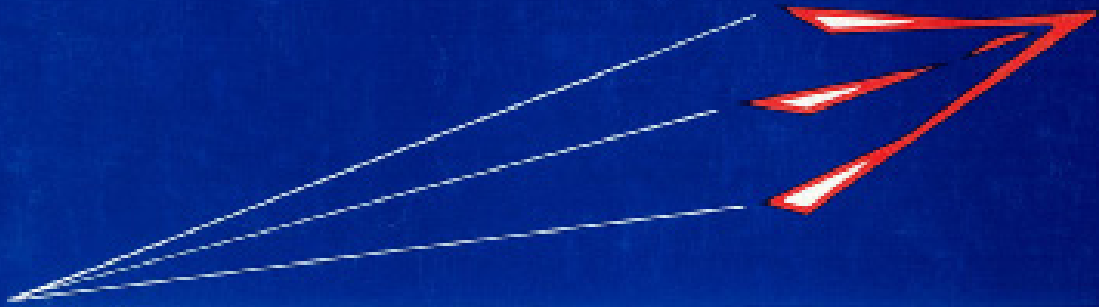


TWO YEARS IN THE AVIATION HALL OF DOOM

by Dick Smith



A large rectangular area containing a series of horizontal white lines on a dark blue background, resembling a ruled page for text.

The evidence for the need of an independent committee of review into the Department of Aviation.

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“O, IT IS EXCELLENT TO HAVE A GIANT’S STRENGTH,
BUT IT IS TYRANNOUS
TO USE IT LIKE A GIANT”

ACKNOWLEDGEMENTS

I thank the many people who have assisted me in the preparation of this book. I would especially like to thank Francis James for the professional assistance he gave me and Margaret Hamilton for the many hours spent in correcting the manuscript.

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This book is dedicated to those people in the Flight Standards Division of the Department of Aviation who motivated me to make the investigations which have revealed so much.

INTRODUCTION

This book is the result of one of the hardest and least satisfying projects I have ever undertaken. Nevertheless, I believe I owe it to my country and our aviation industry to try to act as a catalyst in resolving the serious problems which exist in the Department of Aviation.

What I have done is to express publicly in this book some of the sense of frustration, disappointment and anger which I have experienced during a two-year trip through what I call the Aviation Hall of Doom. It has involved me in hundreds of wasted man-hours and considerable expense. I have tried to tackle a great blancmange of impenetrable bureaucracy and feather-bedding bureaucrats who entrench themselves behind silly regulations of their own devising and display no sense of responsibility or accountability whatever to the public in general and to people in aviation in particular.

Most people engaged in aviation explode occasionally when they talk about the Department. I have tried in this book to do a bit more: to explode, certainly; but to go on to make a constructive suggestion - and to make it publicly.

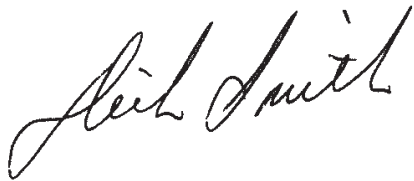
That does not imply any criticism of all my friends, both within the Department and outside it, who see far more clearly than I do all that is wrong with "the system" and have tried in a quiet way to reform things. There are two reasons for their lack of success. The first is that if they "rock the boat" - whether they are public servants or private citizens - they become marked men. I have given examples in this book. The second is, that with the best will in the world, they just cannot hope to reform the Department from within. The stage has been reached at which only some kind of powerful external force can bring about reform.

That is the constructive suggestion I make. Instead of stopping short at criticising the Department I am pressing for the positive, constructive step of appointing an outside body to help the Department by looking into its composition and functions. What is needed is a completely fresh, independent, untrammelled external investigation. Timid or incompetent departmental officers will shudder at the suggestion, of course. They have much to hide, and good reason for fear. Fortunately, they are a minority. In my experience the overwhelming majority of departmental officers are capable, experienced people with enormous latent creativity, who are every bit as frustrated by "the system" as people in the aviation industry. They have nothing to fear, and would rejoice to see an inquiry set up at which they could put forward their ideas and suggestions.

To push things forward I have started an informal organisation with the acronym ACORP, meaning "Aviation Committee of Review Proposal". All it aims to do is convince the general public and the Parliament that an independent inquiry into the structure of our aviation regulatory body would be in the public interest. In the rear of this book is a form of application to become a supporter. I hope you will join us. If some one has already used the form, you can obtain a copy by writing to ACORP, P O Box 681, North Sydney, 2060.

Finally, I make it clear that what follows in this book represents only a few of very many examples I have encountered of departmental incompetence. I think my facts are pretty right. If there is any small error in detail the Central Office bureaucrats who attended my addresses in Queensland, N.S.W. and Victoria during November and December 1984, at which I covered these facts, have not told me: they came armed with tape recorders and note books and, I am aware, submitted reports of what I said. Unfortunately, they disappeared immediately after every meeting before I could speak to them. Nevertheless, I hope you will agree that the broad information I have supplied provides solid grounds for setting up an independent inquiry.

Dick Smith

A handwritten signature in cursive script that reads "Dick Smith". The signature is written in dark ink and is positioned below the typed name.

CHAPTER 1 THE BACKGROUND

Two years ago I returned from the first stage of an around the world helicopter flight which had opened my eyes.

I had left Australia thinking our aviation was the safest and most modern in the world; but I had found overseas flying regulations were much safer, more modern, and, above all, based on common sense.

I set to work with enthusiasm to bring us up to date - surely a straightforward task, I thought. First, I asked advice from everyone, from Qantas Jumbo captains to retired departmental executives, and I was shocked by what they told me. Not that they didn't support updating the regulations - quite the opposite. They said they had been trying to make changes for years.

They said I would get nowhere because the Department was incapable of change; that it was hiding behind its own outdated regulations; that it was too unsure of itself to debate with the industry and that the only changes it would dare to make would be those that protected itself even more.

"Be careful, Dick", I was told. "If you stir or rock the boat in any way... they are all-powerful."

I simply could not believe what they were saying. All I was asking was common sense - what had been tested and proved overseas for many years. I had always had the friendliest relationship with the Department, which had given me dispensations from the regulations to do almost anything from flying under the Harbour Bridge to building my helipads in Sydney.

I was soon to learn that getting a dispensation for one person's personal advantage was one thing; to update a regulation to benefit a whole industry was quite another.

My first meeting with the Department took place some two years ago, on 16 December 1982, with the then Deputy Secretary, Jim Schofield, and two of his top advisers, Allan Newman and Bob Whitecross, at their Central Office in Canberra.

At that time, they were the pinnacle of the Department's Operations Branch.

At this meeting I brought up two major safety issues: the way single-engined aircraft were constantly and needlessly radar vectored over densely populated residential areas and the way helicopters were held circling over built-up areas, sometimes for ten minutes at a time, so that they could be given the same separation from other helicopters as two Jumbo jets would be given from each other.

I was pleased to receive an extremely positive response. Jim Schofield said that the Department knew the helicopter regulations were out of date. He told me two specific things. Firstly, the Department was going full speed ahead on modernising the regulations and secondly, that helicopter lanes and also "see and be seen" separation would soon be introduced.

I went away from that meeting feeling pleased and encouraged. I told everyone I knew in the industry that everything was going to change soon.

I was naturally surprised to find everyone - and I mean everyone - both in the industry and the NSW Regional Office of the Department, was totally cynical. They all said I had been "conned!"

"We have heard it all before", they said. "Nothing will change. You will get nowhere".

What started out as a campaign to modernise helicopter regulations quickly broadened as I became involved in assisting other people in the industry.

As a so-called public figure I found no barriers to direct access to the leading people in the Department, from the Minister down. Not that it really helped, as my story will show. At about this time I heard more quite extraordinary stories.

For example, I was told that one operator tried to introduce a twin-engined helicopter on the Heron Island route because it would be much safer than the single-engined Jetranger he was using. He was refused permission!

Similarly, people within both the Department and the industry told me the only reason the Sydney Darling Harbour helipad was prevented from operating commuter or night flights was departmental infighting - the restrictions had absolutely nothing to do with safety! If true, this was serious. I knew that the Gosford commuter service had closed down because it was not allowed to land at Darling Harbour. Worse, helicopters were forced to fly extra miles over built-up areas to land at Mascot, mixing with Jumbos and the like.

More importantly, I knew that at night helicopters were coming into Sydney and landing at helipads in built-up residential areas because they were refused permission to land at Darling Harbour, an industrial area with no houses nearby.

These matters are covered in detail in the following two chapters. They provide good examples of my education through the Aviation Hall of Doom, and the mental attitude of the people making (or not making) the rules. They provide a classical case study of the technique brilliantly applied by senior bureaucrats to keep the Secretary and the Minister

under complete control. By mentioning the word "safety" whenever they believe their unfettered control is threatened, or if anyone queries their deliberate preference for granting selective dispensations instead of updating a regulation. This maintains the enormous power base of the bureaucrats concerned.



Bell 412

CHAPTER 2 FIASCO AT HERON ISLAND

Lloyd Helicopters had been operating single-engined Jetrangers from Gladstone to Heron Island - about 30 miles over water - for some years.

They also owned a Bell 412 twin-engined float equipped helicopter (worth over \$1,000,000). It was a magnificent machine, designed to the highest standards of safety with features such as duplicated hydraulics. It was ideal for over-water work.

They decided they would put it on the service for a while. It would cost them extra money, but it would give the passengers greater safety and it would be a good test of its economic viability.

Alas! They made one mistake. Instead of asking for approval they simply informed the Department what they proposed to do. They nearly fell over backwards when told they could not use it under any circumstances and that the pilot would be prosecuted if he flew it on the Heron Island run.

Here is the relevant part of a telex from Lloyd to the Department, dated 26 August, 1982 -

As an operator of both single engine and twin helicopters, we are convinced that a twin machine is safer than a single engine.

This view is endorsed by your Department in that it is a mandatory requirement to use only twin engined helicopters for distances greater than 50nm over water.

We therefore cannot understand your Department's refusal to approve the operation of a twin where a single engine helicopter is acceptable.

To put it simply we can use single engine aircraft where an engine failure guarantees ditching, but we cannot fly a twin with its demonstrated and acknowledged additional safety.

I request your URGENT attention be directed to the resolution of this anomalous situation so that the travelling public may benefit.

The ordinary citizen with no aviation experience may look at the facts so far, shake his head and say that there must be something to it - more than meets his inexpert eye - if a responsible Department of Aviation seems to act counter to common sense. He would be correct: there is more to it. However, it is not about common sense - it's about an irrational following of an outdated regulation.

A departmental bureaucrat had worked out that if one of the two engines failed during a period of some 30 seconds after take-off from Heron Island then the helicopter would end up descending into the shallow lagoon! Such an occurrence was not permitted under the archaic regulations. In fact, the only possible way of complying with the regulations was for Lloyd to build a runway at Heron Island.

Lloyd persisted in their attempt to discuss their proposal rationally. They got nowhere. They said it was like talking to a brick wall.

Lloyd cited the example of another operator using twin-engined helicopters who had been given a dispensation by being called a developmental charter. (A dispensation is often used to "bend" the regulations without updating them.)

Couldn't their flights be classed in the same way?

No way!

This answer came back almost immediately -

Developmental charter operations are operations determined as such by the Secretary to the Department. These determinations are made for the purpose of facilitating multi-engine helicopter operations in remote areas where no other means of transport is practical.

The Gladstone-Heron Island operation has not been determined to be developmental and it would not meet the criteria for such a determination.

Lloyd promptly telexed back that the twin operation they were talking about was at Essendon in Melbourne, an area that could hardly be declared "remote".

They were not going to win that one; logic would get them nowhere.

Here is the answer they received from the Department -

The two helicopters operating out of Essendon are engaged in servicing off-shore oil/gas installations and all such operations have long since been declared to be developmental charter.

Frustrated at what they considered incomprehensibly irrational and unjust behaviour, Lloyd contacted the then Minister, Wal Fife. Surely, they believed, he would speedily sort matters out.

His answer was even more incredible than what had already happened - and it was the kind of answer I was to see time and again sent to others, from Qantas to the smallest operator - it was the universal cop-out.

Lloyd were told "as it was a matter of safety it was the responsibility of the Secretary. The Minister could not interfere."

What a magnificent twist! Lloyd were attempting to improve safety; but the opposite was implied.

The supreme irony was this. The Secretary, whose responsibility was invoked, was not then and is not now, a person with any practical training or experience in flying, aeronautical engineering or air safety investigation. He is what is called a "pure" administrator. In practice, when any so-called "safety" issue comes up, he is wholly in the hands of the bureaucrats below him. Some of these in the distant past were pilots and engineers. Today they appear to be completely out of touch with practical aviation in real life.

I was starting to learn how immensely powerful, and wholly non-accountable some of these senior officers were. Just imagine; in democratic Australia our elected representative cannot interfere.

So Lloyd gave up. They had wasted time and money. They were trying to run a business and just could not afford to waste more. Of course, all the departmental bureaucrats were being paid for every letter, every telex, every delay. In the meantime passengers, mainly families with children, were forced to travel in the single-engined machines because the Department, in flagrant defiance of common sense, persisted blindly in enforcing an irrational, out-dated regulation.

Fortunately there is a happy ending.

About twelve months later Lloyd decided to try again. In the meantime they had been told that the only reason they did not get their approval was that they had not asked in "the right way". They had not shown the respect - with a touch of servility - which departmental bureaucrats expect from the tax payers who pay them.

Lloyd sent a nice, conciliatory letter respectfully asking approval. Back came a reply - approving it this time - not by updating the regulations but by allowing them to operate under a "developmental charter" concession! Here is the actual wording.

I agree to waive the existing multi-engine performance standard for this class of operation and prescribe the following operational performance standards:

- A) Take-off weight shall be limited to that at which the helicopter, in the ambient conditions, can comply with the performance standards prescribed for developmental charter.

This was only 12 months after they had been told that they could not possibly operate under the standard prescribed for developmental charter!

This story has been recounted in some detail as it is a typical example of what I was to see again and again. Common sense was irrelevant. The outdated regulations are blindly quoted and the only way most things get done is by "dispensations" or "concessions" which are in reality favours which bend the rules. And any complaint to the Minister results in quick use of that emotive word "safety".

Every helicopter operator in Australia needs constant dispensations merely to earn a living and each one knows that a dispensation may not be given, or could be withdrawn, if he rocks the boat, if he is a stirrer.

I spoke to Wal Fife about this case and asked him why he didn't simply order them to allow the safer twin-engined operation. He said that no minister would be prepared to risk going against the advice of his staff once the word "safety" was mentioned.

In fact, the position could be much worse than that. Many people, including legal experts, claim that under the Air Navigation Act, and the Regulations, the Minister is legally powerless. He cannot legally intervene in operational flying matters. The Prime Minister cannot intervene. The whole Cabinet can do nothing. In practice, all power is vested theoretically in the Secretary who appoints what are called "delegates" to exercise that power over every conceivable aspect of aviation - down to the tiniest detail. This could be all right if the Secretary himself were an aviation man. But what is bound to happen if he is not? And if his delegates have completely lost touch with the realities of aviation as they are known to pilots and operators in the field, and to air traffic controllers and others who experience those realities every day of their lives?

