

Graeme Crawford

Graeme Crawford

OVERVIEW OF PERSONNEL (CASA)

LINK TO CASA ORGANISATIONAL CHART. <https://www.casa.gov.au/standard-page/our-organisational-chart>

Listed on Organisational Chart

Shane Carmody	Director Aviation Safety
Graeme Crawford	Aviation Group Executive Manager
Peter White	Executive Manager Regulatory Services and Surveillance.
Dr Jonathan Aleck	Executive Manager Regulatory and Legal Affairs
Colin McLachlan	CASA Board Secretariat
Jonathan Hanton	Industry Complaints Commissioner

Not listed on Organisational Chart

Craig Martin	A/g Executive Manager Regulatory Services & Surveillance
David Gobbitt	Freedom of Information

Australia is then subdivided into CASA Regions with Victoria and Tasmania in "Southern Region".

Michelle Massey	Previous Regional Manager Southern Region
David Jones	Acting Regional Manager while Michelle Massey re-deployed.
Jason McHeyzer	Replaced David Jones recently.

Then operating within Southern Region are 3 teams referred to as Certificate Management Teams i.e. CMT 1, CMT 2, and CMT 3

Each CMT will contain CASA Subject Matter Experts (SME) on Flight operations, maintenance, and safety. Each team typically comprises one or two of each of the SMEs and each of these teams will have a responsibility for a group of operators.

Previously we had operated under CMT 2 for many years and were transferred to CMT 3

CMT 2 (previous team)

John Costa	Team Leader
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CMT 3 (current team)

Will Nuttall	Team Leader
Brad Lacey	Flight Operations Inspector (FOI) SME on APTA and first point of contact.

From: Glen Buckley <glen.buckley@mft.edu.au>
Sent: Thursday, 22 December 2016 3:49 PM
To: graeme.crawford@casa.gov.au
Subject: Follow up to telephone conversation Thursday 22nd December

Dear Graeme,

Thank you for your time on the phone today.

I thank you for the offer of assistance with resources. As stated on the phone, it is not an issue of resources as I have incurred significant expenditure to ensure that my Organisation is sufficiently resourced.

My concern is about the expenditure that I have incurred. I acknowledge your comment that CASA is unable to provide any financial assistance to Organisations affected by the increased expenditure in maintaining existing approvals.

I acknowledge your comment that if I were to seek independent arbitration, then CASA would not be in a position to offer MFT assistance, and I note your comment that it was not intended as a threat in any way.

We have agreed that little would be achieved by a meeting, as CASA is not able to provide reimbursement of expenses incurred, which is what my Business requires.

I am now on two weeks leave, and will carefully consider my options for my return.

I appreciate that CASA has a different view to my own view, and the best way forward, I suggest is to seek an independent determination.

Your prompt response to my email this morning is noted and appreciated.

In the interim, I sincerely wish you the best over the Christmas and the New Year period, and I will be in contact in the New Year.

Cheers. Glen.

Regards,

Glen Buckley
Melbourne Flight Training

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Sent: Thursday, 22 December 2016 4:35 PM

To: Glen Buckley

Subject: RE: Follow up to telephone conversation Thursday 22nd December [SEC=UNCLASSIFIED]

UNCLASSIFIED

Glen,

I appreciate you taking the time to talk to me today and I recognize that the solutions that I can provide (resources and advice) don't align with your expectations i.e. financial compensation for the incurred costs associated with P142 transition.

The offer to assist you in any way other than financial compensation still stands and I would be happy to meet with you face to face in MEL on your return from leave.

I wish you and your family a safe Christmas and all the best for the New Year.

Graeme

Graeme M. Crawford

From: Glen Buckley <glen.buckley@mft.edu.au>

Sent: Sunday, 8 January 2017 8:50 AM

To: Crawford, Graeme

Subject: RE: Follow up to telephone conversation Thursday 22nd December [SEC=UNCLASSIFIED]

Dear Graeme,

I hope you have had a pleasant Christmas and New Year break. After further consideration and to ensure I have exhausted every avenue rather than the legal one, I would like to take the opportunity to meet with you.

I have access to Qantas Staff travel rates, and three teenage children at home. With that combination, I am more than happy to travel away from Melbourne, to your offices, and in fact I have other matters that I could attend to in Canberra if that is where you are located.

Could you perhaps advise me of two options that would work for you and I will nominate one of those. Thanks for your consideration.

Cheers. Glen.

Regards,

Glen Buckley
Melbourne Flight Training

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Sent: Monday, 9 January 2017 2:46 PM

To: Glen Buckley; Woonton, Susie

Subject: RE: Follow up to telephone conversation Thursday 22nd December [SEC=UNCLASSIFIED]

UNCLASSIFIED

Glen,

I hope you enjoyed the festive break. Regarding a meeting at the CASA offices in Canberra I am available in the afternoon on either the 18 or 19 Jan 2017.

Kind regards, Graeme

Graeme M. Crawford

From: Glen Buckley <glen.buckley@mft.edu.au>
Sent: Wednesday, 11 January 2017 10:29 AM
To: Crawford, Graeme
Subject: RE: Follow up to telephone conversation Thursday 22nd December [SEC=UNCLASSIFIED]

Good Morning Graeme,

I have a meeting scheduled in Canberra 3PM Wednesday January 18th that cannot be changed.

Could we make it the afternoon of Thursday 19th January. If so, could you please advise the time and address of the location we can meet.

As this will necessitate an overnight stay in Canberra I would also be available the morning of the 18th and 19th if there are any changes to your availability.

I look forward to meeting with you. Cheers. Glen.

Regards,

Glen Buckley
Melbourne Flight Training

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Sent: Wednesday, 18 January 2017 5:39 PM
To: Glen Buckley
Cc: Grima, John
Subject: MFT - Fee refund [SEC=UNCLASSIFIED]

UNCLASSIFIED
Glen,

Reference my voice message and text earlier today regarding the \$3,840 refund to be provided to MFT (associated with Flight Examiner Ground School), please find attached the Form 1146 to ensure that the funds go into the account nominated by you.

Kind regards,
Graeme

Graeme M. Crawford
Group Manager – Aviation Group

From: Glen Buckley <glen.buckley@mft.edu.au>
Sent: Monday, 23 January 2017 1:03 PM
To: Crawford, Graeme
Subject: RE: MFT - Fee refund [SEC=UNCLASSIFIED]

Received with thanks. Cheers. Glen.

Regards,

Glen Buckley
Melbourne Flight Training

From: Glen Buckley <glen.buckley@mft.edu.au>

Sent: Wednesday, 26 April 2017 4:06 PM

To: Crawford, Graeme

Cc: michelle.massey@casa.gov.au

Subject: Message from Glen Buckley

Dear Mr Graeme Crawford,

I am writing to update you on our process in working towards the Part 142 Approval.

I have been advised by Mr John Costa that the issue is imminent.

The purpose of my letter is to provide some feedback. As you are aware I have some concerns about the Process and associated costs. But that is not the purpose of this email.

I would like to convey my appreciation for the exceptional support provided by the Southern Region team. It was obvious that a very significant allocation of resources was made available to my Company and I am very appreciative of that

Every person involved in the process was nothing less than exceptional. I do appreciate that some direction did come from your Office, and that required a number of CASA Personnel to redirect their efforts. Could I respectfully request that you pass my thanks down the line.

Although the Transition process got off to a somewhat slow start, I am very confident that the process is improving significantly. Lots of lessons learned by both sides that will benefit future applicants and facilitate smoother Transitions going forward.

Once again thank you for your initial direction, and thanks to the Southern Region for so professionally executing the task.

Cheers. Glen.

Regards,

Glen Buckley
Melbourne Flight Training

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Sent: Wednesday, 26 April 2017 5:40 PM
To: Glen Buckley
Cc: Massey, Michelle
Subject: RE: Message from Glen Buckley [SEC=UNCLASSIFIED]

UNCLASSIFIED
Glen,

I really appreciate you taking the time to recognise the efforts of the team in Southern Region who worked with you on gaining your P141 & P142 approvals.

I know it has been a long and stressful journey for you and I truly hope you can now enjoy the destination.

Congratulations to you and your team,

Graeme

Graeme M. Crawford

Group Manager – Aviation Group

From: Glen Buckley
Sent: Saturday, 7 October 2017 10:50 AM
To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Cc: john.costa@casa.gov.au
Subject: Request for meeting with Glen Buckley from APTA (dont roll your eyes)

Dear Mr Graeme Crawford,

You may recall me from this previous email,

"Dear Mr Graeme Crawford,

I am writing to update you on our process in working towards the Part 142 Approval. I have been advised by Mr John Costa that the issue is imminent.

The purpose of my letter is to provide some feedback.

As you are aware I have some concerns about the Process and associated costs. But that is not the purpose of this email.

I would like to convey my appreciation for the exceptional support provided by the Southern Region team. It was obvious that a very significant allocation of resources was made available to my Company and I am very appreciative of that

Every person involved in the process was nothing less than exceptional. I do appreciate that some direction did come from your Office, and that required a number of CASA Personnel to redirect their efforts. Could I respectfully request that you pass my thanks down the line.

Although the Transition process got off to a somewhat slow start, I am very confident that the process is improving significantly. Lots of lessons learned by both sides that will benefit future applicants and facilitate smoother Transitions going forward.

Once again thankyou for your initial direction, and thanks to the Southern Region for so professionally executing the task.

Cheers. Glen."

But alas, I fear you will better remember me, from our meeting in Aviation House on Wednesday 18th January 2017, which I will choose to gloss over if that's OK?

You may recall that towards the end of that meeting you queried me about my "project", which I assumed to be the Australian Pilot Training Alliance (APTA). I brushed your query aside, because I felt I was there as the CEO of Melbourne Flight Training, and that was totally independent to my role as CEO of APTA. In this correspondence however I am writing to you as the CEO of APTA.

I am certainly not "eating humble pie" but; I am, now nibbling at the crust of it. It actually looks and smells quite good. I needed more ingredients than the recipe book said, and the ingredients were much harder to get, I had to cook it much much longer, but it came together very well.

In all seriousness, the Product is exceptional. Not just my own, but I am now truly convinced that any well intentioned, well resourced Part 142 Organisation has a lot to contribute. It is a measurably

safer organisation. On that point I unreservedly admit that component of my initial argument was wrong. It is, Safer.

My project APTA, had an extremely slow start, part due to the 12 month delay of the Transition date. We now have that date locked in by CASA, and I have had significant interest from a number of Operators with three other Organisations joining over the last few weeks. Information about this concept is on our website at www.auspta.com.au . A recent media release has generated a level of interest from a number of media outlets. APTA is not intended to deliver a significant ROI. It is intended and designed from the outset as a means to increase Safety and Quality, while actually stimulating Business. It is an umbrella organisation and the Profit and Loss is fully disclosed to all members including wages and salaries paid. All member subscription fees are re-invested into developing and improving the group.

