheel must be replaced in Brisbane when the aircraft arrived.

I would like CASA to investigate these two incidents and take necessary action to ensure that such events do not happen again.

Kind Regards

Stephen Purvinas
ARN 431050

REGISTRATION: VH EBS DATE: 181116 SEQ
OPEN HOLD(Y): OPEN MEL(Y): EXCL MILS: MXI REF: T00B
FLIGHT DEP ARR ATA
QFA0432 MEL SYD 3443 WEATHER RADAR/PWS
RT OFF: SERIAL OFF:
ON: CN:
TION RELEASE NO. MEL CODE CAT REP STN/DATE:

CAS SOME TARGETS DISPLAYED IN WRONG POSITION LAST 3 SECTORS,
LANDING IN MEL APPEARED 90 DEGREES OUT ON FINAL.

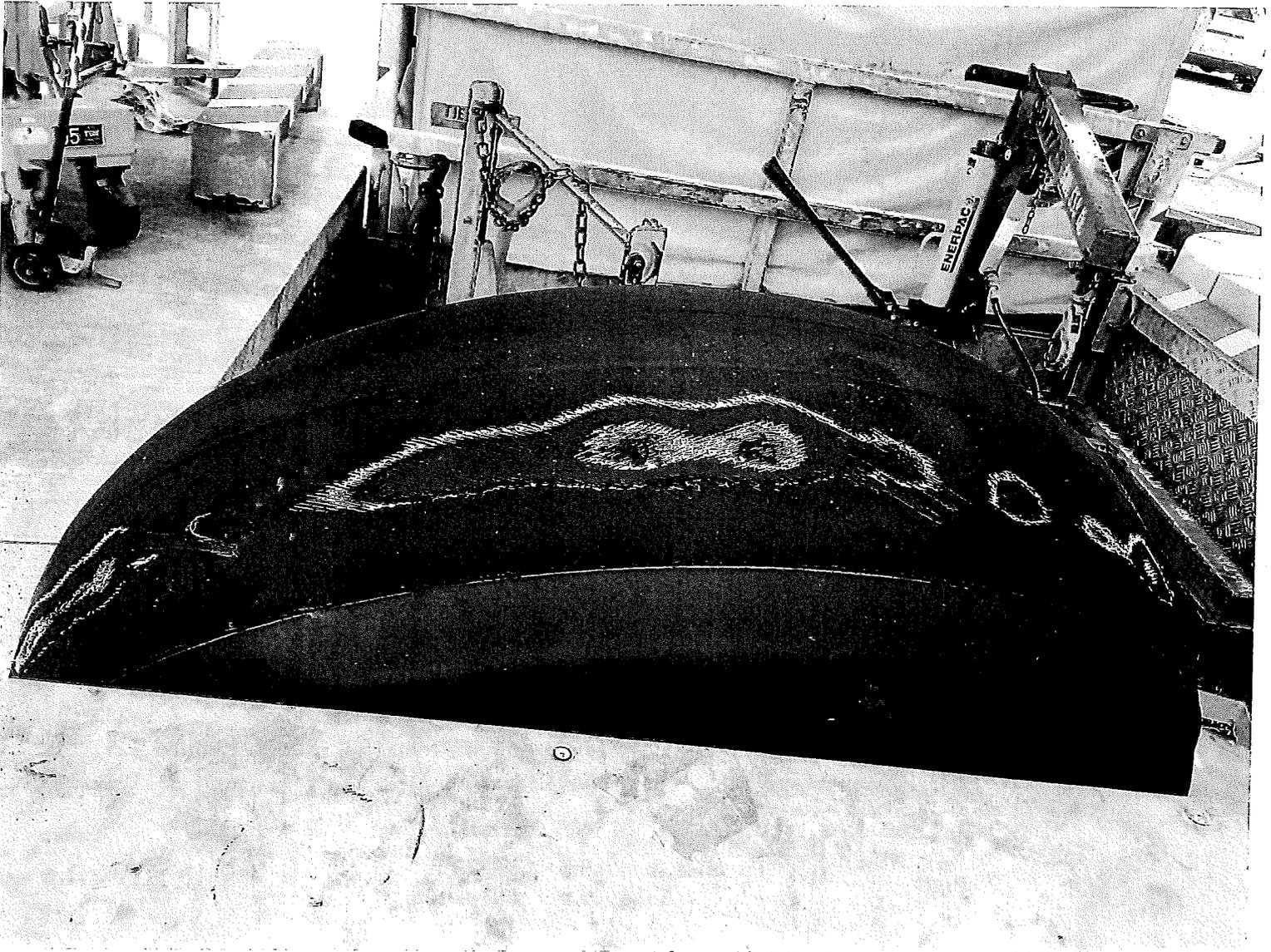
CAS COMPUTER REPLACED IAW AMM 34-43-34. FOR FURTHER REPORT.

I: N CLEARS HOLD ITEMS: N

2- -3- -4- APU LICENCE/APP CHECK RPT DEFECT: N DELAY:
.0 0.0 502230
CREATED BY: NCOL3 18NO

----- SWITC
3-PREV 4-ACTN 5-REF 6-LC 7-BACK 8-FWD
ENTER COUPON SELECTION DATA *





TECHNICAL LOG

FLIGHT NUMBER: 928
 DEP: DMG
 ARR: TAM
 TYPE: TVH
 REGO: VAF
 D D M M Y Y: 08 DEC 16
 SEQ: 401

ON A/C ARRIVAL FOUND #1 INTERIOR TYRE WORN WAS
 RECD REPLACEMENT / COST PROSECUTOR FLY WEAR (EXPENSES)

Wing Landings: Full Stop: Touch & Go: Reported By: FORD Staff No.: 558930

DOE TO INSUFFICIENT MAIN FUELER AVAILABLE & APPROX TASK 32-45-00-700-803 ALLOWANCES FOR THIS SITUATION. THE TYRE MAY CONTINUE IN SERVICE WITHOUT SAFETY CONCERNS, BUT MUST BE REPLACED AT THE NEXT M37-838-CHECK 2. TO HOLD. MOC NOTIFIED.

Part Number OFF

Part Number ON

Deferral Reference

No	1	2	3	4	AME Sign (OIL)	AME Staff Number (OIL)	Category	Limit O/P	MOC Authority Number	Serial Number OFF	Serial/Release/GRN Number ON	AME Staff Number (Action)	Certifier Sign (Action)	Auth Number (Action)	Date
<input type="checkbox"/>															

Mix Work Package ID (If associated with this CRS)

T

- Fit Controls Disturbed
- Ailerons
- Spoilers
- L/E Flaps
- T/E Flaps
- Rudder

Certifies that the work specified except as otherwise specified was carried out in accordance with Division of CASR Part 42 and in respect to that work the aircraft is considered ready for Release to Service.

Date DDMMYY: 08 DEC 16

[REDACTED]

From: CASA Safety Assurance <CASA.safetyassurancecorro@casa.gov.au>
Sent: Wednesday, 15 February 2017 3:47 PM
To: [REDACTED]
Subject: Advice re closing corro - F17/521 - Stephen Purvinas - ALAEA - Qantas - Incidents of concern [SEC=UNCLASSIFIED]

UNCLASSIFIED

Thanks [REDACTED] will send Mr Purvinas a thank you for the information and that it has been sent to the oversighting office and the certificate management team will be reviewing and taking appropriate action if necessary. He will most likely come back to us and by that time your chaps will have reviewed. We can then determine how we need to respond further if necessary.

So in summary – I am closing the corro and will leave with your office to take any necessary action. So you have lots more time.

Kind thanks

[REDACTED]
 [REDACTED]
 Safety Assurance Branch | Aviation Group
 [REDACTED]

Safe Skies for All

From: [REDACTED]
Sent: Wednesday, 15 February 2017 1:36 PM
To: CASA Safety Assurance; [REDACTED]
Cc: [REDACTED]
Subject: FW: For input - F17/521 - Stephen Purvinas - ALAEA - Qantas - Incidents of concern [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [REDACTED]

Could we get an extension on this one? The Airworthiness Inspector on the case has been on sick leave. Perhaps 24 Feb??

Thanks

[REDACTED]
 [REDACTED]
 Safety Assurance Branch
 CASA\Aviation Group
 [REDACTED]
 260 Elizabeth St., Sydney NSW 2010
 GPO Box 2005, Canberra ACT 2601

www.casa.gov.au



From: [REDACTED]
Sent: Wednesday, 15 February 2017 1:35 PM
To: [REDACTED]
Subject: FW: For input - F17/521 - Stephen Purvinas - ALAEA - Qantas - Incidents of concern [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [REDACTED]

Just a reminder.. ☺

Thanks
[REDACTED]

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Hello,

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Thank you,

From: casa.safetyassurancecorro@casa.gov.au
Sent: Wednesday, 15 February 2017 3:56 PM
To: fedsec@alaea.asn.au
Subject: Acknowledgement - F17/521 - Stephen Purvinas - ALAEA - Qantas - Incidents of concern [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good afternoon

I would like to acknowledge receipt of your email dated 1 February 2017 about two incidents involving Qantas activity. Your email was forwarded to me in Safety Assurance to process to the oversighting office.

As confirmation, the email and attachment have been sent to the oversighting office and our inspectors are reviewing the matters you have raised. Appropriate action will be taken as necessary.

Thank you for providing us with this information.

Kind regards

[REDACTED]
[REDACTED]
Safety Assurance Branch | Aviation Group
[REDACTED]

Safe Skies for All

From: Federal Secretary [<mailto:fedsec@alaea.asn.au>]
Sent: Wednesday, 1 February 2017 4:12 PM
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Kind Regards
Stephen Purvinas
ARN 431050

G117/215

12

To: Shane Carmody (shane.carmody@casa.gov.au)
Subject: FW: Townsville

From CEO in box

From: Federal Secretary [mailto:fedsec@alaea.asn.au]
Sent: Thursday, 2 March 2017 2:29 PM
To: Chief Executive Officer
Subject: Townsville



Hi mate,

I will keep this as simple as possible.

We've got some growing concerns with the corners being cut in many areas at Qantas and the new dangerous norms that are developing. Recently I lodged 3 complaints. One about a Pilot who said his TCAS was playing up over several sectors but he didn't report it until the end of his flying day. Another about a good LAME and member of ours in Townsville who allowed an aircraft to fly with a tyre that was clearly well beyond serviceable limits. The third about a Manager in Townsville who works as a LAME who was involved in a serious accident on a Jetstar aircraft engine and continued to work for at least 17 hours and made mistakes in the process.

The complaints were lodged broadly across three groups of employee so that CASA could identify systemic problems and fix them. When I made the first of the complaints I openly declared that I would lodge an FOI to check that the investigation was done properly. From the feedback I have, so far it is a farce with CASA principles being ignored and policies not followed. A cover up is about to occur to give Qantas the all clear and we are ready to pounce should that happen with documents we already possess. I'm hoping you can nip this in the bud now before it ends up in Senate estimates.

Specifically about the Townsville investigation. A LAME and member of ours unrelated to any of this is called [REDACTED]. He is a union delegate but rather an inactive one however this should make no difference at all as a mistake is a mistake and they should not be ignored if they are picked up by the ALAEA or one of our delegates. For a long time [REDACTED] has been talking to me about dodgy practices in his port. He would be a wealth of information for any CASA investigator seriously looking at incidents or practices.

On Monday (27th Feb) I got word that CASA were in Townsville looking into my complaints. [REDACTED] told me that they were ushered off into a side room by managers and kept well away from him. I thought it important for the investigators to speak with [REDACTED] and emailed CASA that advice on Tues morning. Some time on the same day [REDACTED]'s managers ([REDACTED] from Cairns and [REDACTED] from Syd) approached him in a rather intimidating manner and said words to the effect of - "you wanted to see CASA...they will talk to you now in the meeting room".

The message from the managers was clear. We know you want to see CASA to drop us further in the poo. We don't care because CASA have firstly told us that you wanted to see them and will tell us what you say. [REDACTED] was shaken before he even went in.

He was met by two investigators who did not even give him a business card with a simple opener, words to the effect of - What do you want? He was again taken back by the abrupt and intimidating approach and did not know what to say. After a pause he explained that he may have some information to help with the investigation. He went on to say that the manager who works as a LAME does not keep time keeping records and regularly exceeds fatigue management policies. [REDACTED] was asked if he had any evidence of that to which he replied that the problem is the system allows the manager to work without keeping records. One of the investigators then explained that if that was the case, there is nothing they could do because there is no evidence.

██████ was then asked a few other questions that he didn't take notes on but from talking to him, they weren't really questions the investigators should have been asking. He left the meeting fully under the impression that the investigators were not there to do anything other than help Qantas get off the hook. The CASA policies are pretty clear on how this should have been handled and I guess when their notes come out, I will be able to highlight further errors in their approach.

Yesterday the manager ██████████ from Cairns (who I understand has already previously lost his licence for what we term cowboy practices) was leaving on a flight from Cairns to Mel when he said to another member of ours in Cairns that ████████ was causing problems and he was going to have to take action against him. He said that last week ████████ had taken a photo of an aircraft tyre on the company phone and this was a breach of company policy (██████ had taken it to discuss serviceability limits with another Townsville LAME). The warning was clear. Because ████████ spoke to CASA, they would now fabricate some charges against him as a form of punishment.

I need not explain to you the numerous investigation protocols broken here. ██████████ career with Qantas is now under threat because of a breach of confidentiality by these CASA officials. They've also totally stuffed up the investigation by placing a barrier to the free flow of information they should be obtaining and appear to have pre-determined an outcome by dismissing further things ████████ had observed.

I will seek some answers about this when you have had a chance to look into it. Hoping we can do it all informally but please note, "I've had a chat to the investigators and they won't do it again" is not the response I'd be hoping to hear.

Cheers
Steve P

From: GICR CASA <GICR@casa.gov.au>
Sent: Monday, 6 March 2017 3:56 PM
To: ICC
Cc: [REDACTED]
Subject: GI17/215 Steve Purvinas, ALAEA re Concerns with Qantas LAMEs in Townsville [SEC=UNCLASSIFIED]
Attachments: 06.03.17 - GI17-215 - Ltr from Steve Purvinas Aircraft Engineers Association re Concerns with Qantas LAMEs in Townsville.PDF

UNCLASSIFIED

Hi Jonathan

Incoming A/CEO correspondence attached from the ALAEA regarding concerns with Qantas LAMEs and CASA staff.

Appreciate your advice on whether this is something for you and/or the Townsville Office as he has raised a few issues.

Regards

[REDACTED]
[REDACTED]
Government and Corporate Relations
CASA\Stakeholder Engagement Group

[REDACTED]
GPO Box 2005, Canberra ACT 2601

www.casa.gov.au



917(215

15

[REDACTED]

From: [REDACTED]
Sent: Thursday, 9 March 2017 4:49 PM
To: CASA Safety Assurance
Cc: [REDACTED]
Subject: GI17/215 Steve Purvinas, ALAEA re Concerns with Qantas LAMEs in Townsville [SEC=UNCLASSIFIED]
Attachments: 06.03.17 - GI17-215 - Ltr from Steve Purvinas Aircraft Engineers Association re Concerns with Qantas LAMEs in Townsville.PDF

UNCLASSIFIED

Good afternoon [REDACTED]

Incoming A/CEO correspondence attached from the ALAEA about concerns with Qantas LAMEs in Townsville. Email below from the ICC suggesting this is not something they can accept for investigation at this stage.

Input due 16 March 2017.

Regards

[REDACTED]
[REDACTED]
Government and Corporate Relations
CASA\Stakeholder Engagement Group
[REDACTED]

From: Hanton, Jonathan
Sent: Thursday, 9 March 2017 4:17 PM
To: [REDACTED]
Subject: FW: GI17/215 Steve Purvinas, ALAEA re Concerns with Qantas LAMEs in Townsville [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [REDACTED]

I'm sorry for the late reply, I forgot!

Because the allegation aren't made by the LAME himself, I've some reservations about accepting this matter for investigation at this stage. I think the LAME need to approach us (ICC) himself, or alternatively the ALAEA would need to indicate they've his authority for the issues to be investigated. I also see Steve wants it dealt with 'informally' at this stage.

Thanks

Jonathan

From: ICC
Sent: Monday, 6 March 2017 3:56 PM

To: [REDACTED] Hanton, Jonathan
Subject: FW: GI17/215 Steve Purvinas, ALAEA re Concerns with Qantas LAMes in Townsville [SEC=UNCLASSIFIED]

From: GICR CASA
Sent: Monday, 6 March 2017 3:56:03 PM (UTC+10:00) Canberra, Melbourne, Sydney
To: ICC
Cc: [REDACTED]
Subject: GI17/215 Steve Purvinas, ALAEA re Concerns with Qantas LAMes in Townsville [SEC=UNCLASSIFIED]

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Appreciate your advice on whether this is something for you and/or the Townsville Office as he has raised a few issues.

Regards

[REDACTED]

[REDACTED]

Government and Corporate Relations
CASA\Stakeholder Engagement Group
p: 02 6217 1274
GPO Box 2005, Canberra ACT 2601
www.casa.gov.au



917(215

15

[REDACTED]

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To: CASA Safety Assurance
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[REDACTED]
[REDACTED]
Government and Corporate Relations
CASA\Stakeholder Engagement Group
[REDACTED]

From: Hanton, Jonathan
Sent: Thursday, 9 March 2017 4:17 PM
To: [REDACTED]
Subject: FW: GI17/215 Steve Purvinas, ALAEA re Concerns with Qantas LAMEs in Townsville [SEC=UNCLASSIFIED]

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Appreciate your advice on whether this is something for you and/or the Townsville Office as he has raised a few issues.

Regards

[REDACTED]

[REDACTED]

Government and Corporate Relations
CASA\Stakeholder Engagement Group
p: 02 6217 1274
GPO Box 2005, Canberra ACT 2601
www.casa.gov.au



From: CASA Safety Assurance <CASA.safetyassurancecorro@casa.gov.au>
Sent: Monday, 13 March 2017 4:18 PM
To: GICR CASA
Cc: [REDACTED]
Subject: EXTENSION REQUEST: GI17/215 Steve Purvinas, ALAEA re Concerns with Qantas LAMEs in Townsville [SEC=UNCLASSIFIED]
Attachments: 06.03.17 - GI17-215 - Ltr from Steve Purvinas Aircraft Engineers Association re Concerns with Qantas LAMEs in Townsville.PDF

UNCLASSIFIED

Hi,

Please refer to the below email from [REDACTED] asking for an extension on providing input into the attached request relating to Steve Purvinas, ALAEA re Concerns with Qantas LAMEs in Townsville.

Thanks,

[REDACTED]
Communications and Reporting
 Safety Assurance Branch | Aviation Group
 E: CASA.safetyassurancecorro@casa.gov.au

Safe Skies for All

From: [REDACTED]
Sent: Monday, 13 March 2017 3:11 PM
To: CASA Safety Assurance; [REDACTED]
Cc: [REDACTED]
Subject: RE: YOUR INPUT PLEASE: GI17/215 Steve Purvinas, ALAEA re Concerns with Qantas LAMEs in Townsville [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [REDACTED]
 As this concerns two AWI from CMT3, one of which is on audit in Hong Kong and Singapore over the next two weeks. I will not have a reply until he is back from the audits after 27 March 2017
 I have concerns that Mr Purvinas refers to the two AWIs as "investigators", they are not investigators. They were following up some concerns raised by him and were only there to discuss those concerns with the Townsville staff to get a clear idea and understanding for a report back on his previous submission.

I will have reply for you by 31 March 2017

[REDACTED]
 Safety Assurance Branch
 CASA Aviation Group

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

www.casa.gov.au



From: CASA Safety Assurance
Sent: Friday, 10 March 2017 1:01 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: YOUR INPUT PLEASE: GI17/215 Steve Purvinas, ALAEA re Concerns with Qantas LAMEs in Townsville [SEC=UNCLASSIFIED]

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Hi [REDACTED]

Please refer to the attached correspondence in relation to ALAEA about concerns with Qantas LAMEs in Townsville. Email below from the ICC suggesting this is not something they can accept for investigation at this stage.

Please send your input by due date **15 March 2017**.

Thanks in advance,

[REDACTED]
Communications and Reporting
Safety Assurance Branch | Aviation Group
E: CASA.safetyassurancecorro@casa.gov.au

Safe Skies for All

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17

From: GICR CASA <GICR@casa.gov.au>
Sent: Tuesday, 14 March 2017 10:46 AM
To: fedsec@alaea.asn.au
Cc: GICR CASA
Subject: CASA Acknowledgement GI17/215 - ALAEA re concerns in Townsville [DLM=For-Official-Use-Only]

For Official Use Only

Dear Mr Purvinas

I refer to your email of 2 March 2017 addressed to Mr Shane Carmody, Acting Chief Executive Officer and Director of Aviation Safety at the Civil Aviation Safety Authority (CASA) about concerns with Qantas LAMEs and CASA staff.

Mr Carmody has asked me to acknowledge receipt of your email and advise that CASA is looking into the concerns you have raised. We anticipate a response by early April 2017.

Yours sincerely

Carolyn Hutton
Manager
Government and International Relations Branch

CASA\Stakeholder Engagement Group

p: +61 2 6217 1390

Aviation House, 16 Furzer Street, PHILLIP ACT 2606
GPO Box 2005, Canberra ACT 2601

www.casa.gov.au





Australian Government
Civil Aviation Safety Authority

217/215

21

OFFICE OF THE CHIEF EXECUTIVE OFFICER

CASA Ref: G117/215

21 April 2017

Mr Steve Purvinas
Federal Secretary
Australian Licenced Aircraft Engineers Association
25 Stoney Creek Rd
BEXLEY NSW 2207

Email: fedsec@alaea.asn.au

Dear Mr Purvinas

Operations in Townsville

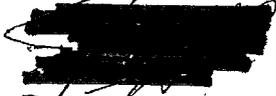
Thank you for your email of 2 March 2017 to Mr Shane Carmody, Acting Chief Executive Officer and Director of Aviation Safety regarding Qantas operations in Townsville. I am aware that you also raised two of these matters through the CASA's safety reporting hotline in February 2017. Mr Carmody has asked me to respond on his behalf and I apologise for the delay in responding.

I offer the following feedback in response to your concerns:

- The TCAS matter has been managed by counselling, but given the information discovered during the review, it did not highlight a systemic culture of deferring defect reporting.
- The tyre was assessed by the certified LAME in Townsville as serviceable in accordance with approved data. The information in the logbook regarding manpower was considered not to be relevant to the matter of serviceability of the tyre.
- A number of errors were identified in relation to the ground cart impact in Townsville, however CASA is satisfied with Qantas' management of this matter.
- CASA acknowledges that the Jetstar engine contact event did occur as a result of knowledge based errors and some systemic deficiencies were identified which are being adequately managed by the respective organisations' Safety Management Systems (SMS).
- CASA does not set prescriptive limits on duty periods for maintenance personnel, but is confident that Qantas' fatigue guidelines, which includes reporting of exceeding these limits, were followed on this occasion.
- Following receipt of your initial correspondence, CASA sent two Airworthiness Inspectors (AWIs) to Townsville to review the operations. This process included checking each allegation against records and speaking with ground staff, including the LAME you requested CASA meet with. The CASA AWIs found no evidence of regulatory breaches.
- CASA's AWIs are experienced and professional and the allegations of intimidation and bias are disputed.
- CASA has no jurisdiction to comment on the concerns relating to the behaviour of Qantas management staff.