There is worse to come. How many citizens realise that our elected Parliament itself may be powerless? Let me explain why. Everyone connected with aviation knows that we have Air Navigation Regulations and the Air Navigation Orders. Both vitally affect us. Now, the ANRs must be approved by the Parliament. They must lie in each house of parliament for a certain time, at the end of which they have the force of law unless they are "disallowed" by a majority of either House.

The ANOs are never scrutinised even by the Minister, let alone by Parliament. So we have the position of laws being made by bureaucrats who are out of touch, and approved by a top bureaucrat who may not know the difference between pressure altitude and a pitot tube. The Parliament does not even have a standing committee to look at ANOs.

CHAPTER 3

BROTHERLY BUREAUCRATIC LOVE AT DARLING HARBOUR

The Darling Harbour (Sydney) helipad fiasco is an example of gross departmental incompetence, which is still continuing. In addition, the facts related below provide further evidence of how immensely powerful and totally non-accountable the senior bureaucrats are.

Because of an attempted cover-up and suppression of information by the Department the information below took over two years to compile. The general public, and especially the aviation community, owes a great deal to those departmental employees, present and past, who had the courage to send me copies of the relevant so-called "confidential" documents.

All responsible people hate the word "confidential" when it is applied to anything to do with flying operations. Confidentiality in commercial matters is one thing; but there is no room for it in operational matters or where air safety is involved. What everyone concerned with aviation wants is the widest, most open and completely free dissemination and discussion of all aviation matters. Everyone except the departmental bureaucrats, that is. They thrive on dark secrecy because their power is reduced by open discussion. Everything about operations that is kept secret does two things - it reinforces the power of non-accountable bureaucrats and it makes flying less safe.

At an early stage the Darling Harbour helipad was fully approved for all operations by the Department of Aviation.

The evidence shows that, because tremendous personal differences had developed between the Department of Aviation's Central Office bureaucrats and the NSW Region, the Central Office decided to teach the NSW Office a lesson - "to bring them into line".

The evidence is that they did this by putting ridiculous restrictions on the operation of the helipad, completely disregarding the economic damage they would do to a struggling industry which had nothing to do with, and was in no way responsible for, the disgraceful infighting within the Department.

The evidence is that they got away with these scandalous activities by throwing up the smokescreen word "safety" when, in fact, their activities clearly resulted in less safety.

They have aggressively prevented, for five years, any discussion of or enquiry into these matters.



CHANNEL 9 HELIPAD, WILLOUGHBY, SYDNEY

This pad has been measured and fully approved by Central Office. It is a two-way, day/night helipad, with no wind restrictions. The photo is taken from the direction of one of the approved approach/departure paths.



DARLING HARBOUR HELIPAD, SYDNEY

This pad is one way only, banned by Central Office for night operations, commuter use, or more than a five knot downwind. The photo is taken from the only approved approach path.

The approach from the other direction over the disused railway yards is not allowed because Central Office decided that this approach does not allow a safe autorotation in the case of an engine failure. The approach over the water is allowed even though there is no requirement for helicopters using the pad to have flotation equipment.

Most seriously, the evidence is that both the Secretary, Collin Freeland, and the then Minister, Kim Beazley, not only knew of the above details and had ample evidence that they were true but for some reason were not prepared to see justice done.

In 1978, after constant pressure from the operator of the Sydney-Gosford commuter service, who claimed that his operation would only be viable if he could land in the city, the Darling Harbour site was chosen jointly by the Department of Aviation and the Maritime Services Board.

The following was stated in a letter dated 23 November 1978 from the Director of the NSW Region of the Department to the Chairman of the NSW Planning and Environment Commission -

This site more than meets the helipad requirement promulgated by this Department.

Before this, departmental staff had taken instruments to the site and made necessary measurements and they had also been involved in compiling the tender documents. In addition, both the commuter operator and Channel Ten had made test flights to the site and pronounced it satisfactory.

Channel Ten won the tender and spent over \$100,000 developing the site.

Everything had been handled and approved by the NSW Region of the Department following the correct procedures laid down by the Department itself. Every other helipad in the Sydney Control Zone, like the Gosford commuter pad, had been approved in the same way.

In August 1979, five days before the official opening of the helipad and nine months after the original approval, an examiner of airmen from the Department's Central Office arrived unannounced at the site. He gave it a quick walk-around inspection and immediately informed a Channel Ten employee that the site was not suitable and would be declared illegal.

The effect this had on the NSW Regional Office can be imagined. In fact, they only learned second-hand from Channel Ten that their Central Office had arbitrarily banned the site without any discussion whatsoever.

There is no space here to cover the dozens of inter-departmental Minutes that started flowing between Central Office and the NSW Region but they make extraordinary reading. In fact, they show a conspiracy developing.

The NSW Director argued desperately that the site was already approved and was perfectly satisfactory while the Central Office kept insisting that he tell Channel Ten that it was not approved and it did not meet departmental requirements.

That was an almost impossible task because Channel Ten, and in fact everyone in the industry, was well aware that not only had the Department taken part in the selection of the site, but also that they had told everyone the site met their requirements. Channel Ten and the other operators also knew that it was a better site than most of the existing fully-approved helipads in the Sydney Control Zone because it was located in an industrial area and therefore did not require overflights of residential areas.

At one stage the NSW Director, the man on the spot, sent a careful, analytical four page Minute to his Central Office pointing out where they appeared to misinterpret their own requirements and explaining why his own experts, with their practical and detailed local experience, judged the site safer than many that were in existence.

He received a reply largely ignoring his claims and stating inter alia -

Whilst respecting the contentions put forward in your Minute of 6 November 1979 as having interesting points of view the conclusion cannot be escaped that you are, in effect, advocating the abandonment of standards based on world-wide recommendations and practices. This, it is believed, we must not do.

"Advocating abandonment of standards". Anyone who has ever tried to get a regulation updated will recognise this type of answer. When you put up a rational and common sense argument, usually to make something safer, the standard, concrete-brained response is that "we cannot abandon the standards".

The true Central Office bureaucrat never mentions that the "standards" may be 20 or 30 years out of date and, therefore, quite often totally ridiculous. It is one thing for such bureaucrats to treat ordinary taxpayers, their employers, with this "standards" ploy. But in this case the answer was being given to the Regional Director in NSW - not to some maverick in the industry or ordinary member of the public.

In fact, there is no doubt whatever that the helipad fully complied with the world-wide ICAO recommendations. That being so, then just what were the "Australian standards"? The answer lay in a document called AGA-7 which was written in the days of the old Bell 47 helicopters, over 20 years earlier, and which was so far out of date that none of the helipads in the Sydney Control Zone complied with it! Yet they had all been fully approved by the device of a departmental "dispensation"!

Now, the NSW Director realised he had serious problems. His Region had approved the helipad but his Central Office was not going to back down. They never did. They were all-powerful and were not normally accountable to anyone -

least of all the NSW Director. They would not listen to his arguments. They would shelter behind out of date regulations and cry "we can't abandon the standards" at every move.

Among the quite extraordinary, previously secret, inter-departmental minutes that I have obtained is the gem which follows. It only came to light because of my investigations and no one in the industry has known of its existence until now.

Dated 4 January 1980, it went from the NSW Director to a First Assistant Secretary, Central Office.

To say the least, I was most disappointed in your reply to my minute of 6 November on the subject of the Sydney helipad at 39 Darling Harbour. -

What the minute says is that the Secretary, through you as a delegate, has said the the helipad does not meet the requirements and I as a delegate am now to write to United Telecasters and the Planning and Environment Commission and tell them so. The Secretary, through another delegate, has already told them it does. This is the first time that we have changed that advice and there is little doubt in my mind that this factor will be of significance legally, politically and for the media. Before taking the step, therefore, I asked by telephone to make sure that the Secretary and the Deputy Secretary were fully advised and are aware of the possible implications. I told him on the telephone what I believed these would be, including evidence which would have to be given under oath during legal proceedings.

"Under oath during legal proceedings" was a phrase, the implications of which should have been pretty clear to Central Office, which reacted accordingly by following their well-trying precedents.

They did not admit they were wrong (bureaucrats rarely do). They did not even consider revising and modernising AGA-7: that would never do! They did not give in. They obdurately maintained that the helipad was unsafe and did not meet the requirements. So did they stick to their antiquated, muzzled-loaded guns and ban the helipad?

No way! As usual, they simply granted a dispensation that would allow charter and private use of the helipad but would prohibit the Gosford commuter service from using it (which was what the whole pad was intended for). They also prohibited operations at night or where there was a downwind of more than five knots and also restricted all operations to one way in, one way out.

Which is why today any member of the public can go on a joy flight from Darling Harbour or even charter a helicopter and fly in and out all day long (perhaps to Gosford) but no one is allowed to fly in an identical helicopter from Gosford by the commuter service. In fact, because of this incredible

ruling the Gosford service has closed down, sacking all its staff; the helicopters are in mothballs; and a fortune has been lost.

I have in my possession what appears to be conclusive evidence, in the form of official documents and statements by former and present departmental officers, that the Darling Harbour snafu reflected a personal feud between Central Office officials and the Regional Office officials. There was a kind of "pay-back" attitude in the Central Office ruling. The Law of Defamation - rightly or wrongly - precludes public disclosure of much that I know. I would not, however, hesitate to put my evidence before any kind of inquiry.

My essential point in this: what happened with Darling Harbour had nothing whatever to do with safety. It had everything to do with feuding within the Department.

The story illustrates the enormous power these bureaucrats have, for without any discussion with the industry at all, without any canvassing of opinions, without any accountability, they autocratically placed restrictions that would do, and did, enormous financial damage: businesses closed down, people were put out of work.

There have been some extraordinary side-lights on Darling Harbour. For example, at one stage the Central Office maintained that they could not allow unrestricted use of the helipad because it was not possible to do a forced landing when approaching from the south.

Upon hearing this the chief pilot of Channel Ten immediately put a helicopter into the air and demonstrated, by cutting the engine at every position on the southern approach, that safe forced landings were easily performed. In other words, he indicated to the Mandarins of the Molongolo what he thought of their quaintly impractical mental processes.

They were not amused! Without consultation, or any discussion whatever, one of them blandly noted in an inter-departmental minute dated 21 December 1979. -

It is not a difficult task for an experienced pilot, full in the knowledge that an emergency is about to be simulated, to demonstrate that an emergency can be adequately coped with.

The egregious fatuity of this comment will delight the hearts of all pilots, who are "full in the knowledge" that they will have to cope with simulated emergencies every time they undergo their regular, periodic flight tests! You cannot hold the lowliest form of licence to fly solo until you satisfy an examiner or senior instructor during simulated emergencies.

And at another time, the Central Office bureaucrats suddenly imposed on the helipad a restriction that they had never placed on any other in Australia. They insisted that every operation must allow for a safe autorotation in the event of an engine failure. This was a clear example of the absurd lengths they had to go to in attempting to justify their original decision to ban the helipad, because not even the Central Office-approved helipad on the Yarra bank in Melbourne could comply with this requirement! This extraordinarily biased treatment did not worry them in the slightest and this requirement still uniquely exists on the Darling Harbour site - even though it cannot be complied with as it is obviously not possible to do a safe autorotation into Sydney Harbour with a non-float-equipped aircraft.

By 1982 all of the departmental people in the NSW office who had been involved in the helipad issue had retired. A new helicopter specialist, Mr David Allen, was employed. He was highly qualified and very experienced in practical aviation. After inspecting the site and flying the approaches, he requested Central Office remove the restrictions because, in his professional opinion, the helipad was satisfactory.

The bureaucrats summarily rejected his proposal, without any discussion, without any inspection. They simply wrote back and said he was wrong.

By 1984, when over 15,000 movements had taken place from the pad, an industry survey was done which showed that every pilot who used it regularly, many with over 10,000 hours flying experience, believed that it was perfectly safe and also suitable for night operations. The Central Office simply ignored this survey: they did not even bother to answer or comment on it in any way.

The position can be summarised thus. The NSW Region originally approved the site. Three years later its new departmental helicopter specialist approved it. After four years and 15,000 movements, every pilot who regularly used the site said it was satisfactory and still the Central Office bureaucrats steadfastly refused even to allow any discussion on the issue. Where, other than perhaps in the Soviet Union, could such a situation exist?

Let us assume for a moment that the people in Central Office genuinely thought their NSW counterparts had made a mistake. Then, as a matter of elementary fairness, not to mention safety and the importance of resolving a professional difference in a thoroughly professional way, would the Central Office not have decided, as a matter of course, to call a meeting of all the affected people so as to explain the reasons for their decision and to resolve the matter?

No way! Nothing happened. There has never been any meaningful discussion - only flat edicts from Central Office.

This is an example of what I was to find again and again: a total lack of accountability for anything. They acted, and still act, with contemptuous disregard for the very people they were being paid to serve - including people who were going broke and losing their jobs.

Significantly, the legal action the NSW Director was worried about did not eventuate. The real reason is instructive. Everyone interested in aviation knows that it is a very brave organisation indeed that will take on the Department because of their unlimited autocratic power for intimidation.

For example, Channel Ten's helipad at North Ryde did not comply with the regulations and, therefore, was operating under a dispensation that could easily and arbitrarily be removed.

In addition, as I have already made clear, the bureaucracy always has at hand the weapon of "safety" which it brandishes without scruple when it wishes to bamboozle and control the Minister, the Secretary, the Cabinet and even the whole Parliament, while if they were to update the regulations the bureaucrats would lose their highly prized power to give and withdraw dispensations.

Over a year ago now I went through every detail of this file, including the allegations and evidence I cannot discuss here, with the Secretary of the Department, Collin Freeland, and with the then Minister, Kim Beazley - over four long hours with each of them.

They were obviously quite amazed at what I revealed. At the very least I expected they would institute a full and open inquiry into the allegations I was making.

But they didn't and the only useful recommendation from the Secretary was that I could try the Ombudsman.

The Secretary was obviously not going to have an open inquiry. His senior bureaucrats would have vetoed that. He did get his inspectors to check out my claim that not one helipad in the control zone complied with the regulations. They measured each one and confirmed this to him. He also announced the appointment of an industry/departmental committee to review the requirements for helicopter landing areas.

Interestingly, the terms of reference for this review did not include any reference to Darling Harbour. The industry was not allowed to nominate its own representatives and the committee were secretly hand-picked by the bureaucrats. They were all people with no involvement in the Darling Harbour issue. They were even told that Darling Harbour was not to be discussed. Once again, everything was covered up.

In November 1984 a meeting was held in Sydney of over 50 helicopter pilots who have been affected by the Darling Harbour fiasco. They unanimously passed a motion calling on the then Minister to immediately institute an open inquiry into this important issue.

If this inquiry ever takes place, and surely common justice says it must, and when it confirms that the NSW Region of the Department approved the site, then fair compensation must be paid to those affected for the losses incurred when this approval was arbitrarily removed after an enormous amount of money was spent. Also, immediate disciplinary action should be initiated against those responsible for such an extraordinary abuse of power.

After all, this is what would happen in private enterprise if a branch manager authorised expenditure that was later found to be wrong. Why should the Department of Aviation be any less accountable under the law?