My area of preference to operate in is, Victoria and Tasmania. If this system works, nothing would give me greater satisfaction, than to see it replicated. To fully reach its potential, it depends on an almost intertwined relationship with CASA, and that is the purpose of this correspondence.

Am I able to request a meeting with the appropriate Personnel within CASA. The request is not urgent, and I appreciate it will require many weeks scheduling. The purpose of this meeting is to find out what CASA wants. How can APTA help CASA to get the product out there. I need to build a strong relationship. I want to work very closely. Ideally I would like to have somebody from CASA placed within the group as a liaison person with all expenses of that deployment met by APTA. That is simply one option, but I would like to explore all options.

My only time constraint is that I anticipate discussing the concept with the media over coming weeks, Australian Flying has approached me and intend to do a fairly comprehensive article on the concept over Christmas

I have included our draft contract that has variations applied to it, as required. In particular the final pages contain the "spirit of APTA". It will give you an overview of the concept. Obviously it has a level of commercial sensitivity attached to it, but I do appreciate that by the nature of this correspondence I am sharing it.

Thankyou for your consideration. I have included Mr John Costa in on this email, as I am sure he is eagerly looking for more things to get involved in, in the lead up to Christmas,

Cheers. Glen.

From: Glen Buckley
Sent: Friday, 21 December 2018 10:29 AM
To: Graeme.Crawford@casa.gov.au
Subject: FW: Message from Glen Buckley

From: Glen Buckley
Sent: Friday, 21 December 2018 10:26 AM
To: shane.carmody@casa.gov.au
Cc: White, Peter <Peter.White@casa.gov.au>; McHeyzer, Jason <Jason.McHeyzer@casa.gov.au>; Nishizawa, Naomichi <Naomichi.Nishizawa@casa.gov.au>; Costa, John <John.Costa@casa.gov.au>; michelle.massey@casa.gov.au; Jones, David <David.Jones@casa.gov.au>; Nuttall, Will <Will.Nuttall@casa.gov.au>; phil.betts@casa.gov.au; Ford, Mathew <Mathew.Ford@casa.gov.au>; CLARC <CLARC@casa.gov.au>; Martin, Craig <Craig.Martin@casa.gov.au>; Gobbitt, David <David.Gobbitt@casa.gov.au>; Penney, Timothy <Timothy.Penney@casa.gov.au>; CASA-Michael White (michael.white@casa.gov.au) <michael.white@casa.gov.au>; Crosthwaite, Roger <ROGER.CROSTHWAITE@casa.gov.au>; Ogilvie, Ian <IAN.OGILVIE@casa.gov.au>; Peucker, Andrew <Andrew.Peucker@casa.gov.au>; debbie.winter@casa.gov.au; Clowes, Brett <Brett.Clowes@casa.gov.au>; White, Brett <Brett.White@casa.gov.au>; Flight Testing Office Mailbox <flighttesting@casa.gov.au>; Secombe, Gavin <Gavin.Secombe@casa.gov.au>; ftto@casa.gov.au; Ermin Guido Javier Jr <ermin.j@auspta.com.au>; Jacqueline Armstrong <jacqui.a@auspta.com.au>; Laveniya Ruthralingam <laveniya.r@auspta.com.au>; Coby Ramos <coby.r@auspta.com.au>; Cale Johnston <Cale.J@auspta.com.au>; Nathan James <nathan@smartclasssystems.com>
Subject: Message from Glen Buckley

Dear Mr Shane Carmody,

I am writing to ensure that CASA as an Organisation is fully aware of the repercussions of its inappropriate actions. CASA has advised that they intend to shut down my entire operation, and not on the basis of any safety concerns.

I intend to mount a very public and robust defence of APTA, the concept, and its members.

The simple facts are that the CASA action will result in sending my Business bankrupt and CASA would be aware of those consequences. If there is any doubt, then I reiterate it here. As a Company Director, I have obligations on me to maintain solvency of the Business. The CASA action will force me to close the Business, and CASA will be held fully liable for that. The claim will be substantial. I will however be putting a stop to that CASA action. The repercussions are too serious on too many people, and as this is not a safety matter it will not be proceeding, I can assure you.

CASA has not initiated this action on the basis of any safety concerns. Your bullying and intimidating approach will be held to account.

By CASAs own admission the trigger for the action against me was the "Aviation Ruling". I challenged that action on the basis that the aviation Ruling did not apply. By its own definition it referred to an "arms length arrangement". Quite simply APTA does not operate with an arms length agreement. The fact is that APTA operates as the one Organisation in all matters regarded to Safety and Compliance which should be the areas of focus. In addition I pointed out that it referred to "CAR 206" operations of which flying training is not. Furthermore the Aviation Ruling was written in 2006 for an entirely different regulatory environment. It also refers to a Chief Pilot, a role which does not

exist in a Flight Training Organisation. This matter has now dragged on for two months at a cost to my Business, well in excess of \$100,000.

I was advised at the meeting with CASA on 20/12/18 that the Aviation Ruling is now "off the table" and CASA is pursuing a completely different line of attack which will be advised to me via written notification. This is quite simply outrageous and immoral. If CASA has determined now to change tact then I must hold you liable for the damage caused over the last 9 weeks. You are choosing to use brute force rather than any sense of decency.

I will irrefutably demonstrate in the public domain, how CASA has

Acted with total disregard for its own Regulatory philosophy

Made false allegations in audits of a substantial nature that were challenged and retracted.

Failed to provide me with natural justice/ procedural fairness

Blatantly breached the requirements of Administrative law

Operated in breach of requirements of the Public Governance, Performance and accountability act

Acted to bring harm to me and my business

Compromised safety

Caused job losses and particularly in regional areas

Caused enormous stress and harm to me, my family and my Business.

Failed to achieve clear and concise aviation safety standards as required of it in the Act.

Produced a negligently inaccurate Regulation Impact Statement with regards to Part 61/141 and 142.

I have exhausted all opportunities to resolve this with CASA, and it must now proceed to the next step. My argument will be very public however at all times I will ensure that responsibility lands where it should. CASA is an organisation of many exceptional and Industry leading people. Unfortunately when senior management choose to act in such a combative and inappropriate manner you actually make the job of the "troops" that much more difficult. My issue is not with the people at the coalface, and I intend to make that very clear. There are many people in that Organisation of whom I have a high level of confidence and trust. My battle is not against the individuals within the Organisation. My issues are caused by a CASA approach of using bullying and intimidation as their preferred course of action.

I will be encouraging you to follow my thread on this matter on Pprune. I will be soliciting support of this from the wider community and media, while also initiating processes to ensure legal recompense for all affected parties.

To all of the well intentioned professionals in the Organisation I wish you a merry xmas, happy New Year, thankyou for your efforts, and recognise that you are not "the problem". To the few that cause so many problems for your work colleagues and for Industry, I intend to hold you to account.

Regards. Glen Buckley

Footnote: I have attached an excerpt from a recent CASA bulletin. Quite seriously, who writes that rubbish.

From: Crawford, Graeme
Sent: Monday, 24 December 2018 2:52 PM
To: 'Glen Buckley' <glen.b@auspta.com.au>
Cc: White, Peter <Peter.White@casa.gov.au>
Subject: RE: Message from Glen Buckley [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Mr Buckley,

I am responding to your email of Friday, 21 December 2018, addressed to Mr Shane Carmody, Director of Aviation Safety (DAS) and Chief Executive Officer (CEO) of the Civil Aviation Safety Authority (CASA), in my capacity as acting DAS/CEO.

I understand CASA's Executive Manager, Regulatory Services and Surveillance, Mr Peter White, met with you and your father, Mr Derek Buckley, in our Melbourne Office, on Thursday, 20 December. I also understand Mr White advised you at that time to expect correspondence seeking additional information so that CASA could make an informed decision regarding the application for significant changes submitted by the Australian Pilot Training Alliance (APTA) in relation to APTA's Part 141/142 Flight Training Approvals. Finally, I understand you have received that correspondence and I encourage you to respond so that CASA can make an informed decision.

Mr White will continue to communicate with you in connection with this matter, and I look forward to the outcome of that engagement and the resolution of any outstanding regulatory issues.

Kind regards,

Graeme

Graeme M. Crawford

Acting DAS & CEO

From: Glen Buckley

Sent: Wednesday, 2 January 2019 11:33 AM

To: colin.mclachlan@casa.gov.au

Cc: Jones, David <David.Jones@casa.gov.au>; White, Peter <Peter.White@casa.gov.au>; ICC <ICC@casa.gov.au>; Carmody, Shane <shane.carmody@casa.gov.au>; Graeme.Crawford@casa.gov.au

Subject: Urgent Message for CASA Board from Glen Buckley CEO APTA

* App A Initial Notification to APTA from CASA *
* Appendix B - Aviation Ruling *
* Appendix F - Regulation Impact Statement *
* Lodged ICC Complaints *
* Appendix H APTA Aus Flying *
* Appendix G CASA Regulatory Philosophy *

For the urgent attention of the Board of CASA,

The purpose of this letter is to request a face to face meeting with some/ all Board Members of CASA by close of business Friday 11^h January, and respectfully request a confirmation of that opportunity by close of Business Friday 4th January.

If I do not receive that confirmation, I will be forced to make this letter public, and will do so at 5PM on Friday 4th January. Simultaneously, that will have to be my deadline for trying to deal internally with this matter, and I will have no further option but engage legal support.

To date I have sought no legal assistance at all, but this correspondence will also be addressed to my Barrister, and will be the initial notification to him. I will ask him to review the contents of this letter and to contact me and arrange an extended meeting. That meeting will need to occur, week commencing Monday 7th January.

To date I have exhausted every opportunity to deal with CASA in a fair and reasonable manner, and by reaching out to the Board I am giving CASA one last chance. My hope is that CASA will elect for the less combative approach of well-intentioned face to face communication. To date CASA has displayed a lack of integrity, good intent, and good governance, irrespective, I am making one last attempt to reach out.

CASA and all employees of CASA have obligations placed upon them by the Public Governance and Performance and Accountability Act 2013. I attach a link here for your reference.

<https://www.legislation.gov.au/Details/C2013A00123>. I am of the opinion that CASA and individuals within CASA have decided not to act in accordance with the requirements of that PGPA Act and that CASA resources have been used to bring harm to me and my Business, for reasons other than the "functions of CASA". I have included extracts of the requirements on CASA from the PGPA Act and the Civil Aviation Act below.

The PGPA Act 2013 requires the following.