At this time, I consider this matter to be closed, unless you have further substantiated evidence in relation to the matters mentioned above. It would be appreciated if in future, these types of criticisms are only made if they are evidence based to ensure an appropriate chain of evidence should regulatory action be required.

Yours sincerely

A large black rectangular redaction box covers the signature area.

Fred van der Heide

[Redacted]

From: [Redacted]
Sent: Thursday, 13 July 2017 9:18 AM
To: CASA Safety Assurance
Subject: FW: CASA Response to letter 4 July 2017 [SEC=UNCLASSIFIED]
Attachments: 20170713090535304.pdf

UNCLASSIFIED

Hi [Redacted]

Please trim this to Mr Purvinas' file GI17/215

Cheers

[Redacted]
Region Manager Sydney
Safety Assurance Branch
CASA Aviation Group

[Redacted]

260 Elizabeth St., Sydney NSW 2010
GPO Box 2005, Canberra ACT 2601

www.casa.gov.au



CASA acknowledges the traditional custodians of Country throughout Australia and their continuing connection to the land, sea and community. We pay our respect to them and their culture and to their elders both past and present

From: [Redacted]
Sent: Thursday, 13 July 2017 9:17 AM
To: Federal Secretary (fedsec@alaea.asn.au); Carmody, Shane; Crawford, Graeme
Subject: CASA Response to letter 4 July 2017 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Please find attached

[Redacted]
Region Manager Sydney
Safety Assurance Branch
CASA Aviation Group

[Redacted]

260 Elizabeth St., Sydney NSW 2010
GPO Box 2005, Canberra ACT 2601

www.casa.gov.au



G117/215



Australian Government
Civil Aviation Safety Authority

CASA Ref: G17/215

13 July 2017

Steve Purvinas
Federal Secretary
ALAEA
25 Stoney Creek Road
Bexley NSW 2207

CC. Shane Carmody
BY EMAIL

Dear Mr Purvinas

I refer to your letter to me of 4 July 2017, responding to mine of 21 April 2017.

In your letter, you say, among other things, that, by inviting you to ensure that any future criticisms or complaints you may make about matters involving alleged regulatory contraventions, or the way in which the Civil Aviation Safety Authority (CASA) has dealt with such matters, 'are only made if they are evidence based . . .', I have made a defamatory statement about you.

I disagree with your characterisation of my remarks. I did not say, and it was not my intention to suggest, that your complaints were 'baseless' or that the things you complained about were 'not factual'. Rather, my intention was simply to make it clear that we do not share the same understanding of the facts and circumstances involved in the events and issues with which your complaints were concerned, and that the evidence you offered in support of your contentions was not, in my view, sufficient to warrant regulatory action or further investigation.

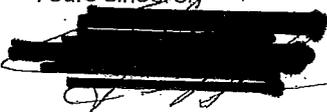
That we should disagree about the quality or sufficiency of the evidence you provided in support of your contentions does not amount to an attack on your integrity. That was certainly not my intention, and I apologise if you should have found my comments in any way offensive.

You have also raised several questions related to the matters you previously drew to CASA's attention, and to which you have evidently found our explanations, as well as the material contained in our response to your request under the Freedom of Information Act, to be wanting.

I believe the responses and information we have already provided in connection with these matters have been appropriate and sufficient, and it is not my intention to respond to your further questions.

Naturally, it is your prerogative to raise some or all of these matters with CASA's Industry Complaints Commissioner, or to pursue any other avenue for complaint that is available to you, if that is what you choose to do.

Yours sincerely



Region Manager Sydney
Safety Assurance Branch
CASA Aviation Group

C12/215

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From: Federal Secretary <fedsec@alaea.asn.au>
Sent: Tuesday, 4 July 2017 2:58 PM
To: [REDACTED]
Cc: Chief Executive Officer; Steve Re
Subject: Letter regarding CASA investigations
Attachments: vdH letter.pdf

Hi [REDACTED]

Please find attached a follow up letter regarding the complaints I made earlier this year.

Cheers
Steve Purvinas

A117/215
attachment

4th July 2017

[REDACTED]
Region Manager
CASA Sydney

cc. Shane Carmody
By Email



25 Stoney Creek Rd Bexley NSW 2207
Ph: (02) 9554 9399 Fax: (02) 9554 9644
email: alaea@alaea.asn.au www.alaea.asn.au
ABN: 84 234 747 620

Re: Complaint Investigation

Dear [REDACTED]

I refer to your letter dated 21st April 2017 and the invitation to contact you if I had further substantiated evidence in relation to the complaints. I also write this letter as part of the formal process involving the Industry Complaints Commissioner where the preference is for complainants to firstly be raised with the departments. This letter will cover both those aspects and some background. I seek answers only to some simple questions appearing at the end of this letter and request a response within ten business days. If there is no response or I am not satisfied with the answers, I intend to submit a formal complaint to the ICC and will consider seeking Parliamentary intervention.

Background

On January 13th 2017 I reported an Aviation concern over an accident with a Jetstar aircraft in Townsville where the left engine was severely damaged. My main concern was fatigue of the Qantas Engineer who caused the accident and why he continued to work alone on the aircraft post collision.

On February 1st 2017 I lodged a further report with a complaint about a Qantas 737 tyre and a Qantas A330 Traffic Collision Avoidance System (TCAS). I was concerned that an aircraft was allowed to fly with a tyre beyond wear limits and how the LAME came to the decision to release the aircraft unrepaired. Similarly, I made a report about a Qantas aircraft which flew three sectors with a TCAS system showing other aircraft in fictitious locations. In this case the Tech Crew appeared to knowingly fly an aircraft with a serious defect.

On February 27th 2017, I became aware two CASA Surveyors were in Townsville to investigate the Jetstar Engine and Qantas tyre events. I notified CASA that a LAME unrelated to the incidents had further information to assist the Airworthiness Inspectors (AWIs). On 2nd March 2017, I contacted the CASA CEO complaining about CASA releasing the unrelated LAMEs name to Qantas which led to him feeling intimidated by both the Airline Managers and the AWIs.

I consider the above to constitute four complaints to CASA. On 2nd May 2017 I sought access to all documents and records held by CASA in relation to the four complaints. The documents were released on 9th June 2017. After a short review of the released documents, I noticed many records appeared to be missing and requested a further search for other records. The CASA FOI Officer advised me there were no other documents aside from some travel bookings. I will now expand upon some of my concerns in relation to the documents I am in possession of.

Memos, Note Taking and Evidence

CASA is bound to a set of Regulations, manuals and laws in relation to record keeping and evidence. I have sought advice and understand that in the case of the investigation of the complaints I raised, strict adherence to these rules apply unless written approval to vary from proper practices is sought and granted. The FOI documents do not contain any approval to vary from standard procedures.

The FOI release shows the AWIs attended Townsville and interviewed several people. From those interviews conclusions were made that no action was required. There are no notes in relation to any of this activity held on CASA records. There is no evidence or reference to any evidence within the package directly attached to the Townsville surveillance event and without notes or evidence, the MRO was cleared of any errors.

An example is this statement from the report -

"██████████ advised that Qantas Group Safety Services (QGSS) had carried out separate investigations for both QE and JQ. Report not available to PH or AM at the time"

Throughout the FOI released documents, there is no copy of this report in notes, evidence or record and no attempt appears to have been made by the AWIs to attain a copy of the reports. If the reports were attained as they should have been, the Nil findings outcome may have been different.

Another example is directly from the draft letter you wrote to be sent to me on 12 April 2017 -

"It did come to light that the Engineer in question was on operational duty for 14 hours and 10 minutes on the day of event."

Without any notes, records, evidence or reference to this in any report on CASA's files, you as a person who had not participated in a surveillance event 2 months earlier felt able to communicate the specific details of assumed hours of work of another person in January 2017. This detail would be impossible for you to know without notes and how you came to this conclusion is not known. The Engineer in question worked longer than 14 hours and 10 minutes that day and the words in your draft letter are incorrect.

And similarly, from the same draft, this statement -

"Following this duty he went on 5 rostered days off and 15 days LSL."

There is no record of this on CASA's files or even a record of a phone conversation related to this aspect of my complaint. The statement is also incorrect.

And although there are many other areas I can cite where evidence/notes have not been kept, I use the following as a further example. It is out of an email you sent described as "a brief appraisal of material events" to Graeme Crawford and others on 12th April 2017 -

*"The LAME spent a half an hour with the AWIs. He made allegations against the engineer involved
....."*

"The inspectors checked each allegation against actual records and were unable to substantiate any of them."

There are no notes or evidence on CASA files detailing the interview, allegations or how they were dismissed. The CASA preparation and file should have contained previous reports of Qantas breaching fatigue management policies but none of them appeared as part of this investigation.

TCAS Event

The complaint about the Traffic Collision Avoidance System was based on a Pilot report in a Tech Log. The Pilot was specific and even detailed that an aircraft was displayed 90 degrees out of alignment before he flew the aircraft on one of the three sectors he claimed this error to have been present. I note that the follow up on this matter was conducted by a person from CASA named ██████████

The enquiries into this event appear to have been covered by a few emails to Qantas and possibly some undocumented meetings or calls. Much of the information given by Qantas focuses on how the aircraft was repaired. At no stage (according to the FOI records) did CASA contact the Pilot to find out why he waited three sectors before reporting the serious defect.

From your final letter to me, you've made a comment that I am unable to reconcile or conclude from the released material. You said the following –

"It did not highlight a systemic culture of deferring defect reporting"

I agree the investigation did not find a systemic culture of defect reporting because nothing within the investigation shows that CASA looked for a problem of this nature. According to FOI records, nobody from CASA even spoke to the Pilot. This is not the first complaint of a Qantas Pilot deferring defect reporting yet no earlier complaint, which could indicate a systemic problem, formed part of the FOI release documents.

By taking no action, CASA accept that a Pilot can build suspicions of a defect over three sectors and then report it at the end of the flying day. The system is failing if CASA allows this. Reports should be made immediately a Pilot suspects an aircraft may be unserviceable.

There is mention in your brief from 12th April 2017 that there was no –

"TCAS related flag or EICAS message" and from this you conclude "the crew were progressively developing doubts about the performance of TCAS."

I would estimate 90% of aircraft defects do not result in an EICAS message or flag, this information is irrelevant. It is impossible for a Pilot to progressively develop doubts when a Pilot must notice a problem in the first place. This was clearly evident by the initial Pilot report where he noted specific details of an error before he flew the aircraft without reporting it.

Also from the same letter you say a-

"Flight Standing Order was transmitted to all crew reminding them of their responsibilities in this area"

There is no record or mention of such a document existing on CASA files. It would be important for CASA to obtain or at least attempt to obtain a copy of the Flight Standing Order and I am unable to link the series of communications between Qantas and CASA to any such document.

Tyre Servicability

I complained about a 737 aircraft which flew from Townsville with a badly worn tyre. The photo shows a clear level of wear which would have assisted the AWIs with their enquiries. I note that the AWIs went to Townsville and interviewed the LAME involved (again no records of the interview) and at a later time CASA received an internal Qantas report into the same incident.

In your letter to me dated me on 21st April 2017 you have concluded that –

"The tyre was assessed by the certify LAME in Townsville as serviceable in accordance with the approved data."

I can find no record in the released documents about any enquiry made by the AWIs into whether the tyre was in fact serviceable or not. There are no copies of, records or links to any manual or other form of approved data in relation to the serviceability of the tyre. From what was released, it appears the AWIs didn't even establish what type of tyre was fitted to the aircraft (as they have different wear limits).

I refer again to your letter of 21st April 2017 where you say –

"The information in the logbook regarding manpower was considered not be relevant to the matter of serviceability of the tyre."

This statement would be true if the tyre was serviceable. If it was not, lack of manning clearly impacted on the LAMEs decision to allow the aircraft to fly in an unserviceable state. CASA appears to have taken no direct steps to determine if the tyre was within operating limits.

Conduct of Investigators

On 2nd March 2017, I heard that [REDACTED] (the other LAME spoken to by the AWIs) was approached by his Qantas managers (including a former CASA manager) and told "you wanted to see CASA... they will talk to you now in the meeting room." [REDACTED] felt intimidated when the managers confronted him like this and uneasy through the entire interview. I have explained the reasons why in the email to the CASA CEO.

I can understand your desire to defend employees working for you. This appears in statements made by you in your brief of 12th April 2017 –

"The allegations of intimidation and bias made against the AWIs are incorrect and offensive"

And again, in your letter to me dated 21st April 2017 –

"CASA AWIs are experienced and professional and the allegations of intimidation and bias are disputed."

After I made the complaint about the treatment of [REDACTED], nobody from CASA contacted him to establish if he was intimidated or otherwise. There is no record of any email, interview, meeting or other form of communication with either [REDACTED] or the AWIs that could lead to the conclusions you have made.

The key aspect of my complaint has not been considered. Intimidation by Qantas managers felt by [REDACTED] is not CASAs responsibility but the question is, why did Qantas management know [REDACTED] wanted to speak to them? Someone breached [REDACTED] privacy and exposed [REDACTED] name directly to Qantas as a person of interest in relation to the investigation.

Two AWIs were in a room with the same Qantas managers a few minutes before [REDACTED] was approached. One of them breached the Privacy Act only a few weeks earlier by passing my name to Qantas. This aspect of my complaint about [REDACTED] treatment has never been investigated.

Providing Evidence

In your letter dated to me on 21st April 2017, you finished off with the following advice –

"It would be appreciated if in the future, these types of criticisms are only made if they are evidence based to ensure an appropriate chain of evidence should regulatory action be required."

Your statement is defamatory in nature and intent. It clearly means that my complaints were baseless and I have complained about things which are not factual. My integrity is valuable and I take offence to your unfair suggestion. I provided ample evidence to CASA including -

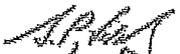
- a) A complaint about a Jetstar accident in Townsville. I supplied CASA with dates, times, aircraft rego and a reference to an internal Qantas form that your AWIs did not seek a copy of. I referred you to another LAME who knows more about the complaint. He highlighted to the AWIs places where further evidence existed, none of which ever made it to a CASA file.
- b) A complaint about a tyre which most likely flew in an unserviceable condition. I supplied photos of the tyre, a copy of the aircraft log coupon, dates, rego and a maintenance manual reference. Your AWIs concluded that there was nothing wrong without even recording the type of tyre fitted to the aircraft.
- c) A complaint about a Pilot who had reported that his traffic collision avoidance system (a system designed to prevent aircraft collisions) was faulty for three sectors before being reported. I supplied a copy of the aircraft log coupon for this complaint. The log entry contained specific details of the error the Pilot observed before he flew a Mel to Syd sector.

I'm not sure if you see the irony in your statement considering the lack of evidence on CASA files after the complaints were investigated.

Questions

1. Why are there no notes or records of conversations, interviews or relevant phone calls on CASAs file in relation to any of my complaints?
2. How did you establish the LAME involved in the Jetstar accident only worked 14 hours and 10 minutes when there is no record of this anywhere on CASA files?
3. The airline and LAME who allowed an aircraft to fly with a badly worn tyre claim it was serviceable. What steps did CASA take to verify the tyre was within limits and where is the evidence to support the finding?
4. Did CASA ever speak to the Pilot involved in the TCAS incident?
5. TCAS is a vital system to prevent aircraft colliding. Did CASA attempt to determine if there were any other factors influencing the Pilots decision when he decided to fly an aircraft with a totally or partially unserviceable TCAS system?
6. Nobody from CASA contacted the other LAME (██████████) after I complained about his treatment by the AWIs in Townsville. Without contacting him, how did you establish that the AWIs acted appropriately during their visit?
7. You assert allegations raised by ██████████ over a 30-minute interview were investigated and not substantiated. When I received the FOI release, there were no records of these allegations or the interview. Why are there no records of this held by CASA?
8. Why did you advise me that my future complaints should be evidence based when I supplied ample evidence in relation to these complaints?

Kind Regards


Steve Purvinas

Federal Secretary

From: Federal Secretary <fedsec@alaea.asn.au>
Sent: Monday, 17 July 2017 11:52 AM
To: Hanton, Jonathan
Subject: RE: Your complaints of 13 and 14 July 2017 [SEC=UNCLASSIFIED]

Thnx mate.

I'm pretty familiar with the CASA policies and procedures and understand that your powers are limited. I do know that you are able to make recommendations though and would hope the requests I have put forward will be supported by at least those recommendations. I will explain why.

Aviation safety is the number one concern for all of us. When an employee at any airline is involved in an incident, they are usually stood aside until the matter is resolved. No aspect of our industry can continue to operate with any risk to the safety of those who travel.

In the case of my complaints, it looks clear to me and maybe to the ICC as well that something is wrong. People appear not to know the proper way to manage or portray the seriousness of aviation compliance. As long as these doubts are present, the operation should be made safe.

If no recommendation of the like is forthcoming and an improper practice is allowed to continue then the entirety of the CASA will be responsible for any mishaps. It's pretty evident that I am not going to drop any of the complaints and fully expect every department to act appropriately. It should not eventuate that CASA AWIs are found to have made continuous and ongoing mistakes and been allowed to continue in their roles. This would reflect poorly on the ICC, a department that I have full faith in to take the necessary steps currently required.

Cheers
 Steve Purvinas

From: Hanton, Jonathan [mailto:Jonathan.Hanton@casa.gov.au]
Sent: Monday, 17 July 2017 11:37 AM
To: Federal Secretary
Subject: Your complaints of 13 and 14 July 2017 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning Steve

I refer to three complaints dated 13 and 14 July 2017 against Graeme Crawford, [REDACTED] and [REDACTED] I acknowledge receipt.

At this stage, I thought it would also be useful to briefly set out my powers as Industry Complaints Commission in light of your responses in the *'what outcome are you seeking?'* section of each complaint. I note among the outcomes you seek are the following:

- Staff being stood down
- Copies of action taken against CASA officers
- Undertakings staff will not have further oversight of Qantas in the event they are not terminated
- Further investigations undertaken in the presence of another ALAEA officer

I can't deliver you any of these outcomes. I don't have the power to suspend staff. I can't breach the privacy of CASA officers. I only have the power to make recommendations to CASA so in the event your complaints were fully upheld, I couldn't give undertakings as to who would oversee certain businesses.

With these constraints in mind, I will review the complaints you have made. Please don't hesitate to contact me in the event you have any queries.

Regards

Jonathan Hanton

Jonathan Hanton
Industry Complaints Commissioner
Civil Aviation Safety Authority
Aviation House | 16 Furzer Street | Phillip | ACT 2606
T +61 2 6217 1249 | E jonathan.hanton@casa.gov.au



Australian Government
Civil Aviation Safety Authority

From: Hanton, Jonathan
Sent: Monday, 17 July 2017 11:51 AM
To: Crawford, Graeme; [REDACTED]
Subject: FW: Today's complaint [SEC=UNCLASSIFIED]
Attachments: CASA ICC complaint tyre.pdf; [REDACTED] letter.pdf; [REDACTED] response.pdf

UNCLASSIFIED

Hello both

Please find attached a complaint from Mr Steve Purvinas. In summary, Mr Purvinas challenges the adequacy of CASA's investigation into an event he reported earlier this year about a tyre on a Qantas flight from Townsville to Brisbane. Mr Purvinas makes reference to the absence of a number of CASA forms he would've expected to see pursuant to CASA policy.

Could you please review the attached letter and provide CASA's response to each issue raised for my information? It would be helpful if this could be available by 31 July.

Also, it seems much of the matter hinges on the issue of whether the tyre was serviceable. Graeme, could you nominate a comparable CMT in another region to peer review the photo and any other information?

Thanks

Jonathan

From: [REDACTED]
Sent: Monday, 17 July 2017 11:04 AM
To: Hanton, Jonathan
Subject: FW: Today's complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

From: Federal Secretary [<mailto:fedsec@alaea.asn.au>]
Sent: Friday, 14 July 2017 7:38 PM
To: [REDACTED]
Cc: Steve Re
Subject: Today's complaint

Hi [REDACTED]

Complaint to add to others thnx.

Cheers
Steve Purvinas

CASA Industry Complaints Commissioner New Complaint

Title: Mr First Name: Stephen Last Name: Purvinas ARN / Reference number: 431050

Preferred Contact Method: mobile Contact Number: [REDACTED] Email: fedsec@alaea.asn.au

Address: [REDACTED] Suburb: [REDACTED] State: Vic Postcode: 3042

Complaint lodged on behalf of someone else: No

Have you contacted CASA before to try and resolve your complaint?

I contacted Mr [REDACTED] directly about this and a copy of my letter and his response is attached.

Please provide details of your complaint:

Earlier this year I reported some issues at Qantas. I lodged an FOI in relation to the complaints to see how they were handled. This complaint is multifaceted and is specific to the handling of a badly worn tyre on a Qantas 737 aircraft I had reported to CASA on February 1st, 2017.

In brief, the tyre was allowed to continue in service after being inspected by a LAME in Townsville. The LAME noted in the Tech Log that he could not replace the tyre due to "Insufficient manpower". The aircraft then flew from Townsville to Brisbane with the tyre in the badly worn state where it was replaced. A photo of the worn tyre was taken (and supplied with my original complaint) showing the condition of the tyre on arrival in Brisbane.

My complaint was about the Townsville to Brisbane sector. I raised the concern about the decision made by the LAME to allow the aircraft to fly this sector and indirectly against the airline he works for (Qantas). The FOI documents show admittance that the tyre wear was present when he released the aircraft from Townsville.

This complaint is against the Lead Airworthiness Inspector Mr [REDACTED], the second AWI, Mr [REDACTED] and the Region Manager Sydney, Safety, [REDACTED], [REDACTED].

The complaints relate to the handling of the investigation and what appear as many breaches of CASA policies and manuals.

From the FOI documents released, a surveillance event number 12745 was generated from my original complaint. Surveillance was undertaken over the period of February 27th 2017 to March 2nd 2017. The only other relevant document on file was a copy of Qantas' own internal investigation sent to CASA on 21st February 2017. Nil adverse findings were noted at the conclusion of the investigation. My complaints are as follows –

- A. The surveillance event seems to be improperly prepared. There is no record on file of a Surveillance Worksheet Form (Form 1308), Surveillance Planning and Scoping Form (Form 1189) or Surveillance Event Timetable (Form 1290).