FOOTNOTE:

In an article in the National Times of 21 December 1984, Kim Beazley dismissed the evidence that restrictions had been placed on Darling Harbour because of a personal feud between his officers. He claimed that two consequent assessments of the site came to similar conclusions. However, he failed to make it clear that both of these assessments were made by bureaucrats from the same office that placed the restrictions on in the first place!



Citation 1N SP twin-engine business jet.

CHAPTER 4 THE CITATION SAGA

I have a huge file, the content of which would gladden the heart of Nicholas II, Tsar and Autocrat of all Russia, as an excellent example of the precise non-accountability to which he was accustomed. The only difference is that all his people knew the face of Nicholas. The bureaucrats who spawned this file remained faceless as they made dictatorial decisions that could not affect their livelihoods, but only entrench their own personal power base at the expense of an industry they were supposed to be serving.

The Cessna Citation S.P. (single pilot) is a beautiful little business jet designed specifically for single pilot operation.

It is fully approved and flown by single pilots in countries like the USA, Canada, United Kingdom, Germany, Papua New Guinea and, up until 1979, in Australia.

In 1979 the Department of Aviation, without consultation with Rex Aviation, the Cessna distributor, or indeed anyone in the industry, issued a "policy document" which stated that henceforth the Cessna Citation S.P. would no longer be allowed to operate with a single pilot.

They gave no reason, apart from typical murmurings about "safety standards" to justify putting Australia out of step with the rest of the modern world. That was it, the decision had been made.

Anyone will understand what this did to the sales of the aircraft in Australia. So Rex Aviation have fought long and hard to get the decision reversed, or at least to have fair and open discussions with the Department on the issue.

After profitless verbal exchanges they forwarded the Department an extremely thorough and lengthy submission on the issue. The technical details of this submission need not be reproduced here. It is enough to say that Rex built up an excellent, rational case which they submitted with incontrovertible hard evidence to show that there could be no possible reason for the Department of Aviation to ban single pilot operations in Australia.

More importantly, they were obviously very worried about the way the original decision had been made. To quote from their submission -

As the representative of the manufacturer, and one who must make financial commitments for literally millions of dollars, up to five years ahead for jet equipment, we believe we should have a reasonable expectation that they are certified in accordance with the Air Navigation Orders prevailing and that any forecast changes to such

Air Navigation Orders should be circulated for comment prior to change. A "policy" document is not in the best interests of harmony in acceptance of rule-making.

Two of the specific requests made by Rex are worth quoting. They said (paragraph 6-3:) -

We further request that Rex Aviation and other qualified parties be permitted maximum input into the deliberations into this matter and to be in a position to jointly evaluate any such testing as may be carried out.

and (paragraph 6-4:) -

Rex Aviation recommends that for this determination and any similar situations in future the Department of Aviation form a multiple expert opinion team to carry out such testing as is required. We also offer a current model Citation for the purpose of test and evaluation.

All three entirely reasonable requests were completely ignored.

They were made for a very important reason: Rex had already heard, through the grapevine, that the senior bureaucrats' minds were made up. The concrete had set. There was to be no change - ever.

During the seven months after the submission was made the chief executive of Rex Aviation telephoned the Flight Standards Division at Central Office each six weeks to see if they had any results, if they wanted any help, any discussions, a test flight in the aircraft perhaps, anything.

No, he was told. It was all being thoroughly investigated. He would be notified in due course.

He was. On 6 January 1983, after some three years of lost sales and without even a courtesy phone call, with no discussions, no industry meetings, no test flights, he received a letter refusing any change. The whole "investigation" had been done in secret.

A reason was given for rejecting his requests and recommendations. It was that ICAO (International Civil Aviation Organisation) recommendations stated that a crew of "average ability" must be able to handle an aircraft properly. And in the opinion of some unnamed person in the Department of Aviation, such an "average ability" pilot would not be able to handle the Citation!

How could Rex, or anyone, answer such a purely subjective opinion?

Of course, all of the other countries who approved single pilot Citation operations were also signatories to the same ICAO recommendations. They merely interpreted them differently, or perhaps the bureaucrat considered that Australian pilots are inferior to those trained elsewhere.

It was about this time that I got involved in the issue. I had spoken to the chief executive of Rex Aviation, as he was one of the most respected and experienced members of the aviation industry, to ask for his advice on my project of updating the helicopter regulations.

He was full of gloom. He said "You won't get anywhere, Dick. I've been in the industry for 27 years, and they treat us all like errant schoolboys".

I was shocked at the way he had been treated, when he explained the full story. Here he was, the chief executive of one of Australia's largest aviation companies, and also president of the General Aviation Association, yet he could not even find out who had done the investigation that was affecting his company's viability, let alone take part in any fair, open discussions on the matter. Why, I wondered, would such an investigation, if it was fair and above board, need to be done in secret?

I was furious, mainly at the system, but also at the way he was forced to accept that these unknown and possibly incompetent people were all-powerful and there was nothing he could do about it.

I thought, "I'll find out who made this decision if it's the last thing I do. I'll get them to explain it openly. Surely that's a fair thing?"

So I set to work and rang every major operator of Citation jets in Australia: Colin Stewart, chief pilot of North Broken Hill; George Williams, chief pilot of Inghams and Bruce Harris, chief pilot of Skywest Aviation in Perth. Surely, I thought, these experienced, regular operators would have taken part in the Department's enquiries. They would know who was in charge of them. The Department itself did not own a Citation. If it wanted to use one, then it would, of necessity, have had to hire the aircraft from either Rex or one of these operators.

They all had the same tale to tell. They had heard rumours that an investigation was being done, but not one had been asked for an opinion, either directly or indirectly. One even told me that the Department had made up its mind years before, so any inquiry was pointless. The most startling fact I uncovered was this: one of these pilots was continuing to fly a Citation as a single-pilot operation because he had a departmental dispensation to do so! I spoke to one of the departmental examiners of airmen for the Citation. He burst out in friendly laughter at my question whether he had been

consulted. He said "The Department doesn't work like that. I'm only in the Regional Office and they would consider it nothing to do with me."

So there it was - and is. I have no personal opinion on whether Citations should be flown one pilot or ten, but this shocking arrogance and lack of accountability was yet another example of what I was to find more and more. If a man of the calibre and experience of the chief executive of Rex was to be treated in that fashion, or, in his own words, like an errant schoolboy, how were less well-known people in the industry treated?

I was to find later that the Department actually sent a person around the world to look into the issue. And the whole inquiry was done with so much secrecy that I have never even been able to find who did it. The information is presumably something which affects national security.

So far, Rex Aviation have been unable to get the Department of Aviation to agree to have an independent team look into the matter and the arbitrary rule imposed five years ago is still in force.

There is, however, a light on the horizon as I have recently heard that the arbitrary decision is now likely to be reversed.

When this happens I wonder if any damages will be paid to Rex for the loss of sales they have incurred.

CHAPTER 5 THE ARP SMOKESCREEN

The Department constantly claims that it has an open and accountable system for rule making through the system of Aviation Regulatory Proposals (ARPs). These are advance notifications of proposed new rules or changes to existing rules which are supposed to be circulated in advance throughout the aviation industry for comment before they are promulgated in final form.

The following will provide evidence that the ARP system is nothing but a giant sham which appears to allow industry participation but in practice does not.

This example is also important as it shows the bureaucrats will go out of their way not to make a commonsense change to their regulations so that they can protect their power base and themselves, even when it results in substantially less safety for the travelling public.

In the U.S.A. Australia and in many other countries, during the late 1970s the Swearingen Metro II, a 19-passenger aircraft, became a popular aircraft in the commuter airline industry.

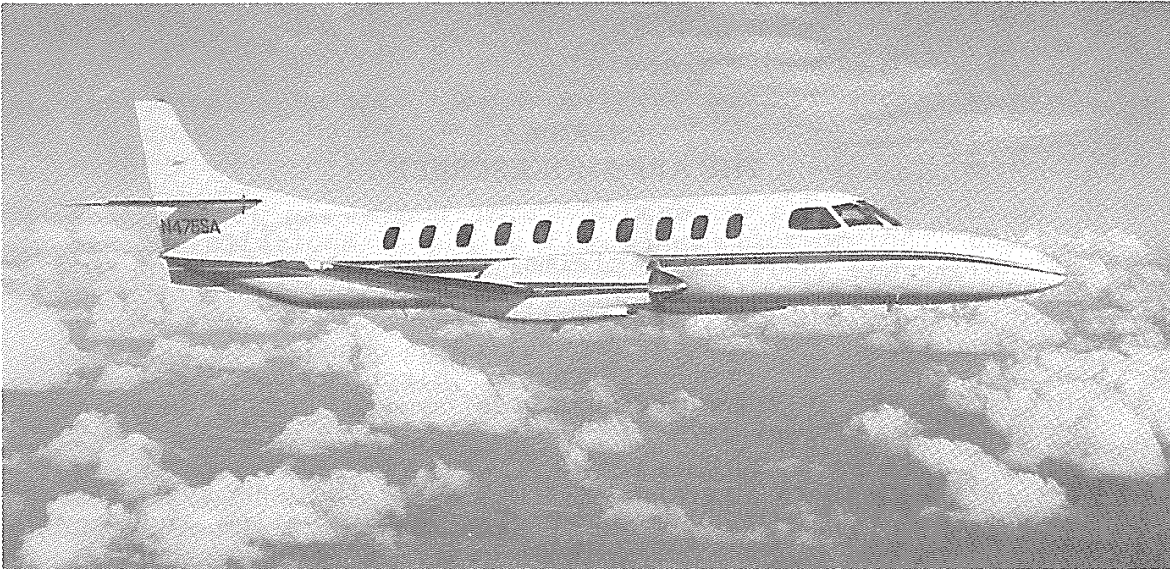
It was designed to operate up to a maximum weight of 12500 lbs and earned an excellent safety record.

From the experience gained by the successful operation of this aircraft the manufacturer designed a new version called the Metro III. . Because of modern technology this aircraft incorporated substantial additional safety improvements over its predecessor. These ranged from expanded fire protection and electrical system redundancy to an ability to operate to accelerate go, accelerate stop, and landing criteria similar to those required for Jumbo jets. It was undeniably a very much more modern and safer aircraft.

Because of the extra safety equipment and more modern design the aircraft was certified to operate up to 14000 lbs gross weight, 1500 lbs more than the Metro II even though it carried exactly the same number of passengers.

Therein lay the problem! Away back in the 1950s a decision had to be made on a weight to be the dividing line between aircraft of different certification standards. At that time the weight of 12500 lb was agreed on internationally as it was the dividing line between the Beech 18 and the Lockheed Loadstar. (Yes, I kid you not).

The weight has no other significance. It is quite arbitrary and is hopelessly out of date. Today it is generally accepted that passenger carrying capability is a more sensible criterion.



FULLY APPROVED AND OPERATIONAL IN AUSTRALIA

METRO II, 19 passenger airliner: certified 1970, 12,500 lbs gross take off weight, 840 hp engines, fuselage length 18.09 metres, single engine climb at 12,500 lbGW = 650fpm



BANNED IN AUSTRALIA!

METRO III, 19 passenger airliner: certified 1981, 14,000 lbs gross take off weight, 1000hp engines, fuselage length 18.09 metres, single engine climb at 14,000 lbs GW = 740fpm. Meets SFAR 41 and ICAO ANNEX 8 requirements. Expanded fire protection, electrical system redundancy, and complies with engine-out climb performance, accelerate-go, accelerate-stop, and safety factored landing distances similar to those established for heavy jet aircraft.

In the United States, where the F.A.A. has a good record of statutory accountability to the industry, after lobbying by the manufacturers and a fair, impartial enquiry it was found that the arbitrary 12500 lbs rule was ridiculously out of date. After all, 30 years is a long time in aviation technology. Therefore, a new certification standard was designated, called SFAR-41, which approved the Metro III and similar aircraft which, even though they were over the old 12500 lb limitation, could not be placed in the same certification category as a Jumbo jet or the like.

Other countries such as Germany and the United Kingdom followed with similar rulings so that these more modern, safer aircraft could operate in their countries. It should be clearly noted that SFAR-41 resulted in a significant upgrading of the existing small aircraft safety standards.

And what happened in Australia?

Your guess is correct! Our concrete-brained bureaucrats were not going to have a bar of it. There was just no way they were going to change our 1950s Lockheed Loadstar regulations even if it did result in more safety. As far as they were concerned any aircraft that went 1 milligram over 12500 lbs had to comply with the same design criteria as a Jumbo jet and it was nothing to do with them if the world aviation industry did not and never would manufacture such an aircraft.

Today, after over five years of lobbying by the manufacturers, the General Aviation Association, the Regional Airlines Association and many individuals, there has still not been the slightest move by the Department towards any open, impartial review of this issue. Therefore, none of these more modern, safer and more economical aircraft operate in Australia.

It should be noted that the Department of Aviation has never issued a warning to Australians overseas not to travel in Metro IIIs and other SFAR-41 aircraft. It might be hoped that if they genuinely believed for one second that their autocratic ruling was a genuine safety matter they would do this.

They have not, because they know full well that the Metro III and the other SFAR-41 aircraft are safer than the earlier aircraft they have replaced.

Nevertheless, you and I, and all other Australians, are prevented from enjoying this higher level of safety (unless we travel overseas) so that a ridiculous and hopelessly outdated regulation can be blindly maintained. And anyone who makes representations to the Minister or the bureaucrats on this issue will be automatically given the same old irrational reflex response "We cannot change safety standards".

Over the last two years the pressure on the Minister and the Secretary to let common sense prevail and reverse this pathetic decision (or non-decision) has become so great that the bureaucrats have been forced into the smokescreen tactic of issuing an ARP. This, it was thought, would defuse the issue: it had always worked in the past; it would work again.

One would assume that in a democratic country an open meeting would be called of all interested parties in the issue. From this meeting a balanced group of experts would normally be formed, representing both the Department and industry, which would investigate the facts openly and issue proposals for all to comment on. This would then form the basis for any recommendation to the Minister for proposed changes in the regulations.

Thus, everything would be done openly - a requirement of prime importance where safety issues are involved - and our elected representative would then be in a position to make a sound decision on the basis of all the facts placed before him.

Let us look at what happened - in Australia in 1984, not Germany in 1934.

Firstly, the ARP (designated 84/15) was secretly written within the Department and then just as secretly (it is rumoured) handed around from bureaucrat to bureaucrat to add his or her piece of wisdom.

It appears that this took about 12 months and at no time was any discussion held with the industry as to what was going into the document. In fact, to this day, no one in the industry has any real evidence about who were involved and what experience and expertise they had.

Of course, there were plenty of rumours; but never anything definite - it was all done in secrecy.

Why? For surely there could be absolutely no need for anything but full and open disclosure and discussion on such an important safety issue?

Finally, in September 1984, ARP 84/15 was issued.

It must rank among the least professional and most dishonest documents spawned by any bureaucracy in human history since the Roman Empire at its zenith.

I use the term "dishonest" deliberately, for good reasons, as will be seen.

This ARP proposes to approve SFAR-41 aircraft by imposing a number of extra conditions which are so patently ridiculous, and so expensive, that no aircraft could ever be economically produced to comply with those conditions. That is why I accuse the bureaucrats of dishonesty. They have not issued an ARP which anyone could conceivably regard as a basis for

fair discussion. Instead, they have produced a document with conditions so absurd as to kill any possibility of discussion stone dead.