"15 Duty to govern the Commonwealth entity

- (1) *The accountable authority of a Commonwealth entity must govern the entity in a way that:*
- (a) *promotes the proper use and management of public resources for which the authority is responsible; and*
 - (b) *promotes the achievement of the purposes of the entity; and*
 - (c) *promotes the financial sustainability of the entity.*

Importantly, the PGPA Act states; "*promotes the achievement of the purpose of the entity*". The "*purpose*" is defined in the PGPA Act as; "*purpose of a Commonwealth entity or Commonwealth company includes the objectives, functions or role of the entity or company.*"

The Civil Aviation Act then stipulates CASAs **functions**. I have edited some non relevant contents, but the full document can be sourced here <https://www.legislation.gov.au/Details/C2016C01097> The point that i make here is that CASA and CASA personnel must use public resources appropriately and in accordance with legislated CASA functions.

9 CASA's functions

- (1) *CASA has the function of conducting the safety regulation of the following, in accordance with this Act and the regulation by means that include the following:*
 - (c) *developing and promulgating **appropriate, clear and concise aviation safety standards;***
 - (f) *conducting comprehensive aviation industry surveillance, **including assessment of safety-related decisions taken by industry management at all levels for their impact on aviation safety;***
 - (g) *conducting regular reviews of the system of civil aviation safety in order to monitor the safety performance of the aviation industry, to identify safety-related trends and risk factors and to promote the development and improvement of the system;*
- (2) *CASA also has the following safety-related functions:*
 - (a) *encouraging a greater acceptance by the aviation industry of its obligation to maintain high standards of aviation safety, through:*
 - (i) ***comprehensive safety education and training programs; and***
 - (ii) ***accurate and timely aviation safety advice; and***
 - (iii) *fostering an awareness in industry management, and within the community generally, of the importance of aviation safety and compliance with relevant legislation;*
 - (b) ***promoting full and effective consultation and communication with all interested parties on aviation safety issues.***

For perfect clarity, I am alleging that CASA and some individuals within CASA have acted in breach of the PGPA Act and the requirements of the Civil Aviation Act. I further allege that CASA has breached administrative law/procedural fairness/natural justice in its dealings with me. I further allege that personnel within CASA have fabricated audit results to "paint a picture" and bring harm to me and my Business. I allege that CASA actions to date actually reduce safety and reduce regulatory compliance. I allege that CASA has flagrantly breached its own Regulatory philosophy and that by doing so it has brought harm to me and my Business. I allege that CASA has initiated this action on fabricated audit results. I allege that CASA has made absolutely no genuine attempt at resolving this issue, and that by dragging it out for so long has caused significant harm to me and my Business. I allege that the root cause of this problem is CASAs failure to achieve "clear and concise aviation safety standards" as is required of it in the Act. I allege that the confusion does not exist in my Organisation and it exists purely within CASA. I allege that no individual within my CMT has any idea at all about APTA because they decided not to engage with me. I allege that CASA has acted in a bullying and intimidating manner.

Under CASAs obligations under the PGPA Act, CASA has obligations to keep the Minister informed and I call on you to do that. I do not require that Deputy PM McCormack be specifically informed, but I require of CASA that they at least inform a "decision maker" within his department. If you are not prepared to meet that requirement could you specifically identify that fact to me, and I will initiate the required action myself. My complaints have been lodged with the ICC but I attach them here for your reference (refer Appendix marked "lodged ICC complaints").

I own an organisation called the Australian Pilot Training Alliance. This organisation was developed in conjunction with CASA personnel over many years. The organisation was subsequently approved by CASA as a Part 141 and 142 Organisation with a base at Moorabbin and a base at Bacchus Marsh. CASA added a further

base at Moorabbin. CASA also conducted a Level 1 audit of APTA which identified no concerns. CASA was supportive and encouraging of the concept and it has been operational for well over 18 months.

With no prior warning at all, CASA effectively gave me official notice that it intended to shut down the entire operation at any time after 7 days. At this stage my business continues to be permitted to operate on a verbal approval from my Regional Manager. This is unacceptable practice for any Business Owner in this Country. The notice was extremely heavy handed and is attached as Appendix A

CASA has taken this heavy handed action on the basis of "audit results" from our Latrobe Valley and Ballarat bases. The contents of those audit results were fabricated and not truthful. The writer of those allegation would have known that they are not truthful at the time of writing. It was not a mistake. It was a deliberate attempt to bring harm to me and my Business. CASA also by its own admission, breached administrative law/procedural fairness/ natural justice, as the audit results were not provided to me, and still have not been. I was forced into making a Freedom of Information request which was also rejected. I completely fail to see how CASA can take such substantive action against me, and not provide the audit results, it is outrageous, it really is.

APTA is well intentioned and safe. CASA actions will demonstrably reduce safety/reduce regulatory compliance/cost jobs/ close down innovative community programs/shut down both the Ballarat aero club and Latrobe Valley aero clubs just short of their 100th anniversaries, and force my Business into closure.

It is important that I emphasise none of this is based on Safety. I will attach a number of other documents for your consideration, and I look forward to a prompt indication of the future direction of this matter.

Sincerely

Glen Buckley CEO APTA

Please note following attachments

- Appendix A CASA initial notification to APTA
- Appendix "lodged icc complaints" contains Complaint A to Victor inclusive
- Appendix B Aviation ruling used as the basis of CASA action.
- Appendix F Regulation Impact Statement.
- Appendix H Article from Australian Flying provides overview of APTA
- Appendix G CASA regulatory philosophy.

From: Glen Buckley

Sent: Friday, 4 January 2019 9:27 AM

To: ICC <ICC@casa.gov.au>

Cc: Jones, David <David.Jones@casa.gov.au>; White, Peter <Peter.White@casa.gov.au>; Carmody, Shane <shane.carmody@casa.gov.au>

Subject: Matter A1. Submission to ICC from APTA

Matter A1

Sorry Mr Gobbitt, I bet you were breathing a sigh of relief thinking thank goodness there are only 26 letters in the alphabet. Sorry,

Cheers. Glen.

Dear Mr Jones, irrespective of the ICC complaint can I ask that you consider the submission. As per my frequent and consistent requests over the last 10 weeks, please identify what the breach is. The request is fair and reasonable, and in fact I am entitled to it.

Glen Buckley

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Sent: Friday, 4 January 2019 9:56 AM
To: Glen Buckley <glen.b@auspta.com.au>; White, Peter <Peter.White@casa.gov.au>
Cc: Jones, David <David.Jones@casa.gov.au>; ICC <ICC@casa.gov.au>; Carmody, Shane <Shane.Carmody@casa.gov.au>; McLachlan, Colin <Colin.Mclachlan@casa.gov.au>
Subject: RE: Urgent Message for CASA Board from Glen Buckley CEO APTA [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Mr Buckley,

I am responding to your email of Wednesday, 02 January 2019, addressed to Colin McLachlan, Board Secretariat of the CASA Board of Directors, in my capacity as acting Director of Aviation Safety (DAS) and Chief Executive Officer (CEO) of the Civil Aviation Safety Authority (CASA).

In your email you have requested a face to face meeting with some or all of the CASA Board by COB Friday 11 January 2019. Please be advised that the regulatory issues being worked with the Australian Pilot Training Alliance (APTA) are operational in nature and as such it is appropriate that they continue to be handled by the Regulatory Services & Surveillance Division lead by Peter White i.e. this is not a matter for the CASA Board.

As previously stated in my email to you on Monday, 24 December 2018, Mr White will continue to communicate with you in connection with this matter, and I look forward to the outcome of that engagement and the resolution of any outstanding regulatory issues.

Kind regards,

Graeme

Graeme M. Crawford

Acting DAS & CEO

From: Glen Buckley

Sent: Friday, 4 January 2019 11:44 AM

To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Cc: White, Peter <Peter.White@casa.gov.au>; Jones, David <David.Jones@casa.gov.au>; ICC <ICC@casa.gov.au>; Carmody, Shane <Shane.Carmody@casa.gov.au>; McLachlan, Colin <Colin.Mclachlan@casa.gov.au>

Subject: Re: Urgent Message for CASA Board from Glen Buckley CEO APTA [SEC=UNCLASSIFIED]

Dear Mr Crawford,

For perfect clarity. My complaints are not "operational" they are about CASA not following required processes, and operating in breach of its functions under the Civil Aviation Act, the CASA regulatory philosophy, administrative law, natural justice, CASAs enforcement manual, procedural fairness, honesty and integrity.

They are very much matters of concern to the Board, in accordance with the PGPA Act.

Glen Buckley.

I request that meeting be facilitated

Sent from my iPhone

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Sent: Friday, 4 January 2019 1:30 PM
To: Glen Buckley <glen.b@auspta.com.au>; Hanton, Jonathan <Jonathan.Hanton@casa.gov.au>; White, Peter <Peter.White@casa.gov.au>
Cc: White, Peter <Peter.White@casa.gov.au>; Jones, David <David.Jones@casa.gov.au>; ICC <ICC@casa.gov.au>; Carmody, Shane <Shane.Carmody@casa.gov.au>; McLachlan, Colin <Colin.Mclachlan@casa.gov.au>
Subject: RE: Urgent Message for CASA Board from Glen Buckley CEO APTA [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Mr Buckley,

I understand that you have made numerous complaints into the ICC over the last week and that Jonathan Hanton has been in contact with you on these.

I also understand that a number of those submissions are requests on clarity regarding what CASA is asking for, these are clearly a task to be worked between the Regulatory Service team and APTA and as previously stated you should work with Peter White and the Southern Region team on this.

Where you have concerns about the behaviour or interactions of CASA staff with APTA staff, I encourage you to provide the facts you believe support those concerns to the ICC so that they can be properly investigated.

For clarity, we will not be arranging a meeting with APTA and the CASA Board and whilst I appreciate you may not like that outcome, I kindly request you accept that is CASA's position.

Kind regards,

Graeme

Graeme M. Crawford

Acting DAS & CEO

From: Glen Buckley

Sent: Friday, 4 January 2019 2:22 PM

To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Cc: colin.mclachlan@casa.gov.au

Subject: RE: Urgent Message for CASA Board from Glen Buckley CEO APTA [SEC=UNCLASSIFIED]

Dear Mr Crawford,

I understand and I am fully satisfied that I have exhausted absolutely every opportunity to resolve this in a less combative manner.

Regards. Glen Buckley

From: Glen Buckley
Sent: Wednesday, 24 April 2019 8:04 AM
To: graeme.crawford@casa.gov.au
Cc: White, Peter <Peter.White@casa.gov.au>
Subject: Request from Glen Buckley

App A Initial Notification

Dear Mr Crawford, Aviation Group Executive Manager CASA,

As you are aware, and without any prior notice, CASA took action to vary my AOC on 23/10/18. I have made 5 requests to CASA for appropriate supporting documentation to approach the Administrative Appeals Tribunal. CASA has chosen not to provide that, and denied me my rights under Administrative Law.

That initial action was on the basis of the Aviation Ruling which we have ascertained is not the correct document to have used. A very significant error on CASAs behalf.

That initial action was also taken on the basis of our Temporary locations procedure. We have now ascertained it was actually CASAs suggestion to adopt the procedure which we accepted. We have also demonstrated that it was in fact CASAs own procedure from CASAs own guidance material, was previously approved by CASA, and audited by CASA. So quite simply, there is no breach. In fact it is quite ludicrous to even suggest so. It was entirely a misunderstanding of CASA personnel.