- B. There is no record on file of Surveillance Worksheet Form (1308) or any similar record of the actual surveillance event. These records are mandatory and required as a reference for the person who writes the final report.
- C. No evidence has been recorded or kept on CASA files in relation to the surveillance event. Any reasonable person would expect to see copies of documents (or requests with references for) details of the approved data used by Qantas and their LAME to determine the serviceability of the tyre such as maintenance manuals and other technical documents.
- D. No record of any interview or discussion exists on any form such as a Surveillance Event Record of Conversation (Form 1289) or even a notepad. The final report shows that the LAME was interviewed and it would also be the case that a representative from Qantas Management would have also discussed this with the AWIs. None of this is recorded on CASA Files as required and explained throughout CASA policies and manuals.
- E. CASA appear to have accepted without question Qantas' own report clearing Qantas of any wrongdoing. The Qantas internal report was sent prior to the Townsville surveillance event and without any evidence. The final CASA decision to clear Qantas and their LAME of any wrongdoing appears to have been made by a person (AWI) acting under dictation of the investigated parties, Qantas and their LAME. In simple terms, it appears that Qantas and the LAME said the tyre was ok, that explanation was accepted and the investigation was closed. Please refer to CASA Governance Framework 1.2.1 Law, Policy and Decision Making.
- F. The CASA records are so lacking that the type of tyre involved in the suspected breach is not even recorded. The aircraft in question can have two completely different types of tyre fitted each with prescriptive and different minimum tread limits. As a minimum, it would be expected that a proper investigation would have thoroughly examined the tyre make, part number and manufacturer. The LAME in question even seems to have not known the type of tyre fitted as the Tech Log entry I supplied CASA along with the original complaint refers to a cut protector that in this case, does not form part of the worn tyre.
- G. No contact was made with the Brisbane LAME who replaced the tyre. A proper evidence based investigation would certainly have involved other witnesses to this event and key to that process would be those persons who changed the tyre post flight.
- H. The complaint I had made about pressure being applied to the LAME to release the aircraft has not been investigated. That he did not change the tyre due to insufficient manpower is not in dispute. Mr [REDACTED] has dismissed this as irrelevant on the basis that the tyre was serviceable. That determination was made without following CASA policies and manuals and the commercial pressure on the LAME to prevent an aircraft delay has not been considered.
- I. Mr [REDACTED] appears to accept that the above approach is acceptable. As the person charged with responding to my original complaints and also the Manager of the Sydney office he would have been privy to all the information in relation to the tyre complaint. Without any supporting evidence on file he accepts that the tyre was within limits before it flew (refer his letter to me dated April 21st, 2017). Mr [REDACTED] is acutely aware of the

requirement to collect and preserve evidence as per his "advice" to me in closing the same letter highlighting the importance of ensuring an appropriate chain of evidence.

What outcome are you seeking?

I seek for Mr [redacted], Mr [redacted] and Mr [redacted] to be stood down from all work at CASA as this matter is being investigated. Not doing so could contaminate future investigations and undermine aviation safety if these employees are comfortable undertaking their work without regard to due process.

I seek an investigation to be undertaken by the ICC and appropriate actions to be taken by CASA against the three employees if they are deemed to have breached any CASA policies or similar work requirements in relation to this complaint.

I seek a copy of any action taken against the three employees as described in any correspondence to or about them. I am likely to seek this under FOI provisions if not released as part of this process.

I seek confirmation that the three employees will have no further dealings with any Qantas Group company if their employment is not terminated as a result of this investigation.

I seek another investigation into the original tyre complaint to be undertaken by the Melbourne branch of CASA in the presence of the Mr Steve Re, the ALAEA Technical Manager.

I do not seek a letter from CASA saying they will review their policies. The policies are fine, I would just like to see them followed.

Further instructions (for example, preferred time to call, or if you need an interpreter):

I'm always available to discuss this matter with the ICC as it is being investigated.

4th July 2017

Mr [REDACTED]
[REDACTED]
CASA Sydney

cc. Shane Carmody
By Email



25 Stoney Creek Rd Bexley NSW 2207
Ph: (02) 9554 9399 Fax: (02) 9554 9644
email: alaea@alaea.asn.au www.alaea.asn.au
ABN: 84 234 747 620

Re: Complaint Investigation

Dear [REDACTED]

I refer to your letter dated 21st April 2017 and the invitation to contact you if I had further substantiated evidence in relation to the complaints. I also write this letter as part of the formal process involving the Industry Complaints Commissioner where the preference is for complainants to firstly be raised with the departments. This letter will cover both those aspects and some background. I seek answers only to some simple questions appearing at the end of this letter and request a response within ten business days. If there is no response or I am not satisfied with the answers, I intend to submit a formal complaint to the ICC and will consider seeking Parliamentary intervention.

Background

On January 13th 2017 I reported an Aviation concern over an accident with a Jetstar aircraft in Townsville where the left engine was severely damaged. My main concern was fatigue of the Qantas Engineer who caused the accident and why he continued to work alone on the aircraft post collision.

On February 1st 2017 I lodged a further report with a complaint about a Qantas 737 tyre and a Qantas A330 Traffic Collision Avoidance System (TCAS). I was concerned that an aircraft was allowed to fly with a tyre beyond wear limits and how the LAME came to the decision to release the aircraft unrepaired. Similarly, I made a report about a Qantas aircraft which flew three sectors with a TCAS system showing other aircraft in fictitious locations. In this case the Tech Crew appeared to knowingly fly an aircraft with a serious defect.

On February 27th 2017, I became aware two CASA Surveyors were in Townsville to investigate the Jetstar Engine and Qantas tyre events. I notified CASA that a LAME unrelated to the incidents had further information to assist the Airworthiness Inspectors (AWIs). On 2nd March 2017, I contacted the CASA CEO complaining about CASA releasing the unrelated LAMEs name to Qantas which led to him feeling intimidated by both the Airline Managers and the AWIs.

I consider the above to constitute four complaints to CASA. On 2nd May 2017 I sought access to all documents and records held by CASA in relation to the four complaints. The documents were released on 9th June 2017. After a short review of the released documents, I noticed many records appeared to be missing and requested a further search for other records. The CASA FOI Officer advised me there were no other documents aside from some travel bookings. I will now expand upon some of my concerns in relation to the documents I am in possession of.

Memos, Note Taking and Evidence

CASA is bound to a set of Regulations, manuals and laws in relation to record keeping and evidence. I have sought advice and understand that in the case of the investigation of the complaints I raised, strict adherence to these rules apply unless written approval to vary from proper practices is sought and granted. The FOI documents do not contain any approval to vary from standard procedures.

The FOI release shows the AWIs attended Townsville and interviewed several people. From those interviews conclusions were made that no action was required. There are no notes in relation to any of this activity held on CASA records. There is no evidence or reference to any evidence within the package directly attached to the Townsville surveillance event and without notes or evidence, the MRO was cleared of any errors.

An example is this statement from the report -

"██████████ advised that Qantas Group Safety Services (QGSS) had carried out separate investigations for both QE ad JQ. Report not available to PH or AM at the time"

Throughout the FOI released documents, there is no copy of this report in notes, evidence or record and no attempt appears to have been made by the AWIs to attain a copy of the reports. If the reports were attained as they should have been, the Nil findings outcome may have been different.

Another example is directly from the draft letter you wrote to be sent to me on 12 April 2017 -

"It did come to light that the Engineer in question was on operational duty for 14 hours and 10 minutes on the day of event."

Without any notes, records, evidence or reference to this in any report on CASA's files, you as a person who had not participated in a surveillance event 2 months earlier felt able to communicate the specific details of assumed hours of work of another person in January 2017. This detail would be impossible for you to know without notes and how you came to this conclusion is not known. The Engineer in question worked longer than 14 hours and 10 minutes that day and the words in your draft letter are incorrect.

And similarly, from the same draft, this statement -

"Following this duty he went on 5 rostered days off and 15 days LSL."

There is no record of this on CASA's files or even a record of a phone conversation related to this aspect of my complaint. The statement is also incorrect.

And although there are many other areas I can cite where evidence/notes have not been kept, I use the following as a further example. It is out of an email you sent described as "a brief appraisal of material events" to Graeme Crawford and others on 12th April 2017 -

*"The LAME spent a half an hour with the AWIs. He made allegations against the engineer involved
....."*

"The inspectors checked each allegation against actual records and were unable to substantiate any of them."

There are no notes or evidence on CASA files detailing the interview, allegations or how they were dismissed. The CASA preparation and file should have contained previous reports of Qantas breaching fatigue management policies but none of them appeared as part of this investigation.

TCAS Event

The complaint about the Traffic Collision Avoidance System was based on a Pilot report in a Tech Log. The Pilot was specific and even detailed that an aircraft was displayed 90 degrees out of alignment before he flew the aircraft on one of the three sectors he claimed this error to have been present. I note that the follow up on this matter was conducted by a person from CASA named ██████████

The enquiries into this event appear to have been covered by a few emails to Qantas and possibly some undocumented meetings or calls. Much of the information given by Qantas focuses on how the aircraft was repaired. At no stage (according to the FOI records) did CASA contact the Pilot to find out why he waited three sectors before reporting the serious defect.

From your final letter to me, you've made a comment that I am unable to reconcile or conclude from the released material. You said the following –

"It did not highlight a systemic culture of deferring defect reporting"

I agree the investigation did not find a systemic culture of defect reporting because nothing within the investigation shows that CASA looked for a problem of this nature. According to FOI records, nobody from CASA even spoke to the Pilot. This is not the first complaint of a Qantas Pilot deferring defect reporting yet no earlier complaint, which could indicate a systemic problem, formed part of the FOI release documents.

By taking no action, CASA accept that a Pilot can build suspicions of a defect over three sectors and then report it at the end of the flying day. The system is failing if CASA allows this. Reports should be made immediately a Pilot suspects an aircraft may be unserviceable.

There is mention in your brief from 12th April 2017 that there was no –

"TCAS related flag or EICAS message" and from this you conclude "the crew were progressively developing doubts about the performance of TCAS."

I would estimate 90% of aircraft defects do not result in an EICAS message or flag, this information is irrelevant. It is impossible for a Pilot to progressively develop doubts when a Pilot must notice a problem in the first place. This was clearly evident by the initial Pilot report where he noted specific details of an error before he flew the aircraft without reporting it.

Also from the same letter you say a-

"Flight Standing Order was transmitted to all crew reminding them of their responsibilities in this area"

There is no record or mention of such a document existing on CASA files. It would be important for CASA to obtain or at least attempt to obtain a copy of the Flight Standing Order and I am unable to link the series of communications between Qantas and CASA to any such document.

Tyre Servicing

I complained about a 737 aircraft which flew from Townsville with a badly worn tyre. The photo shows a clear level of wear which would have assisted the AWIs with their enquiries. I note that the AWIs went to Townsville and interviewed the LAME involved (again no records of the interview) and at a later time CASA received an internal Qantas report into the same incident.

In your letter to me dated me on 21st April 2017 you have concluded that –

"The tyre was assessed by the certify LAME in Townsville as serviceable in accordance with the approved data."

I can find no record in the released documents about any enquiry made by the AWIs into whether the tyre was in fact serviceable or not. There are no copies of, records or links to any manual or other form of approved data in relation to the serviceability of the tyre. From what was released, it appears the AWIs didn't even establish what type of tyre was fitted to the aircraft (as they have different wear limits).

I refer again to your letter of 21st April 2017 where you say –

"The information in the logbook regarding manpower was considered not be relevant to the matter of serviceability of the tyre."

This statement would be true if the tyre was serviceable. If it was not, lack of manning clearly impacted on the LAMEs decision to allow the aircraft to fly in an unserviceable state. CASA appears to have taken no direct steps to determine if the tyre was within operating limits.

Conduct of Investigators

On 2nd March 2017, I heard that ██████████ (the other LAME spoken to by the AWIs) was approached by his Qantas managers (including a former CASA manager) and told "you wanted to see CASA... they will talk to you now in the meeting room." ██████████ felt intimidated when the managers confronted him like this and uneasy through the entire interview. I have explained the reasons why in the email to the CASA CEO.

I can understand your desire to defend employees working for you. This appears in statements made by you in your brief of 12th April 2017 –

"The allegations of intimidation and bias made against the AWIs are incorrect and offensive"

And again, in your letter to me dated 21st April 2017 –

"CASA AWIs are experienced and professional and the allegations of intimidation and bias are disputed."

After I made the complaint about the treatment of ██████████ nobody from CASA contacted him to establish if he was intimidated or otherwise. There is no record of any email, interview, meeting or other form of communication with either ██████████ or the AWIs that could lead to the conclusions you have made.

The key aspect of my complaint has not been considered. Intimidation by Qantas managers felt by ██████████ is not CASAs responsibility but the question is, why did Qantas management know ██████████ wanted to speak to them? Someone breached ██████████ privacy and exposed ██████████s name directly to Qantas as a person of interest in relation to the investigation.

Two AWIs were in a room with the same Qantas managers a few minutes before ██████████ was approached. One of them breached the Privacy Act only a few weeks earlier by passing my name to Qantas. This aspect of my complaint about ██████████ treatment has never been investigated.

Providing Evidence

In your letter dated to me on 21st April 2017, you finished off with the following advice –

"It would be appreciated if in the future, these types of criticisms are only made if they are evidence based to ensure an appropriate chain of evidence should regulatory action be required."

Your statement is defamatory in nature and intent. It clearly means that my complaints were baseless and I have complained about things which are not factual. My integrity is valuable and I take offence to your unfair suggestion. I provided ample evidence to CASA including -

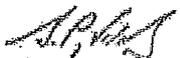
- a) A complaint about a Jetstar accident in Townsville. I supplied CASA with dates, times, aircraft rego and a reference to an internal Qantas form that your AWIs did not seek a copy of. I referred you to another LAME who knows more about the complaint. He highlighted to the AWIs places where further evidence existed, none of which ever made it to a CASA file.
- b) A complaint about a tyre which most likely flew in an unserviceable condition. I supplied photos of the tyre, a copy of the aircraft log coupon, dates, rego and a maintenance manual reference. Your AWIs concluded that there was nothing wrong without even recording the type of tyre fitted to the aircraft.
- c) A complaint about a Pilot who had reported that his traffic collision avoidance system (a system designed to prevent aircraft collisions) was faulty for three sectors before being reported. I supplied a copy of the aircraft log coupon for this complaint. The log entry contained specific details of the error the Pilot observed before he flew a Mel to Syd sector.

I'm not sure if you see the irony in your statement considering the lack of evidence on CASA files after the complaints were investigated.

Questions

1. Why are there no notes or records of conversations, interviews or relevant phone calls on CASAs file in relation to any of my complaints?
2. How did you establish the LAME involved in the Jetstar accident only worked 14 hours and 10 minutes when there is no record of this anywhere on CASA files?
3. The airline and LAME who allowed an aircraft to fly with a badly worn tyre claim it was serviceable. What steps did CASA take to verify the tyre was within limits and where is the evidence to support the finding?
4. Did CASA ever speak to the Pilot involved in the TCAS incident?
5. TCAS is a vital system to prevent aircraft colliding. Did CASA attempt to determine if there were any other factors influencing the Pilots decision when he decided to fly an aircraft with a totally or partially unserviceable TCAS system?
6. Nobody from CASA contacted the other LAME (██████████) after I complained about his treatment by the AWIs in Townsville. Without contacting him, how did you establish that the AWIs acted appropriately during their visit?
7. You assert allegations raised by ██████████ over a 30-minute interview were investigated and not substantiated. When I received the FOI release, there were no records of these allegations or the interview. Why are there no records of this held by CASA?
8. Why did you advise me that my future complaints should be evidence based when I supplied ample evidence in relation to these complaints?

Kind Regards



Steve Purvinas

Federal Secretary



Australian Government
Civil Aviation Safety Authority

CASA Ref: G17/215

13 July 2017

Steve Purvinas
Federal Secretary
ALAEA
25 Stoney Creek Road
Bexley NSW 2207

CC. Shane Carmody
BY EMAIL

Dear Mr Purvinas

I refer to your letter to me of 4 July 2017, responding to mine of 21 April 2017.

In your letter, you say, among other things, that, by inviting you to ensure that any future criticisms or complaints you may make about matters involving alleged regulatory contraventions, or the way in which the Civil Aviation Safety Authority (CASA) has dealt with such matters, 'are only made if they are evidence based . . .', I have made a defamatory statement about you.

I disagree with your characterisation of my remarks. I did not say, and it was not my intention to suggest, that your complaints were 'baseless' or that the things you complained about were 'not factual'. Rather, my intention was simply to make it clear that we do not share the same understanding of the facts and circumstances involved in the events and issues with which your complaints were concerned, and that the evidence you offered in support of your contentions was not, in my view, sufficient to warrant regulatory action or further investigation.

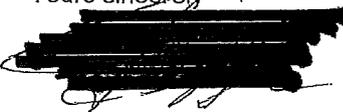
That we should disagree about the quality or sufficiency of the evidence you provided in support of your contentions does not amount to an attack on your integrity. That was certainly not my intention, and I apologise if you should have found my comments in any way offensive.

You have also raised several questions related to the matters you previously drew to CASA's attention, and to which you have evidently found our explanations, as well as the material contained in our response to your request under the Freedom of Information Act, to be wanting.

I believe the responses and information we have already provided in connection with these matters have been appropriate and sufficient, and it is not my intention to respond to your further questions.

Naturally, it is your prerogative to raise some or all of these matters with CASA's Industry Complaints Commissioner, or to pursue any other avenue for complaint that is available to you, if that is what you choose to do.

Yours sincerely


Fred von der Heidt
Region Manager, Sydney
Safety Assurance Branch
CASA Aviation Group

[REDACTED]

From: Hanton, Jonathan
Sent: Tuesday, 18 July 2017 12:42 PM
To: [REDACTED]
Subject: FW: Today's complaint [DLM=Sensitive:Legal]
Attachments: ALAEA complaint re Townsville accident January 2017.docx

Sensitive: Legal

Hi [REDACTED]

Can you give me access to the Purvinas Qantas tyre FOI file?

Thanks

Jonathan

From: [REDACTED]
Sent: Monday, 17 July 2017 3:56 PM
To: [REDACTED]; Crawford, Graeme; Hanton, Jonathan
Subject: RE: Today's complaint [DLM=Sensitive:Legal]

Sensitive: Legal

[REDACTED]

F17/521 relates to the photos. F14/5923-16 has further information. There was also an FOI request which was handled by [REDACTED]

I've attached a word document that [REDACTED] sent to [REDACTED] with the file numbers

[REDACTED]

From: [REDACTED]
Sent: Monday, 17 July 2017 12:15 PM
To: Crawford, Graeme; Hanton, Jonathan; [REDACTED]
Subject: RE: Today's complaint [DLM=Sensitive:Legal]

Sensitive: Legal

Graeme

No problem. Can you please forward the relevant documents/photos?

Regards

[REDACTED]

[REDACTED]

[REDACTED]
 [REDACTED] | Eastern Region
 Safety Assurance Branch

CASA Aviation Group

[REDACTED]
GPO Box 2005, Canberra ACT 2601
www.casa.gov.au



From: Crawford, Graeme
Sent: Monday, 17 July 2017 12:05 PM
To: Hanton, Jonathan; [REDACTED]
Subject: RE: Today's complaint [DLM=Sensitive:Legal]

Sensitive: Legal

Jonathan - I notice from the correspondence from Mr Purvinas that the photographic evidence he has provided is of the tyre once it arrived at BNE, we really need a photo of the tyre in Townsville prior to departure to BNE to ascertain whether the condition was unsuitable for doing the next sector (could be argued that it was as the aircraft landed without incident in BNE). Can you request Mr Purvinas provide photographic evidence of the tyre condition in Townsville i.e. prior to departure to BNE..

[REDACTED] - We might need you to nominate someone to conduct a peer review of the B737 tyre condition as shown in the provided photographs.

Regards,
Graeme

Graeme M. Crawford

Acting CEO & Director Aviation Safety

Civil Aviation Safety Authority

Australian Government

p: 02 6217 1330 m: [REDACTED]

e: graeme.crawford@casa.gov.au

Level 3, 16 Furzer Street, Phillip, Canberra, ACT 2606

www.casa.gov.au



From: Hanton, Jonathan
Sent: Monday, 17 July 2017 11:51 AM
To: Crawford, Graeme; [REDACTED]
Subject: FW: Today's complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello both

Please find attached a complaint from Mr Steve Purvinas. In summary, Mr Purvinas challenges the adequacy of CASA's investigation into an event he reported earlier this year about a tyre on a Qantas flight from Townsville to Brisbane. Mr Purvinas makes reference to the absence of a number of CASA forms he would've expected to see pursuant to CASA policy.

Could you please review the attached letter and provide CASA's response to each issue raised for my information? It would be helpful if this could be available by 31 July.

Also, it seems much of the matter hinges on the issue of whether the tyre was serviceable. Graeme, could you nominate a comparable CMT in another region to peer review the photo and any other information?

Thanks

Jonathan

From: [REDACTED]
Sent: Monday, 17 July 2017 11:04 AM
To: Hanton, Jonathan
Subject: FW: Today's complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

From: Federal Secretary [<mailto:fedsec@alaea.asn.au>]
Sent: Friday, 14 July 2017 7:38 PM
To: [REDACTED]
Cc: Steve Re
Subject: Today's complaint

Hi [REDACTED]

Complaint to add to others thnx.

Cheers
Steve Purvinas

Summary of discussions resulting of ALAEA complaint received by CASA from ALAEA on 13 January 2017.

- [redacted] received two emails from CASA Hotline Mailbox on 13 January 2017 requesting a review of complaints from the ALAEA
- On 16 January 2017, [redacted] and [redacted] (Airworthiness Inspector) met with the CAMO, Part 42, Quality Manager (QM) to discuss the complaints.
Qantas indicated that they had received a similar complaint from the ALAEA and that they did not agree with all the concerns raised. The QM confirmed that independently both Jetstar and Qantas have asked the Qantas Group safety to carry out an independent investigation on behalf of each AOC/CAMO.
CASA agreed to take no further action until the investigation was completed.
- On or about 17 February, I was permitted to read the draft comprehensive report completed by QGS on behalf of Qantas, I did not take any notes. I discussed this with my Regional Manager and decided to send two Airworthiness inspectors to Townsville and Brisbane heavy maintenance for a level 2 surveillance of each facility.
- On 23 February I received an email from Qantas manager fleet Operations- Airbus regarding the TCASA defect complaint raised by Mr. Purvinas, his reply was reviewed by both CASA Flight Ops and Airworthiness Inspectors and found satisfactory. On file.
- On 27 February I received a request for the two inspectors in Townsville to discuss with Mr. [redacted] some information regarding breaches and inappropriate procedures. I contacted both inspectors by phone to see if they were willing to talk with Mr. [redacted] while they were in Townsville, they agreed without hesitation.
- On 10th March I received an email again from CASA Safety Assurance Communication & Reporting, this included complaints about actions of two CMT3 Inspectors (not "investigators" as the email stated) during their visit to Townsville. Both inspectors are highly regarded throughout the Australian and Overseas Aviation maintenance industry and were perturbed by the language used by Mr. Purvinas in describing their actions. This followed some heated discussions, including threats of resignation, which required my intervention and counselling to advise the two inspectors that they had my full support and that their actions were not inappropriate.
- A Sky Sentinel surveillance event, 12745 and report, 26123 was raised, both in HP file F14/5923-16.
- I believed that Qantas followed their own internal procedures and no action was required against any individuals.
- All Records and e-mails are on HP8 Files F17/521 and F14/5923-14

[redacted]
[redacted]
Sydney Region
Safety Assurance

I have reviewed the following documents you have asked me to review.

1. Qantas Investigation Report – 17/SI/48 – VH-VXP Wheel Replacement
2. CASA Industry Complaints Commissioner New Complaint Report
3. CASA Surveillance Report Surveillance Event Number 12745/Report ID 26123
4. Qantas Technical Log for aircraft VH-VXP dated 08 Dec 2016, SEQ 405
5. Two images of an aircraft tyre with obvious tread wear damage exhibiting flat spot and skid burn marks indications extending into the fabric plies.