Remember, the Metro III and other SFAR-41 aircraft are already designed to meet higher safety certification standards than the older aircraft they are replacing but, on top of this, our Australian bureaucrats demand the following:

1. Damage tolerance be increased to take a 1.81 kg bird strike. (This would require new windshields and complete structural changes to the wings, fin and tail and therefore require re-certification of the aircraft).
2. A two-shot fire extinguisher system in place of the already approved single-shot system (adding substantial expense and weight for no measurable increase in safety).
3. A fatigue monitoring recorder, a flight data recorder and a cockpit voice recorder (adding about \$200,000 to the cost of the aircraft plus extraordinarily high maintenance costs with no direct influence on flight safety).
4. A completely new stall warning system (this would be extremely costly, add weight and be unique in the world for such an aircraft).
5. Special performance requirements on take-off (meaning new larger engines if the aircraft were to be able to use the same runways as its predecessor).

On top of this the ARP dogmatically states that even if aircraft complied with all these extra conditions they would only be approved for "supplementary airline operations". In other words, an operator would be prohibited from using one for business, charter, or private flights.

It should also be noted that the weight of all the additional equipment could limit the passenger-carrying capacity of the aircraft to less than that of the older, existing fully approved aircraft.

It is obvious that any new aircraft complying with these incredible, proposals, unique to Australia, would be economically unacceptable.

So here is the position.

All the industry wants (and no doubt the public if they had a say in it) is to be able to operate the new aircraft in the way they have been designed. They carry exactly the same number of passengers with undeniably greater safety than the existing aircraft they have been designed and built to replace and which are now operating in Australia.

Of course it is obvious to the bureaucrats that these new and safer aircraft will only be operated if they can be imported and used as they are designed. The bureaucrats have, therefore, successfully prevented any change whatever while giving the impression that it is all being fairly discussed through an ARP.

It goes without saying that the industry has totally rejected the Department's proposals.

The Regional Airlines Association has responded as follows to the ARP.

Unless the Department revises its approach to the whole question the Department will succeed in condemning the Australian commuter air traveller to carriage in aircraft meeting airworthiness standards of a decade ago.

Consequently, no new 19-seat aircraft certified to the higher American standard will be introduced into Australia. This will leave the Australian industry to operate its comparatively ageing fleet of 19-seat aircraft. Such a situation will arise purely because of the Department's inflexible attitude to the acceptance of a standard which has been proven to be of benefit to the traveller and the operator in the world's foremost aviation environment.

It should be mentioned that safety experts in the industry believe the additional requirements imposed by the Department, as well as being economically impossible to achieve, have not been based on any known scientific evaluation. The Department has simply developed a list of requirements capable of theoretical achievement, then defined them as "important" and autocratically demanded that they be accepted.

Well, that explains the con job - the industry has got absolutely nowhere after 5 years and no doubt the Minister and the Secretary are being fed the same old delaying tactic:

"We are are awaiting comment on the ARP"

Let me give the last word to the general manager of Air Queensland who stated in a recent address to the Department -

In the airline industry (with rare exceptions) you don't get to senior management level on any other basis than years of industry experience. It's such a complex industry - finance, personnel, commercial, operational, engineering, industrial, to name a few aspects, that executives can't just move in from another industry and hope to be effective. It is strongly felt in the industry, that equivalent depth of experience is not always available amongst "opposite numbers" at senior level. Until it is, you won't have the depth of industry knowledge necessary to detect weaknesses in your regulations and rules, or to devise ways of patching them

up. You will go on drafting rules and procedures which stifle the industry and produce a nett degradation of standards, without knowing what is happening.

Yes, obviously true words borne out by the ARP issue discussed.

Until our industry forces totally open, free discussion on all relevant issues before any ARP is released then ARPs will remain what the bureaucrats intend them to be: elaborate smokescreens to frustrate and delay all change, while maintaining and strengthening the unchallengeable power base of the bureaucrat concerned.



Wednesday 12 December 1984 5.20pm

This farcical, dangerous and expensive situation occurred because the "see and be seen" issue has not been resolved.

The two helicopters on the right had requested a departure clearance from Darling Harbour (one was going to the east, the other to the north). However, they were held on the ground for four minutes while the helicopter (on the left) flew in from Parramatta.

This meant that instead of the helicopters passing in the air with over a mile of separation they passed within ten metres of each other in a maximum power configuration.

This situation, which reduces safety, is forced on pilots daily because the air traffic controller is not allowed to let two helicopters pass in the air with anything less than "Jumbo jet" separation distance.

CHAPTER 6 SEE AND BE SEEN

Here is a classical example of how the Department is so organised that it is incapable of making any change, even when genuine safety is at issue, when they themselves want the change, and when the need is economically affecting an already depressed industry. To follow this one through, step by step, will reveal an extraordinary level of incompetence arising from organisational chaos. It is only one example of what is happening to everyone in aviation all the time and, remember, it has not yet been solved.

It is the "see and be seen separation" issue.

Throughout the world Visual Flight Rules (VFR) aircraft maintain their own separation from other VFR aircraft.

In Australia this was so too, until about ten years ago. Nowadays VFR aircraft are directed around control zones like Jumbo jets. This quite often means that an extremely busy air traffic controller, instead of concentrating on 350-ton, 400-passenger Jumbo jets, will simultaneously be attempting to concentrate on keeping two TV helicopters or other small aircraft apart. It also means that aircraft are held circling over built-up areas, which is not only economically damaging to the operators but it also substantially reduces safety.

When I started investigating this issue it soon became obvious that the situation was caused by an internal dispute that the senior bureaucrats of the Department were incapable of solving.

Also obvious was the lack of real interest these bureaucrats had in solving the issue, because they had allowed it to drift on for ten years. Of course, it did not affect their pay packets one cent.

A small digression will help here.

A few years ago it was well reported in the media that an industrial dispute had prevented the ABC from changing over from film to electronic equipment. In fact, all of its expensive new equipment had been sitting there for years, gathering dust, unused, because of this industrial dispute. Of course, the management at the commercial stations had solved their union disputes on this new technology in about ten minutes flat.

But the old ABC management was so bereft of any sense of financial accountability, that the deadlock continued unresolved for years. It became a national scandal.

Eventually, following the Dix inquiry, people were shuffled aside, competent management came in, and agreement was reached with the union in ten minutes flat.

In this situation the principal group who were adversely really affected by managerial incompetence were the ABC viewers - and there were not many of those.

However, in this "see and be seen" issue, the viability of a whole industry was affected.

Back to the story.

When I became involved, in November 1982, I found that both the departmental bureaucrats and the union executive agreed that the existing situation was reducing safety. Both wanted a return to the "see and be seen" rules. However, they both believed it was the bloody-mindedness of the other side that was preventing this from happening.

November 1982 sounds a long time ago; but I was to find that many affected people in the industry had been desperately campaigning on this issue for years before then.

I had meetings with both sides - the union executive and the senior bureaucrats. It soon became obvious that the problem could be easily solved.

The union simply wanted a change in the regulations so that air traffic controllers could not be held legally responsible for the separation of aircraft which had been instructed to operate under "see and be seen" rules.

This seemed a pretty reasonable request.

Nevertheless, the departmental bureaucrats maintained that no change was necessary. Their interpretation of the existing rules was that air traffic controllers were adequately protected. It is difficult to follow their logic. If their legal interpretation was correct, and if the controllers were protected, then why on earth could the bureaucrats not agree, by a simple stroke of the pen, to remove all doubt?

Now, on meeting this impasse which had persisted for years, any moderately capable executive would simply have made the changes and resolved it.

But there was no way the bureaucrats were going to make the obvious move, even if their obstructiveness meant, just as it had in the ABC, that all common sense would be thrown out of the window. As far as they were concerned their inefficiency and lethargy cost them no loss of salary; it didn't matter how many aircraft were needlessly held orbiting, or who was being forced into bankruptcy. They pretended it was not their problem, even though it was a major safety issue.

I persisted, feeling that surely I could spoon-feed them and solve this one. Letters went backward and forward, dozens of phone calls, 40 or 50 hours of my time over the next six months.

Seven long months had gone by when I received this letter from the then deputy secretary, Jim Schofield. It said -

Dear Dick, We are currently pressing ahead with our negotiations for changes in relation to VFR traffic in control zones. These considerations are close to finality, possibly another month will see them concluded.

With great enthusiasm I told the air traffic controllers and everyone in the industry that it would only be a month before everything would be solved. I admit I was almost jumping with joy that at last I had got somewhere.

It is now over two years since that original letter and nothing has changed.

Not that I gave up; I kept writing, chasing, phoning, adding almost daily to my already enormous file.

The senior bureaucrats still would not clarify the regulations as the air traffic controllers had requested. Instead, they decided to issue a document that would prescribe "see and be seen" separation.

This would force the union to acceptance, they reckoned.

A crazy way to keep employees on side, I thought - but better than nothing. So I kept chasing, phoning, writing.

Here is a typical letter to show what I was going through, addressed to the Secretary -

Dear Mr Freeland, See and be seen VFR procedures. On Tuesday 16 August 1983 Jim Adams told me that there would be a delay. This was to allow time for the Department to notify the industry of the proposed changes and await comment.

He appeared confident that the required notifications would be posted within one week.

Now, over 8 weeks later, it appears that they have not been sent out because he is awaiting comment from the Flight Standards Division.

It is now 12 months since I brought this issue forward in Mr Schofield's office and I understand from discussions on that day that your officers had been working on the matter for many years before that.

Surely something can be done about this matter, especially when you consider that both the industry and the Department are in favour.

Eventually, the ARP (Aviation Regulatory Proposal) was issued and sent around to the industry. I thought things must be getting close now.

In November 1983 I rang Collin Freeland, the Secretary, and pleaded with him, couldn't he take charge and do something? It was a safety issue and, as people were going broke, surely he must be concerned? I told him I was convinced it was simply the incompetence of his senior officers that was delaying everything.

Later in November 1983 he wrote to me and said that he regretted the delay. He said -

If there is general agreement with the proposals they will be introduced as soon as practicable in 1984.

Note that in May 1983 the Deputy Secretary had told me another month should be all that was required. Now seven months later I was being told by the Secretary (at least I was now at the top) it was to be as soon as practicable in the following year!

Nearly the whole of 1984 went by. Nothing I could do - and I strove as energetically as ever for some action - produced any concrete result. I felt that departmental stone-walling was impelling me into premature insanity.

At last, on 26 October 1984, I received an impressive telex from the Secretary. The operative section read -

Reversion to VFR separation standards (see and be seen) in primary control zones.

This proposal was circulated to industry as an ARP late in 1983 and final responses received in March. CAOAA (the union) implacably opposed to proposition. Negotiation over recent months has led to softening of this attitude and I hope, with agreement of staff associations, that new procedures can be promulgated and introduced without too much further delay.

I was frankly incredulous. Of course the union would be opposed. They had made it clear for ten years that they would accept nothing but an amendment clarifying the regulations.

In two long years I had got absolutely nowhere, no doubt like everyone else in the industry who had attempted to solve this issue. It had cost me a small fortune in lost time, trips to Canberra, letters and STD phone calls, all for nothing.

Meanwhile, those bureaucrats had been paid in full, for every letter, every delay.

What perplexed me above all was that this was an issue that everyone - the Department, the union, and the industry - wanted solved, as we were completely out of step with the rest of the world. Our practice was not only opposed to common sense: it resulted in a lower safety standard.

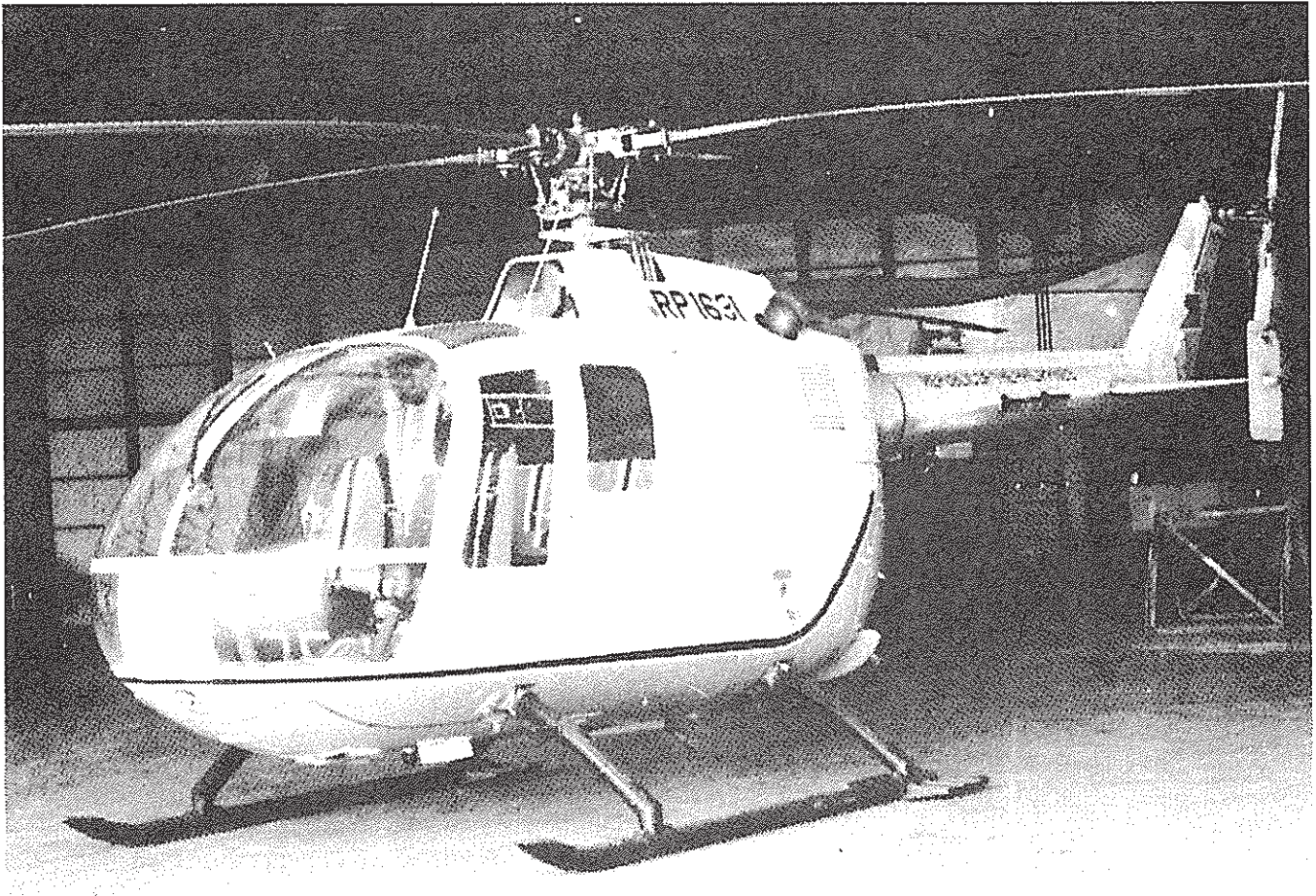
If, like the ABC, the Department of Aviation were completely restructured, and given an efficient management, this ridiculous problem could be solved in ten minutes.

Meanwhile, if you wonder why a single-engined aircraft is circling endlessly over your home, you now know why.