We have the ongoing confusion with the contracts which is entirely CASAs own confusion. It clearly demonstrates CASAs failure to achieve clear and concise aviation safety standards. After more than 6 months, CASA are still unable to work out what they want in the contracts. Throughout the last 6 months I have been completely willing to do whatever CASA wants, but still they have no idea. In fact I don't believe there is any legislative requirement for a contract, CASA never required one, and made no mention of one prior to the attached documentation. I am happy to embed any CASA suggestions, but after 6 months I am still waiting for CASA to tell me what they want.

Now all of the confusion in CASA would be of no concern to me, except for the fact that by CASA reducing my businesses "expiry" date to 7 days in the future, that is a significant action to take. Consider what CASA have done to my business, and consider the impact on any Company, be it a major bank or retailer, or my small business. There is no doubt that the CASA action has now cost me millions of dollars, and sent two businesses into closure and most likely a third business over coming days. With that "expiry date" on my business,

- o I cannot market my product
- o I cannot get new customers
- o Consider the enormous instability for the organisation and the many people who depend on me for their livelihood.

No business in Australia could survive a Government Administrative decision that limited their certainty of operations, prevented them marketing, prevented them attracting new customers, and maintaining existing customers.

As CASAs action is not taken on safety concerns, and there are no regulatory breaches, can I request that CASA put in writing why CASA deems the action appropriate, and the reasons for the action. I really don't understand what it is CASA want, and feel it fair and reasonable that you clearly and concisely outline why my business is still enduring this CASA action after 6 months, because to be honest it appears to me as the business owner that CASA is displaying "unconscionable conduct" and as the recipient of it, I can assure you it is bullying and intimidating in its nature.

Your written explanation may help to bring clarity to the process. My assumption is that this information would be readily available to you, in your role.

Glen Buckley

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Sent: Wednesday, 24 April 2019 9:14 AM
To: Glen Buckley <glen.b@auspta.com.au>
Cc: White, Peter <Peter.White@casa.gov.au>
Subject: RE: Request from Glen Buckley [SEC=UNCLASSIFIED]

UNCLASSIFIED

Glen,

Please accept this email as acknowledgement that I have received your email below and will provide a response in the coming week.

Kind regards,

Graeme

Graeme M. Crawford

Group Executive Manager - Aviation

From: Glen Buckley
Sent: Wednesday, 24 April 2019 9:26 AM
To: graeme.crawford@casa.gov.au
Subject: Publication of correspondence

Dear Graeme,

I will be publishing that previous email today. I have waited 6 months for CASA to resolve this. The impact on me personally is significant. I am only trying to protect my reputation, which is important to me.

Cheers. Glen

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Sent: Wednesday, 24 April 2019 10:44 AM
To: Glen Buckley <glen.b@auspta.com.au>
Cc: White, Peter <Peter.White@casa.gov.au>
Subject: RE: Publication of correspondence [SEC=UNCLASSIFIED]

UNCLASSIFIED

Glen,

It's not for me to question the value of your proposed actions, but clearly you can do it.

Kind regards,

Graeme

Graeme M. Crawford
Group Executive Manager - Aviation

From: Glen Buckley
Sent: Friday, 26 April 2019 8:09 AM
To: peter.white@casa.gov.au; Graeme.Crawford@casa.gov.au
Subject: Request from Glen Buckley

Dear Mr Crawford,

Please advise by 5pm today if CASA are prepared to meet with me regarding a claim for costs incurred as a result of the current issues. While I don't necessarily expect a response, I will take no response, as an indication that my final attempt at reconciliation has failed.

CASA have obligations under the PGPA to use public funds responsibly.

I am offering the opportunity for a well intentioned discussion, prior to significantly increasing the matter, which will potentially lead to a more costly matter.

Respectfully, Glen.
Sent from my iPhone

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Sent: Friday, 26 April 2019 10:11 AM

To: Glen Buckley <glen.b@auspta.com.au>

Cc: White, Peter <Peter.White@casa.gov.au>; Aleck, Jonathan <JONATHAN.ALECK@casa.gov.au>

Subject: RE: Request from Glen Buckley [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Mr Buckley,

I acknowledge receipt of your email which will be referred to the Legal and Regulatory Affairs Division of CASA for review and response.

Kind regards,

Graeme

Graeme M. Crawford
Acting DAS & CEO

From: Rule, Joe <JOE.RULE@casa.gov.au>

Sent: Friday, 26 April 2019 4:44 PM

To: Glen Buckley <glen.b@auspta.com.au>

Subject: Request for meeting [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Mr Buckley,

I refer to your email to Mr Crawford of today's date requesting an indication from CASA, by close of business today, as to whether it is prepared to meet with you in relation to a claim for costs apparently incurred by you or your company as a result of recent regulatory interactions with CASA.

CASA is not able to participate in any such discussions without the agreement and participation of its insurers.

In order to refer your matter for consideration by our insurers, we will first need to understand the amount of your claim, and the precise legal basis upon which you say that CASA is obligated to pay the claim.

Once those details are provided, we will be in a position to discuss the matter with our insurers and determine whether it is appropriate to engage in further discussion with you in relation to the matter. In order to advance this matter, we therefore request provision of the details of your claim as indicated above.

Please contact me if you wish to discuss this matter further.

Yours sincerely,

Joe Rule

Branch Manager

Litigation, Investigations and Enforcement

From: Glen Buckley
Sent: Tuesday, 30 April 2019 1:27 PM
To: Rule, Joe <JOE.RULE@casa.gov.au>
Cc: White, Peter <Peter.White@casa.gov.au>; graeme.crawford@casa.gov.au;
colin.mclachlan@casa.gov.au; Carmody, Shane <shane.carmody@casa.gov.au>
Subject: RE: Request for meeting [SEC=UNCLASSIFIED]

Recording: Introduction and claim

Dear Mr Joe Rule,

Please find attached my first recording. This outlines what my allegations are, and all can be supported and are well documented. I will continue sending through a series of recordings.

For perfect clarity. The CASA action will shortly send my business into closure, and that will effect a number of Organisations. On the closure of my business on May 13th, the following members will become part of a class action against CASA

- Melbourne Flight Training
- Vortex
- Learn to Fly
- Latrobe Valley Aero Club
- Ballarat Aer Club
- Avia
- ARC Aviation
- Simjet
- White Star
- And the Company Suppliers
- Three other unnamed parties, at this stage.

I have made consistent and repeated attempts to resolve this matter, and CASA has frustrated every attempt.

This is CASAs final opportunity to resolve this matter. I am doing everything I can to avoid pursuing a more substantive path, but my options are becoming increasingly limited.

Due to the stress as a result of this process I will be unavailable from 5PM today and my intention is to return to the office in one week, on the following Thursday. During that period, I will have limited availability.

On my return, I am expecting to CASA to have arranged a meeting with the Insurer. That will have to be face to face meeting. To be frank, if CASA are not prepared to facilitate that attempt at a well intentioned meeting, I will have no option but to close the business on the CASA nominated date of May 13th, engage legal assistance and pursue a substantive claim against CASA.

To date this process has cost me my family home, millions of dollars of customers, destroyed my business, my reputation and caused unacceptable amounts of damage to me. Quite simply, this must be resolved or tested, but it will not go away

I am now going very public with this matter, and this email has a number of other parties bcc'd in on the email.

My experience has been that CASA have no intention to resolve this matter, my hope is that an insurance company will look at the matter more objectively.

Respectfully, Glen Buckley

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Sent: Tuesday, 30 April 2019 1:43 PM

To: Glen Buckley <glen.b@auspta.com.au>

Cc: White, Peter <Peter.White@casa.gov.au>

Subject: RE: Request from Glen Buckley [SEC=UNCLASSIFIED]

UNCLASSIFIED

Glen,

I understand that you have arranged an extension to 26 Apr 2019 deadline for you to provide your feedback to the ICC response to your previous complaints against CASA. With that in mind, please be advised that I intend to respond to your email dated 24 Apr 2019 below, post ICC receipt of your feedback.

Kind regards,

Graeme

Graeme M. Crawford

Group Executive Manager - Aviation

C

From: Glen Buckley
Sent: Tuesday, 30 April 2019 2:29 PM
To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Subject: RE: Request from Glen Buckley [SEC=UNCLASSIFIED]

Dear Mr Crawford,

That will not be acceptable. CASA has taken action against my business that will shortly result in its closure. If CASA have taken an action against this business that has extended for over 6 months, it is reasonable that you can justify your position. The ICC is a process that I have availed myself of, and is independent.

You have made an Administrative decision against this business, and I am reasonably entitled to a written explanation for that decision. Your decision was made over 6 months ago. The ICC results should not have any impact on you explaining your actions as you are required to. This is a fundamental principle of Administrative Law.

You initially obligated yourself to respond within a week, and that is my expectation. This process has impacted on me to such an extent that I will be away for 7 days on medical grounds. I will have only very limited access to emails, and will only have a phone available at limited times of the day. I do expect CASA to provide an explanation of what is going on, as I am completely bewildered. An undertaking was made by CASA to provide me with a template contract 10 days ago. I have heard nothing. Can you please update me on that? Also, my business has operations until May 13th. My staff, customers, and suppliers need to know what CASA is planning to do in two weeks, please advise.

Glen Buckley

C

From: Glen Buckley
Sent: Thursday, 9 May 2019 10:30 AM
To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Subject: FW: Request from Glen Buckley [SEC=UNCLASSIFIED]

Dear Mr Crawford,

Please accept this further request as a follow up to the previous emails.

As the owner of APTA, both me and my business have been significantly impacted by CASA actions. Particularly the freeze on regulatory tasks, that CASA eventually lifted, and the continuing "temporary approvals" to continue operating.

Fundamentally, if you have determined that something is wrong, you must know what "right" is. If you cant tell me what is wrong, I cannot fix it. This has continued on for over 6 months now. Can I again, respectfully request a written explanation for the reasons that CASA is taking such substantive action against my business. I am completely of the opinion that the CASA action was totally unnecessary and could have been better resolved by a simple discussion. I am reasonably entitled to know why CASA is taking the action, i.e, is it the Aviation Ruling, our temporary locations procedure, or one of the other 10 allegations of regulatory breaches. I really am increasingly confused, and requesting clear directions on

What allegations are outstanding and which have been retracted?

What is the reason that I have a limited period of operations i.e. safety concerns, a regulatory breach etc?

As I stated previously, the CASA action was commenced in October of last year. It seems reasonable that I am provided with an explanation. That explanation should already be available to you, so it is unfair that you will not provide that result until the Industry Complaints Commissioners has my responses. The information you have based your decision on, is available to you now, and the reasons for your decision should be made available to me.