Qantas Technical Log

As a result of my review of the above referenced documents, I have made the following observations and suggestions.

Defect entry on Technical Log SE 405 recorded by Ford Staff No. 558930 states:

"ON A/C ARRIVAL FOUND #1 WHEEL TYRE WEAR HAS TREAD REINFORCEMENT/CUT PROTECTOR PLY WEAR (EXPOSED)"

The certifying engineer, (Authority number QE400981) subsequently deferred the worn tyre defect citing:

"DUE TO INSUFFICIENT MANPOWER AVAILABLE & AMM TASK 32-45-00-700-803 ALLOWANCES FOR THIS SITUATION, THE TYRE MAY CONTINUE IN SERVICE WITHOUT SAFETY CONCERNS, BUT MUST BE REPLACED AT THE NEXT N37-838-CHECK 2. TO HOLD. MOC NOTIFIED."

My observation on the above entries in the Technical Log is based on the tyre images sighted. The tyre in question appears to be a bias type of tyre, therefore, according to the relevant Boeing Aircraft Maintenance Manual (AMM), bias tyres by design do not have cut protectors.

Qantas Investigation Report VH-VXP Wheel Replacement – 17/SI/48

The Qantas Investigation report provides a scope for the investigation, (extract below). However, the report falls short in addressing the issues that were raised as scoped items.

Investigation Scope

This investigation will seek to accurately describe the reported occurrence or risk and identify all relevant causal and contributing factors. With particular focus given to the following areas:

- Understand the perception of the engineer with regards to the serviceability and airworthiness of the aircraft
- Understanding how individuals work alone and what arrangements are in place to assist when required
- Why the Form 500 that was submitted did not contain the extent of the perceived risk that was later reported
- Involvement of MOC to ascertain the serviceability of the aircraft tyre
- Understanding Aircraft Planning requirements
- The differences between Check 2 tyre limits and the limits set within the AMM

The report states that on the night of the 8th of December 2016 (date of occurrence), a B1 and B2 Licenced Aircraft Engineer (LAME) was rostered on duty at Townsville Airport. The report was unclear so presumably, this is a single certifying engineer.

When the certifying engineer became aware of the worn tyre, it would appear that his initial action was to call the Senior LAME at home several times to seek his assistance. The Senior LAME did not answer the certifying engineer's calls.

The certifying engineer on duty then referred to the AMM to determine if the tyre was unserviceable.

The question here is, why did the certifying engineer feel the need to call the Senior LAME at home rather than to referring to the AMM in the first instance?

Tyre condition inspections for serviceability have generally been regarded as an area that can be subjective and contentious issue amongst the LAME group.

Unfortunately, this is one area in most AMMs that allow an element of subjectivity to creep in.

Tyre approaching maximum wear limits occasionally can lead to debates or disagreements between engineers, largely arising from differences of opinions on the interpretation of AMM instructions.

The extract below from the AMM Task 32-45-00-700-803, 4. Task Inspection is the basis on which the Townsville based certifying engineer justified his deferral of tyre replacement action.

(c) Remove the tires that have the conditions that follow:

- 1) Cuts or weather cracks in the grooves, the tread, shoulders or sidewalls that exceed the limits in (Figure)602).
- 2) Blisters, bulges, or other signs of ply separation in the tread, shoulder or sidewall area.
- 3) Tires with a flat spot which shows the tread reinforcement ply (bias) or cut protector (radial).

NOTE: If the tread reinforcement ply (bias) or the cut protector (radial) shows, the tire should be replaced as soon as possible. If necessary, the tire may be used for a small number of landings until it is replaced. However, you may not be able to retread the tire if you leave the tire in service too long with this condition.

- 4) Other types of damage which can cause fire problems.

Recommendations

In my opinion, the airline should have well defined and documented company policy on tyre wear limitations to remove any potential ambiguity and to provide clarity to the certifying engineers.

Whilst it's not CASA AWI's role to determine aircraft or components serviceability for an operator, however, I believe CASA needs to ensure that the certifying engineer at Townsville Airport followed the AMM, other relevant ICAs and company procedures to determine the serviceability of the worn tyre prior to releasing the aircraft to service.

The question I would be asking is would this tyre wear as depicted in the two photograph images pass a Check 2 inspection?

In my opinion the answer is No. I believe the relief is provided in the AMM to allow continuing operations until the next convenient opportunity, to replace a worn tyre if a defect is discovered during a turnaround or a transit check activity. It is my view that the Check 2 at Townsville when the defect was initially discovered was a convenient opportunity to replace the worn tyre.

CASA should be inquiring into the scope and capability of the Part 145 Aircraft Maintenance Organisation (AMO) at Townsville Airport. Wheel replacements at line stations are regarded as routine and common maintenance task that should be able to be performed without any manpower constraints.

CASA should further review the Part 145 organisation for availability of adequate manpower resourcing. The AMO must have resources to provide maintenance services in accordance with its exposition, as required by CASA Part 145 MOS.

The Qantas report states that the Townsville certifying engineer consulted with Brisbane Line Maintenance and Maintenance Watch.

On what basis did the Maintenance Watch and Brisbane Line Maintenance engineers form informed opinions regarding the condition of the worn tyre without physically seeing the tyre or images of the worn tyre? There is insufficient clarity around how technical judgment or opinion was shared amongst engineers.

Both the Technical Log and the Qantas internal investigation report did not previously make mention of any issues relating to the availability of serviceable replacement wheel at Townsville Airport; yet the Qantas investigation report under the sub heading of **Decision to Release Tyre**, provides an excerpt of a note in the Check 2 as below

Note: If spares are not available, the tyre may continue in service without safety concerns, but MUST be replaced at the next CHECK2. A HOLD item must be raised and MOC must be notified.

I question the relevance of including the above Note in the investigation report, as the Technical Log deferral record was in relation to insufficient manpower; not lack of a serviceable spare wheel.

Although I was not provided with a copy of the referenced Check 2 task cards, the report states that the Check 2 contains the Note above. I would suggest that the Note be reviewed as it does not take into consideration the condition of the tyre prior to deferring the replacement to the next Check 2.

Conclusion

1. Firstly, the Qantas internal investigation report is not as detailed and thorough as would be expected from an investigation of this nature.

I believe the report is incomplete, in that the report failed to adequately address the six dot point problems scoped by the investigators to identify causal and contributing factors.

2. Regarding the Townsville Airport based certifying engineer's action, the AMM note provides the engineer the ability to apply technical judgement and discretion when assessing tyre condition.

Fundamentally, the provisions of the AMM Note is where the operators or the AMOs are sometimes able find relief to defer a worn tyre change to be replaced at a more convenient opportunity.

3. The complainant has made the assertion that the certifying engineer at Townsville Airport had wrongfully released an aircraft with a worn tyre outside of wear limits.

The complainant reported the matter internally within Qantas (Brisbane) and to CASA. Qantas had conducted an internal investigation and CASA carried out an audit in an attempt to verify the complainant's allegations. However, the complainant remained unsatisfied with the outcome of those investigations as both reports did not identify any deficiencies in the handling of the worn tyre.

4. Although the complainant's report contains a certain degree of opinionated and accusatory elements towards Qantas and CASA, nevertheless, it does raise couple of valid technical points to be taken into consideration.

For example, it is crucial for the engineer to know whether he is assessing the wear limitations on a bias or a radial tyre, as the AMM makes a clear distinction between the two types of tyres. Both the certifying engineer and the Qantas investigation reports have omitted to reference the type of tyre.

5. I was unable to see any documentary evidence that the Townsville based certifying engineer's assessment of the worn tyre was in any way flawed. The images of the worn tyre are from Brisbane Line Station is not a true reflection of what the Townsville certifying engineer sighted in Townsville.
6. The area for CASA is to consider is the Part 145 AMO's capability at Townsville Airport. Was the reported manpower resourcing issue an isolated case on this particular night, or is it ongoing concern that CASA should be reviewing?

[REDACTED]

From: [REDACTED]
Sent: Thursday, 21 September 2017 2:57 PM
To: Hanton, Jonathan; Crawford, Graeme
Subject: RE: Qantas tyre complaint [SEC=UNCLASSIFIED]
Attachments: Jonathan Hanton ICC.docx

UNCLASSIFIED

Hi Jonathan,

Please find attached response

Regards

[REDACTED]
[REDACTED]
Safety Assurance Branch
CASA\Aviation Group

[REDACTED]
260 Elizabeth St., Sydney NSW 2010
GPO Box 2005, Canberra ACT 2601

www.casa.gov.au



CASA acknowledges the traditional custodians of Country throughout Australia and their continuing connection to the land, sea and community. We pay our respect to them and their culture and to their elders both past and present

From: Hanton, Jonathan
Sent: Monday, 7 August 2017 9:30 AM
To: [REDACTED]; Crawford, Graeme
Subject: Qantas tyre complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning

As you're aware, I requested another Region to undertake a desktop peer review of issues related to Mr Purvinas' (ALAEA) complaint about issues related to the condition of a tyre at Townsville.

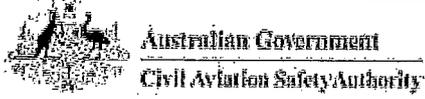
I've incorporated the entirety of the peer review verbatim into the attached memo. With respect to the remit of the desktop review, it was concluded there was no evidence the LAME's assessment of the tyre '....was in any way flawed.' However, the reviewer's also made a number of other comments and observations. It would be helpful if you could review those opinions and provide a response to the points raised.

I understand from [REDACTED] that you are going on leave soon. That being the case, I'd appreciate a response within two weeks of your return from leave in September.

Regards

Jonathan Hanton.

Jonathan Hanton
Industry Complaints Commissioner
Civil Aviation Safety Authority
Aviation House | 16 Furzer Street | Phillip | ACT 2606
T +61 2 6217 1249 | E jonathan.hanton@casa.gov.au



To: Jonathan Hanton

Subject: Purvinas complaint – QF tyre peer review – response

From: ~~XXXXXXXXXXXX~~

I acknowledge the desk top peer review of the complaint made about the condition of the B737 tyre that you commissioned and appreciate the opportunity to address the opinions and conclusions of the reviewer.

In the executive summary I note the following statement by the reviewer:

'I was unable to see any documentary evidence that the Townsville based certifying engineer's assessment of the worn tyre was in any way flawed. The images of the worn tyre are from Brisbane Line Station is not a true reflection of what the Townsville certifying engineer sighted in Townsville.'

In making this statement the reviewer accepts that there is no other evidence that contradicts the decision made by the LAME which was that the tyre was serviceable. In my view that is sufficient to address the complaint however I will discuss the recommendations and conclusions made by the reviewer always keeping in mind that the decision made by the LAME is unable to be refuted .

Reviewer Recommendations

- The opinion that the company policies on tyre wear limitations is lacking is an opinion and there is no evidence given that what is currently used is not fit for purpose. The current limitations are approved maintenance data.
- CASA does not conduct duplicate inspections to corroborate each decisions made by LAMEs. Quality control of maintenance practices is a function of the Part 145 and 42 organisations' SMSs. CASA surveillance activities provide CASA with safety and compliance assurance.
- The discussion about the images of the worn tyres is irrelevant even if it could be established that they are of the tyre in question. Refer to the statement taken from the executive summary above.
- The discussion of manpower refers to the Part 145 exposition which requires adequate manpower. In this case, notwithstanding the LAME's wish to have had assistance, the decision to release the tyre for service did not reflect a lack of resources. The question should be asked "What would have transpired if the tyre had been assessed as worn beyond limits?" I expect the aircraft is AOG (Aircraft on Ground) and that the tyre would have been changed when manpower was made available – either by bringing in assistance from Townsville or from another line station.
- The discussion about the LAME contacting Brisbane Maintenance watch suggests that he called to get advice on applying the tyre wear limitations which is an assumption. In typical airline operations it is more likely it was to advise that the wheel would need to be changed when the aircraft arrived in BNE thus giving BNE the heads up to preposition people and equipment to affect the wheel change efficiently.

Reviewer Conclusions

1. I believe that the Qantas report was adequate given that the tyre was serviceable at the time of inspection by the LAME in Townsville and that there was no evidence to conclude otherwise.
2. I believe that the LAME applied technical judgement in arriving at his decision in the situation in which he found himself. Discretion can only be exercised up to the published limits – not beyond those limits.
3. It is correct that neither Qantas nor CASA found any basis for the original complaint for the reason stated in the executive summary.
4. The discussion about ‘...bias or a radial tyre...’ as an example of a ‘valid technical point’ is unsupported. What is known is that the LAME referred to approved maintenance data in coming to his conclusion about the serviceability of the tyre.
5. I agree that there is no evidence to conclude that the LAME’s decision was flawed.
6. In previous surveillance CASA has found that resourcing for Qantas Townsville line maintenance is adequate for normal operations. Any AOG situations that require additional manpower is supported from the main base.


21 September 2017

From: Federal Secretary <fedsec@alaea.asn.au>
Sent: Wednesday, 25 October 2017 4:01 PM
To: Hanton, Jonathan
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

Hi mate,

I think you've been back from holidays for a bit now. How are the investigations going?

Steve P

From: Hanton, Jonathan [mailto:Jonathan.Hanton@casa.gov.au]
Sent: Wednesday, 16 August 2017 8:34 AM
To: Federal Secretary
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

Good morning

Just to confirm the peer review was conducted by another region, quarantined from Sydney.

Jonathan

From: Federal Secretary <fedsec@alaea.asn.au>
Date: 16 August 2017 at 6:01:49 am AEST
To: Hanton, Jonathan <Jonathan.Hanton@casa.gov.au>
Cc: Steve Re <trustee1@alaea.asn.au>
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

Ok mate understood.

In relation to the 737 tyre, I have specifically asked for a department other than Sydney to investigate rather than the department I have an issue with undertake a "peer review" of their own foibles. The head of that department may be on leave but that is irrelevant considering my request.

Feel for you guys being under such financial constraint. Enjoy your time off.

Cheers
Steve Purvinas

From: Hanton, Jonathan [mailto:Jonathan.Hanton@casa.gov.au]
Sent: Tuesday, 15 August 2017 5:46 PM
To: Federal Secretary <fedsec@alaea.asn.au>
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

Dear Mr Purvinas

I have commissioned and received a peer review with respect to Sydney Region's management of the B737 tyre. I have forwarded that review to the Sydney Regional Manager for response. He is currently on leave.

With respect to the two complaints about defamatory comments being made against you, I don't consider these have any impact on airworthiness. It's my intention to provide a response to those complaints at the same time as I respond to the tyre complaint.

The ICC has limited resource. It is [REDACTED] last day this Friday. Until she is replaced there is only me. However, you are able to escalate your concerns about the ICC investigation to either CASA's Board or the Commonwealth Ombudsman.

Regards

Jonathan Hanton.

From: Federal Secretary <fedsec@alaea.asn.au>
Date: 15 August 2017 at 5:11:02 pm AEST
To: Hanton, Jonathan <Jonathan.Hanton@casa.gov.au>
Cc: [REDACTED], Steve Re <trustee1@alaea.asn.au>
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

Hi Jonathan,

This is an awful long time to consider these complaints. They impact on airworthiness and were submitted weeks ago. Is there nobody else who can progress them?

Cheers
Steve Purvinas

From: Hanton, Jonathan [<mailto:Jonathan.Hanton@casa.gov.au>]
Sent: Tuesday, 15 August 2017 3:05 PM
To: Federal Secretary <fedsec@alaea.asn.au>
Cc: [REDACTED]
Subject: Complaints update [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Mr Purvinas

I am emailing to update you on the status of your complaints.

I have obtained information with respect to the issues you have raised. However, due to leave I will not be in a position to finalise consideration of the issues in the first three complaints until September. With respect to the fourth complaint (CASA's treatment of [REDACTED]) I have not had the opportunity to commence a review of this matter yet. I will be back in contact in the week commencing August 28 with an update on this complaint. Please do not hesitate to contact me with any queries you may have.

Regards

Jonathan Hanton.

Jonathan Hanton
Industry Complaints Commissioner
Civil Aviation Safety Authority
Aviation House | 16 Furzer Street | Phillip | ACT 2606



Australian Government
Civil Aviation Safety Authority

From: Federal Secretary <fedsec@alaea.asn.au>
Sent: Wednesday, 25 October 2017 4:41 PM
To: Hanton, Jonathan
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

Ok thnx mate.

From: Hanton, Jonathan [mailto:Jonathan.Hanton@casa.gov.au]
Sent: Wednesday, 25 October 2017 3:19 PM
To: Federal Secretary
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Steve

On 25 September I met with ██████ in Townsville to discuss his complaint. I've arranged to meet the two CASA officers involved in Sydney tomorrow (one of the officers has been overseas on CASA tasking) to discuss the outcome of my meeting with ██████ and the further specifics provided. When I've had the opportunity to review the CASA officers' responses I envisage being in a position to complete a comprehensive preliminary response to the four complaints you've made in coming weeks.

Regards

Jonathan

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Regards

Jonathan Hanton.

From: Federal Secretary <fedsec@alaea.asn.au>
Date: 15 August 2017 at 5:11:02 pm AEST
To: Hanton, Jonathan <Jonathan.Hanton@casa.gov.au>
Cc: Roberts, K [REDACTED] <[REDACTED]> Steve Re <trustee1@alaea.asn.au>
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

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From: Hanton, Jonathan [mailto:Jonathan.Hanton@casa.gov.au]
Sent: Tuesday, 15 August 2017 3:05 PM
To: Federal Secretary <fedsec@alaea.asn.au>
Cc: [REDACTED]>
Subject: Complaints update [SEC=UNCLASSIFIED]

UNCLASSIFIED

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Regards

Jonathan Hanton.

Jonathan Hanton
Industry Complaints Commissioner
Civil Aviation Safety Authority
Aviation House | 16 Furzer Street | Phillip | ACT 2606
T +61 2 6217 1249 | E jonathan.hanton@casa.gov.au



Australian Government
Civil Aviation Safety Authority

From: Federal Secretary <fedsec@alaea.asn.au>
Sent: Thursday, 16 November 2017 9:49 PM
To: Hanton, Jonathan
Cc: Steve Re
Subject: FW: Complaints update [SEC=UNCLASSIFIED]

Hi Jonathon,

Just reviewing the investigations here. The first 3 complaints you said would be finalised in September (as per email below). Have I missed something here? I can't find emails with an outcome...

Cheers
Steve P

From: Hanton, Jonathan [mailto:Jonathan.Hanton@casa.gov.au]
Sent: Tuesday, 15 August 2017 3:05 PM
To: Federal Secretary
Cc: [REDACTED]
Subject: Complaints update [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Mr Purvinas

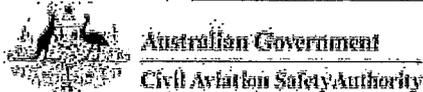
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T +61 2 6217 1249 | E jonathan.hanton@casa.gov.au



From: Federal Secretary <fedsec@alaea.asn.au>
Sent: Thursday, 16 November 2017 5:14 PM
To: Hanton, Jonathan
Cc: Steve Re
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

No worries. Will use the FOI avenue.

From: Hanton, Jonathan [mailto:Jonathan.Hanton@casa.gov.au]
Sent: Thursday, 16 November 2017 3:26 PM
To: Federal Secretary
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Steve

Thank you for your email. I'll not be in a position to respond to you tomorrow. With respect to other avenues, you're able to commence and pursue these at any time without prejudicing or impacting the outcome of my review of the issues you've raised.

Regards

Jonathan

From: Federal Secretary [mailto:fedsec@alaea.asn.au]
Sent: Thursday, 16 November 2017 4:08 PM
To: Hanton, Jonathan; Steve Re
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

Hi Jonathon,

The wait for the outcome to these complaints has been lengthy and I have been patient throughout. Three weeks ago you said a preliminary response would be available in the "coming weeks". I trust that means the end of this week. Will have to start looking at other avenues should the matter not be finalised asap.

Cheers
 Steve Purvinas

From: Hanton, Jonathan [mailto:Jonathan.Hanton@casa.gov.au]
Sent: Wednesday, 25 October 2017 3:19 PM
To: Federal Secretary <fedsec@alaea.asn.au>
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Steve

On 25 September I met with [REDACTED] in Townsville to discuss his complaint. I've arranged to meet the two CASA officers involved in Sydney tomorrow (one of the officers has been overseas on CASA tasking) to discuss the

outcome of my meeting with █████ and the further specifics provided. When I've had the opportunity to review the CASA officers' responses I envisage being in a position to complete a comprehensive preliminary response to the four complaints you've made in coming weeks.

Regards

Jonathan

From: Federal Secretary [<mailto:fedsec@alaea.asn.au>]
Sent: Wednesday, 25 October 2017 4:01 PM
To: Hanton, Jonathan
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

Hi mate,

I think you've been back from holidays for a bit now. How are the investigations going?

Steve P

From: Hanton, Jonathan [<mailto:Jonathan.Hanton@casa.gov.au>]
Sent: Wednesday, 16 August 2017 8:34 AM
To: Federal Secretary <fedsec@alaea.asn.au>
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

Good morning

Just to confirm the peer review was conducted by another region, quarantined from Sydney.

Jonathan

From: Federal Secretary <fedsec@alaea.asn.au>
Date: 16 August 2017 at 6:01:49 am AEST
To: Hanton, Jonathan <Jonathan.Hanton@casa.gov.au>
Cc: Steve Re <trustee1@alaea.asn.au>
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

Ok mate understood.

In relation to the 737 tyre, I have specifically asked for a department other than Sydney to investigate rather than the department I have an issue with undertake a "peer review" of their own foibles. The head of that department may be on leave but that is irrelevant considering my request.

Feel for you guys being under such financial constraint. Enjoy your time off.

Cheers
Steve Purvinas

From: Hanton, Jonathan [<mailto:Jonathan.Hanton@casa.gov.au>]
Sent: Tuesday, 15 August 2017 5:46 PM
To: Federal Secretary <fedsec@alaea.asn.au>
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

Dear Mr Purvinas

I have commissioned and received a peer review with respect to Sydney Region's management of the B737 tyre. I have forwarded that review to the Sydney Regional Manager for response. He is currently on leave.

With respect to the two complaints about defamatory comments being made against you, I don't consider these have any impact on airworthiness. It's my intention to provide a response to those complaints at the same time as I respond to the tyre complaint.

The ICC has limited resource. It is [REDACTED]'s last day this Friday. Until she is replaced there is only me. However, you are able to escalate your concerns about the ICC investigation to either CASA's Board or the Commonwealth Ombudsman.

Regards

Jonathan Hanton.

From: Federal Secretary <fedsec@alaea.asn.au>
Date: 15 August 2017 at 5:11:02 pm AEST
To: Hanton, Jonathan <Jonathan.Hanton@casa.gov.au>
Cc: [REDACTED] Steve Re <trustee1@alaea.asn.au>
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

Hi Jonathan,

This is an awful long time to consider these complaints. They impact on airworthiness and were submitted weeks ago. Is there nobody else who can progress them?