FOOTNOTE :

In December 1984, after the above chapter was written, a senior bureaucrat laid the blame for the issue not being solved on me! He claimed that my campaign had hardened the union's resolve not to compromise.

Of course, it is difficult for me to answer such a subjective allegation. However, when the union president heard of it his answer was a straightforward "rubbish".



German MBB, BO 105 twin-engined helicopter.

CHAPTER 7
DON'T RISK FLYING IN OTHER COUNTRIES

Let us examine the towering presumption of Australia in setting its own certification standards.

It is often claimed - especially by the bureaucrats - that we have "higher" aircraft certification standards here. This empty boast carries the implication that it means far higher safety.

This claim is untrue. In truth, there is good evidence that Australian certification standards have the horrifying long-term effect of degrading safety here in comparison with the rest of the world. The principal and most apparent reason is that our obviously different standard is so costly to comply with, for no real increase in safety, that quite often all it does is prevent modern aircraft from entering the country, thus leaving us with machines which are old, out of date and less safe.

To concoct and enforce our own standards means employing dozens of aeronautical engineers with high salaries.

West Germany, with a far higher population than Australia, accepts the U.S. F.A.A. standard as their standard. Has any Australian ever heard a warning not to fly in West Germany? The fact is that all non-military aircraft in the Western world are manufactured to the U.S. F.A.A. standard.

If these aircraft are not safe then why has our government not warned Australians against travelling on foreign aircraft? Why has there never been this warning from the Secretary:

Don't travel on Pan-Am, Lufthansa or Swissair - their aircraft are dangerous!

The answer is obvious. We allow all of these foreign aircraft to fly into our country and over our homes, to land at our airports, because our government considers them safe.

Of course, our unique Australian "standards" keep hundreds of highly paid bureaucrats entrenched in jobs. So, not unnaturally, they justify our need for them - in the interest of "safety" of course.

Australia has a very small percentage of the world's aircraft. It is, therefore, patently obvious that other countries are not going to make aircraft to our standards; we are too small a market for manufacturers to bother about.

We know this perfectly well. That is why our standard usually differs only in minor and quite pedantic ways. Of course, some engineers in the Department of Aviation, who

have joined the bureaucracy, will rationalise their role in claiming the need for our very own, unique to Australia, standards.

I know it all: I went through it all at another time - with the humble CB radio.

The electronic and radio industry had an enormous problem with engineers who had to justify their own existence. Japan was making huge quantities of CBs for the U.S. market - tens of millions of them. The Australian market could never purchase more than 1% of these.

The engineers and top bureaucrats in the PMG Radio Branch advised their Minister that we could not possibly accept the U.S. F.C.C. standard, for dozens of quaint reasons. One was that the U.S. sets would cause too much interference to TV sets! Another was that they would interfere with Army equipment and therefore be a security risk! Mainly, they thought we should have a "higher standard" (to keep up with, and preferably surpass, the Joneses). That, of course, would have meant a different radio for Australia at a vastly higher price.

These Radio Branch bureaucrats in the PMG fought long and hard to make our standard different so they would forever have something to control, to maintain, to inspect, to justify their very existence.

Luckily, we had a top Minister and Secretary who had enough intelligence to grasp the facts, and eventually the U.S. F.C.C. 40-channel specification was accepted, thus saving the consumer and the country a fortune. None of the terrible results eventuated. Army rockets did not crash, TVs kept working. Common sense prevailed.

UNSAFE FOREIGN HELICOPTERS?

Here is another story to show how ridiculous and expensive our special Australian aviation certifications standard can be, and how it results in less safety. It also shows how the bureaucrats will go to extraordinary lengths to justify their existence.

In early 1982 the Sydney Helicopter Rescue Service was negotiating the import of a German MBB, BO 105 twin-engined helicopter into Australia for use in surf rescue work. It was to replace a single-engined Jetranger and ensure far greater safety. The MBB, BO 105 is the Mercedes of helicopters with more than 1000 operating world-wide in some 20 countries where they have accumulated over one million flight hours. It is a magnificent machine, made, of course, to the U.S. F.A.A. standards.

But the Department of Aviation would not allow the importation unless the importer covered the cost of sending a four-man technical team to Germany. The Department said -

The main reason for this requirement for a technical team to visit the MBB establishment is to ensure the airworthiness of the type.

The importer, naturally, objected. He was only a small firm just getting going and he believed he was being asked to fund a junket, or as the industry called it, a "technical wine tasting", for how could an aircraft that had accumulated one million flight hours and operated in 20 countries not be airworthy?

It should be noted that Australia has no helicopter manufacturing industry and that every helicopter flying here is designed to comply with the American F.A.A. Standards.

Letters shot backward and forward at a great rate all, of course, to no avail. There was no real discussion or accountability to the industry. The importer may as well have been talking to a brick wall. Anyway, he was told Qantas had to pay for a technical team to go over to inspect the 747 and see if it was airworthy, so he shouldn't complain.

So he raked together all the money, some \$20,000, to pay the air fares and the wages for the days that the team was travelling.

Luckily, the Department agreed to reduce its requirement from four to three engineers.

After many months of negotiations the technical team spent 10 days in Germany and finally arrived back with the list of changes that had to be made to the helicopter so it would conform with our high Australian airworthiness standards.

This is what the three major changes were:

1. Supply a container for the flight manual.
2. Put "exit" signs on the doors.
3. Put a wire guard over the light in the luggage locker.

That highly specialised advice cost \$20,000 directly paid by the importer, plus, I estimate, another \$10,000 which it cost the taxpayer in time spent by the bureaucrats. Say \$30,000 in all.

But don't be fooled; it wasn't that simple. He still hasn't got the helicopter approved. At the moment, after two and a half years, he is trying to convert the flight manual climb tables from feet per minute to a percentage gradient.

You've guessed: another specialised Australian requirement.

And all this time we could have had a twin-engined helicopter here rescuing people in place of a single-engined machine, so we still have less safety.

Such a trip is hard to justify, especially by a department which continually claims it is so short of head office staff that it cannot update the regulations.

It should also be noted that the requirement for the technical tour has absolutely no properly promulgated legislative basis at all. It actually appears as an italic note stuck on the end of an ANO where it has no legal affect at all. It doesn't apply to single-engine helicopters, even if they carry twice as many passengers, and no one in the industry knows who wrote it!

Also, the policy is not applied "without fear or favour". The twin-engined AS355 French helicopter, the BO 105's main competitor, was allowed to be imported without a "technical visit" when there was no rational reason to differentiate between the two types.

BIG BROTHER KNOWS BEST

Can anyone seriously imagine the Department's four-man technical team checking out the design of the 747 at Seattle to see that it was airworthy? It is almost too "Monty Python" to believe; but that is what happened. (I wonder if it too required a container for the flight manual?).

It may not be well known that the Department demands that Qantas pay the cost to send an inspector if they wish to use any new airport. This is despite the fact that Qantas, whose staff have the necessary expertise, send their own experts to make such inspections anyway.

When it organised a flight to Harare in Zimbabwe, Qantas wanted to use Reunion as an alternate. They inspected the airport and found that a particular runway was satisfactory for their operations; but when the departmental surveyor arrived he took out his measuring instruments and promptly declared that Qantas could not use the airport. It appears that, notwithstanding all the Air France and South African Airways Jumbo jets landing around him, there was some minor measurement which would not meet our high Australian standards. These standards are, of course, different from those accepted internationally by the airlines you and I fly on and we, the taxpayer, foot the bill for this quite extraordinary misuse of power.

When Qantas decided to take passengers on the delivery flight of a 747 from Seattle, the Department of Aviation insisted that one of their people check the runway to be used! The inspector was flown to Seattle and return at Qantas and taxpayers' expense to approve an airport that dozens of 747s use every day. Qantas had, naturally, used the airport for all of its previous deliveries but as they were not airlifting passengers the Department did not require an inspection.

In Christchurch, if there is the maximum cross-wind on the main runway, Qantas would prefer to use the shorter cross runway into wind for safety reasons. A departmental bureaucrat maintained that it did not meet the Australian regulations because the shoulders were not wide enough. Thus, Qantas are forced to make the potentially more dangerous cross-wind landing on the main runway.

Can you really believe this? - even Qantas, with all of their incredible expertise, are forced to comply with regulations which make their operation less safe. I wonder what the experience of the bureaucrat is who makes this decision.

Far more serious is Amendment 62 of ANO 101 which imposes a performance criterion on new models operated by Qantas, Ansett and TAA that is unique in the world.

In fact, the requirement was originally proposed in the U.S.A. but, because the F.A.A. must be able to show a good cost/benefit relationship for any new rule, and because they had to justify it to an independent panel, it was not accepted.

In Australia, where the Department operates under no such constraints, they just imposed the rule. It means the Australian airlines can be forced to take off with a reduced load compared with their competitors, an economic penalty for an infinitesimal increase in safety - and we pay for this.

The point I make is that this requirement has been imposed by a department without fair consultation with the industry. It has been arbitrarily imposed without any agreement - let alone frank, open discussion.

To be sure, there have been lots of meetings; but as one Qantas executive said to me:

Have you ever tried to change a person's belief in a religious dogma?

What say has the public had on this issue? Surely if such an unusual and costly requirement is to be forced on Australian airlines, Australians should have a say. The public - those in particular who travel by air - have no say whatever: they are never even told that such things happen. This ruling came from a senior bureaucrat who answers to no one other than his own pre-fixed ideas.

I describe it as utter, total arrogance. Look at it this way. If these bureaucrats were even slightly genuinely interested in the safety of the travelling public, should they not publicly warn people of the lower safety levels they risk by travelling in overseas-registered aircraft? Including those that depart from our own airports?

Recently a senior airline executive told me that he was sick and tired of finding that an ex-employee, who had resigned because he was not capable of moving into a higher position,

would, within a few years of joining the Department, come back to be a "lord and master" arbitrarily making rules which affected the airline's highly qualified and skilled engineers - all of whom had far more experience.

Yes, 30 years ago, we were in the forefront of safety, we could come up with standards that the world would follow.

Today, this is just not possible, we come up with minute, pedantic changes that are costly just to us, and the whole world leaves us behind.

Let it not be imagined that Qantas is big enough to get a fair hearing from the Department of Aviation bureaucrats.

I have found that senior management in Qantas are just as intimidated by the power of the bureaucracy as the smallest operator.

Why else would they be accepting departmental rulings to which they are opposed, may make them less competitive, and which they believe that they have not been able to have fairly and impartially reviewed?

A senior executive of Qantas recently told me that the overseas inspections of airports by Department engineers were a shocking waste of public money. However, he would not want to "rock the boat" by publicly stating this.

Many other aviation executives, after bitterly complaining about the Department, quickly add that they would not like any public disclosure of their dissatisfaction. One said -

We can't openly criticise as they can easily retaliate. Obstructionism can be easily buried. A file can be lost. You can't identify any one person; but it can and does happen.

However, others are more forward. In a recent address to the Department of Aviation, the general manager of Air Queensland stated -

I am sure that the Minister would have the support of the total aviation industry if he directed the Department to disband its present legislation and introduce something that is more readable, totally enforceable, and not an unreasonable cost burden to the industry. A good starting point would be the adoption of either the American or European system. After all, who do we think we are that we must have our own special cumbersome, confusing, and costly legislation when nations many times our size subscribe to either the American FAR or the European JAR? It is all very well for the Department to pick the eyes out of that legislation and to embellish it with a few Australianisms but it is grossly unfair that the flexibility and cost effectiveness of those systems is not commensurately allowed to the Australian industry.

It is obvious from the above evidence that our own unique standard is an extremely costly extravagance that often means, in practice, we end up with less safety.

CHAPTER 8 INTIMIDATION — THE SUBTLE TECHNIQUE

If you ask business leaders in the aviation industry whether they feel in any way intimidated by the bureaucracy, the answer will most often be "no".

If you ask the same people if they would be prepared publicly to state their dissatisfaction with those same bureaucrats the answer will most probably be the same "no".

It is rather like asking a night club owner to state publicly that he was intimidated by those who offered him protection!

Kim Beazley, when he was Minister, told me that whereas he received many complaints about "issues" - people pushing their own barrows for their own benefit and the like - he rarely (other than from myself) received general complaints about his departmental staff and the way they controlled the industry.

I believe this can only be because people feel intimidated: they feel if they publicly complain or "stir" in any way then the bureaucrats, with their immense power, will wreak swift revenge. Dispensations may not be given, approvals may be delayed, paper work "lost".

Therefore, as industry people will rarely admit to being intimidated, whether from pride or fear of further intimidation, I give the following examples, on the bases of which the readers can make up their own minds.

Example 1 - Dick Smith's Helipad

At my original meeting in Canberra in December 1982 with the Deputy Secretary, Jim Schofield, I mentioned that most helicopter operators would not publicly complain about the shocking state of the regulations because they felt they might be discriminated against. As every helicopter operator needed a host of dispensations (favours!) to earn a living, it was a real and genuine fear.

I was told very firmly and definitely that this did not, and would never, happen as the departmental officers who had been delegated to give dispensations only considered safety issues and they would never abuse the power they had.

I was prepared to believe this. However, my suspicions were soon raised.

My own day/night helipad at my home had been given a dispensation as it did not comply with the regulations. (As I have mentioned before, no helipads in the Sydney Control Zone complied and all were operating under a dispensation.)

Shortly after my campaign to update the regulations started in earnest my office received a telephone call from the helicopter specialist in the NSW Office to say that they had been instructed by Central Office to remove the dispensation for night landings at my home helipad.

My secretary asked why this was so and was told :

I can't say, but once you tell Dick he will know what is going on.

I was overseas at the time. However, when I returned I received a letter from the NSW Office, the salient part of which was:

Central Office has advised that approval cannot be granted as the helipad is deficient in both size and number of take-off/approach paths and therefore unsuitable for safe operations at night.

Note carefully that the letter quotes "Central Office" as making the decision whereas the NSW Office is fully delegated by the Secretary to give or remove dispensations on helipads. Also note that "safety" is used as the emotive word to arbitrarily ban the pad.

Needless to say, there was no open discussion before the decision was made. I do not know to this day on whose instructions this autocratic decision was made. It was all done in secret.

There was no way I was going to be intimidated by such actions even though I was given the impression that if I stopped rocking the boat my dispensation would be restored. Fortunately I was not earning my living from aviation so the decision did not economically affect me.

I immediately wrote a letter to the Deputy Secretary, Jim Schofield, not crawling for a favour and offering not to "stir" but simply pointing out what had happened. I wrote -

After obtaining approval for my home helipad to be used for night operations and after installing an expensive glide slope indicator as a required additional condition, I have now been told that I can not use the pad. This is despite the fact that I have been using it with absolutely no problems for the past five months.

If you remember our very first meeting in your office I explained that most helicopter operators would not approach your Department with their complaints for fear of being discriminated against when the many personal dispensations to operate a helicopter are required.

My case rests

Sure enough; soon afterwards I received a phone call from the NSW Office stating that they had been instructed by their Central Office to restore the dispensation. I have been using the pad ever since.