Glen Buckley

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Sent: Thursday, 9 May 2019 11:16 AM
To: Glen Buckley <glen.b@auspta.com.au>
Subject: RE: Request from Glen Buckley [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Glen,

I do truly appreciate that you are very frustrated in regards to some of your dealings with CASA and the time that it has taken to get resolution on some items. Having said that as we have communicated previously the APTA model was not considered when we developed our regulations and in the last 6 months we have dedicated a lot of time and effort to find a way forward recognising there has to be clear accountability for the operations undertaken by, for and on behalf of APTA by 'affiliate(s)' with whom you have entered, or propose to enter into, contractual arrangements for that purpose.

Regarding the elements we would expect to see in the contract between APTA and their affiliates concerning obligations under the civil aviation legislation and APTA's accountability to CASA, it is my understanding that our legal representative provided guidance to your legal representative at a meeting in March and that your representative acknowledged at that meeting he understood what was required. It is also my understanding that you subsequently decided to release your legal representative and that this has impacted the quality of the material we have received.

I would hope you remember the advice I gave you during our telephone conversation on the 4th April 2019 with Craig Martin (Acting EM RSS) and your accountant, strongly encouraging you to get legal advice on your proposed contractual arrangements, and inviting your legal representative to contact Dr Jonathan Aleck, head of our legal division, if they had any questions or concerns. I also asked that any operational issues you have should be directed to Peter White (EM RSS).

I have a perception that you are dedicating most of your effort on criticising CASA and focusing on past events and I strongly encourage you to focus all your effort on getting the APTA solution across the line. As I have previously stated, I believe the APTA model has potential merit both from a civil aviation safety and flying training sustainability perspective if it is well executed.

In reality you still have the opportunity to further your complaints/concerns post getting the APTA solution compliant.

Kind regards,

Graeme

Graeme M. Crawford

Group Executive Manager - Aviation

From: Glen Buckley
Sent: Thursday, 9 May 2019 12:16 PM
To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Subject: RE: Request from Glen Buckley [SEC=UNCLASSIFIED]

Dear Mr Crawford,

CASA had never required a contract of me, or made mention of any requirement for contracts. It was entirely my own initiative.

The assertion that the quality of material received has been impacted is not correct, as i have submitted only verbatim what CASA suggested. That was then approved by CASA for use. CASA changed their mind and that became unacceptable.

CASA is supplying the content, as it is CASA that has determined the requirement. At all times since October 2018, I have been waiting for CASA to tell me what they want. The ball has been entirely in CASAs court. I am waiting on CASA, and have been for more than 6 months.

I am seeking a written explanation as to why I have had a temporary date placed on my business. I feel this is a reasonable request, in light of the significance of the Administrative Decision that has been made.

Glen Buckley

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Sent: Thursday, 9 May 2019 2:39 PM
To: Glen Buckley <glen.b@auspta.com.au>
Subject: RE: Request from Glen Buckley [SEC=UNCLASSIFIED]

APT - Extension of Interim Operational Arrangement (03 May 2019) PW

UNCLASSIFIED

Dear Glen,

I draw your attention to the highlighted text in the email below and the attached letter of the same date, both from Peter White (EM RSS). It is clear from the content of both that CASA is trying to support APTA's continued operation and assist with clarifying what we would expect to see from an operational accountability perspective, in a contract between APTA and its affiliates. Having said that whilst we will provide further clearer advice on the content we would expect in the APTA/Affiliate contracts, we are not obliged or prepared to write them for you.

As previously stated, I strongly encourage on receipt of the model clauses that you get legal advice on your proposed contractual arrangements in order for you to have them created and signed by APTA and the Affiliates before the 1 July 2019. I again offer your legal representative the opportunity to contact Dr Jonathan Aleck, head of our legal division, if they have any related questions or concerns.

From: White, Peter
Sent: Friday, 3 May 2019 4:37 PM
To: Glen Buckley <glen.b@auspta.com.au>; Derek Buckley <derekbuckley40@bigpond.com.au>
Cc: Hill, Georgie <Georgie.Hill@casa.gov.au>
Subject: Extension of Interim Operations - APTA [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Messer's G and D Buckley,

Please find attached correspondence confirming the extension of Interim Operations of APTA to 1 July 2019. I anticipate CASA will issue revised guidance for 'model clauses' for potential inclusion within APTA/Affiliate contracts (this is CASA Guidance only) week commencing Monday 20 May 2019. The 'model clauses' are considered to be the type CASA would expect to see within contracts that enable operations of the type APTA conducts and to ensure operational accountability under CAS R, is clear and legally documented.

My earlier offer relating to 141.035 arrangements remain.

Kind regards

Peter M. White

Kind regards

Graeme

Graeme M. Crawford

Group Executive Manager - Aviation

From: Glen Buckley
Sent: Saturday, 11 May 2019 9:09 PM
To: Steve Hitchen <stevehitchen@yaffa.com.au>
Cc: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Subject: Requesting assistance of Australian Flying

Dear Steve,

I have included Mr Graeme Crawford from CASA, in on this email.

Steve, I am truly at the end of the road on this. I have just returned from a week of soul searching in Victorias High Country. It gave me a week to reflect on a lot of things. As you know, I established APTA to increase safety, increase regulatory compliance, protect the Australian Owned sector of the Industry, and subsidise operations at rural aero clubs. It was a massive investment, and as you are aware I put my house on the line to achieve that goal. I designed it in conjunction with CASA, they approved it and we had been operating for 18 months. When CASA delayed the Part 141/142 Transition date by 12 months that cost me my family home. With the support of my family, I continued on with APTA, and we were gaining traction.

Without any warning at all in October 2018, CASA launched a very concerted effort to shut APTA down. CASA have breached every single element of their own regulatory philosophy in achieving that goal. The story is significant and needs to be told. I have just cancelled my daughters 21st in two weeks, as I am on the cusp of bankruptcy with this. CASAs actions over the last 6 months have cost me personally \$400,000, and resulted in the loss of millions of dollars in sales. Their action has compromised safety, compromised regulatory compliance, cost jobs and resulted in the closure of two businesses, and soon a third. It has trashed my reputation and that of APTA. Mentally I cannot continue and will walk away from this entire thing over coming weeks.

This is me saying that, enough is enough. I need all the support that I can muster. I have had offers from many areas, but I am reaching out to you in the first instance. I am requesting the opportunity to tell my story, and ask that you present that to the readers. I need to protect my reputation and that of my business and valued and loyal staff. Could I make two requests.

1. That CASA must be given the right of reply prior to publishing anything
2. That I explain my story to you face to face rather than by telephone.

Let me make it perfectly clear that CASA actions are not based on safety and there are no regulatory breaches. CASA have made 10 allegations of regulatory breach but ignored repeated requests to help me resolve them. The fact is THERE ARE NO REGULATORY BREACHES. After 6 months they actually cannot explain their actions despite multiple requests to do so. At 53 years of age, without any doubt, this is the most bullying and intimidating behaviour that I have ever been subjected to. Quite simply. It is unethical, immoral and not befitting of an Organisation operating under the Australian Coat of Arms. It is disgusting!!!!!!!

I look forward to meeting you at your soonest practical opportunity.

Yours thankfully, Glen Buckley

From: Steve Hitchen <stevehitchen@yaffa.com.au>

Sent: Monday, 13 May 2019 9:45 AM

To: Glen Buckley <glen.b@auspta.com.au>

Cc: Crawford, Graeme <Graeme.Crawford@casa.gov.au>; Chris Yu <ChrisYu@yaffa.com.au>

Subject: Re: Requesting assistance of Australian Flying

Glen,

More than happy to meet with you and hear what you have to say. How are you fixed for sometime this week?

Cheers,

Hitch

From: Glen Buckley
Sent: Monday, 13 May 2019 2:06 PM
To: Steve Hitchen <stevehitchen@yaffa.com.au>
Cc: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Subject: RE: Requesting assistance of Australian Flying

Good afternoon Steve,

I can make myself available as follows;

Tuesday 14/05/19	10AM to 2PM
Wednesday 15/05/19	10AM to 4PM
Thursday 16/05/19	9.30AM to 5PM
Friday 17/05/19	9AM to 6PM
Saturday 18/05/19	All day
Sunday 19/05/19	All day
Monday 20/05/19	9AM to 6PM
Tuesday 21/05/19	9AM to 6PM

Let me know what suits and your preferred location and we will make it work, cheers. Glen.

C

From: Glen Buckley
Sent: Wednesday, 15 May 2019 2:51 PM
To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Cc: Hanton, Jonathan <Jonathan.Hanton@casa.gov.au>
Subject: Request for explanation from Glen Buckley-APTA

Dear Mr Crawford,

I wrote to you requesting an explanation as to why the current action against APTA continues. You placed a condition on responding, that I must have submitted my Industry Complaints Commissioner feedback. I am of the opinion that the two procedures are independent of each other. My understanding is that the ICC reports directly to the Board and CASA should be independent.

Nevertheless, I have complied with your stipulated requirement, and I have submitted my feedback.

May I respectfully request an explanation. By placing a short term period of operations on my business it places it in a difficult situation.

- The value of the business is reduced to zero, and it cannot be sold.
- I cannot employ staff with no future certainty of operations.
- It brings enormous uncertainty to the many staff who depend on me for their livelihood.
- It brings enormous damage and uncertainty to the operation and has understandably resulted in staff leaving in search of more secure employment.
- It prevents me from engaging into long term agreements with customers and suppliers because there is never any longer than 90 days certainty of operations.
- I cannot attract new customers, which impacts on cashflow.
- It damages the reputation of the APTA brandname and my own personal reputation.
- It places me under enormous levels of stress over an unnecessarily protracted period. The fact is that after 7 months I am not one millimetre closer to having this resolved.

As I have pointed out before, no business in Australia could sustain such action taken against it over such a prolonged period of time.

CASAs own Regulatory Philosophy, Administrative Law, and just plain human decency would suggest that I am entitled to an explanation. Can you please state why this particular course of action was necessary, and why a less intrusive and damaging approach such as a discussion was not pursued. You initiated the action on the Aviation Ruling and our Temporary locations procedure. It is now agreed that the Aviation Ruling was not the correct document. We now know that the Temporary locations procedure, was in fact CASAs own procedure. We also know that CASA never placed a requirement for contracts on me, but now has. After more than 7 months CASA still does not know what they want in the contract, but I remain willing to immediately embed any of their stipulated requirements.

There is no justifiable reason that CASA would take such substantive action against this business. Please, may I respectfully request a written explanation.

Thanking you in anticipation of your co-operation, Glen Buckley

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Sent: Wednesday, 15 May 2019 5:27 PM
To: Glen Buckley <glen.b@auspta.com.au>
Cc: Hanton, Jonathan <Jonathan.Hanton@casa.gov.au>; Martin, Craig <Craig.Martin@casa.gov.au>
Subject: RE: Request for explanation from Glen Buckley-APTA [SEC=UNCLASSIFIED]

UNCLASSIFIED

Glen,

I elected not to wait for your feedback to the Industry Complaints Commissioner and responded to your previous emails on two separate occasions on the 09 May 2019.