Cheers
Steve Purvinas

From: Hanton, Jonathan [mailto:Jonathan.Hanton@casa.gov.au]
Sent: Tuesday, 15 August 2017 3:05 PM
To: Federal Secretary <fedsec@alaea.asn.au>
Cc: [REDACTED]
Subject: Complaints update [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Mr Purvinas

I am emailing to update you on the status of your complaints.

I have obtained information with respect to the issues you have raised. However, due to leave I will not be in a position to finalise consideration of the issues in the first three complaints until September. With respect to the fourth complaint (CASA's treatment of [REDACTED]) I have not had the opportunity to commence a review of this matter yet. I will be back in contact in the week commencing August 28 with an update on this complaint. Please do not hesitate to contact me with any queries you may have.

Regards

Jonathan Hanton.

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Industry Complaints Commissioner
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Aviation House | 16 Furzer Street | Phillip | ACT 2606
T +61 2 6217 1249 | E jonathan.hanton@casa.gov.au



Australian Government
Civil Aviation Safety Authority

From: Federal Secretary <fedsec@alaea.asn.au>
Sent: Friday, 17 November 2017 8:48 AM
To: Hanton, Jonathan
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

Ok thnx mate.

From: Hanton, Jonathan [mailto:Jonathan.Hanton@casa.gov.au]
Sent: Friday, 17 November 2017 7:48 AM
To: Federal Secretary
Subject: RE: Complaints update [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning Steve

Thanks for your emails. I acknowledge your frustration at the time it has taken to review the issues you've raised. For a variety of reasons it has taken far longer than everybody, including me, would have hoped.

As noted in our correspondence yesterday and on 25 October, I am yet to finalise the response to the outstanding complaints. For that reason, you didn't miss any emails in September. In terms of next steps, I can advise my response is in the final stages of completion. I envisage you'll be in receipt of this within the next two weeks. I'm sorry for the time it has taken to date.

Thank you for your ongoing patience.

Jonathan

From: Federal Secretary [mailto:fedsec@alaea.asn.au]
Sent: Thursday, 16 November 2017 9:49 PM
To: Hanton, Jonathan
Cc: Steve Re
Subject: FW: Complaints update [SEC=UNCLASSIFIED]

Hi Jonathon,

Just reviewing the investigations here. The first 3 complaints you said would be finalised in September (as per email below). Have I missed something here? I can't find emails with an outcome...

Cheers
 Steve P

From: Hanton, Jonathan [mailto:Jonathan.Hanton@casa.gov.au]
Sent: Tuesday, 15 August 2017 3:05 PM
To: Federal Secretary <fedsec@alaea.asn.au>
Cc: Roberts, Karen <Karen.Roberts@...>
Subject: Complaints update [SEC=UNCLASSIFIED]

UNCLASSIFIEDapo

Dear Mr Purvinas

I am emailing to update you on the status of your complaints.

I have obtained information with respect to the issues you have raised. However, due to leave I will not be in a position to finalise consideration of the issues in the first three complaints until September. With respect to the fourth complaint (CASA's treatment of [REDACTED]) I have not had the opportunity to commence a review of this matter yet. I will be back in contact in the week commencing August 28 with an update on this complaint. Please do not hesitate to contact me with any queries you may have.

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From: Federal Secretary <fedsec@alaea.asn.au>
Sent: Friday, 8 December 2017 4:16 PM
To: Freedom of Information
Cc: Hanton, Jonathan; Steve Re
Subject: FOI request
Attachments: SP tyre.pdf

Hi there,

I'd like to apply for some documents under the Freedom of Information Act. They relate to some ongoing investigations and a letter I received today. I've highlighted within the letter the area that interests me and relates to this FOI request. The relevant paragraph reads:

"In reaching that conclusion, I've taken into account advice from a CASA Regional Manager unaware of the specific personnel, background, or operator involved in your complaint. That Regional Manager set out that given the overly prescriptive nature of the CSM, failures to comply with mandated procedures in the CSM are not uncommon."

Under the FOI provisions I seek the following documents.

1. Any letter, email, notes or other record of the advice given by the CASA Regional Manager about this paragraph contained within the letter I received. That is the advice set out by the Regional Manager regarding the prescriptive nature of the CSM and that failures to comply with mandated procedures are not uncommon.
2. Any letter, email, notes or other record authorising approval for any CASA AWI working from the Sydney office to conduct any surveillance activity contrary to the CSM for any part of 2017.

Cheers
Steve Purvinas



Australian Government
Civil Aviation Safety Authority

INDUSTRY COMPLAINTS COMMISSIONER

8 December 2017

Mr Steve Purvinas
Federal Secretary
Australian Licenced Aircraft Engineers Association
fedsec@alaea.asn.au

Dear Mr Purvinas

Complaints about CASA

I refer to your complaint of 14 July 2017 that CASA's investigation into whether a B737 should have been allowed to depart from Townsville was inadequate.

I wrote to you on 4 December 2017, setting out my preliminary response to four complaints. On receipt, you asked for me to provide individual responses to each issue you had raised which I agreed to provide. In providing this response, I have cut and paste the substance of what was set out in my letter of 4 December 2017.

B737 tyre — background

You contacted CASA on 1 February 2017 to report a Qantas B737 aircraft was allowed to fly with a tyre beyond wear limits. In support of your allegation, you provided CASA with a photo showing '...a clear level of wear which would have assisted the CASA Airworthiness Inspectors ('AWI') with their enquiries.'

In your letter to me you summarise the background of your concerns (which relate to the conduct of CASA's investigation) as follows:

In brief, the tyre was allowed to continue in service after being inspected by a LAME in Townsville. The LAME noted in the Tech Log that he could not replace the tyre due to "Insufficient manpower". The aircraft then flew from Townsville to Brisbane with the tyre in the badly worn state where it was replaced. A photo of the worn tyre was taken (and supplied with my original complaint) showing the condition of the tyre on arrival in Brisbane.

My complaint was about the Townsville to Brisbane sector. I raised the concern about the decision made by the LAME to allow the aircraft to fly this sector and indirectly against the airline he works for (Qantas). The FOI documents show admittance that the tyre wear was present when he released the aircraft from Townsville.

Prior to making any assessment as to the appropriateness of CASA's enquiries into this event, for context I set out information related to CASA's findings below.

Was the tyre serviceable?

You believe the aircraft was incorrectly allowed to fly with a tyre beyond wear limits. The LAME who released the aircraft made a defect entry on Technical Log SE 405: 'ON A/C ARRIVAL FOUND #1 WHEEL TYRE WEAR HAS TREAD REINFORCEMENT/CUT PROTECTOR PLY WEAR (EXPOSED)'

'DUE TO INSUFFICIENT MANPOWER AVAILABLE & AMM TASK 32-45-00-700-803 ALLOWANCES FOR THIS SITUATION, THE TYRE MAY CONTINUE IN SERVICE WITHOUT SAFETY CONCERNS, BUT MUST BE REPLACED AT THE NEXT N37-838-CHECK 2. TO HOLD. MOC NOTIFIED.'

The relevant extract from AMM Task 32-45-00-700-803 (4. Task Inspection) reads:

- (c) Remove the tires that have the conditions that follow:
- 1) Cuts or weather cracks in the grooves, the tread, shoulders or sidewalls that exceed the limits in (Figure 602).
 - 2) Blisters, bulges, or other signs of ply separation in the tread, shoulder or sidewall area.
 - 3) Tires with a flat spot which shows the tread reinforcement ply (bias) or cut protector (radial).
NOTE: If the tread reinforcement ply (bias) or the cut protector (radial) shows, the tire should be replaced as soon as possible. If necessary, the tire may be used for a small number of landings until it is replaced. However, you may not be able to retread the tire if you leave the tire in service too long with this condition.
 - 4) Other types of damage which can cause tire problems.

I consider rather than the photograph of the tyre after it had arrived in Brisbane, the best available information to assess whether the decision to release the aircraft warranted more in-depth CASA involvement are the contemporaneous notes made by the LAME in the tech Log above. Those notes stated the tyre was within limits.

With respect to the outcome of CASA's trip to Townsville, I have no information to suggest the conclusions reached by the CASA officers about the tyre were incorrect or unreasonable. The fact the assigned CASA officers reached the same conclusion as Qantas (that there was no 'wrongdoing' on the part of the LAME or wider systemic safety issues) doesn't indicate it accepted Qantas' report without question. Irrespective of whether the tyre was bias or radial, the LAME's tech log note records it 'could continue without safety concerns' — consistent with AMM Task 32-45-00-700-803 '*...the tire may be used for a small number of landings until it is replaced.*'

In reaching the conclusion the actions of the CASA officers in affirming Qantas' response weren't unreasonable, I've taken into account a peer review into the issues you raised about the tyre. The peer review was conducted at arm's length by CASA's Southern Region, quarantined from any contact with the oversighting region and CMT.

Considering the issue of whether the aircraft should have been released from Townsville, the peer review concluded:

Regarding the Townsville Airport based certifying engineer's action, the AMM note provides the engineer the ability to apply technical judgement and discretion when assessing tyre condition.

Fundamentally, the provisions of the AMM Note is where the operators or the AMOs are sometimes able find relief to defer a worn tyre change to be replaced at a more convenient opportunity.

The complainant has made the assertion that the certifying engineer at Townsville Airport had wrongfully released an aircraft with a worn tyre outside of wear limits.

The complainant reported the matter internally within Qantas (Brisbane) and to CASA. Qantas had conducted an internal investigation and CASA carried out an audit in an attempt to verify the complainant's allegations. However, the complainant remained unsatisfied with the outcome of those investigations as both reports did not identify any deficiencies in the handling of the worn tyre.

Although the complainant's report contains a certain degree of opinionated and accusatory elements towards Qantas and CASA, nevertheless, it does raise couple of valid technical points to be taken into consideration.

For example, it is crucial for the engineer to know whether he is assessing the wear limitations on a bias or a radial tyre, as the AMM makes a clear distinction between the two types of tyres. Both the certifying engineer and the Qantas investigation reports have omitted to reference the type of tyre.

I was unable to see any documentary evidence that the Townsville based certifying engineer's assessment of the worn tyre was in any way flawed. The images of the worn tyre are from Brisbane Line Station is not a true reflection of what the Townsville certifying engineer sighted in Townsville. (my emphasis added)

Therefore on the basis of the peer review affirming the outcome of the oversighting CMT's review of the tyre (which in turn endorsed Qantas' own enquiries), there's no available information to support your characterisation of the tyre as being beyond wear limits.

Investigation handling — alleged breaches of policies and manuals

With respect to any issues related to the condition of the B737 tyre, I note you have framed the complaint as it relates '*...to the handling of the investigation and what appear as many breaches of CASA policies and manuals.*'

I agree that with respect to the enquiries undertaken into the tyre during CASA's visit to Townsville there were a number of instances where the CASA Surveillance Manual ('CSM') wasn't complied with. Some examples of CASA diverging from the CSM in the planning and completion of the Level 2 surveillance event in Townsville in February 2017 include:

- There's no record of a 'surveillance request' being produced or approved.
- Forms listed as mandatory in the CSM don't appear to have been completed — for instance Form 1297 (Surveillance Checklist Form) or Form 1289 (Surveillance Event Record of Conversation).

The above variations from the CSM mean the surveillance event wasn't completed in accordance with CASA's Surveillance Policy (CASA Regulatory Policy – DAS-PN021-2010). That policy states '*CASA should ensure that all surveillance processes are appropriately documented and, when deployed, are conducted in accordance with documented procedures.*'

Considering all the above information, I agree with your complaint that CASA's Townsville Level 2 surveillance did not follow both the CSM and Surveillance Policy. On the basis of the peer review, there's no basis, however, to conclude the substantive outcome was tainted or rendered incorrect by these failures.

In reaching that conclusion, I've taken into account advice from a CASA Regional Manager unaware of the specific personnel, background, or operator involved in your complaint. That Regional Manager set out that given the overly prescriptive nature of the CSM, failures to comply with mandated procedures in the CSM are not uncommon.

Referral rights

If you're unhappy with my response you're able to ask the Commonwealth Ombudsman to review the ICC's investigation of your concerns. Information about how to make a complaint can be found at www.ombudsman.gov.au. Alternatively, you can contact the Ombudsman on 1300 362 072.

Yours sincerely

A blacked-out redaction mark covering the signature of Jonathan Hanton.

Jonathan Hanton
Industry Complaints Commissioner

From: [REDACTED]
Sent: Tuesday, 19 December 2017 1:01 PM
To: Hanton, Jonathan; [REDACTED]
Subject: RE: FOI request [SEC=UNCLASSIFIED]
Attachments: RE: CSM [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good afternoon Jonathan, [REDACTED],

I have decided to release the attached document in its entirety to the applicant.

Thanks again for your assistance in this matter.

Regards

[REDACTED]
 Freedom of Information Officer
 Legal and Regulatory Affairs Division
 Advisory and Drafting Branch
Civil Aviation Safety Authority

[REDACTED]
 GPO Box 2005 CANBERRA ACT 2606

www.casa.gov.au



From: Hanton, Jonathan
Sent: Monday, 11 December 2017 11:02 AM
To: [REDACTED]
Subject: RE: FOI request [SEC=UNCLASSIFIED]

UNCLASSIFIED

Nor me.

Thanks

Jonathan

From: [REDACTED]
Sent: Monday, 11 December 2017 10:26 AM
To: [REDACTED]
Cc: Hanton, Jonathan
Subject: RE: FOI request [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [REDACTED]

No comment from me.

Thanks and regards

[REDACTED]
[REDACTED]
[REDACTED]
CASA\ Aviation Group
[REDACTED]

1 Caudron Ave, Cairns Airport, QLD 4870

GPO Box 2005, Canberra ACT 2601

www.casa.gov.au



From: [REDACTED]
Sent: Monday, 11 December 2017 9:17 AM
To: Hanton, Jonathan
Cc: [REDACTED]
Subject: RE: FOI request [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Jonathan, [REDACTED]

Jonathan, thank you for providing the email from [REDACTED] regarding the advice provided to Mr Purvinas.

Do either of you have any comments regarding the potential release of the attached email?

Thanks again.

Regards

[REDACTED]
Freedom of Information Officer
Legal Advisory, Drafting and Contracts Section
Legal Affairs, Regulatory Policy and International Strategy Branch
Civil Aviation Safety Authority

[REDACTED]
GPO Box 2005 CANBERRA ACT 2606

www.casa.gov.au



From: Hanton, Jonathan
Sent: Monday, 11 December 2017 8:23 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: FOI request [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [REDACTED]

Here is the information within Mr Purvinas' request. I've copied [REDACTED] in who was the RM who assisted.

Thanks

Jonathan

From: Federal Secretary [<mailto:fedsec@alaea.asn.au>]
Sent: Friday, 8 December 2017 4:16 PM
To: Freedom of Information
Cc: Hanton, Jonathan; Steve Re
Subject: FOI request

Hi there,

I'd like to apply for some documents under the Freedom of Information Act. They relate to some ongoing investigations and a letter I received today. I've highlighted within the letter the area that interests me and relates to this FOI request. The relevant paragraph reads:

"In reaching that conclusion, I've taken into account advice from a CASA Regional Manager unaware of the specific personnel, background, or operator involved in your complaint. That Regional Manager set out that given the overly prescriptive nature of the CSM, failures to comply with mandated procedures in the CSM are not uncommon."

Under the FOI provisions I seek the following documents.

1. Any letter, email, notes or other record of the advice given by the CASA Regional Manager about this paragraph contained within the letter I received. That is the advice set out by the Regional Manager regarding the prescriptive nature of the CSM and that failures to comply with mandated procedures are not uncommon.
2. Any letter, email, notes or other record authorising approval for any CASA AWI working from the Sydney office to conduct any surveillance activity contrary to the CSM for any part of 2017.

Cheers
Steve Purvinas

[REDACTED]

From: [REDACTED]
Sent: Monday, 20 November 2017 5:10 PM
To: Hanton, Jonathan
Subject: RE: CSM [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Jonathan

I would not propose any change to your draft.

In respect of non-compliances with the CSM this is common for a Level 2 event which by its nature could encompass a vast range of surveillance activities, therefore a document that provided specific instruction or guidance on this would need to be significantly larger in volume than what we currently have and this would be counter-productive to good surveillance practices.

Personally I would not like to see any team routinely diverging from the CSM and if the team or individuals have issues with certain requirements I'd encourage raising a 'Form 1305 continuous improvement' and submitting to the SSO.

Regards

[REDACTED]
[REDACTED]
CASA \ Aviation Group

[REDACTED]
1 Caudron Ave, Cairns Airport, QLD 4870
GPO Box 2005, Canberra ACT 2601
www.casa.gov.au



From: Hanton, Jonathan
Sent: Monday, 20 November 2017 10:33 AM
To: [REDACTED]
Subject: CSM [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi [REDACTED]

Thanks for your time earlier this month when you explained the operation of the CSM for Level 2 Surveillance events. I've lost my notes on what you said, but I recall your comments about non-compliance of the kind I set out not being uncommon given the prescriptive nature of the Manual's requirements.

Could I ask for your assistance to review what I've drafted below and expand or retract as necessary?

Thanks!

Jonathan

Investigation handling — alleged breaches of policies and manuals

With respect to any issues related to the condition of the B737 tyre, I note you have framed the complaint as it relates '*....to the handling of the investigation and what appear as many breaches of CASA policies and manuals.*'

I agree that with respect to the enquiries undertaken into the tyre during CASA's visit to Townsville there were a number of instances where the CASA Surveillance Manual ('CSM') wasn't complied with. Some examples of CASA diverging from the CSM in the planning and completion of the Level 2 surveillance event in Townsville in February 2017 include:

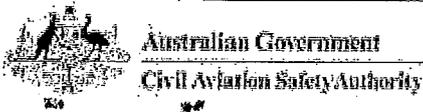
- Any request for the proposed surveillance developed by the Authorisation Management Team was informal, and doesn't appear to have been based on an AHPI assessment as suggested in the CSM. There's also no information a 'surveillance request' (see CSM 4.2.4.7) was produced or approved.
- There is no evidence forms listed as mandatory in the CSM were completed — for instance Form 1297 (Surveillance Checklist Form — see CSM 4.4.4.4) or Form 1289 Surveillance Event Record of Conversation).

The above variations from the CSM mean the surveillance event wasn't completed in accordance with CASA's Surveillance Policy (CASA Regulatory Policy — DAS-PN021-2010). That policy states '*CASA should ensure that all surveillance processes are appropriately documented and, when deployed, are conducted in accordance with documented procedures.*'

Considering all the above information, I agree with your complaint that CASA's Townsville Level 2 surveillance breached both the CSM and Surveillance Policy. On the basis of the peer review, there's no basis, however, to conclude the substantive outcome was tainted or rendered incorrect by this failure.

In reaching that conclusion, I've taken into account advice from a CASA Regional Manager unaware of the specific personnel, background, or operator involved in your complaint. That Regional Manager set out that given the overly prescriptive nature of the CSM, failures to comply with mandated procedures are not uncommon.

Jonathan Hanton
Industry Complaints Commissioner
Civil Aviation Safety Authority
Aviation House | 16 Furzer Street | Phillip | ACT 2606
T +61 2 6217 1249 | E jonathan.hanton@casa.gov.au



Schedule of documents

No.	Date of document	Description of document	Decision
1	14-18 July 2017	Email chain between CASA officers, including email from you to CASA on 14 July 2017	Part exempt – s 47F
2	10 May 2017	Summary of discussions resulting from ALAEA complaint document	Exempt – s 47C, 47F, s 47E(c)
3	14-18 July 2017	Email chain between CASA officers, including email from you to CASA on 14 July 2017	Part exempt – s 47F
4	18 July 2017	Email chain between CASA officers	Release
5	19 July 2017	Email between CASA officers	Part exempt – s 47G(1)(a)
6	21 February 2016	Qantas investigation report	Release
7		Letter to CASA ICC from you, containing redactions made by ICC	Release
8		Tyre wear photograph provided by you	Release
9		Tyre wear photograph provided by you	Release
10		Photograph of Qantas technical log provided by you	Release
11	4 May 2017	CASA Surveillance Report – Qantas Airways Ltd	Part exempt – s 47F, s 47E(d), s 47G(1)(a)
12	19-24 July 2017	Email chain between CASA officers	Release
13		CASA peer review	Exempt – s 47C
14	19-24 July 2017	Email chain between CASA officers	Release
15	21 July 2017	Email between CASA officers with attachment of Boeing 737 Aircraft Maintenance Manual	Part exempt – s 47F
16	7 August-21 September 2017	Email chain between CASA officers	Part exempt – s 47F
17	21 September 2017	Response to CASA peer review by CASA officer	Exempt – s 47C
18		CASA Industry Complaints Commissioner New Complaint submitted by you	Release
19	4 July 2017	Letter to Fred van der Heide from you	Release
20	13 July 2017	Letter to you from Fred van der Heide	Release

Gobbitt, David

From: Clark, Hugh
Sent: Tuesday, 18 July 2017 9:28 AM
To: Hanton, Jonathan
Subject: FW: Today's complaint [DLM=Sensitive:Legal]
Attachments: ALAEA complaint re Townsville accident January 2017.docx

Sensitive: Legal

Hi Jonathon,
Could you confirm what you would like reviewed please and what format the feedback is to be provided.
Could you also confirm the trim file for all correspondence/information to be recorded.

Regards

Hugh Clark
Certificate Team Manager
Eastern Region
Safety Assurance Branch
CASA\Aviation Group
P: 07 3144 7563 M: 0401 620452
12-14 The Circuit, Brisbane, QLD 4008
GPO Box 2005, Canberra ACT 2601
www.casa.gov.au



Safe Skies for All



Australian Government
Civil Aviation Safety Authority

From: Martin, Craig
Sent: Tuesday, 18 July 2017 8:01 AM
To: Clark, Hugh
Cc: Miller-Bridges, Lisa
Subject: FW: Today's complaint [DLM=Sensitive:Legal]

Sensitive: Legal

Hugh

Graeme has requested a peer review of the issue detailed below. Can I request that you contact Jonathan Hanton to establish the nature of the review required, including subsequent report expectations prior to initiation of the activity.

Don't hesitate to drop by to discuss.

Regards

Craig

Craig Martin

Region Manager | Eastern Region
Safety Assurance Branch
CASA\Aviation Group
p: 07 3144 7451 m: 0477 329 409
GPO Box 2005, Canberra ACT 2601
www.casa.gov.au



From: van der Heide, Fred
Sent: Monday, 17 July 2017 3:56 PM
To: Martin, Craig; Crawford, Graeme; Hanton, Jonathan
Subject: RE: Today's complaint [DLM=Sensitive:Legal]

Sensitive: Legal

Graig,

F17/521 relates to the photos. F14/5923-16 has further information. There was also an FOI request which was handled by David Gobbit.

I've attached a word document that Ian sent to David with the file numbers

Fred

From: Martin, Craig
Sent: Monday, 17 July 2017 12:15 PM
To: Crawford, Graeme; Hanton, Jonathan; van der Heide, Fred
Subject: RE: Today's complaint [DLM=Sensitive:Legal]

Sensitive: Legal

Graeme

No problem. Can you please forward the relevant documents/photos?