Example 2 - Citation

Elsewhere in this document is an account of the horrifying secrecy and lack of accountability involved in the single-pilot Citation issue. When Rex Aviation sent me copies of the documents they also wrote me a letter which stated in part:

We would respectfully request that you regard the information supplied as "confidential" at this stage, as we would not like any of this publicly released, as it may tend to prejudice our case.

They later told me that I could publicly use the information. However, they were still fearful that there would be repercussions.

It is scarcely believable - a large Australian company attempting to gain its democratic rights of full and open discussion on an issue, but too scared to have its beliefs stated publicly for fear of "prejudicing their case"!

Example 3 - Ansett

When I did the initial research for the documentary on the Bass Strait incident I spoke to a number of senior executives on the operational side in Ansett. They were, without exception, extremely vocal about the incompetence of the Department in relation to the attempted rescue.

They commended the idea of making the documentary and said that as it was such an important safety issue they would cooperate in every way possible, including interviews with those involved.

In spite of this, just before the Four Corners team left Sydney for Melbourne to commence the filming I received an urgent phone call from a senior Ansett executive.

He told me that Ansett had reconsidered their position and would not be cooperating. He said:

We don't believe it would be sensible for us to take part as we have a good relationship with the Department.

Those who have seen the resultant Four Corners award-winning show "Search Without Rescue" will notice that there are no interviews or comments from anyone within the airline industry.

In fact, we were not even allowed to interview the pilot of the Ansett aircraft who found and then held over the drowning man. And this was despite the fact that he had a valuable story to tell and he told me that he would be happy to tell it.

It was obvious that Ansett were so completely intimidated that they were just not game to risk putting the Department "off-side" even though it was an important safety issue where full and open disclosure could only do good.

Example 4 - Industry/Department Committees

Occasionally, and normally only because of constant pressure on the Minister or Secretary, an industry/departmental committee is formed to look into a particular issue.

The way that the industry members are normally hand-picked by the Department (not nominated by the industry) allows for and results in intimidation of anyone who "rocks the boat" or "stirs". Here are two examples:

For over ten years the industry operators at Bankstown Airport had been attempting to gain a number of special IFR approach paths. Two of the most vocal people on departmental inaction and apparent incompetence on this issue were Class I instrument rated, Class I instructors and highly experienced IFR pilots. They had both spent a tremendous amount of time campaigning to have the much needed changes made. Each of them was the head of an approved flying school. Each of them was "approved" by the Department to conduct tests and renewals on behalf of the Department. Both of them had actually trained and tested for instrument ratings and twin-engined endorsements, pilots who are now departmental examiners of airmen.

Eventually a meeting was held at Bankstown Airport and the Department agreed to allow a joint industry/departmental committee to be formed to look into the matter. At that meeting, in the presence of some twenty senior pilots and operators, a senior departmental official made one extraordinary condition on which the Department would allow the joint committee to be set up. It was -

That neither of the two senior operators who had brought things to a head should represent the industry on the joint committee!

No reason was given for this impertinent condition. Everyone present knew the reason; the two concerned were regarded as "stirrers" who had shown scant deference to bureaucrats in years gone by, and had emerged victorious from innumerable battles over safety and operational matters with the Department. The meeting hesitated only a moment, and then elected both men to the committee as industry representatives.

The other example concerns the committee set up to look into the AGA-7 helicopter landing areas after my submission to the Secretary in relation to the Darling Harbour helipad.

The helicopter industry in Australia was invited to Canberra to discuss this and other issues and, they thought, to elect the industry representatives for the committee.

Upon arriving at the meeting they found that the senior bureaucrats had already secretly selected the three industry members, it was a "fait accompli" - no discussion was allowed. Naturally, many industry people were unhappy with such treatment. However, on this occasion no one was prepared to "rock the boat" and complain publicly.

It goes without saying that the three representatives selected had never written to complain about the outdated AGA-7 specifications and they were all people who required fair treatment from the Department to earn their livelihoods.

I was later told that the Department had hand-picked the industry representatives so that:

STIRRERS like Bob Wilson and Dick Smith could not get elected by the industry.

Bob Wilson was one of the most experienced helicopter pilots/managers in Australia with over 12,000 hours of flight time. As he had been very closely involved in the operations of many pads, including Darling Harbour, they could not have had a better person for the committee.

Example 5 - Over the Bridge at 500 Feet

The following report is written by John Barnao, managing director of Helicopter Charter Pty Ltd.

Approximately three years ago, in December 1981, I started a helicopter freight delivery service from the Hunter Valley to Sydney.

During inclement weather the only way I could operate my service into Darling Harbour was by obtaining approval to transit Sydney Harbour and fly over the Harbour Bridge at 500 feet. But there was no way the Department would give me a dispensation to do this. I would sit on the ground at Darling Harbour watching other helicopters, from the media's to Dick Smith's, flying in and out when I was not allowed to operate.

I discussed and argued the point with the Department of Aviation, air traffic controllers, and head office, to no avail. They would not grant my company's helicopters the right to cross over the bridge at 500 feet even though many others had a dispensation to do this. The reply was always -

"We cannot reduce the standards."

It took me three long years of constant battle to win and I was later told that it was because I was a stirrer that I wasn't originally given a dispensation. In fact, I believe that this can be the only explanation.

I should also mention that, because they will not let me land at Darling harbour at night, I have been forced to land at Channel Ten's helipad, and this is a thousand times less safe.

John Barnao.

So there it is. "Stir" a bit or be outspoken, no matter how well-intended, and the bureaucrats will take quick action. As I said to Jim Schofield -

My case rests

Example 6 - AVIAC

When he was Minister for Aviation, Kim Beazley said to me that he would institute a "committee of review" into the Department if the members of the AVIAC (Aviation Industry Advisory Council) requested it. (AVIAC consists of the heads of industry associations and commercial airlines.)

I immediately phoned each member and found almost unanimously (Peter Patroni of AOPA was one notable exception) that the members would not publicly support any type of review into the Department. The extraordinary thing is that these same councillors represent companies and organisations which have given me much of the damning information for this book, and it is the people they are representing who are constantly telling me how desperately a review is required.

One AVIAC member, the extremely well-known head of a large organisation, did say that he would support a call for a review - as long as the Minister agreed, as he did not wish to get him off-side.

Of course, it is highly probable that the AVIAC members are not in any way intimidated - they just genuinely believe an independent review is not necessary because in their personal capacities, like myself, they enjoy good relations with the Department and obtain every concession they need.

CHAPTER 9
WILL IT EVER CHANGE?

To return to the main theme of my story, I continued working on the issues I had discussed at the original Schofield meeting. Everybody said something would happen shortly. Promises were made and broken. Letters went backward and forward, thousands of words passed, hours and hours, days and days, and NOTHING HAPPENED.

I am sure now that this was the wearing-down process that most people in the industry talked about. I was spending nearly 50% of my time on letter writing, phone calls and trips to Canberra. If I had been running a business I would have given up. It was like swimming in a pool of porridge.

My main problem was with the Flight Standards Division. Whereas I could discuss anything with the Secretary or the Minister, the Flight Standards people, who were in charge of making any changes, would just not be in it. It became something of a battle of wits. There was just no way they would discuss anything with me or, it would appear, with anyone, even with their regional officers, as we have seen.

For two years I have been trying to persuade the helicopter specialists in Flight Standards to allow me to show them how helicopters were treated overseas. At one stage I wrote and said I would be prepared to come to their Central Office in Canberra and I would bring my slides. As there were important safety issues involved I felt sure they would be willing to listen to me. I had already given the same talk to air traffic controllers in Sydney who said it was imperative that I give it to the people in Central Office who were responsible for preventing the updating of outdated regulations.

Incredibly, the Central Office wrote back and said that as their officers regularly travelled overseas it would not be necessary to see me. However, they suggested I could talk to the people in the NSW Office if I wished. As I had already done this, and as they were just as desperately trying to update the regulations, I had got nowhere.

I had been told they were not interested in safety; only in protecting themselves. For what other explanation could there be for not being prepared to listen to someone on suggestions that could increase safety?

They seemed to fear meeting me in person, but they had no such fear about writing me letters. And they never stopped sending reams and reams of paper, justifying archaic, ridiculous regulations.

I once wrote about an important safety issue: the dangerous rule which forced helicopters to fly the three legs of a fixed-wing circuit and approach the runway at an airport

(thus mixing with Fokker Friendships, F28 jets and the like). I asked if this rule could be changed? I received a long reply with the extraordinary claim that helicopters actually do a smaller sized circuit than fixed-wing aircraft and, seeing we have had such a system for 30 years without collision, it must be satisfactory.

I should mention that in other countries the regulations specifically require helicopters to keep clear of the fixed wing circuit area. For example, the American FAR 91.87 (E) states:

When operating to land at an airport each pilot of a helicopter shall avoid the flow of fixed-wing aircraft.

Readers may not know, and will probably find it difficult to believe, that on take-off at an airport a helicopter must also act as if it is a fixed-wing aeroplane and taxi to and depart from the runway. This extraordinary, unique to Australia, rule exists, not for any safety reason, but simply because there are no separate regulations for helicopters.

Despite constant letters and lobbying on this matter for over ten years the closest the industry has got to any changes to this potentially dangerous situation was given in a letter dated 5 October 1982 from the Department which states:

Your comments on the apparent regulations anomalies are accepted and a thorough review will be completed in due course.

"In due course" - surely anyone competent could change the regulations so they reflected what is accepted overseas in about ten minutes, not ten years!

At Sydney's international airport you will see helicopters being constantly taxied unnecessarily past Jumbo jets and other large airliners in defiance of common sense and safety. Everyone knows that a taxiing fixed-wing aircraft is in its safest configuration, so why should a helicopter be any different? In fact, a hover-taxiing helicopter is in a potentially less safe situation than one in the air, because high power levels are required to hover-taxi and downwind hovering is always difficult.

Overseas, helicopters are very rarely hover-taxed anywhere. They simply approach and depart the spot they wish to operate from.

Another time, after my friend Byron Kennedy of "Mad Max" fame was killed, apparently by flying into glassy water, I wrote to the Department and asked if they could add to the pilot training syllabus a warning on the dangers of flying low over glassy water (in the same way beginners are warned not to fly into cloud).

No way! I received a multi-page reply stating that such a warning was not necessary because if pilots obeyed the rules they should not be flying low anyway!

I was quite staggered at what I was experiencing. There seemed to be a complete lack of understanding of or accountability to the industry they were supposed to serve.

Well, I had my evidence. What people had been telling me for two years was true: the decision-making people in the Department hardly ever made any decisions.

They would rarely genuinely listen to anyone with another point of view. They would not ask. It was the most repressive form of authority that I could imagine as their decisions were made in secret.

Early in 1984, in cooperation with the ABC, I made a film, "Search Without Rescue", which covered in depth the flaws in the search and rescue organisation which led to the tragic deaths of the occupants of a light twin-engined aircraft in Bass Strait in July 1983. The bare facts of this tragedy, without any comments, were a grave indictment of the way search and rescue was organised and controlled. A coroner's inquiry and the film gave rise to much public interest and criticism of the Department, and some changes were made in the search and rescue organisation as a result.

In view of my personal relations with the Department's inefficient organisation, I expected someone would write or phone me at least, to offer some defence of the Department, if not to complain about the film's approach. Not a bit of it! They acted as if it were beneath them to comment, and I was still their great mate, though the film pinned a human death on their incompetence.

Why, I ask you?

If threatened, all they have to use is that highly emotive word "safety" and everyone will run for cover.

I believe there is a concerted effort by the present senior staff to keep the present type of management. They always appear to employ people who hold the same beliefs as they do.

After all, they all genuinely believe they are doing the right thing, so it is essential to have like-minded people to run the system properly.

What other reason could there be for them not allowing and encouraging outside people to take part in the decision-making.

Recent appointments show that the present type of senior executive will not change unless an outside force is applied.

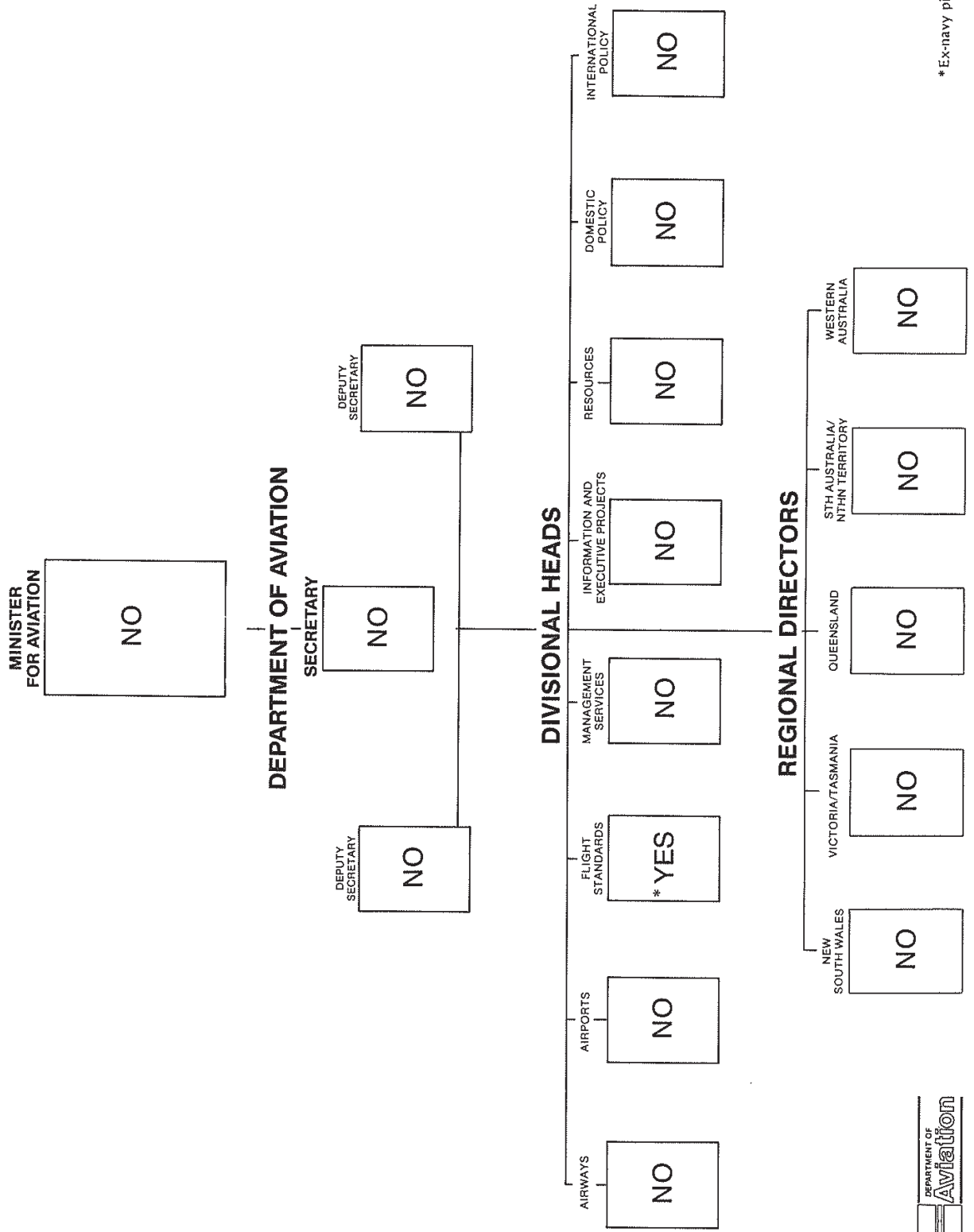
I believe there is scant hope for industry participation in the selection process in the light of history. For example, Don Kendell of Kendell Airlines was invited to take part in the selection process for a deputy secretary's job - but only after the list had been reduced to a short list of five: all public servants!