I know that CASA can demonstrate that it has supported APTA's continued operation whilst we clarify the 'model clause' we would expect to see from an operational accountability perspective, in a contract between APTA and its affiliates. I still anticipate CASA will issue revised guidance for 'model clauses' for potential inclusion within APTA/Affiliate contracts (this is CASA Guidance only) the week commencing Monday 20 May 2019. Please be reminded that whilst CASA is available to provide advice, we are not obliged or prepared to write the contracts for you.

I truly believe the proposed Flight Training arrangement you have in mind has potential merit both from a civil aviation safety and flying training sustainability perspective, noting that this outcome relies heavily on effective execution.

As these matters have now been well ventilated through both emails and meetings, I don't believe there is anything more I can add.

Kind regards,

Graeme

Graeme M. Crawford

Group Executive Manager - Aviation

C

From: Glen Buckley
Sent: Thursday, 16 May 2019 12:39 PM
To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Subject: RE: Request for explanation from Glen Buckley-APTA [SEC=UNCLASSIFIED]

Mr Crawford,

Your response actually demonstrates how you do NOT support APTA. Once again you have failed to respond to my specific requests.

You assert that you are "supporting" APTA. I strongly refute that claim. CASA have

- Placed a freeze on all APTA regulatory tasks.
- Placed an expiration date on the business
- Shown a blatant disregard for your own Regulatory philosophy
- Made a number of unsubstantiated allegations of regulatory breaches and completely ignored every attempt made by me to resolve them.
- Breached the requirements of Administrative Law
- Forced two businesses into closure
- Personally cost me absolutely everything that I own, including my family home.

As the owner of the business and the person on the receiving end of the treatment, let me be very clear. I feel that CASA has tried to use absolutely everything at its disposal to bring harm to me and my business.

Irrespective, let me very clearly outline what I believe is a fair and reasonable requirement. Your action has brought irreparable harm to this business and to me personally. I am entitled to an explanation for your actions, that were initiated on the basis of the Aviation Ruling and the Temporary Locations procedure.

Question One

Does CASA believe that the Aviation Ruling is the correct document to base such substantive action on? Am I still attending to the Aviation Ruling or is it "off the table" as Peter White stated to me. This is a fair and reasonable question. Is the Aviation Ruling applicable.

Question Two

CASA assert that our temporary bases procedure is a "breach". I did not ask for that procedure. It was suggested by CASA. I adopted the CASA suggestion in its entirety. CASA then approved us using their own procedure. This is a procedure that has been established for at least 15 years. CASA then approved bases under their own procedure. To me, I simply have absolutely no idea how that can possibly be a breach. I have asked repeatedly over the last 6 months and CASA refuse to respond. Let me make a further written request. I am convinced that our process is legal. Please explain on what basis you believe we have committed a breach.

Question Three

If the material that CASA is developing for the contracts is "guidance only" then am I correct to assume it is "suggested" and not required. I have contracts in place. Can you identify the deficiency in our existing contract, and the reasons that the existing contract and exposition do not suffice. If it

is suggested guidance material, then I must ask what the basis is for the limited expiry date placed on the business.

Question Four

Regarding the requirements from CASAs own regulatory philosophy, you will note the dot points. Can I simply ask you to attend to the dot points from your own regulatory philosophy, and most particularly, what alternatives had been considered and why they were ruled out. As you are aware, my preference would have been for a well intentioned discussion, rather than the action CASA has taken.

Question Five

On 3rd September 2018, CASA conducted an audit at Latrobe valley. Months after the audit, notes were presented. They were not dated and obviously written up months after the audit was conducted. In fact, it appeared that they may have been "tailored" to achieve an outcome. The new allegations of breaches appeared for the first time. These results differed entirely to the exit interview, and the meeting in the CASA office with the executive manager and Regional Manager then emerged for the first time, and no mention had been made prior. These "newly written" audit results now claimed breaches of

- CASR 141.310 (1)
- CASR 141.310 (5)
- CASR 141.310 (6)
- CASR 142.390 (1)
- CASR 142.390 (5)
- CASR 142.390 (6)
- CASR 117
- CASR 141.260 (g)
- 142.340 (g)

Obviously to have so many new allegations of breaches was concerning. On multiple occasions I have tried to resolve those allegations of regulatory breach, and CASA consistently ignores every request made by me. Surely you are obligated to help me resolve these matters, and particularly so, if I don't understand them. Please either clearly retract those allegations or assist me to resolve them.

To summarise, I am asking for CASA to explain clearly and concisely the basis for the current CASA action. I do not understand why you have taken this action, why it has continued on for such a protracted period. Trully, Graeme, the request is reasonable. I have been trying to get it for seven months now. Its simply not fair to take such substantive action without the business owner understanding the basis for that action. It would appear to me that a business is legal to operate, or it is not legal to operate. A limited expiry date on the business does nothing to resolve the issue and only brings harm to the business. On what basis is the current CASA action being taken.

I am entitled to an explanation, and I will continue asking. Ignoring me, will not work. I am entitled to an explanation.

Respectfully, Glen

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Sent: Wednesday, 15 May 2019 5:27 PM

To: Glen Buckley <glen.b@auspta.com.au>

Cc: Hanton, Jonathan <Jonathan.Hanton@casa.gov.au>; Martin, Craig <Craig.Martin@casa.gov.au>

Subject: RE: Request for explanation from Glen Buckley-APTA [SEC=UNCLASSIFIED]

UNCLASSIFIED

Glen,

I elected not to wait for your feedback to the Industry Complaints Commissioner and responded to your previous emails on two separate occasions on the 09 May 2019.

I know that CASA can demonstrate that it has supported APTA's continued operation whilst we clarify the 'model clause' we would expect to see from an operational accountability perspective, in a contract between APTA and its affiliates. I still anticipate CASA will issue revised guidance for 'model clauses' for potential inclusion within APTA/Affiliate contracts (this is CASA Guidance only) the week commencing Monday 20 May 2019. Please be reminded that whilst CASA is available to provide advice, we are not obliged or prepared to write the contracts for you.

I truly believe the proposed Flight Training arrangement you have in mind has potential merit both from a civil aviation safety and flying training sustainability perspective, noting that this outcome relies heavily on effective execution.

As these matters have now been well ventilated through both emails and meetings, I don't believe there is anything more I can add.

Kind regards,

Graeme

Graeme M. Crawford

Group Executive Manager - Aviation

From: Glen Buckley

Sent: Thursday, 16 May 2019 2:21 PM

To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Subject: RE: Request for explanation from Glen Buckley-APTA [SEC=UNCLASSIFIED]

Dear Graeme,

Once again you are obstructing the process. I am entitled to an explanation. You have consistently refused to justify your actions or decisions.

I insist. Please do not ignore my reasonable request. I am entitled to an explanation. This is a significant breach of Administrative Law, Natural Justice and procedural fairness.

This CASA action has brought enormous damage to a large group of people, and organisations. Could you please respond to my reasonable request.

Thankyou, Glen Buckley

From: Glen Buckley

Sent: Thursday, 16 May 2019 2:44 PM

To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Subject: RE: Request for explanation from Glen Buckley-APTA [SEC=UNCLASSIFIED]

Dear Graeme,

Apologies but I feel compelled to follow up your previous email. I appreciate that you are relatively new to CASA and not from a flight training background. That is not intended as a criticism, as I appreciate you do have a high level of expertise in your area, however I do wish to clarify some of your misconceptions.

In fact the flight training industry has been "sharing aocs" for as long as I have been in the industry. In fact our own Organisation worked with TVSA before the Transition, and did so with full CASA consent. Latrobe Valley Aero Club operated under Bairnsdale Charters AOC, and it is quite commonplace. CASA was fully aware of the practice, and in fact facilitated it.

APTA is not new, the business has been operating for 15 years. It is actually a solution to an existing problem, and in fact it was designed from the ground up with CASA over many years. APTA is actually the first time an organisation in Australia has tried to tackle the challenges.

You have singled APTA out for "special attention" and you have not reduced the expiry date on any of the other businesses, which I cannot understand.

Regarding staying focussed, I have been waiting for 7 months for CASA to work out what they want in the contracts. If you believe it is the "new legislation" that has created the problem, are you able to identify what those changes are that have forced CASA into a complete change of attitude towards APTA.

I call on you again, to respond to the questions from the previous email that you consistently ignore. Please act with ethics and integrity, as a CASA officer.

Glen Buckley

From: Glen Buckley

Sent: Friday, 17 May 2019 9:18 AM

To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Subject: Further request for well intentioned discussion from Glen Buckley APTA.

Dear Mr Crawford,

This is yet a further attempt to resolve this with minimum impact on all Parties. To date as you are aware I have tried absolutely every thing I can to resolve this in a reasonable matter, and I will do so again. I appreciate that it is possibly futile, but I will try.

As you are aware, I feel I had a valid basis on which to make a legitimate claim against CASA, I really do. I am now aware that a substantial claim such as mine will meet the requirement for funding such a case. You have left me little choice. Until 5PM on Friday 17/05/19, I will give CASA the opportunity to reach out with good intention and enter into a discussion about fair and reasonable compensation. Failing that offer by 5PM I will have no option but to pursue legal assistance on behalf of my members, staff, suppliers, and students. I have done more than could be reasonably expected of a person, I really have. It is not my preferred option, but as with the entire 6 months, you are in complete control.

A well intentioned meeting will result in minimal impact on public funds in accordance with the PGPA Act. I understand CASA carries insurance, but that Company also has obligations to its shareholders. A stubborn refusal as I have experienced to date, only reflects poorly on CASA, and will result in a degraded outcome.

Eventually CASAs conduct will be demonstrated as unconscionable, I am confident that many within the organisation with ethics, will step back from the process, and you may be well left standing alone,

Glen Buckley

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Sent: Friday, 17 May 2019 5:30 PM

To: Glen Buckley <glen.b@auspta.com.au>

Subject: RE: Further request for well intentioned discussion from Glen Buckley APTA.

[SEC=UNCLASSIFIED]

UNCLASSIFIED

Glen,

With regards to the APTA solution, as previously communicated we anticipate we will have the contract model clauses to you next week.

All I can say is that CASA is genuinely trying to work with you and your suggestion of taking legal action against CASA is disappointing, however it's obviously your call.

Kind regards,

Graeme

Graeme M. Crawford

Group Executive Manager – Aviation

From: Derek Buckley <derekbuckley40@bigpond.com.au>

Sent: Monday, 20 May 2019 4:17 PM

To: Graeme.Crawford@casa.gov.au

Cc: Glen Buckley <glen.b@auspta.com.au>

Subject: APTA

Dear Mr Crawford, my name is Derek Buckley, I am Glen Buckley's (APTA) Father and have been involved on the periphery of this dispute for the past 7 or so months. Obviously, I am emotionally involved and also have a financial interest. I have no flying experience but am fast learning about this Industry which you (CASA) are supposed to regulate in the interest of safety for everyone.