Regards

Craig

Craig Martin
Region Manager | Eastern Region
Safety Assurance Branch
CASA\Aviation Group
p: 07 3144 7451 m: 0477 329 409
GPO Box 2005, Canberra ACT 2601
www.casa.gov.au



From: Crawford, Graeme
Sent: Monday, 17 July 2017 12:05 PM
To: Hanton, Jonathan; van der Heide, Fred; Martin, Craig
Subject: RE: Today's complaint [DLM=Sensitive:Legal]

Sensitive: Legal

Jonathan - I notice from the correspondence from Mr Purvinas that the photographic evidence he has provided is of the tyre once it arrived at BNE, we really need a photo of the tyre in Townsville prior to departure to BNE to ascertain whether the condition was unsuitable for doing the next sector (could be argued that it was as the aircraft landed without incident in BNE). Can you request Mr Purvinas provide photographic evidence of the tyre condition in Townsville i.e. prior to departure to BNE..

Craig - We might need you to nominate someone to conduct a peer review of the B737 tyre condition as shown in the provided photographs.

Regards,
Graeme

Graeme M. Crawford

Acting CEO & Director Aviation Safety

Civil Aviation Safety Authority

Australian Government

p: 02 6217 1330 m: 0400 672 574

e: graeme.crawford@casa.gov.au

Level 3, 16 Furzer Street, Phillip, Canberra, ACT 2606

www.casa.gov.au



From: Hanton, Jonathan
Sent: Monday, 17 July 2017 11:51 AM
To: Crawford, Graeme; van der Heide, Fred
Subject: FW: Today's complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello both

Please find attached a complaint from Mr Steve Purvinas. In summary, Mr Purvinas challenges the adequacy of CASA's investigation into an event he reported earlier this year about a tyre on a Qantas flight from Townsville to Brisbane. Mr Purvinas makes reference to the absence of a number of CASA forms he would've expected to see pursuant to CASA policy.

Could you please review the attached letter and provide CASA's response to each issue raised for my information? It would be helpful if this could be available by 31 July.

Also, it seems much of the matter hinges on the issue of whether the tyre was serviceable. Graeme, could you nominate a comparable CMT in another region to peer review the photo and any other information?

Thanks

Jonathan

From: Roberts, Karen
Sent: Monday, 17 July 2017 11:04 AM
To: Hanton, Jonathan
Subject: FW: Today's complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

From: Federal Secretary [<mailto:fedsec@alaea.asn.au>]
Sent: Friday, 14 July 2017 7:38 PM
To: Roberts, Karen
Cc: Steve Re
Subject: Today's complaint

Hi Karen,

Complaint to add to others thnx.

Cheers
Steve Purvinas

Summary of discussions resulting of ALAEA complaint received by CASA from ALAEA on 13 January 2017.

- Ian James received two emails from CASA Hotline Mailbox on 13 January 2017 requesting a review of complaints from the ALAEA
- On 16 January 2017, Ian James (Acting certificate Team manager) and Ken Anning (Airworthiness Inspector) met with the CAMO, Part 42, Quality Manager (QM) to discuss the complaints.
Qantas indicated that they had received a similar complaint from the ALAEA and that they did not agree with all the concerns raised. The QM confirmed that independently both Jetstar and Qantas have asked the Qantas Group safety to carry out an independent investigation on behalf of each AOC/CAMO.
CASA agreed to take no further action until the investigation was completed.
- On or about 17 February, I was permitted to read the draft comprehensive report completed by QGS on behalf of Qantas, I did not take any notes. I discussed this with my Regional Manager and decided to send two Airworthiness inspectors to Townsville and Brisbane heavy maintenance for a level 2 surveillance of each facility.
- On 23 February I received an email from Qantas manager fleet Operations- Airbus regarding the TCASA defect complaint raised by Mr. Purvinas, his reply was reviewed by both CASA Flight Ops and Airworthiness Inspectors and found satisfactory. On file.
- On 27 February I received a request for the two inspectors in Townsville to discuss with Mr Aaron Grech some information regarding breaches and inappropriate procedures. I contacted both inspectors by phone to see if they were willing to talk with Mr. Grech while they were in Townsville, they agreed without hesitation.
- On 10th March I received an email again from CASA Safety Assurance Communication & Reporting, this included complaints about actions of two CMT3 Inspectors (not "investigators" as the email stated) during their visit to Townsville. Both inspectors are highly regarded throughout the Australian and Overseas Aviation maintenance industry and were perturbed by the language used by Mr. Purvinas in describing their actions. This followed some heated discussions, including threats of resignation, which required my intervention and counselling to advise the two inspectors that they had my full support and that their actions were not inappropriate.
- A Sky Sentinel surveillance event, 12745 and report, 26123 was raised, both in HP file F14/5923-16.
- I believed that Qantas followed their own internal procedures and no action was required against any individuals.
- All Records and e-mails are on HP8 Files F17/521 and F14/5923-14

Ian James
Certificate Team Manager
Sydney Region
Safety Assurance

Gobbitt, David

From: Hanton, Jonathan
Sent: Tuesday, 18 July 2017 9:43 AM
To: Roberts, Karen
Subject: FW: Today's complaint [DLM=Sensitive:Legal]

Sensitive: Legal

FYI

From: Hanton, Jonathan
Sent: Tuesday, 18 July 2017 9:31 AM
To: Martin, Craig; van der Heide, Fred; Crawford, Graeme
Cc: Clark, Hugh
Subject: RE: Today's complaint [DLM=Sensitive:Legal]

Sensitive: Legal

Thanks Craig. Due to unforeseen circumstances, another Region is now going to assess the tyre.

Fred – I'll use the information you provided Craig yesterday as the basis of that review.

If you have any additional information to provide or queries, please can this be directed to me rather than to the Region involved.

Thanks again everyone for your help.

From: Martin, Craig
Sent: Tuesday, 18 July 2017 7:59 AM
To: van der Heide, Fred; Crawford, Graeme; Hanton, Jonathan
Subject: RE: Today's complaint [DLM=Sensitive:Legal]

Sensitive: Legal

Fred

Thank you for the links. I will ask CTM Hugh Clark (AWI discipline) to review the issue.

Jonathan, Hugh will seek guidance from you as to the context and output expectations for the review.

Kind regards

Craig

Craig Martin
Region Manager | Eastern Region
Safety Assurance Branch
CASA\Aviation Group
p: 07 3144 7451 m: 0477 329 409
GPO Box 2005, Canberra ACT 2601
www.casa.gov.au



From: van der Heide, Fred
Sent: Monday, 17 July 2017 3:56 PM
To: Martin, Craig; Crawford, Graeme; Hanton, Jonathan
Subject: RE: Today's complaint [DLM=Sensitive:Legal]

Sensitive: Legal

Graig,

F17/521 relates to the photos. F14/5923-16 has further information. There was also an FOI request which was handled by David Gobbit.

I've attached a word document that Ian sent to David with the file numbers

Fred

From: Martin, Craig
Sent: Monday, 17 July 2017 12:15 PM
To: Crawford, Graeme; Hanton, Jonathan; van der Heide, Fred
Subject: RE: Today's complaint [DLM=Sensitive:Legal]

Sensitive: Legal

Graeme

No problem. Can you please forward the relevant documents/photos?

Regards

Craig

Craig Martin
Region Manager | Eastern Region
Safety Assurance Branch
CASA\Aviation Group
p: 07 3144 7451 m: 0477 329 409
GPO Box 2005, Canberra ACT 2601
www.casa.gov.au



From: Crawford, Graeme
Sent: Monday, 17 July 2017 12:05 PM
To: Hanton, Jonathan; van der Heide, Fred; Martin, Craig
Subject: RE: Today's complaint [DLM=Sensitive:Legal]

Sensitive: Legal

Jonathan - I notice from the correspondence from Mr Purvinas that the photographic evidence he has provided is of the tyre once it arrived at BNE, we really need a photo of the tyre in Townsville prior to departure to BNE to ascertain whether the condition was unsuitable for doing the next sector (could be argued that it was as the aircraft landed without incident in BNE). Can you request Mr Purvinas provide photographic evidence of the tyre condition in Townsville i.e. prior to departure to BNE..

Craig - We might need you to nominate someone to conduct a peer review of the B737 tyre condition as shown in the provided photographs.

Regards,
Graeme

Graeme M. Crawford

Acting CEO & Director Aviation Safety

Civil Aviation Safety Authority

Australian Government

p: 02 6217 1330 m: 0400 672 574

e: graeme.crawford@casa.gov.au

Level 3, 16 Furzer Street, Phillip, Canberra, ACT 2606

www.casa.gov.au



From: Hanton, Jonathan
Sent: Monday, 17 July 2017 11:51 AM
To: Crawford, Graeme; van der Heide, Fred
Subject: FW: Today's complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hello both

Please find attached a complaint from Mr Steve Purvinas. In summary, Mr Purvinas challenges the adequacy of CASA's investigation into an event he reported earlier this year about a tyre on a Qantas flight from Townsville to Brisbane. Mr Purvinas makes reference to the absence of a number of CASA forms he would've expected to see pursuant to CASA policy.

Could you please review the attached letter and provide CASA's response to each issue raised for my information? It would be helpful if this could be available by 31 July.

Also, it seems much of the matter hinges on the issue of whether the tyre was serviceable. Graeme, could you nominate a comparable CMT in another region to peer review the photo and any other information?

Thanks

Jonathan

From: Roberts, Karen
Sent: Monday, 17 July 2017 11:04 AM
To: Hanton, Jonathan
Subject: FW: Today's complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

From: Federal Secretary [<mailto:fedsec@alaea.asn.au>]
Sent: Friday, 14 July 2017 7:38 PM
To: Roberts, Karen
Cc: Steve Re
Subject: Today's complaint

Hi Karen,

Complaint to add to others thnx.

Cheers
Steve Purvinas

Gobbitt, David

From: Richards, Owen
Sent: Tuesday, 18 July 2017 9:56 AM
To: Hanton, Jonathan; Massey, Michelle
Subject: RE: Complaint - peer review request [DLM=Sensitive:Legal]

Sensitive: Legal

Jonathan,

I course, please fwd.

Thanks

Owen

From: Hanton, Jonathan
Sent: Tuesday, 18 July 2017 9:38 AM
To: Massey, Michelle; Richards, Owen
Subject: Complaint - peer review request [DLM=Sensitive:Legal]

Sensitive: Legal

Hi Michelle and Owen

I'm investigating a complaint about CASA's response to a tip off about the condition of a tyre on a B737. I'd arranged for a peer review and unfortunately due to a communication breakdown there wasn't a sufficient quarantine between the two CMTs.

Owen would someone in your team be able to conduct a desktop review on the condition of the tyre? If you have some availability, I'll prepare the available information and get that to you this week. There's no urgency attached to the task.

Thanks

Jonathan

Gobbitt, David

From: Hanton, Jonathan
Sent: Wednesday, 19 July 2017 10:23 AM
To: Richards, Owen
Cc: Massey, Michelle
Subject: B737 tyre [DLM=Sensitive:Legal]
Attachments: Qantas investigation report.pdf; Tech log.jpg; Complaint details OR.pdf; D17 152910 Qantas Airways Limited - ARN 216147 - Sky Sentinel Event Number 12745 - SurvReport-26123(2).pdf; Tyre pics.pdf

Sensitive: Legal

Hi Owen

As discussed yesterday, I've attached the following:

- the relevant parts of the complaint
- the tech log prior to departure from Townsville
- a photograph of the tyre after its removal in Brisbane
- CASA's Surveillance Report
- Qantas' Investigation Report

In terms of the review, you'll see at (E) of the complaint, it's inferred CASA shouldn't have accepted Qantas' explanation and closed the investigation. Taking into account the further points of complaint at (F) – (H), can you review if that was the right outcome? If there is additional information required, please let me know directly rather than contacting the overseeing CMT.

Thanks again for your help. In terms of turnaround, there isn't an immediate need for a response so sometime in week commencing 31 July would be fine.

Jonathan



INVESTIGATION REPORT

48 Hour Scoping Document

Preliminary Factual Report

Publication Title

VH-VXP Wheel Replacement

Investigation Scope

This investigation will seek to accurately describe the reported occurrence or risk and identify all relevant causal and contributing factors. With particular focus given to the following areas:

- Understand the perception of the engineer with regards to the serviceability and airworthiness of the aircraft
- Understanding how individuals work alone and what arrangements are in place to assist when required
- Why the Form 500 that was submitted did not contain the extent of the perceived risk that was later reported
- Involvement of MOC to ascertain the serviceability of the aircraft tyre
- Understanding Aircraft Planning requirements
- The differences between Check 2 tyre limits and the limits set within the AMM

Note: It is not the purpose of this investigation to apportion blame or liability.

Summary

Occurrence No.	16-011316	Occurrence Date	09/12/2016	Risk Rating	Very Low
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Investigation No.	17/SI/48	Requested Date	13/02/2017	Publication Date	21/02/2016
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Lead Investigator	Michael Kilbke	Business Unit Risk Owner	Qantas Engineering
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Quality Assurance	Norman Schuck	Investigation Team	Gareth McGraw
-------------------	---------------	--------------------	---------------

Distribution list

- Mark Sinclair – Head of QE Safety, Quality and Compliance - Qantas Engineering
- Nick Ward – Manager Audit and Investigation, Qantas Engineering (Service Requestor)
- David Balchin – Manager Safety Monitoring and Investigation, Qantas Engineering
- Darren Cook – Manager Compliance and Support, Qantas Engineering
- Mark Strange – Manager Cairns Line Maintenance Operations, Qantas Engineering
- Colin Arnott – EM Safety Security Quality and Compliance – Qantas Airlines
- James Redgrove – Acting Head of Investigations, Safety Services
- Norman Schuck – Manager Operations Investigation, Safety Services

The information contained in this preliminary factual report is derived from the initial stages of investigation discussions, interviews and evidence relating to the occurrence. Readers are cautioned that new evidence may become available that alters the circumstances as

Milestone	Key date	Responsibility
Investigation requested	13 February 2017	B/U
Scoping document distributed	16 February 2017	INV
Preliminary factual distributed	21 February 2017	INV
30 day stakeholder meeting	Due 15 May 2017	INV
Draft investigation report distributed to Heads of Safety	Due 04 April 2017	INV
Final investigation report distributed (Actions Pending)	Due 14 April 2017	INV
Final investigation report distributed (Actions)	Due 24 April 2017	INV

Preliminary Factual Information

On the 9th of December 2016, a Boeing 737 registered VH-VXP was undergoing a Check 2 at Townsville Airport, when engineers became aware of a tyre that was approaching wear limits.

Townsville airport is a maintenance port which is staffed by appropriately trained and qualified LAMEs. On the night of the 8th of December 2016 LAME 1, a B1 and B2 Licenced Aircraft Maintenance Engineer, was rostered on.

When LAME 1 became aware of the worn tyre he attempted to call the Senior LAME who was at home, to request his assistance. The Senior LAME did not answer several calls that were made by LAME 1.

LAME 1 then sought the advice of the Aircraft Maintenance Manual (AMM) to ascertain if the main wheel tyre was indeed unserviceable. LAME 1 then spoke with Brisbane Line Maintenance to ensure that the tyre could be replaced in the morning without too much effort. This was confirmed.

LAME 1 also spoke with Maintenance Watch to confirm the above and that it was known that the aircraft would require a tyre replacement once landing in Brisbane.

LAME 1 then created a tech log entry which stated the following;

ON A/C ARRIVAL FOUND #1 WHEEL TYRE WEAR HAS TREAD REINFORCEMENT / CUT PROTECTOR PLY WEAR (EXPOSED)

This was deferred, to be rectified at a later time with the following entry;

DUE TO INSUFFICIENT MANPOWER AVAILABLE & AMM TASK 32-45-00-700-803 ALLOWANCES FOR THIS SITUATION, THE TYRE MAY CONTINUE IN SERVICE WITHOUT SAFETY CONCERNS, BUT MUST BE REPLACED AT THE NEXT N37-838-CHECK 2. TO HOLD. MOC NOTIFIED.

The above tech log entry was made at 0244 AEST on 09 February 2017. The aircraft then operated to Brisbane where the wheel was replaced with a serviceable item. As this replacement incurred an aircraft delay the rectifying engineer submitted a Form 500 Delay Report. As this report did not contain any information about a potential quality related issue or error, the report was not actioned as per standard process.

Post event report

On the 1st of February 2017, the below photos and report were received from the Civil Australian Safety Authority (CASA) which detailed communications with the Australian Licensed Aircraft Engineers Association (ALAEA). This report raised the concern around man power levels in Townsville and that the tyre had been released to service due to a reported lack of manpower.

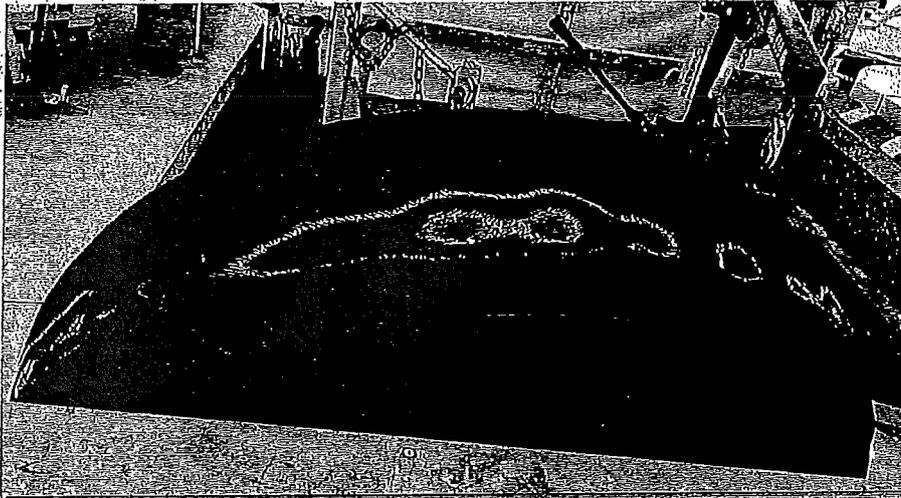


Figure 1: Tyre wear



Figure 2: Tyre wear

Decision to Release Tyre

Originally there was concerns that the condition of the tyre in Townsville was not serviceable but LAME 1 stated that the above tyre wear was present on the tyre but the cut to the tread was not present at the time of inspection or it was not visible. This is consistent with both the AMM and Check 2 guidelines.

The Check 2 has a note in it which wording states that:

NOTE: If spares are not available, the tyre may continue in service without safety concerns but MUST be replaced at the next CHECK2. A HOLD item must be raised and MOG must be notified.

Tyre replacement

The aircraft tyre weighs 180 KG which is difficult for one person to move around, it is recommended that tyre replacements are not carried out with one person present. No specific advice can be found regarding this however LAME 1 did recall advice some years ago, where engineers were informed that wheel replacements were not to be conducted on their own.

To seat the wheel bearing an initial 'run up' torque on the wheel nut is applied, the torque that is required to achieve is 600 FT LBS. Which is approximately 68KG on the end of a four foot Torque Wrench, the procedure also calls for the wheel to be simultaneously rotated as torque is applied to the wheel nut.

Investigation to date

Onsite visit in Townsville conducted

Interviews with LAME 1 and Townsville management

Interviews with LAME 2 in Brisbane conducted, LAME 2 submitted the Form 500 relating to the subsequent delay of VH-VXP when

Applicable procedures and manual references have been gained

Investigator COMMENTS

It appears that the motivation for LAME 1 to release the aircraft to service was sound and the aircraft was serviceable. The LAME has exhibited good risk management principles and ensured that all parties were informed of his decision to defer the maintenance.

It is unlikely that the investigation will be able to determine whom released the photos to the external party.

CASA Industry Complaints Commissioner New Complaint

[REDACTED]

Please provide details of your complaint:

[REDACTED]
[REDACTED] This complaint is multifaceted and is specific to the handling of a badly worn tyre on a Qantas 737 aircraft I had reported to CASA on February 1st, 2017.

In brief, the tyre was allowed to continue in service after being inspected by a LAME in Townsville. The LAME noted in the Tech Log that he could not replace the tyre due to "insufficient manpower". The aircraft then flew from Townsville to Brisbane with the tyre in the badly worn state where it was replaced. A photo of the worn tyre was taken (and supplied with my original complaint) showing the condition of the tyre on arrival in Brisbane.

My complaint was about the Townsville to Brisbane sector. I raised the concern about the decision made by the LAME to allow the aircraft to fly this sector and indirectly against the airline he works for (Qantas). The FOI documents show admittance that the tyre wear was present when he released the aircraft from Townsville.

[REDACTED]
[REDACTED]
The complaints relate to the handling of the investigation and what appear as many breaches of CASA policies and manuals.

From the FOI documents released, a surveillance event number 12745 was generated from my original complaint. Surveillance was undertaken over the period of February 27th 2017 to March 2nd 2017. The only other relevant document on file was a copy of Qantas' own internal investigation sent to CASA on 21st February 2017. Nil adverse findings were noted at the conclusion of the investigation. My complaints are as follows –

- A. [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

E. CASA appear to have accepted without question Qantas' own report clearing Qantas of any wrongdoing. The Qantas internal report was sent prior to the Townsville surveillance event and without any evidence. The final CASA decision to clear Qantas and their LAME of any wrongdoing appears to have been made by a person (AWI) acting under dictation of the investigated parties, Qantas and their LAME. In simple terms, it appears that Qantas and the LAME said the tyre was ok, that explanation was accepted and the Investigation was closed. Please refer to CASA Governance Framework 1.2.1 Law, Policy and Decision Making.

F. The CASA records are so lacking that the type of tyre involved in the suspected breach is not even recorded. The aircraft in question can have two completely different types of tyre fitted each with prescriptive and different minimum tread limits. As a minimum, it would be expected that a proper investigation would have thoroughly examined the tyre make, part number and manufacturer. The LAME in question even seems to have not known the type of tyre fitted as the Tech Log entry I supplied CASA along with the original complaint refers to a cut protector that in this case, does not form part of the worn tyre.

G. No contact was made with the Brisbane LAME who replaced the tyre. A proper evidence based investigation would certainly have involved other witnesses to this event and key to that process would be those persons who changed the tyre post flight.

H. The complaint I had made about pressure being applied to the LAME to release the aircraft has not been investigated. That he did not change the tyre due to insufficient manpower is not in dispute. [REDACTED] has dismissed this as irrelevant on the basis that the tyre was serviceable. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] CASA officer [REDACTED] accepts that the tyre was within limits before it flew [REDACTED] is acutely aware of the

requirement to collect and preserve evidence as per his "advice" to me in closing the same letter highlighting the importance of ensuring an appropriate chain of evidence.

What outcome are you seeking?