Another example was in early 1984 when Mr Frank Young, one of Australia's most experienced and capable aviation managers and chief pilots, applied for a newly-created first assistant secretary's job that was advertised. Despite his obvious potential for the job his application was not even acknowledged - and, of course, he was not interviewed. (Yes, they did receive his application as he did receive a response months later advising that the position had been filled!)

Talk of industry participation in appointments to the Flight Standards Division is farcical whitewash. The fact is, for example, that not a single industry representative has ever sat on any selection committee for an examiner of airmen.

To be sure, there are all sorts of "consultative committees" - AVIAC, NAVIAC, RAPAC, HAEMOPHILIAIC - you name it! Unfortunately, they appear to amount to an opaque, all-enveloping smokescreen, behind which the bureaucrats pursue their autocratic, arcane ways, while giving an impression of public accountability.

This is the current AVIATION PORTFOLIO showing the positions that are occupied by people with a flying operational background.



* Ex-navy pilot



CHAPTER 10 CONCLUSION

What began two years ago as a simple exercise to get helicopter regulations updated started probably the two most frustrating years of my life.

I was to learn that what seemed a narrow problem in one industry was just a small part of a very much wider and more serious issue.

I was to find that everyone, from Qantas to the smallest operator, was being affected by regulations that were either years out of date, or brand new and created in a totally arbitrary and dictatorial way by bureaucrats who had little or no operational experience and were in no way accountable to the industry they were employed to serve. They were also in no way affected by the economic damage they could do. And their decisions, or lack of them, quite often resulted in less safety.

I was to find that rather than update regulations they would, as a last resort, offer dispensations to "bend" the rules. This, of course, meant that their enormous personal power base was maintained. In some cases everyone had a dispensation on a particular rule yet that rule was steadfastly kept in being.

I was to find evidence of the tremendous power to intimidate. Rock the boat, or be outspoken, and dispensations would not be granted or simply withdrawn.

Everyone was affected.

In the general aviation industry companies were in financial difficulties because they had arbitrary restrictions placed on them without real discussion, and because they were excluded from any open and impartial review.

Commuter operators, because of arbitrary restrictions, were prevented from using more efficient and safer aircraft which Australian passengers could and did use in every other advanced country in the world.

Qantas had arbitrary restrictions placed on them which they did not agree with, which were unique in the world, and on which they could get no impartial review.

Even air traffic controllers were not listened to.

It must not for a second be thought that only people in the industry were ignored by the bureaucracy. The president of the air traffic controllers' union, for example, put up a thoroughly prepared proposal which recommended a more modern

"feeder stack" procedure as used overseas to speed up operations at Australian airports. This would reduce needless holding and, therefore, increase safety.

The union has never been able to get any meaningful discussion on this issue, let alone acceptance of the ideas. At one stage they even handed their submission to Qantas to see if they could make an approach to the Department. Qantas did, but to no avail - they also had no luck.

Departmental employees capable enough to show any initiative or creativity, or who tried to make changes, were shunted aside or left behind in the promotion stakes, or they simply gave up and resigned. Capable people from the industry who applied for jobs rarely got past the first interview - if they were interviewed at all.

All the while the people who were in charge, who were in a position to make changes, would not.

They would give lip service to the principle of cooperation with and accountability to the aviation industry. There would be countless meetings, discussions and seminars, aviation regulatory proposals, everything that gave a good superficial image; but rarely anything genuine where it was clear that all sides of an issue were being looked at fairly and objectively.

Every time a good case for change became obvious the bureaucrats would jump behind the Roman Wall of their outdated regulations and proclaim the same old dogma:

We can't change the safety standards.

To the bureaucratic mind it was irrelevant that any proposed change was common sense, had economic benefit and probably increased safety.

People in aviation have lived with this for so long, fought against it for so long, with so little result, that it is understandable that so many have given up.

Something can still be done, however. The autistic state of the Department of Aviation is more suited to the Soviet Union than a democratic country. It cannot be allowed to continue.

We must have an inquiry, an "independent committee of review", with wide powers to examine all aspects of the Department's structure, personnel and activities.

Anyone who has read the report of the "Dix Committee" into the ABC will know the advantages of such an inquiry.

It will only be the incompetent who will fear such an inquiry. Everyone else will welcome it, for it will allow the good and capable people in the Department - and there are plenty - to move up and start doing things. It will allow an industry to thrive again.

The inquiry needs to be independent and chaired by a person of proven experience, preferably an outstanding business man like Alex Dix.

It needs to be empowered to accept submissions from everybody, and not just in writing - for who in the aviation industry has time to write long submissions, (apart from the bureaucrats who get paid for every word). Serving and past officers of the Department should be able to give evidence without fear or favour and the airlines and general aviation should be encouraged to contribute their views.

The Dix Committee travelled around Australia from major centres to remote places listening to anyone who had something to offer - some 830 individuals and organisations in all. Consider these few examples of findings from the Dix report relating to morale at the ABC:

Many of the staff who did speak to us were talented people who felt stifled by the system.

The level of morale in the organisation is poor to the point where its effectiveness is reduced.

"The mediocre appointing the mediocre", as one staff member put it, reflecting an attitude which was prevalent among those staff who wrote to us.

All people who work for an organisation want to be proud of that organisation. They want to feel enthused and motivated to go to work each day. They want their friends to know that they are working for a body which is respected and successful.

It is a matter of common knowledge in aviation circles that there are few employees in the Department who have these feelings. This lack of pride lowers morale and prevents effective management.

This could change, and would, after an inquiry.

It would be expensive; but the Government was prepared to spend over one million dollars on the Dix inquiry into the ABC, which is basically for entertainment. The ABC had less than half the budget of aviation and it did not have power to make or break an industry.

Is it unreasonable to suggest that our industry, which employs tens of thousands of Australians, deserves as careful an inquiry as the ABC?

My strong feeling is that when the results of such an inquiry are made public, no government will be able to ignore its recommendations.

That is why it will be hard to get.

Let no one for a second underestimate the cunning of those who do not want an inquiry. Their technique will be to agree publicly that it is a great idea, and then start the white-anting. They will work to divide different sections of aviation into factions, each opposing the other, as they have so successfully done in the past.

Tony Staley, the minister who initiated the Dix inquiry, said that behind the scenes activity by some senior bureaucrats in the ABC to prevent the inquiry was almost unbelievable, yet all the time they were putting up a false facade of support.

Now, let us look at a few points such an inquiry would be able to address:

1. Firstly, the inquiry must be open. It should enquire whether or not the power now vested in the Secretary is excessive, and whether the Air Navigation Act and Regulations should not be changed to make it absolutely clear that the power of final decision is with the Minister. It seems to me anomalous if only in aviation the secretary exercises power which, in other departments, is exercised by a minister who is subject to parliamentary control (as a public servant is not). The minister must be responsible.

At the moment the Department has sole responsibility in any matter which affects safety. The word "safety" means whatever the departmental bureaucrats say it means. No one can dispute their definitions - not the Minister, not the industry, or the travelling public. In aviation, of course, just about everything can be said to involve safety. It also appears that the Department is the sole judge of public expectations of safety issues.

Perhaps the inquiry would recommend that in future the Department could not autocratically change standards, or refuse to modernise them, until they had satisfied an independent panel that there was a good cost-benefit relationship in the result. After all, this is what happens overseas.

2. Secondly, the Dix Committee recommended the establishment of a new independent board, the Australian Broadcasting Corporation, to run the ABC. This was composed of up to seven people, with broadcasting or communications experience, as well as people with expertise in running large public and private enterprise. Yes, the old ABC was dissolved, all the top positions were declared vacant and a new corporation formed.

The aviation inquiry may well consider a similar step. Instead of the present Department, why not an independent statutory organisation like the ABC? Is this not what has happened in England and the U.S.A. with such success?

3. Thirdly, an inquiry should look into the need for senior executives in the Department to have an aviation background.

For example, at the present time, the Secretary and his two deputies, the three top people of the Department, have absolutely no industry or operational experience at all. Just as important, each of the five regional directors, as far as I am aware, has no operational experience. Even the divisional head in charge of airways, that is in charge of all air traffic services, is an engineer, who has never sat behind an air traffic controller's desk or piloted an aircraft!

It seems to me quite astonishing to appoint laymen to administer any highly specialised, profoundly technical area like aviation. The stock answer is two-pronged. Firstly, say the bureaucrats, these nine or ten men at the apex of the pyramid are organisers, management experts, "generalists" in the field of administration. They do not need to have practical aviation experience to perform their administrative functions. Secondly, when a really technical matter must be decided, these top "administrators" can readily get advice from the "specialists" below them. The answer is a lamentable sort of defence. It does not satisfy me. It means that the real decisions in operational and safety matters are taken, in actual fact, by relatively minor bureaucrats, and not by the Secretary or the regional directors, whose powers under the ANRs are accordingly fictitious.

Here, as a matter of interest, is the Secretary's equivalent in the U.S.A. -

The present F.A.A. Administrator, Donald Engen, has 40 years experience in aviation, from Navy test pilot, to vice admiral, to an executive with Piper Aircraft, then on the National Transportation Safety Board.

The F.A.A. Administrator is appointed by the President, confirmed by the Senate, and is considered to be a very prestigious position although it only pays approximately \$65,000. The person must be highly qualified and usually accepts the job as a means of serving the country after having made a reputation in the aviation field.

An independent inquiry may recommend that in future the chief executive of the Department of Aviation is a person with similar qualifications. We have people like this in Australia - why not use them?

Let me make one thing clear. Although I have specifically drawn attention to the non-aeronautical backgrounds of some nine of the most senior officers of the Department, and of successive Ministers, I do not want to give the impression that I am criticising them in any personal sense.

On the contrary, I have found them, both officially and on a personal basis, some of the nicest people I have ever met. I know from my own experience, and that of my friends, of many cases where all of them, from the Minister down, have gone out of their way to help to solve problems.

My real point is this: that, with the best will in the world, there is little they can do. They are stuck in the concrete made by the old guard of senior bureaucrats - those who did once have practical aviation experience but most of whom have forgotten all they ever knew about aviation as they have experienced more and more the delights of autocratic power, or, worse, been pressured by discouragement from on high to allow their currency, endorsements, ratings, and finally their licences, to lapse.

We all know that it is impossible to dispel or disperse an entrenched bureaucracy overnight. It takes time to reform any great bureaucratic machine. I believe the Minister and Secretary are sincerely trying to do their best to reform their antiquated Department; but they are not going as far or as fast as our nation needs.

I should mention that Kim Beazley, when he was Minister, told me he would not support the idea of a general review as he believed that each sector of the industry was only interested in a review of the specific regulations that affected them.

However, I believe from the evidence I have given in this book it is obvious that before we can update specific regulations we have to review the system which makes and administers these regulations. Surely this is common sense.

My object is not merely to criticise but to help and support efforts to improve the aviation climate. I have no self interest whatever in all these issues. There is nothing in it for me. I am in no way affected by antiquated regulations because I appear able to get dispensations for almost anything I ask.

Then why, it may be asked, am I "stirring" with this book?

The answer is that I happen to love my country, which has been good to me, and in which I have enjoyed a happy and fruitful life with all the fun of hard work and reasonable achievement. I am grateful to my country and all the best it stands for, because it offers a wealth of opportunity in all sorts of ways to anyone who uses those opportunities and has a little luck. I reckon I owe my country something.

Having had the opportunity to engage in flying - I hold unrestricted private pilot licences, fixed-wing and helicopter, and a first class instrument rating. I have come to know many of the leading figures in civil aviation and some of their great problems. I have also had the chance to learn from the inside something about the Department of Aviation and its problems, which frankly horrify me. I believe that the Department is so constituted that it just

cannot sort out its problems from within. I sincerely believe that only an independent, outside body can suggest the best way to make the Department even moderately efficient.

That is why I am "stirring".

I owe it to my country, and to my friends in the industry and the Department, to propose and to press for the only mechanism by which much-needed change can be brought about: an independent "aviation committee of review".

With the support of my friends, I formed ACORP - "Aviation Committee of Review Proposal" to press for the appointment of such a committee. It already has the support of hundreds of pilots, air traffic controllers, aircraft operators and departmental officials. Sooner or later we are going to get such an inquiry. I hope everyone who reads this book will become a supporter too.

APPENDIX I
PRECIS OF COMMENTS RECEIVED

Over the past two years I have spoken to many people from both the Department and the industry and have copies of the hundreds of documents sent to me. Even though in many cases I have left the comments anonymous I would be happy to supply an independent committee of review with full confirmation after checking with the people concerned. I have included this section to show the broad spread of dissatisfaction that exists.

"The Department of Aviation are champions at procrastination, buck-passing and consistently playing one interest group off against the other, through their ongoing policy of keeping the industry fragmented, so that there is never any unity in lobbying for improvements."

Ben Dannecker
Commercial pilot and writer

"One of the reasons I took early retirement was sheer frustration. When Anderson was in charge everything fired, he would not stand any incompetence. When he went it became a complacent retirement area, a cancerous disease set in, all initiative was lost and the Department lost touch with the industry."

"They selected people from the military, who had grown up in the peace time forces where they were protected. However, they think they know all about the world. I would go home and look at myself, I'd say 'is there something wrong with me?' I put up lots of ideas to Central Office, but I didn't even get an answer to my letters, they just didn't want to know".

Recently retired examiner of airmen
with over 25 years of experience

"We have constantly put to the Department the concept of a 'feeder stack' and all to no avail. We don't even know if they ever really have considered it. We even gave it to Qantas for them to submit."

Charles Stuart
Past president CAOAAA

"Everyone is manipulated to work against each other, factions are encouraged at every chance".

Senior industry executive

"I just live with the system - I don't worry any more".
Chief executive of a
regional airline

"Our biggest problem is that most people in the hierarchy
have no operational experience."
Peter Evans
President of CAOAAA

"We are going to be the first country to slide back into the
Third World."
Qantas 747 captain after
15 minutes holding at Sydney

"I have never experienced such rudeness, his mind had been
made up, he did not want to listen, he kept drumming his
fingers on the table and looking at the ceiling. I had the
data but he would not look at it. No I did not get a fair
hearing."
Chief aerodynamics engineer
of a large US manufacturer
after travelling to Australia
for a meeting with a Central Office
Flight Standards staff member

"We have a bureaucracy that is incapable and completely
inflexible and does not meet the needs of the industry as it
has an obstructionist policy. We are the worst run, worst
administered, bureaucratic paper-pushing obstructionist
government department imaginable."

"Our policy makers have lost all contact with the industry
and spend their time playing musical chairs."
Currently employed examiner of
airmen with the Department
of Aviation,

"We have no problems. We do our own thing, we have contacts
at the highest level and we have learned to manoeuvre around
the rules."
Chief executive of large
helicopter company when
asked if he had any problems
with the Department

"They have still not accepted helicopters - the ones who
learn to think innovatively are moved out quickly."
The same person

"They brought out a requirement which was demonstrably wrong in fact, then rather than retract it they said 'if you apply for a concession we'll give you one'."