Glen forwarded me a copy of your email dated 16 May 2019 and I feel moved to make the following comments in the hope that we can all move forward.

1. If CASA believes there is some merit in APTA's concept one has to wonder why has it taken 7 months to come to this conclusion. Glen has constantly offered to discuss any clauses to the Contract that CASA required.
2. Now after some months of "discussion", CASA has taken outside legal advice but, they still require APTA to make their input. Surely this is or should be part of CASA's regulation not a third party like APTA. It is after all "your" regulations which you expect APTA and the GA industry to adhere too.
3. In your 3rd para you comment - I don't accept that the potential demise of your business is all/mainly down to CASA. This statement suggest that you still have no idea how APTA is operating. I believe that you have a number of years commercial/business experience, so let me suggest the following scenario. If a supplier of a specialised product to your organisation could not guarantee continuity of supply, what would you do? Obviously look for an alternative. Think what the effect on that company would be. CASA are doing that to APTA.
4. My understanding of the current state of play with the Contracts is that CASA will provide "suggested" legal clauses which need to be incorporated but this will not be available until the end of this week?? Meantime APTA can do nothing to further their business???

A way forward

The main problem experienced by APTA is trying to operate within the Interim Operational Arrangement which is varying from week to week or month to month. My suggestion if I may be so bold is for CASA to immediately remove that Interim Arrangement which would give APTA and their Partners confidence to move forward allowing the APTA model to provide better safety to the GA Industry.

APTA had been operating for 18 months prior to this situation with a proven better safety record for its partners, this is not in dispute so why not?

After all CASA have the Authority to close an operation at any time.

Mr Crawford I hope you will accept this email in the spirit it is sent. That is let's cut the BS and get on with making the GA safer whilst encouraging a small business to grow.

Kind regards

Derek Buckley

0419154233

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Sent: Tuesday, 21 May 2019 10:34 AM
To: Glen Buckley <glen.b@auspta.com.au>
Subject: FW: Flight Training Services - Guidance & Model Clauses [SEC=UNCLASSIFIED]

21/05/19 - Letter to Glen Buckley - Signed GMC
Guidance Model Contract Clauses - for the conduct of aspects of CASR Part 141 activities by a contracted entity

UNCLASSIFIED

From: Crawford, Graeme
Sent: Tuesday, 21 May 2019 10:01 AM
To: [Glen.b@auspta.com.au](mailto:glen.b@auspta.com.au)
Cc: Derek Buckley <derekbuckley40@bigpond.com.au>; Martin, Craig <Craig.Martin@casa.gov.au>; Aleck, Jonathan <JONATHAN.ALECK@casa.gov.au>; McHeyzer, Jason <Jason.Mcheyzer@casa.gov.au>
Subject: Flight Training Services - Guidance & Model Clauses [SEC=UNCLASSIFIED]

UNCLASSIFIED

Glen,

Please find attached the cover letter and guidance document including model clauses that CASA committed to provide to APTA the week beginning 20 March 2019.

As previously stated, I strongly encourage you to get legal advice on your proposed contractual arrangements, and invite your legal representative to contact Dr Jonathan Aleck, head of our legal division, if he/she has any related questions or concerns.

Kind regards,

Graeme

Graeme M. Crawford

Group Executive Manager – Aviation

From: Glen Buckley
Sent: Tuesday, 21 May 2019 1:23 PM
To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Cc: Hanton, Jonathan <Jonathan.Hanton@casa.gov.au>
Subject: RE: Flight Training Services - Guidance & Model Clauses [SEC=UNCLASSIFIED]

Dear Mr Crawford,

APTA was designed over a two year period with close engagement of CASA personnel. We attended to over 600 CASA requirements, and they all had to be individually approved and assessed by CASA. CASA approved us over two years ago and we have been using those procedures and applying Continuous Improvement to them throughout. CASA also conducted a Level 1 audit (the highest level) in November 2017. No concerns were raised.

All items you have mentioned are already attended to in our existing contracts, and outlined in our Exposition. They were attended to with CASA personnel previously. I cannot identify any deficiencies. The problem is actually a lack of awareness of how APTA operates which stems from the combative approach that David Jones, Will Nuttall, and Brad Lacey chose in their approach with APTA. Your requirements are already attended to in existing material.

As the CEO and Authorisation Holder, I am 100% clear that I hold 100% accountability for all APTA operations. I understand that if an accident or incident were to occur within APTA I am the accountable person. My organisation must be well intentioned, safe and compliant. I must be able to robustly and justly defend APTAs position in a court of law. If I am found "wanting" I am liable. I have been in the industry for 25 years, and operating a flight training organisation for 15 years. I do "Get it", I can assure you.

I am prepared to defend my procedures against your most recent document. It is decision time. Please advise the next step and specifically identify any shortcomings in our contracts and Exposition, so that I can attend to them.

Failing CASA being able to identify any deficiencies, I anticipate CASA lifting all operational restrictions that have placed the business under significant financial duress. Quite seriously Graeme, this is becoming increasingly ridiculous, it really is

The only outstanding items are the CASA allegations of regulatory breaches that I dispute. As you are aware I have made at least 6 requests on each of those items. Each of my requests has been completely ignored over the last 6 months. Can you please advise the current status of the following allegations. I have cut and pasted my most recent email below to my Regional Manager.

It is well overdue that CASA make a determination on this matter, respectfully, Glen.

"On 3rd September 2018, CASA conducted an audit at Latrobe Valley. The verbal debrief on site on the day identified some suggestions regarding our exams, and those suggestions were immediately embedded. No other concerns were raised. Then at a subsequent meeting with CASA new allegations regarding Latrobe Valley "forms" was raised by the Regional Manager. This differed to the verbal debrief on the day of the audit. CASA further identified that unfortunately the audit results had not been provided to APTA. Months after the audit, notes were finally presented. They were not dated and obviously written up months after the audit was conducted. The new allegations of breaches appeared for the first time. These results differed entirely to the exit interview, and the meeting in the CASA office with the executive manager and Regional Manager then emerged for the

first time, and no mention had been made prior. These "newly written" audit results now claimed breaches of

CASR 141.310 (1)

CASR 141.310 (5)

CASR 141.310 (6)

CASR 142.390 (1)

CASR 142.390 (5)

CASR 142.390 (6)

CASR 117

CASR 141.260 (g)

142.340 (g)

Flight and Duty exceedances.

I have made repeated and well documented attempts to resolve these allegations, and CASA has chosen not to respond. As you are aware CASA have varied by AOC and reduced the date of approval. It is critical that I resolve this matter, as the commercial impact is significant, as I have outlined previously. CASA is working on its requirements in the contracts for more than 7 months now, and there is nothing that I can do from that side. My concern is that once CASA finalise the contractual requirements, these allegations will reappear and further impact on my business, by delaying our start.

Could you please clarify which of the allegations I need to attend to, and which ones can be withdrawn. You will appreciate that I am obligated to resolve these matters, and that is my only intention. I encourage CASA to assist me by providing guidance. Thanking you in anticipation of your assistance,

Respectfully, Glen Buckley

From: Glen Buckley

Sent: Tuesday, 21 May 2019 2:49 PM

To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Subject: Important Message from Glen Buckley directed to Mr Graeme Crawford

Dear Mr Crawford,

Can I ask you to review a memo I prepared recently for distribution to all APTA personnel across all bases;

"I thought it might be timely to review our workplace values and how we treat each other. This has been initiated because I have highlighted some areas of deficiency through my own personal observations over recent months. As the CEO of APTA, I have significant responsibilities and obligations placed on me to ensure a safe workplace. I take them seriously, but more importantly, I truly believe in them. I look at the people that make up APTA amongst all the bases, and there is no doubt we have a lot of diversity, simply look around at the different genders, ethnicities, ages, experiences, abilities, orientations, religions, languages, family structures, education, work and life experiences, prejudices etc. As exciting as it is to see that diversity, it doesn't necessarily make an organisation strong or successful.

What will make an organisation strong and successful is how we deal with that diversity. If we deal with diversity in a healthy, productive and proactive manner, we will obviously create a better workplace. The most basic value that each of us needs to practice in the workplace is respect. Without that, nothing else works. We don't have to like each other, but we do have to respect each other. Hopefully however, we do also like each other!

Irrespective of what base you are at, and where you draw your salary, you are operating under the APTA approval, and as I am the CEO of APTA, I get to set out the workplace values that must flow right throughout the organisation, if you are to operate within APTA. In no particular order, those values are;

- *Confront prejudices and stereotypes that demean, exclude, or belittle people, or their achievements.*
- *Be a learner.*
- *Believe in yourself and your values.*
- *Be an advocate for others.*
- *Be sensitive to the impact you have on others.*
- *Respect others dignity, values, beliefs and feelings.*
- *Communicate honestly.*
- *Never harass or accept harassment of others.*
- *Recognise that as humans, we all make mistakes.*

Predominantly, we are all pilots. Our job is to make good decisions, so I encourage you to make those same good decisions on the ground as you do in the air.

As a Group, we do have official complaint procedures, but anyone is free to bypass all those procedures and approach me directly. I can assure you that I will approach every matter with an open mind, but I will be prepared to act. On two separate occasions over recent years I have taken prompt and immediate action to remove personnel from the Organisation whose behaviour was inappropriate. On both occasions I ended up in the Fairwork Commission, and on both occasions my decision making was validated. For clarity, there is no "three warnings" for inappropriate behaviour

in the workplace. If somebody is a racist, bigot, or a chauvinist on Monday, they will be on Tuesday and Wednesday, so there is little point in wasting three warnings over three days. It's much better to sort it out on the Monday.

If you read this, and take something away from it, thank you. If you read this and make some smart-arse comment, that only suggests, you are not the type of person we want, need, or will accept in APTA and you should seriously consider that. One last consideration, a "test" I use on my young adult children, "If you walk away from any conversation and the other person has any increased anxiety, then something has gone wrong with the conversation. It didn't work! When you walk away, everyone's blood pressure should be the same, or a bit lower."

Mr Crawford, you are probably wondering why I sent you that. A safe work environment actually begins with those core values. I respect the fact that you hold a senior position within CASA, and that you have Management experience, and a background in heavy aircraft maintenance. That does not necessarily make you an ethical person, an honest person, or a person of integrity, and by the same token it doesn't necessarily mean you are not those qualities. I measure you by your actions, and I draw on 25 years experience in pilot training, and recruiting many pilots over the years. If I identify a potential employee with any of the following traits, I assure you they would not be able to operate in my organisation, as I would genuinely consider them a threat to flight safety.