[REDACTED]

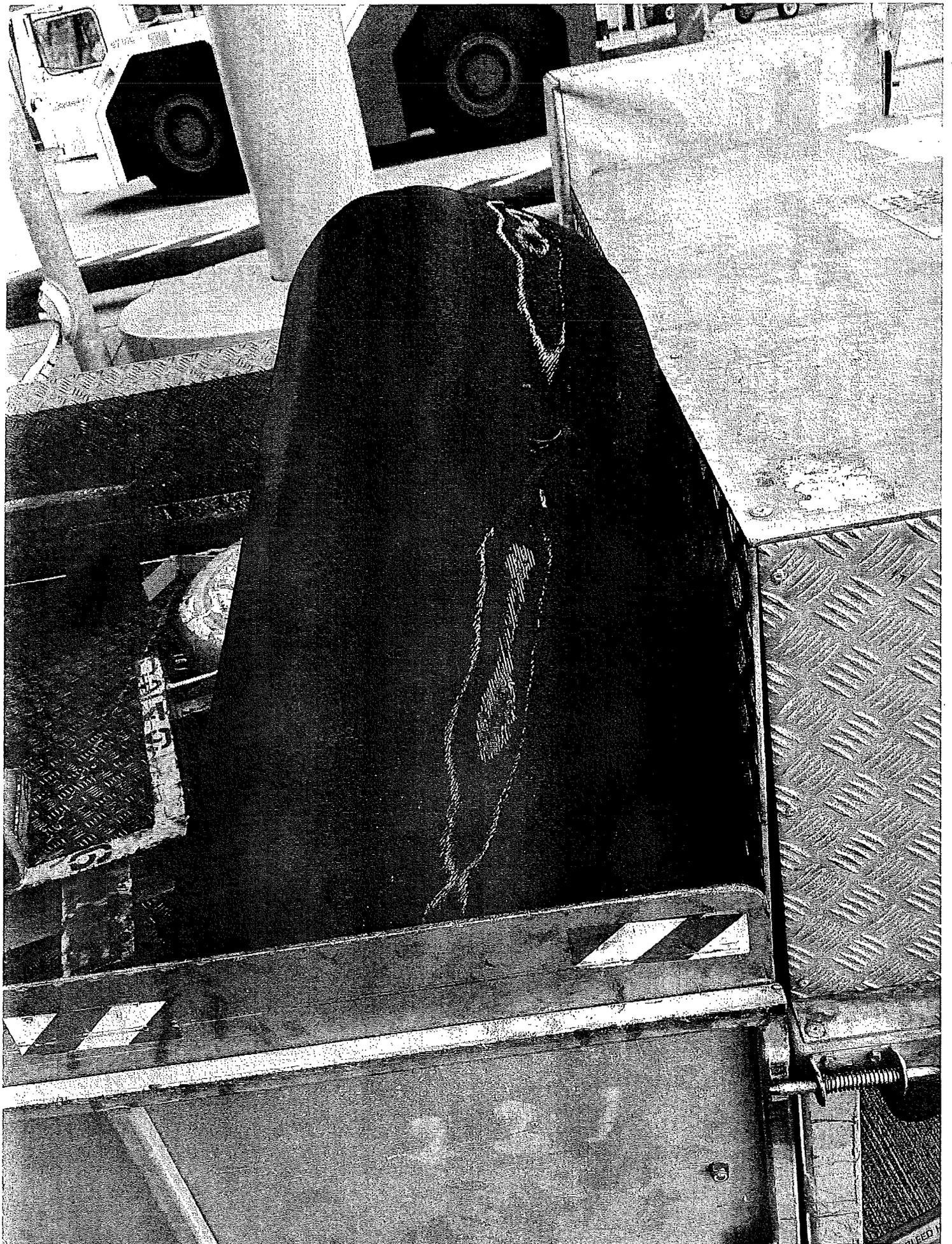
I seek another investigation into the original tyre complaint to be undertaken by the Melbourne branch of CASA in the presence of the Mr Steve Re, the ALAEA Technical Manager.

[REDACTED]

Further instructions (for example, preferred time to call, or if you need an interpreter):

I'm always available to discuss this matter with the ICC as it is being investigated.





STATION COPY

TECHNICAL LOG

FLIGHT NUMBER	DEP	ARR	TYPE	REGO	D	D	M	M	Y	Y	SEQ
978	BNS	TSX	TVH	VXP	08	DEC	14	05			

ON A/E ARRIVAL FOUND #1 WHEEL TYRE WEAR HAS
TREAD REINFORCEMENT / CUT PROTECTOR PLY WEAR (EXPOSED)

Reported By: FORD Staff No: 558930

DUE TO INSUFFICIENT MANPOWER AVAILABLE &
A/M/TASK 32-45-00-700-803 ALLOWANCES FOR THIS
SITUATION, THE TYRE MAY CONTINUE IN SERVICE WITHOUT
SAFETY CONCERNS, BUT MUST BE REPLACED AT THE
NEXT A37-838-CHECK 2. TO HOLD. MOC NOTIFIED.

ATA 3245

AME Sign (Action)

AME Staff Number (Action)

Certifier Sign (Action)

Auth Number (Action)

08 DEC 16

Part Number OFF	Serial Number OFF
Part Number ON	Serial/Release/GRN Number ON
Deferral Reference	Category Limit OP MOC Authority Number

Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	AME Sign (OIL)	AME Staff Number (OIL)	Certifier Sign (OIL)	Auth Number (OIL)	Date DDMMYY
---------------------------------------------------------------------	----------------	------------------------	----------------------	-------------------	-------------

QANTAS	FR Controls Disturbed	
CASR	Alarons	<input type="checkbox"/>
1-25K12	Spacers	<input type="checkbox"/>
moding Co	L/E Flaps	<input type="checkbox"/>
	T/E Flaps	<input type="checkbox"/>
	Rudder	<input type="checkbox"/>

Mx Work Package ID (If associated with this CRS) T

Certifies that the work specified except as otherwise specified was carried out in accordance with Division 42.1 of CASR Part 42 and in respect to that work the aircraft is considered ready for Release to Service.

Date DDMMYY ETOPS Y



Australian Government

Civil Aviation Safety Authority

SURVEILLANCE REPORT

Qantas Airways Ltd

ARN: 216147

AMO

Surveillance Dates: 27/02/2017 to 02/03/2017

Executive Summary

Sydney Region (SR) based airworthiness inspectors Peter Harding (PH) and Allen Mitchell (AM) were tasked by the SR Manager Fred van der Heide and CMT3 manager Ian James to visit the Qantas (QE) Townsville (TSV) port to gain an understanding of two events, where an air start unit contacted a Jetstar aircraft and a Qantas aircraft was despatched with a worn tyre.

PH and AM attended TSV on 27-28 February 2017. Qantas management staff were in attendance in TSV in support of the visit. These were Nick Ward (NW), Mark Strange (MS) and s 47F

s 47F was responsible for prepositioning an air start (ASU) unit on bay 1 in preparation for the transit of a Jetstar (JQ) aircraft with a unserviceable auxiliary power unit on 12th November 2016. This incorrect positioning caused contact between the #1 engine and the ASU on aircraft arrival. During a conversation on 27 FEB 2017 s 47F gave PH and AM an explanation of the event, admitting he had made an error in judgement positioning the ASU. Following the event s 47F was subjected to Drug and Alcohol Management Program (DAMP) requirements and followed the Qantas fatigue procedures.

Nick Ward advised that Qantas Group Safety Services (QGSS) had carried out separate investigations for both QE and JQ. Report not available to PH or AM at the time

s 47F the certifying TSV based LAME came in on a day off to provide PH and AM an explanation re his assessment of the worn tyre which was a scheduled overnight aircraft on 09 December 2016. s 47F used the QE Check 2 sheets and the aircraft maintenance manual to assess the tyre status, consulted with Qantas maintenance watch, senior engineer in Brisbane line maintenance and colleagues in QE Cairns. s 47F gave a solid explanation as to achieving his determination that while the tyre was worn it was still serviceable and had arranged that the tyre be replaced on arrival in Brisbane.

s 47E(d)

Peter Harding
Surveillance Lead
04/05/2017

Statement of confidential nature of the contents

This Surveillance Report is a confidential document between CASA and the authorisation holder. CASA will not disclose this report or its content to any third person except, in pursuance of its functions, with the express permission of the authorisation holder or as required by law.

Surveillance objective

The objective of the surveillance is to assess the ability and willingness of an authorisation holder to comply with all applicable legislative obligations.

Surveillance team

Name	Discipline
Peter Harding (Lead)	Airworthiness Inspector
Allen Mitchell	Airworthiness Inspector

Surveillance scope

The surveillance scope is the extent and boundaries of the surveillance activity.

Scope item	Findings Issued
AMO Operations	NII
Personnel Rostering	NII
Personnel Standards	NII
Maintenance Activity	NII
Tooling and Equipment	NII

- * Item added to original scope
- ** Item originally scoped but not completed

Summary of surveillance findings

Surveillance finding(s) are the result of the evaluation of the collected surveillance evidence against the surveillance criteria.

No findings issued.

Gobbitt, David

From: Richards, Owen
Sent: Monday, 24 July 2017 3:00 PM
To: Hanton, Jonathan
Cc: Aceruzumoglu, Ekrem
Subject: FW: B737 tyre [DLM=Sensitive:Legal]
Attachments: Report to Owen on Qantas Worn Tyre 24 JUL 17.docx

Sensitive: Legal

Jonathan,

AWI Aceruzumoglu has examined the documentation you provided and has provided a report of the event. Ekrem and I are willing to provide further feedback as required.

Thanks

Owen

From: Aceruzumoglu, Ekrem
Sent: Monday, 24 July 2017 1:19 PM
To: Richards, Owen
Subject: RE: B737 tyre [DLM=Sensitive:Legal]

Sensitive: Legal

Owen

Please see attached report on my interpretation on the reports and documents pertaining to the worn tyre complaint to CASA.

Kind regards
Ekrem

From: Richards, Owen
Sent: Friday, 21 July 2017 11:14 AM
To: Aceruzumoglu, Ekrem
Subject: FW: B737 tyre [DLM=Sensitive:Legal]

Sensitive: Legal

Ekrem,

.Appreciate your review of the attached reports.

If you could come back to me in the first instance.

Thanks

Owen

From: Hanton, Jonathan
Sent: Wednesday, 19 July 2017 10:23 AM
To: Richards, Owen
Cc: Massey, Michelle
Subject: B737 tyre [DLM=Sensitive:Legal]

Sensitive: Legal

Hi Owen

As discussed yesterday, I've attached the following:

- the relevant parts of the complaint
- the tech log prior to departure from Townsville
- a photograph of the tyre after its removal in Brisbane
- CASA's Surveillance Report
- Qantas' Investigation Report

In terms of the review, you'll see at (E) of the complaint, it's inferred CASA shouldn't have accepted Qantas' explanation and closed the investigation. Taking into account the further points of complaint at (F) – (H), can you review if that was the right outcome? If there is additional information required, please let me know directly rather than contacting the oversighting CMT.

Thanks again for your help. In terms of turnaround, there isn't an immediate need for a response so sometime in week commencing 31 July would be fine.

Jonathan

Owen

I have reviewed the following documents you have asked me to review.

1. Qantas Investigation Report – 17/SI/48 – VH-VXP Wheel Replacement
2. CASA Industry Complaints Commissioner New Complaint Report
3. CASA Surveillance Report Surveillance Event Number 12745/Report ID 26123
4. Qantas Technical Log for aircraft VH-VXP dated 08 Dec 2016, SEQ 405
5. Two images of an aircraft tyre with obvious tread wear damage exhibiting flat spot and skid burn marks indications extending into the fabric plies.

Qantas Technical Log

As a result of my review of the above referenced documents, I have made the following observations and suggestions.

Defect entry on Technical Log SE 405 recorded by Ford Staff No. 558930 states:

"ON A/C ARRIVAL FOUND #1 WHEEL TYRE WEAR HAS TREAD REINFORCEMENT/CUT PROTECTOR PLY WEAR (EXPOSED)"

The certifying engineer, (Authority number QE400981) subsequently deferred the worn tyre defect citing:

"DUE TO INSUFFICIENT MANPOWER AVAILABLE & AMM TASK 32-45-00-700-803 ALLOWANCES FOR THIS SITUATION, THE TYRE MAY CONTINUE IN SERVICE WITHOUT SAFETY CONCERNS, BUT MUST BE REPLACED AT THE NEXT N37-838-CHECK 2. TO HOLD. MOC NOTIFIED."

My observation on the above entries in the Technical Log is based on the tyre images sighted. The tyre in question appears to be a bias type of tyre, therefore, according to the relevant Boeing Aircraft Maintenance Manual (AMM), bias tyres by design do not have cut protectors.

Qantas Investigation Report VH-VXP Wheel Replacement – 17/SI/48

The Qantas Investigation report provides a scope for the investigation, (extract below). However, the report falls short in addressing the issues that were raised as scoped items.

Investigation Scope

This investigation will seek to accurately describe the reported occurrence or risk and identify all relevant causal and contributing factors. With particular focus given to the following areas:

- Understand the perception of the engineer with regards to the serviceability and airworthiness of the aircraft
- Understanding how individuals work alone and what arrangements are in place to assist when required
- Why the Form 500 that was submitted did not contain the extent of the perceived risk that was later reported
- Involvement of MOC to ascertain the serviceability of the aircraft tyre
- Understanding Aircraft Planning requirements
- The differences between Check 2 tyre limits and the limits set within the AMM

The report states that on the night of the 8th of December 2016 (date of occurrence), a B1 and B2 Licenced Aircraft Engineer (LAME) was rostered on duty at Townsville Airport. The report was unclear so presumably, this is a single certifying engineer.

When the certifying engineer became aware of the worn tyre, it would appear that his initial action was to call the Senior LAME at home several times to seek his assistance. The Senior LAME did not answer the certifying engineer's calls.

The certifying engineer on duty then referred to the AMM to determine if the tyre was unserviceable.

The question here is, why did the certifying engineer feel the need to call the Senior LAME at home rather than to referring to the AMM in the first instance?

Tyre condition inspections for serviceability have generally been regarded as an area that can be subjective and contentious issue amongst the LAME group.

Unfortunately, this is one area in most AMMs that allow an element of subjectivity to creep in.

Tyre approaching maximum wear limits occasionally can lead to debates or disagreements between engineers, largely arising from differences of opinions on the interpretation of AMM instructions.

The extract below from the AMM Task 32-45-00-700-803, 4. Task Inspection is the basis on which the Townsville based certifying engineer justified his deferral of tyre replacement action.

(c) Remove the tires that have the conditions that follow:

- 1) Cuts or weather cracks in the grooves, the tread, shoulders or sidewalls that exceed the limits in (Figure 602).
- 2) Blisters, bulges, or other signs of ply separation in the tread, shoulder or sidewall area.
- 3) Tires with a flat spot which shows the tread reinforcement ply (bias) or cut protector (radial).

NOTE: If the tread reinforcement ply (bias) or the cut protector (radial) shows, the tire should be replaced as soon as possible. If necessary, the tire may be used for a small number of landings until it is replaced. However, you may not be able to retread the tire if you leave the tire in service too long with this condition.

- 4) Other types of damage which can cause tire problems.

Recommendations

In my opinion, the airline should have well defined and documented company policy on tyre wear limitations to remove any potential ambiguity and to provide clarity to the certifying engineers.

Whilst it's not CASA AWI's role to determine aircraft or components serviceability for an operator, however, I believe CASA needs to ensure that the certifying engineer at Townsville Airport followed the AMM, other relevant ICAs and company procedures to determine the serviceability of the worn tyre prior to releasing the aircraft to service.

The question I would be asking is would this tyre wear as depicted in the two photograph images pass a Check 2 inspection?

In my opinion the answer is No. I believe the relief is provided in the AMM to allow continuing operations until the next convenient opportunity, to replace a worn tyre if a defect is discovered during a turnaround or a transit check activity. It is my view that the Check 2 at Townsville when the defect was initially discovered was a convenient opportunity to replace the worn tyre.

CASA should be inquiring into the scope and capability of the Part 145 Aircraft Maintenance Organisation (AMO) at Townsville Airport. Wheel replacements at line stations are regarded as routine and common maintenance task that should be able to be performed without any manpower constraints.

CASA should further review the Part 145 organisation for availability of adequate manpower resourcing. The AMO must have resources to provide maintenance services in accordance with its exposition, as required by CASA Part 145 MOS.

The Qantas report states that the Townsville certifying engineer consulted with Brisbane Line Maintenance and Maintenance Watch.

On what basis did the Maintenance Watch and Brisbane Line Maintenance engineers form informed opinions regarding the condition of the worn tyre without physically seeing the tyre or images of the worn tyre? There is insufficient clarity around how technical judgment or opinion was shared amongst engineers.

Both the Technical Log and the Qantas internal investigation report did not previously make mention of any issues relating to the availability of serviceable replacement wheel at Townsville Airport; yet the Qantas investigation report under the sub heading of **Decision to Release Tyre**, provides an excerpt of a note in the Check 2 as below

Note: If spares are not available, the tyre may continue in service without safety concerns, but MUST be replaced at the next CHECK2. A HOLD item must be raised and MOC must be notified.

I question the relevance of including the above Note in the investigation report, as the Technical Log deferral record was in relation to insufficient manpower; not lack of a serviceable spare wheel.

Although I was not provided with a copy of the referenced Check 2 task cards, the report states that the Check 2 contains the Note above. I would suggest that the Note be reviewed as it does not take into consideration the condition of the tyre prior to deferring the replacement to the next Check 2.

Conclusion

1. Firstly, the Qantas internal investigation report is not as detailed and thorough as would be expected from an investigation of this nature.

I believe the report is incomplete, in that the report failed to adequately address the six dot point problems scoped by the investigators to identify causal and contributing factors.

2. Regarding the Townsville Airport based certifying engineer's action, the AMM note provides the engineer the ability to apply technical judgement and discretion when assessing tyre condition.

Fundamentally, the provisions of the AMM Note is where the operators or the AMOs are sometimes able find relief to defer a worn tyre change to be replaced at a more convenient opportunity.

3. The complainant has made the assertion that the certifying engineer at Townsville Airport had wrongfully released an aircraft with a worn tyre outside of wear limits.

The complainant reported the matter internally within Qantas (Brisbane) and to CASA. Qantas had conducted an internal investigation and CASA carried out an audit in an attempt to verify the complainant's allegations. However, the complainant remained unsatisfied with the outcome of those investigations as both reports did not identify any deficiencies in the handling of the worn tyre.

- 11
4. Although the complainant's report contains a certain degree of opinionated and accusatory elements towards Qantas and CASA, nevertheless, it does raise couple of valid technical points to be taken into consideration.

For example, it is crucial for the engineer to know whether he is assessing the wear limitations on a bias or a radial tyre, as the AMM makes a clear distinction between the two types of tyres. Both the certifying engineer and the Qantas investigation reports have omitted to reference the type of tyre.

5. I was unable to see any documentary evidence that the Townsville based certifying engineer's assessment of the worn tyre was in any way flawed. The images of the worn tyre are from Brisbane Line Station is not a true reflection of what the Townsville certifying engineer sighted in Townsville.
6. The area for CASA is to consider is the Part 145 AMO's capability at Townsville Airport. Was the reported manpower resourcing issue an isolated case on this particular night, or is it ongoing concern that CASA should be reviewing?

Gobbitt, David

From: Hanton, Jonathan
Sent: Monday, 24 July 2017 3:35 PM
To: Richards, Owen
Cc: Aceruzumoglu, Ekrem
Subject: RE: B737 tyre [DLM=Sensitive:Legal]

Sensitive: Legal

Thanks Owen and Ekrem for the fast turn around – much appreciated. I'll come back with any questions.

Thanks again

Jonathan

From: Richards, Owen
Sent: Monday, 24 July 2017 3:00 PM
To: Hanton, Jonathan
Cc: Aceruzumoglu, Ekrem
Subject: FW: B737 tyre [DLM=Sensitive:Legal]

Sensitive: Legal

Jonathan,

AWI Aceruzumoglu has examined the documentation you provided and has provided a report of the event. Ekrem and I are willing to provide further feedback as required.

Thanks

Owen

From: Aceruzumoglu, Ekrem
Sent: Monday, 24 July 2017 1:19 PM
To: Richards, Owen
Subject: RE: B737 tyre [DLM=Sensitive:Legal]

Sensitive: Legal

Owen

Please see attached report on my interpretation on the reports and documents pertaining to the worn tyre complaint to CASA.

Kind regards

Ekrem

From: Richards, Owen
Sent: Friday, 21 July 2017 11:14 AM
To: Aceruzumoglu, Ekrem
Subject: FW: B737 tyre [DLM=Sensitive:Legal]

Sensitive: Legal

Ekrem,

Appreciate your review of the attached reports.

If you could come back to me in the first instance.

Thanks

Owen

From: Hanton, Jonathan
Sent: Wednesday, 19 July 2017 10:23 AM
To: Richards, Owen
Cc: Massey, Michelle
Subject: B737 tyre [DLM=Sensitive:Legal]

Sensitive: Legal
Hi Owen

As discussed yesterday, I've attached the following:

- * the relevant parts of the complaint
- * the tech log prior to departure from Townsville
- * a photograph of the tyre after its removal in Brisbane
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In terms of the review, you'll see at (E) of the complaint, it's inferred CASA shouldn't have accepted Qantas' explanation and closed the investigation. Taking into account the further points of complaint at (F) – (H), can you review if that was the right outcome? If there is additional information required, please let me know directly rather than contacting the overseeing CMT.

Thanks again for your help. In terms of turnaround, there isn't an immediate need for a response so sometime in week commencing 31 July would be fine.

Jonathan

Gobbitt, David

From: Gonzalez, Alex
Sent: Friday, 21 July 2017 11:40 AM
To: Aceruzumoglu, Ekrem
Subject: AMM Chapter 32 B737NG QAN [SEC=UNCLASSIFIED]
Attachments: 32__063.pdf

UNCLASSIFIED

Alex Gonzalez
Airworthiness Inspector—Southern Region
Safety Assurance Branch
CASA \ Aviation Group
p 03 9927 5353 \ m 0411 322 400 e alex.gonzalez@casa.gov.au Level 13, 720 Bourke Street, Melbourne VIC 3008

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<<https://www.facebook.com/CivilAviationSafetyAuthority>> <<https://twitter.com/CASABriefing>>

<<https://www.linkedin.com/company/civil-aviation-safety-authority-casa-/>>

<<https://www.youtube.com/user/casabriefing>>

Gobbitt, David

From: van der Heide, Fred
Sent: Thursday, 21 September 2017 2:57 PM
To: Hanton, Jonathan; Crawford, Graeme
Subject: RE: Qantas tyre complaint [SEC=UNCLASSIFIED]
Attachments: Jonathan Hanton ICC.docx

UNCLASSIFIED

Hi Jonathan,

Please find attached response

Regards

Fred van der Heide
Region Manager Sydney
Safety Assurance Branch
CASA\Aviation Group

p: +61 2 8651 3132 m: +61 408 591 214
260 Elizabeth St., Sydney NSW 2010
GPO Box 2005, Canberra ACT 2601

www.casa.gov.au



CASA acknowledges the traditional custodians of Country throughout Australia and their continuing connection to the land, sea and community. We pay our respect to them and their culture and to their elders both past and present

From: Hanton, Jonathan
Sent: Monday, 7 August 2017 9:30 AM
To: van der Heide, Fred; Crawford, Graeme
Subject: Qantas tyre complaint [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning Fred

As you're aware, I requested another Region to undertake a desktop peer review of issues related to Mr Purvinas' (ALAEA) complaint about issues related to the condition of a tyre at Townsville.