Director of engineering
R.P.T carrier

"They go to the pilots and manipulate them to agree."

Senior General Aviation
Association executive

"We admit that it is safer but we do not recognise that standard."

Senior departmental officer
commenting on the SFAR41 standard

"They are faceless, they wear you down like dogs around a stag, it's one reason why our chief moved to the USA. Only a few brave souls like Don Kendell battle on."

General manager of large
aviation company

"The old cliches are always pulled "We have been in charge since 1939 and have a great safety record and are not going to change". They pull down the old safety curtain then no one, no politician, no public servant will touch any issue."

Senior executive of large
aviation company

"They are superior, they have the firm conviction that they are right. Safety is a buzzword used to protect themselves."

"In the seven years I have been talking to them about balloons they have never ever asked me about safety."

Peter Vizzard
Former president of Australian
Ballooning Association.

"I retired early, I was totally dissatisfied with the fact that I couldn't get anywhere. The main problem was the pig-headed attitude of our policy makers, they had very little time for region opinions, people who actually were in contact with the workplace."

"Helicopters are the worst area of deficiency in the whole Department, most standards were written for the old Bell 47."

Recently retired regional
superintendent of Flying Operations

"I am very disillusioned, I'm going to leave. Once people get above first secretary level they don't want to make a decision. They think they will be put up against a wall and shot."

"Many people here are feathering their nests. They are paper tigers only, I can't understand why people are intimidated."

"You are not taken any notice of because you are only a private pilot."

Examiner of airmen, over ten
years with the Department, currently
employed at Central Office

"Like everyone, we do not refuelling when we want to, we do not comply with the flight time requirements and they have never enforced them. They have got the RAAF attitude - you are the privates, we are the generals. We are treated in an condescending way."

Chief executive of large
helicopter company

"I go to meetings with the Department, they are pathetic, a monumental disaster, they just close ranks. They should realise they would not exist without the industry."

Senior executive with large
general aviation company

"The Secretary is non-technical and therefore must take advice from his officers. He would be scared stiff to change something he has no knowledge of."

"They have made a mistake to have three administrators in the top positions, they should have got someone from outside."

Wal Fife
ex Minister for Aviation

"When it was pointed out that Amendment 62 would mean a longer runway the departmental bureaucrat said 'That's not our problem, they should build longer runways'"

Senior Qantas operations
executive

"An insidious disease has developed in the upper echelons. This is because the people at the top have no aviation flying background and this means they have to rely on advice from mediocre feather-bedding bureaucrats who are too scared or too incapable of ever making a decision."

Senior industry executive

"The Department, since the Don Anderson days, has exploited the many-faceted schisms in the general aviation industry and is continuing to do so."

Retired assistant secretary
Department of Aviation

"It's not the money, it's not bad. Industry people generally have such a low opinion of the Department that they would not apply for a job there."

"No, nothing will ever change, possibly if someone was trying to do a crusade they may give it a go, but they would soon find they were against a brick wall - the existing people and the system would wear them out."

"They have a typical military mind, totally inflexible."
Helicopter instructor and
chief pilot - one of Australia's
most experienced and respected

"I look back on my last 5 years in the Department with loathing. I cringe when I face the fact that I was a part of that shabby, dishonest organization. Although I was part of it I was in vehement opposition to many of its policies and standards."

"Yours is a daunting task. The Department is showing you its smooth facade with no cracks or toe holds. They are promoting the myth of their infallibility and hiding behind "standards" which they are too unsure of to debate with the industry."

Excerpt from a letter to
Dick Smith from a senior
bureaucrat -now retired

"The situation today can best be described as pathetic. In the 41 years I've been in aviation, I've never seen such depression, turmoil, and such a lack of comradeship that once used to be the hallmark of aviation. Efficiency and profitability is down. Morale is low. Everyone I talk to is frustrated and fed-up."

"The main cause of this horrendous problem is our bureaucratic system - which is literally eating into the industry and growing like a big cancer - with no regard to the body it thrives on."

From an industry executive's
speech to the General Aviation
Association annual convention

"Most unlikely that we will be entertaining the thought. We will not be looking at joint industry/departmental committees to solve the problems as we do not think it is the best way."

Answer given by a senior
Central Office bureaucrat
when asked if the AGA-7
Authorised Helipads Standards
Review Committee will be the guide
for resolving other issues in future

"Stand firm - there has got to be a rock in the stream."

Advice given to his successor
by the retiring head of the
Flight Standards Division

"They sat at the meeting and lied to us."

Channel Ten (Sydney)
executive on the Darling
Harbour issue

"We are not very impressed by the argument that they do it somewhere else, why don't we. We were the pioneers in aviation safety and the expectations of the Australian public are different."

Senior Flight Standards bureaucrat
explaining why our standards
are different

"For 13 years we tried to get an IFR approach from the west for Bankstown, and you should have heard all the crazy reasons that they came up with to prevent it."

Ray Clamback

"You can go where you want to without the absolute bbulll (bureaucratic bungling undermining the living and lives of all Australians) that we put up with and, more importantly, accept here in our country."

From an article by Bruce Brockoff
in "Australian Gliding" on flying
in the U.S.A.

"You wouldn't believe in the calibre of the people I work with, or lack of, it's soul destroying."

Regional examiner of airmen
currently employed by the
Department of Aviation

"It is essential that key departmental posts are occupied by dedicated aviation people. If they are to be used as public service stepping stones to a generous superannuation payout, then the Department should not be allowed to exist."

"The Air Navigation Regulations as they stand, might as well not exist. Until you people have decent tools to work with - effective and enforceable legislation which addresses the real problems of air safety, the best service I could do the travelling public would be to go out to the industry, and encourage them to tear up the regulations and make their own."

General manager, Air Queensland
in a speech to the Department

"They will send you a most dreadful letter, probably totally unfair and irrational propagating some dogma - and then meet you at an industry function as if you were the best of friends"

Ex departmental senior
bureaucrat referring to
Central Office

"They go overseas to investigate, then come back and use carefully selected samples to justify the opinion they already had before they went."

Retired Department of Aviation
bureaucrat referring to
overseas technical visits by
Central Office staff

APPENDIX II AN INDEPENDENT VIEW

By S W Sheehan, Queensland
Taken from a submission to
the Independent Inquiry into
Aviation Cost Recovery.

I am most concerned about the policies and direction that are being pursued by the D.O.A. It would seem that D.O.A. is continuing to expand (6,000 aircraft in Australia, 12,000 D.O.A. employees) and the general aviation sector is being squeezed out of existence by unjustified high costs and over-regulation. The over-regulation has reached a stage, where it is the most serious single threat to general aviation safety. Pilots just simply do not ask for assistance in flight or report incidents except where absolutely unavoidable because they know there will be some consequences.

In a number of cases, if a pilot had asked for some assistance early in a potential problem situation, instead of waiting until it was too late, because he feared D.O.A., the statistic would not have occurred. D.O.A. is no longer a service to a pilot but a police group. If the D.O.A.'s saturation staffing levels and police attitudes were assisting air safety, then Australian statistics (accidents per 1000 hours, cost per movement etc.) would be better than comparable situations in U.S.A., Canada etc. Australia is climatically, geographically, topographically made for G.A. but is being stifled by D.O.A."

When an aircraft reaches Australia it is not considered airworthy until specified modifications, additions, weighing etc. are carried out. Here again, I'm sure that D.O.A. is being over-regulatory and petty in their approach, at the expense of air safety and cost.

An area of D.O.A. that would be looked at, is the extreme volume of amendments of every aspect of aviation. I have received, in less than 12 months, amendments etc., enough to fill a box measuring 12" x 16" x 8". It has become a situation of "he who cried Wolf once too often". There is so much that is unimportant and stupid that any information that is important is lost amongst the bullshit."

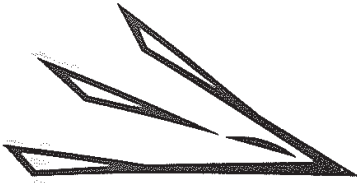
In 1982 I went to U.S.A. and upon returning, purchased a 172 Cessna and had it flown over to Australia. I filled in all the forms and applications. Upon the aircraft arriving in Australia D.O.A. took control of the plane and put it in for modifications, additions and weighing in order to upgrade it to Australian airworthiness standards. (It was not considered airworthy by Australian standards after a 7000km, solo trans-Pacific flight). The final straw was that weighing equipment was not available in Townsville, so it was

taken to Cairns for the exercise. The cost, just for weighing, was \$480 and coincidentally, the weight just happened to be the same as it was in the U.S.A. and every other Cessna 172 with similar options. This whole operation took about three months. The D.O.A. rep. at Archerfield explained to me the importance of weighing the aircraft and after he had done so I asked him if he was a pilot. "NO" was the answer.

FOUNDATION SUPPORTERS OF ACORP

Craig Allen	David Irons
Bob Ansett	Francis James
Robert Ashton	Chris Johnson
G H Bannink	Don Kendell
John Barnao	Brent Ladelle
Tony Bird	John Langfield
John Brougham	Pauline Langfield
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Max Hazelton	Gregory Watson
Aminta Hennessey	Graham White
Alan Hicks	R J Wightman
Helen Hicks	Keith Williams
John Hills	Bob Wilson
Stephen Hine	Alan Wood
Lionel Houston	Beryl Young
Kenneth Hoy	Frank Young
Michael Hunt	J Zapletal

Plus many others, both departmental employees and private individuals, who would prefer to remain anonymous at this stage.



ACORP

[Aviation Committee of Review Proposal]

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ACORP is an informal group of concerned people whose sole purpose is to seek the establishment of an independent committee of review into the Australian Department of Aviation.

It is envisaged that this review will be similar in constitution to the "Dix" inquiry into the Australian Broadcasting Commission.

The ACORP group has no stated views on particular aviation issues, simply a common view that the serious problems which exist in the Department of Aviation are substantially affecting the morale and effectiveness of its staff and also the viability of the aviation industry. This in turn reduces the service and safety that can be offered to the public.

Anyone who supports the sole aim of ACORP may join the group which already includes leaders from the aviation industry as well as departmental employees.

Joining fee is \$5.00 (Make cheques payable to ACORP)

NAME.....

ADDRESS.....

.....POSTCODE.....

PHONES:.(H)(B).....

I would prefer that my support be kept confidential... No Yes

EXTRA INFORMATION (Optional)

Aviation Industry Employed

Department Employed

Private Pilot

Member of Public

Please state if you would like to give information to the Aviation Committee of Review when it is formed.

Yes

If so would you give your information

Verbally or In Writing

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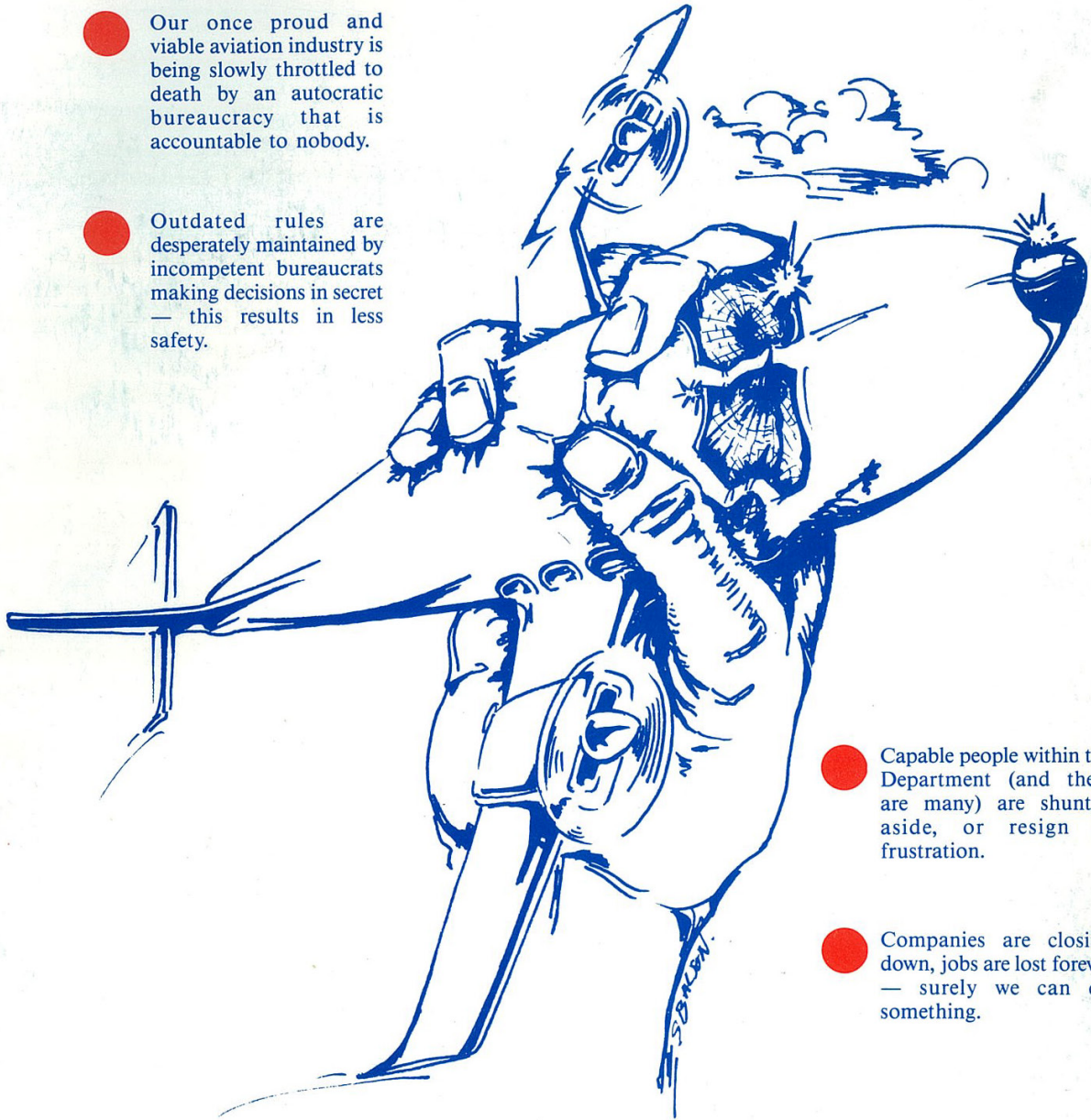
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● Outdated rules are desperately maintained by incompetent bureaucrats making decisions in secret — this results in less safety.



● Capable people within the Department (and there are many) are shunted aside, or resign in frustration.

● Companies are closing down, jobs are lost forever — surely we can do something.

ARE YOU PREPARED TO LET THIS HAPPEN?

Whether it is your lifetime career or weekend hobby support ACORP (Aviation Committee of Review Proposal) for an independent inquiry into the Department of Aviation that will result in sweeping improvements.

ACORP has no stated views on particular aviation issues, simply a concerned view that serious problems exist which must be solved quickly.

ACORP supporters include leaders of the aviation industry as well as departmental employees.

ENQUIRIES: WRITE TO ACORP P.O. BOX 681 NORTH SYDNEY N.S.W. 2060