I've incorporated the entirety of the peer review verbatim into the attached memo. With respect to the remit of the desktop review, it was concluded there was no evidence the LAME's assessment of the tyre '*...was in any way flawed.*' However, the reviewer's also made a number of other comments and observations. It would be helpful if you could review those opinions and provide a response to the points raised.

I understand from Susie that you are going on leave soon. That being the case, I'd appreciate a response within two weeks of your return from leave in September.

Regards

Jonathan Hanton.

Jonathan Hanton
Industry Complaints Commissioner
Civil Aviation Safety Authority
Aviation House | 16 Furzer Street | Phillip | ACT 2606
T +61 2 6217 1249 | E Jonathan.hanton@casa.gov.au



Australian Government
Civil Aviation Safety Authority

To: Jonathan Hanton

Subject: Purvinas complaint – QF tyre peer review – response

From: Fred van der Heide

I acknowledge the desk top peer review of the complaint made about the condition of the B737 tyre that you commissioned and appreciate the opportunity to address the opinions and conclusions of the reviewer.

In the executive summary I note the following statement by the reviewer:

'I was unable to see any documentary evidence that the Townsville based certifying engineer's assessment of the worn tyre was in any way flawed. The images of the worn tyre are from Brisbane Line Station is not a true reflection of what the Townsville certifying engineer sighted in Townsville.'

In making this statement the reviewer accepts that there is no other evidence that contradicts the decision made by the LAME which was that the tyre was serviceable. In my view that is sufficient to address the complaint however I will discuss the recommendations and conclusions made by the reviewer always keeping in mind that the decision made by the LAME is unable to be refuted .

Reviewer Recommendations

- The opinion that the company policies on tyre wear limitations is lacking is an opinion and there is no evidence given that what is currently used is not fit for purpose. The current limitations are approved maintenance data.
- CASA does not conduct duplicate inspections to corroborate each decisions made by LAMEs. Quality control of maintenance practices is a function of the Part 145 and 42 organisations' SMSs. CASA surveillance activities provide CASA with safety and compliance assurance.
- The discussion about the images of the worn tyres is irrelevant even if it could be established that they are of the tyre in question. Refer to the statement taken from the executive summary above.
- The discussion of manpower refers to the Part 145 exposition which requires adequate manpower. In this case, notwithstanding the LAME's wish to have had assistance, the decision to release the tyre for service did not reflect a lack of resources. The question should be asked "What would have transpired if the tyre had been assessed as worn beyond limits?" I expect the aircraft is AOG (Aircraft on Ground) and that the tyre would have been changed when manpower was made available – either by bringing in assistance from Townsville or from another line station.
- The discussion about the LAME contacting Brisbane Maintenance watch suggests that he called to get advice on applying the tyre wear limitations which is an assumption. In typical airline operations it is more likely it was to advise that the wheel would need to be changed when the aircraft arrived in BNE thus giving BNE the heads up to preposition people and equipment to affect the wheel change efficiently.

Reviewer Conclusions

1. I believe that the Qantas report was adequate given that the tyre was serviceable at the time of inspection by the LAME in Townsville and that there was no evidence to conclude otherwise.
2. I believe that the LAME applied technical judgement in arriving at his decision in the situation in which he found himself. Discretion can only be exercised up to the published limits – not beyond those limits.
3. It is correct that neither Qantas nor CASA found any basis for the original complaint for the reason stated in the executive summary.
4. The discussion about ‘...bias or a radial tyre...’ as an example of a ‘valid technical point’ is unsupported. What is known is that the LAME referred to approved maintenance data in coming to his conclusion about the serviceability of the tyre.
5. I agree that there is no evidence to conclude that the LAME’s decision was flawed.
6. In previous surveillance CASA has found that resourcing for Qantas Townsville line maintenance is adequate for normal operations. Any AOG situations that require additional manpower is supported from the main base.

Fred van der Heide
21 September 2017

CASA Industry Complaints Commissioner New Complaint

Title: Mr **First Name:** Stephen **Last Name:** Purvinas **ARN / Reference number:** 431050

Preferred Contact Method: mobile **Contact Number:** 0400071505 **Email:** fedsec@alaea.asn.au

Address: 96 Haldane Road **Suburb:** Niddrie **State:** Vic **Postcode:** 3042

Complaint lodged on behalf of someone else: No

Have you contacted CASA before to try and resolve your complaint?

I contacted Mr van der Heide directly about this and a copy of my letter and his response is attached.

Please provide details of your complaint:

Earlier this year I reported some issues at Qantas. I lodged an FOI in relation to the complaints to see how they were handled. This complaint is multifaceted and is specific to the handling of a badly worn tyre on a Qantas 737 aircraft I had reported to CASA on February 1st, 2017.

In brief, the tyre was allowed to continue in service after being inspected by a LAME in Townsville. The LAME noted in the Tech Log that he could not replace the tyre due to "Insufficient manpower". The aircraft then flew from Townsville to Brisbane with the tyre in the badly worn state where it was replaced. A photo of the worn tyre was taken (and supplied with my original complaint) showing the condition of the tyre on arrival in Brisbane.

My complaint was about the Townsville to Brisbane sector. I raised the concern about the decision made by the LAME to allow the aircraft to fly this sector and indirectly against the airline he works for (Qantas). The FOI documents show admittance that the tyre wear was present when he released the aircraft from Townsville.

This complaint is against the Lead Airworthiness Inspector Mr Peter Harding, the second AWI, Mr Alan Mitchell and the Region Manager Sydney, Safety Assurance Branch, Mr Fred van der Heide. The complaints relate to the handling of the investigation and what appear as many breaches of CASA policies and manuals.

From the FOI documents released, a surveillance event number 12745 was generated from my original complaint. Surveillance was undertaken over the period of February 27th 2017 to March 2nd 2017. The only other relevant document on file was a copy of Qantas' own internal investigation sent to CASA on 21st February 2017. Nil adverse findings were noted at the conclusion of the investigation. My complaints are as follows –

- A. The surveillance event seems to be improperly prepared. There is no record on file of a Surveillance Worksheet Form (Form 1308), Surveillance Planning and Scoping Form (Form 1189) or Surveillance Event Timetable (Form 1290).

- B. There is no record on file of Surveillance Worksheet Form (1308) or any similar record of the actual surveillance event. These records are mandatory and required as a reference for the person who writes the final report.
- C. No evidence has been recorded or kept on CASA files in relation to the surveillance event. Any reasonable person would expect to see copies of documents (or requests with references for) details of the approved data used by Qantas and their LAME to determine the serviceability of the tyre such as maintenance manuals and other technical documents.
- D. No record of any interview or discussion exists on any form such as a Surveillance Event Record of Conversation (Form 1289) or even a notepad. The final report shows that the LAME was interviewed and it would also be the case that a representative from Qantas Management would have also discussed this with the AWIs. None of this is recorded on CASA Files as required and explained throughout CASA policies and manuals.
- E. CASA appear to have accepted without question Qantas' own report clearing Qantas of any wrongdoing. The Qantas internal report was sent prior to the Townsville surveillance event and without any evidence. The final CASA decision to clear Qantas and their LAME of any wrongdoing appears to have been made by a person (AWI) acting under dictation of the investigated parties, Qantas and their LAME. In simple terms, it appears that Qantas and the LAME said the tyre was ok, that explanation was accepted and the investigation was closed. Please refer to CASA Governance Framework 1.2.1 Law, Policy and Decision Making.
- F. The CASA records are so lacking that the type of tyre involved in the suspected breach is not even recorded. The aircraft in question can have two completely different types of tyre fitted each with prescriptive and different minimum tread limits. As a minimum, it would be expected that a proper investigation would have thoroughly examined the tyre make, part number and manufacturer. The LAME in question even seems to have not known the type of tyre fitted as the Tech Log entry I supplied CASA along with the original complaint refers to a cut protector that in this case, does not form part of the worn tyre.
- G. No contact was made with the Brisbane LAME who replaced the tyre. A proper evidence based investigation would certainly have involved other witnesses to this event and key to that process would be those persons who changed the tyre post flight.
- H. The complaint I had made about pressure being applied to the LAME to release the aircraft has not been investigated. That he did not change the tyre due to insufficient manpower is not in dispute. Mr Van der Heide has dismissed this as irrelevant on the basis that the tyre was serviceable. That determination was made without following CASA policies and manuals and the commercial pressure on the LAME to prevent an aircraft delay has not been considered.
- I. Mr van der Heide appears to accept that the above approach is acceptable. As the person charged with responding to my original complaints and also the Manager of the Sydney office he would have been privy to all the information in relation to the tyre complaint. Without any supporting evidence on file he accepts that the tyre was within limits before it flew (refer his letter to me dated April 21st, 2017). Mr van der Heide is acutely aware of the

requirement to collect and preserve evidence as per his "advice" to me in closing the same letter highlighting the importance of ensuring an appropriate chain of evidence.

What outcome are you seeking?

I seek for Mr van der Heide, Mr Harding and Mr Mitchell to be stood down from all work at CASA as this matter is being investigated. Not doing so could contaminate future investigations and undermine aviation safety if these employees are comfortable undertaking their work without regard to due process.

I seek an investigation to be undertaken by the ICC and appropriate actions to be taken by CASA against the three employees if they are deemed to have breached any CASA policies or similar work requirements in relation to this complaint.

I seek a copy of any action taken against the three employees as described in any correspondence to or about them. I am likely to seek this under FOI provisions if not released as part of this process.

I seek confirmation that the three employees will have no further dealings with any Qantas Group company if their employment is not terminated as a result of this investigation.

I seek another investigation into the original tyre complaint to be undertaken by the Melbourne branch of CASA in the presence of the Mr Steve Re, the ALAEA Technical Manager.

I do not seek a letter from CASA saying they will review their policies. The policies are fine, I would just like to see them followed.

Further instructions (for example, preferred time to call, or if you need an interpreter):

I'm always available to discuss this matter with the ICC as it is being investigated.

4th July 2017

Mr Fred van der Heide
Region Manager
CASA Sydney

cc. Shane Carmody
By Email



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Re: Complaint Investigation

Dear Mr van der Heide,

I refer to your letter dated 21st April 2017 and the invitation to contact you if I had further substantiated evidence in relation to the complaints. I also write this letter as part of the formal process involving the Industry Complaints Commissioner where the preference is for complainants to firstly be raised with the departments. This letter will cover both those aspects and some background. I seek answers only to some simple questions appearing at the end of this letter and request a response within ten business days. If there is no response or I am not satisfied with the answers, I intend to submit a formal complaint to the ICC and will consider seeking Parliamentary intervention.

Background

On January 13th 2017 I reported an Aviation concern over an accident with a Jetstar aircraft in Townsville where the left engine was severely damaged. My main concern was fatigue of the Qantas Engineer who caused the accident and why he continued to work alone on the aircraft post collision.

On February 1st 2017 I lodged a further report with a complaint about a Qantas 737 tyre and a Qantas A330 Traffic Collision Avoidance System (TCAS). I was concerned that an aircraft was allowed to fly with a tyre beyond wear limits and how the LAME came to the decision to release the aircraft unrepaired. Similarly, I made a report about a Qantas aircraft which flew three sectors with a TCAS system showing other aircraft in fictitious locations. In this case the Tech Crew appeared to knowingly fly an aircraft with a serious defect.

On February 27th 2017, I became aware two CASA Surveyors were in Townsville to investigate the Jetstar Engine and Qantas tyre events. I notified CASA that a LAME unrelated to the incidents had further information to assist the Airworthiness Inspectors (AWIs). On 2nd March 2017, I contacted the CASA CEO complaining about CASA releasing the unrelated LAMEs name to Qantas which led to him feeling intimidated by both the Airline Managers and the AWIs.

I consider the above to constitute four complaints to CASA. On 2nd May 2017 I sought access to all documents and records held by CASA in relation to the four complaints. The documents were released on 9th June 2017. After a short review of the released documents, I noticed many records appeared to be missing and requested a further search for other records. The CASA FOI Officer advised me there were no other documents aside from some travel bookings. I will now expand upon some of my concerns in relation to the documents I am in possession of.

Memos, Note Taking and Evidence

CASA is bound to a set of Regulations, manuals and laws in relation to record keeping and evidence. I have sought advice and understand that in the case of the investigation of the complaints I raised, strict adherence to these rules apply unless written approval to vary from proper practices is sought and granted. The FOI documents do not contain any approval to vary from standard procedures.

The FOI release shows the AWIs attended Townsville and interviewed several people. From those interviews conclusions were made that no action was required. There are no notes in relation to any of this activity held on CASA records. There is no evidence or reference to any evidence within the package directly attached to the Townsville surveillance event and without notes or evidence, the MRO was cleared of any errors.

An example is this statement from the report -

"Nick Ward advised that Qantas Group Safety Services (QGSS) had carried out separate investigations for both QE ad JQ. Report not available to PH or AM at the time"

Throughout the FOI released documents, there is no copy of this report in notes, evidence or record and no attempt appears to have been made by the AWIs to attain a copy of the reports. If the reports were attained as they should have been, the Nil findings outcome may have been different.

Another example is directly from the draft letter you wrote to be sent to me on 12 April 2017 -

"It did come to light that the Engineer in question was on operational duty for 14 hours and 10 minutes on the day of event."

Without any notes, records, evidence or reference to this in any report on CASA's files, you as a person who had not participated in a surveillance event 2 months earlier felt able to communicate the specific details of assumed hours of work of another person in January 2017. This detail would be impossible for you to know without notes and how you came to this conclusion is not known. The Engineer in question worked longer than 14 hours and 10 minutes that day and the words in your draft letter are incorrect.

And similarly, from the same draft, this statement -

"Following this duty he went on 5 rostered days off and 15 days LSL."

There is no record of this on CASA's files or even a record of a phone conversation related to this aspect of my complaint. The statement is also incorrect.

And although there are many other areas I can cite where evidence/notes have not been kept, I use the following as a further example. It is out of an email you sent described as "a brief appraisal of material events" to Graeme Crawford and others on 12th April 2017 -

"The LAME spent a half an hour with the AWIs. He made allegations against the engineer involved

"The inspectors checked each allegation against actual records and were unable to substantiate any of them."

There are no notes or evidence on CASA files detailing the interview, allegations or how they were dismissed. The CASA preparation and file should have contained previous reports of Qantas breaching fatigue management policies but none of them appeared as part of this investigation.

TCAS Event

The complaint about the Traffic Collision Avoidance System was based on a Pilot report in a Tech Log. The Pilot was specific and even detailed that an aircraft was displayed 90 degrees out of alignment before he flew the aircraft on one of the three sectors he claimed this error to have been present. I note that the follow up on this matter was conducted by a person from CASA named Wayne Burns.

The enquiries into this event appear to have been covered by a few emails to Qantas and possibly some undocumented meetings or calls. Much of the information given by Qantas focuses on how the aircraft was repaired. At no stage (according to the FOI records) did CASA contact the Pilot to find out why he waited three sectors before reporting the serious defect.

From your final letter to me, you've made a comment that I am unable to reconcile or conclude from the released material. You said the following –

"It did not highlight a systemic culture of deferring defect reporting"

I agree the investigation did not find a systemic culture of defect reporting because nothing within the investigation shows that CASA looked for a problem of this nature. According to FOI records, nobody from CASA even spoke to the Pilot. This is not the first complaint of a Qantas Pilot deferring defect reporting yet no earlier complaint, which could indicate a systemic problem, formed part of the FOI release documents.

By taking no action, CASA accept that a Pilot can build suspicions of a defect over three sectors and then report it at the end of the flying day. The system is failing if CASA allows this. Reports should be made immediately a Pilot suspects an aircraft may be unserviceable.

There is mention in your brief from 12th April 2017 that there was no –

"TCAS related flag or EICAS message" and from this you conclude "the crew were progressively developing doubts about the performance of TCAS."

I would estimate 90% of aircraft defects do not result in an EICAS message or flag, this information is irrelevant. It is impossible for a Pilot to progressively develop doubts when a Pilot must notice a problem in the first place. This was clearly evident by the initial Pilot report where he noted specific details of an error before he flew the aircraft without reporting it.

Also from the same letter you say a-

"Flight Standing Order was transmitted to all crew reminding them of their responsibilities in this area"

There is no record or mention of such a document existing on CASA files. It would be important for CASA to obtain or at least attempt to obtain a copy of the Flight Standing Order and I am unable to link the series of communications between Qantas and CASA to any such document.

Tyre Servicability

I complained about a 737 aircraft which flew from Townsville with a badly worn tyre. The photo shows a clear level of wear which would have assisted the AWIs with their enquiries. I note that the AWIs went to Townsville and interviewed the LAME involved (again no records of the interview) and at a later time CASA received an internal Qantas report into the same incident.

In your letter to me dated me on 21st April 2017 you have concluded that –

"The tyre was assessed by the certify LAME in Townsville as serviceable in accordance with the approved data."

I can find no record in the released documents about any enquiry made by the AWIs into whether the tyre was in fact serviceable or not. There are no copies of, records or links to any manual or other form of approved data in relation to the serviceability of the tyre. From what was released, it appears the AWIs didn't even establish what type of tyre was fitted to the aircraft (as they have different wear limits).

I refer again to your letter of 21st April 2017 where you say –

"The information in the logbook regarding manpower was considered not be relevant to the matter of serviceability of the tyre."

This statement would be true if the tyre was serviceable. If it was not, lack of manning clearly impacted on the LAMEs decision to allow the aircraft to fly in an unserviceable state. CASA appears to have taken no direct steps to determine if the tyre was within operating limits.

Conduct of Investigators

On 2nd March 2017, I heard that Aaron Grech (the other LAME spoken to by the AWIs) was approached by his Qantas managers (including a former CASA manager) and told "you wanted to see CASA....they will talk to you now in the meeting room." Aaron felt intimidated when the managers confronted him like this and uneasy through the entire interview. I have explained the reasons why in the email to the CASA CEO.

I can understand your desire to defend employees working for you. This appears in statements made by you in your brief of 12th April 2017 –

"The allegations of intimidation and bias made against the AWIs are incorrect and offensive"

And again, in your letter to me dated 21st April 2017 –

"CASA AWIs are experienced and professional and the allegations of intimidation and bias are disputed."

After I made the complaint about the treatment of Aaron, nobody from CASA contacted him to establish if he was intimidated or otherwise. There is no record of any email, interview, meeting or other form of communication with either Aaron or the AWIs that could lead to the conclusions you have made.

The key aspect of my complaint has not been considered. Intimidation by Qantas managers felt by Aaron is not CASAs responsibility but the question is, why did Qantas management know Aaron wanted to speak to them? Someone breached Aaron's privacy and exposed Aaron's name directly to Qantas as a person of interest in relation to the investigation.

Two AWIs were in a room with the same Qantas managers a few minutes before Aaron was approached. One of them breached the Privacy Act only a few weeks earlier by passing my name to Qantas. This aspect of my complaint about Aaron's treatment has never been investigated.

Providing Evidence

In your letter dated to me on 21st April 2017, you finished off with the following advice –

"It would be appreciated if in the future, these types of criticisms are only made if they are evidence based to ensure an appropriate chain of evidence should regulatory action be required."

Your statement is defamatory in nature and intent. It clearly means that my complaints were baseless and I have complained about things which are not factual. My integrity is valuable and I take offence to your unfair suggestion. I provided ample evidence to CASA including -

- a) A complaint about a Jetstar accident in Townsville. I supplied CASA with dates, times, aircraft rego and a reference to an internal Qantas form that your AWIs did not seek a copy of. I referred you to another LAME who knows more about the complaint. He highlighted to the AWIs places where further evidence existed, none of which ever made it to a CASA file.
- b) A complaint about a tyre which most likely flew in an unserviceable condition. I supplied photos of the tyre, a copy of the aircraft log coupon, dates, rego and a maintenance manual reference. Your AWIs concluded that there was nothing wrong without even recording the type of tyre fitted to the aircraft.
- c) A complaint about a Pilot who had reported that his traffic collision avoidance system (a system designed to prevent aircraft collisions) was faulty for three sectors before being reported. I supplied a copy of the aircraft log coupon for this complaint. The log entry contained specific details of the error the Pilot observed before he flew a Mel to Syd sector.

I'm not sure if you see the irony in your statement considering the lack of evidence on CASA files after the complaints were investigated.

Questions

1. Why are there no notes or records of conversations, interviews or relevant phone calls on CASAs file in relation to any of my complaints?
2. How did you establish the LAME involved in the Jetstar accident only worked 14 hours and 10 minutes when there is no record of this anywhere on CASA files?
3. The airline and LAME who allowed an aircraft to fly with a badly worn tyre claim it was serviceable. What steps did CASA take to verify the tyre was within limits and where is the evidence to support the finding?
4. Did CASA ever speak to the Pilot involved in the TCAS incident?
5. TCAS is a vital system to prevent aircraft colliding. Did CASA attempt to determine if there were any other factors influencing the Pilots decision when he decided to fly an aircraft with a totally or partially unserviceable TCAS system?
6. Nobody from CASA contacted the other LAME (Aaron Grech) after I complained about his treatment by the AWIs in Townsville. Without contacting him, how did you establish that the AWIs acted appropriately during their visit?
7. You assert allegations raised by Aaron Grech over a 30-minute interview were investigated and not substantiated. When I received the FOI release, there were no records of these allegations or the interview. Why are there no records of this held by CASA?
8. Why did you advise me that my future complaints should be evidence based when I supplied ample evidence in relation to these complaints?

Kind Regards



Steve Purvinas

Federal Secretary



Australian Government
Civil Aviation Safety Authority

CASA Ref: G17/215

13 July 2017

Steve Purvinas
Federal Secretary
ALAEA
25 Stoney Creek Road
Bexley NSW 2207

CC: Shane Carmody
BY EMAIL

Dear Mr Purvinas

I refer to your letter to me of 4 July 2017, responding to mine of 21 April 2017.

In your letter, you say, among other things, that, by inviting you to ensure that any future criticisms or complaints you may make about matters involving alleged regulatory contraventions, or the way in which the Civil Aviation Safety Authority (CASA) has dealt with such matters, 'are only made if they are evidence based . . .', I have made a defamatory statement about you.

I disagree with your characterisation of my remarks. I did not say, and it was not my intention to suggest, that your complaints were 'baseless' or that the things you complained about were 'not factual'. Rather, my intention was simply to make it clear that we do not share the same understanding of the facts and circumstances involved in the events and issues with which your complaints were concerned, and that the evidence you offered in support of your contentions was not, in my view, sufficient to warrant regulatory action or further investigation.

That we should disagree about the quality or sufficiency of the evidence you provided in support of your contentions does not amount to an attack on your integrity. That was certainly not my intention, and I apologise if you should have found my comments in any way offensive.

You have also raised several questions related to the matters you previously drew to CASA's attention, and to which you have evidently found our explanations, as well as the material contained in our response to your request under the Freedom of Information Act, to be wanting.

I believe the responses and information we have already provided in connection with these matters have been appropriate and sufficient, and it is not my intention to respond to your further questions.

Naturally, it is your prerogative to raise some or all of these matters with CASA's Industry Complaints Commissioner, or to pursue any other avenue for complaint that is available to you, if that is what you choose to do.

Yours sincerely

A handwritten signature in black ink, appearing to read 'F. van der Heide'.

Fred van der Heide
Region Manager Sydney
Safety Assurance Branch
CASA Aviation Group