- Bullying and intimidating in their nature
- Not well intentioned
- Prepared to protect wrongdoers within the organisation
- Accepted breaches of clearly laid out procedures and expectations
- Determined to win at all costs
- Were prepared to manipulate situations to achieve desired outcomes
- Were prepared to use their power inappropriately
- Were prepared to take action that would compromise flight safety and regulatory compliance
- Acted without ethics or compassion
- Make substantive comment that was not well researched

I appreciate you are not a pilot, so these may not necessarily apply to you. If however, you were a pilot, I can assure you that you would have no place in my own organisation. Your approach to APTA is demonstrably a threat to flight safety. It must be checked. Very clearly the APTA solution increases safety, increases regulatory compliance, increases jobs, protects the Australian owned sector of the industry, and it just makes sense.

Your actions over the last 6 months towards my Organisation have compromised safety. Quite simply, if I put everything else aside (which is no small task) and just get back to the fundamentals of safety. You really have compromised it, in your role as a CASA employee, in my opinion. You have tried changing the goal posts, twisting words, ignoring reasonable requests, and doing everything possible to bring harm to me and my business.

Let me clarify that I make no comment on you as a person outside of the work environment, however in the workplace, I genuinely believe your decisions compromise safety. I am obligated to "check" you on it, and I have. Quite sincerely, I think you have displayed unconscionable conduct, and especially in light of your role in the Organisation that you are employed by.

Glen Buckley.

From: Glen Buckley

Sent: Wednesday, 22 May 2019 1:09 PM

To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Subject: RE: Flight Training Services - Guidance & Model Clauses [SEC=UNCLASSIFIED]

Dear Mr Crawford,

As you will be aware, APTA delivers predominantly Part 142 operations. In order to ensure there is no misunderstanding are you able to advise CASA expectations of Part 142 Operations, which are not mentioned in your guidance material attached.

Respectfully, Glen Buckley

From: Glen Buckley
Sent: Wednesday, 22 May 2019 4:15 PM
To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Subject: Sample of effect on APTA

Dear Mr Crawford,

As you are fully aware, the current action against CASA has had a significant impact and throughout the last 6 months I have drawn CASAs attention to it on multiple occasions, and you will have that on record.

Whilst the business, in fact any business at all, has a limited date of operations, it will be significantly impacted as you are fully aware. I am unable to market, advertise, engage new customers, attract and retain staff, enter into long term contractual arrangements. The inability to grow the business and the closure of two bases has impacted. The business will be forced into insolvency by your actions, and a number of associated organisations will be effected.

I am in the process of collating the effects on all affected parties. I had anticipated that this would have been resolved by now, but as you are aware CASA has recently extended my limited period of operations yet again.

I am in the process of trying to sell the flying school building and simulator in order to avoid making redundancies within the Organisation. The potential purchaser has written back to me with the following.

"Hi Glen, Thanks for the update. We would only look to go ahead with the purchase of the MFT building under certain circumstances:

- 1. CASA lifting all of the APTA's operating restrictions - This would need to be via an official email or letter directly from a CASA director.*
- 2. We would need to see all the APTA subsidiaries contracts regarding their subscriptions and future payment dates and/or payment plans.*

Therefore we basically need to see proof that the APTA concept is 'legally' free to continue on in its current form and with profitable growth opportunities. If you could provide these requests above, we'll be able to take the due diligence a step further.

Regards,

Express Aviation "

Every direction I turn, I am confronted with the same challenge. The limited period of operations is having a significant effect as you are aware. It has reduced the business value to zero, and causes me extreme stress. Once again, I urge you to act with decency and clearly explain the reason that CASA adopted such an aggressive stance against my Organisation. Specifically tell me why I have a limited date of operations applied to my business. On what basis is the action being taken. As you are aware the entire last 6 months could have been completely avoided had you decided to come and talk to me rather than try and shut the entire operation down. I simply cannot understand the approach against a well intentioned, safe, and compliant operator, I really cant.

Respectfully, Glen Buckley.

AVIA



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Mr Glen Buckley
CEO
Australian Pilot Training Alliance

25 March, 2019

Dear Glen

I am writing because of my underlying concern regarding the future of APTA.

My understanding has always been that the APTA model had been designed with approval from CASA. Which is why we were keen to come onboard as well as the fact that it enabled Avia to transition to Part 141 in a cost-effective way.

Our other reason for being with APTA has been compliance. It is very easy to become non-compliant in a busy flying school environment without realising it. I very much like the fact that APTA is seemingly 'on our case' with surprise audits to ensure we remain 100% compliant.

I'd also like to point out that we have appreciated the calibre and quality of the staff at APTA who are of a very high standard and I can only imagine what your salary outgoings must be!

Now that there is doubt that CASA will continue to support APTA we are reluctant to start new clients in case we are left in a situation where we can no longer operate. This is obviously having a financial impact on the Avia business.

Ultimately if APTA is closed by CASA our business will be down, which will leave us with no option other than to transition to Part 141 in our own right. This will be very expensive in terms of resources and financial impact. However, this will pale into insignificance compared to the reputational loss our business will suffer if we are forced to separate from APTA and cease operating for a period.

In summary, I am deeply disappointed with where we find ourselves as we entered this relationship with APTA in good faith knowing that CASA was on board. It will damage our business if APTA is unable to operate.

Yours sincerely,

Charles Gunter
CEO

Glen Buckley

From: Naser Qushair <naser@vortexaireta.com.au>
Sent: Sunday, 14 April 2019 8:55 PM
To: Glen Buckley
Cc: Glen Buckley
Subject: Concerns over APTA

Dear Glen,

I'm writing you this email to express my concerns over APTA,

As you aware we have joined APTA around November 2018, so it's been around 6 months since, one of the main bases that we joined APTA is that this set-up was approved by CASA, and also they were so happy about this type of alliance.

Unfortunately since we joined nothing is moving and our plans and investments are on hold due to all delays and the current issues with CASA, we have incurred losses of income and business, as you may know:

- 1- Our current Elite sim is waiting for the fidelity check for almost 4 months, lost income
- 2- We had invested in B737-800 full motion simulator, and still waiting for the MCC course to be approved. lost income
- 3- I have supplied the required documentation for our dispatcher course which was estimated to be ready by March 2019, as I have been told due to the current issues with CASA this was on hold, we had business and clients already lined-up for that course. lost income
- 4- Since we joined we have been paying for all out goings and overheads. lost income.

Unfortunately now in a position to decide wither to continue waiting and keep losing income and money or leave this alliance and revert to our legal advisor to check our legal options and to seek a compensations of our loses.

Kind Regards,

Naser Qushair
CEO



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c

From: Glen Buckley
Sent: Wednesday, 22 May 2019 4:36 PM
To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Subject: FW: APTA and Simjet future

FYI

From: Nick Kranenburg <nick@simjet.com.au>
Sent: Friday, 29 March 2019 2:24 PM
To: Glen Buckley <glen.b@auspta.com.au>
Subject: APTA and Simjet future

Hi Glen,

Good to hear from you today, I sincerely hope that APTA is able to get moving for yours and all members sake.

Simjet undertook the operation of the MPS B737 FTD in August 2018 as Airways Aviation closed its simulator operations after a contract with Virgin Australia and Tigerair could not be fulfilled using the B737 for MCC/TR. This was due to CASA not accepting the MCC/TR footprint and courseware already approved under another NAA. CASA's lack of respect for the Airways and Virgin group proposal backed by Tigerair was nothing short of contemptuous. The CEO of Airways made the decision that it was not worth introducing high fidelity, competency base simulator training in Australia without the support of the regulator. The cost was into the hundreds of thousands and with over 3 millions dollars invested, made all staff redundant, closes the simulator centre, ended the Virgin contract and sold the simulator.

As you know, joining APTA was very exciting to us and out business, especially as a start-up. The professionalism of the team and passion to assist flight training businesses and the industry with the significant change was inspirational. APTA allowed us to select a pathway to begin operations as part of a wider group of flight training organisations to deliver advanced flight training JOC and MCC. We selected APTA over operating under the MATS part 142 which our FTD was previously approved for the above reasons, and prepared to be operating prior to the end of 2018.

Unfortunately, with the CASA delay and no end in sight for at least the first 6 months of 2019, Simjet had to look at other options to operate the business. However, financially with the FTD costing \$30,000 per month, we cannot support the costs to the business with no sight of income from MCC operations. Our market advantage for a number of airlines to access high fidelity MCC training has been lost to the gaming simulator operator Flight Experience with this delay.

By board and I have discussed options to move the simulator oversea to operate under EASA and try and retrieve the hundreds of thousands of lost revenue.

The impact of this on my business and personally is significant, I hope that in the future CASA become accountable for these actions, especially after such due process was followed by the previous CASA MEL team to assess and implement the APTA operations to assist industry.

I'd be open to suggestions on how to overcome this operational and financial impact to support APTA and its members in the future. More importantly, the industry has missed out with Simjet leading the way with high fidelity full flight zero motion devices.

Kind regards, Nick **NICK KRANENBURG** | Managing Director | Flight Training Manager

From: Glen Buckley

Sent: Wednesday, 22 May 2019 4:38 PM

To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Subject: Impact of CASA actions

Glen Buckley APTA

C

From: Glen Buckley
Sent: Wednesday, 22 May 2019 4:41 PM
To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Subject: FW: Concerns over APTA

Dear Graeme,

FYI

From: Naser Qushair <naser@vortexaireta.com.au>
Sent: Sunday, 14 April 2019 8:55 PM
To: Glen Buckley <glen.b@auspta.com.au>
Cc: Glen Buckley <glen.buckley@mft.edu.au>
Subject: Concerns over APTA

Dear Glen,

I'm writing you this email to express my concerns over APTA,

As you aware we have joined APTA around November 2018, so it's been around 6 months since, one of the main bases that we joined APTA is that this set-up was approved by CASA, and also they were so happy about this type of alliance.

Unfortunately since we joined nothing is moving and our plans and investments are on hold due to all delays and the current issues with CASA, we have incurred losses of income and business, as you may know:

- 1- Our current Elite sim is waiting for the fidelity check for almost 4 months, lost income
- 2- We had invested in B737-800 full motion simulator, and still waiting for the MCC course to be approved. lost income
- 3- I have supplied the required documentation for our dispatcher course which was estimated to be ready by March 2019, as I have been told due to the current issues with CASA this was on hold, we had business and clients already lined-up for that course. lost income
- 4- Since we joined we have been paying for all out goings and overheads. lost income.

Unfortunately now in a position to decide wither to continue waiting and keep losing income and money or leave this alliance and revert to our legal advisor to check our legal options and to seek a compensations of our loses.

Kind Regards,

Naser Qushair

From: Glen Buckley
Sent: Wednesday, 22 May 2019 6:45 PM
To: Graeme.Crawford@casa.gov.au
Subject: Glen letter.pdf

Glen Letter

From: Glen Buckley

Sent: Thursday, 23 May 2019 10:39 AM

To: Hanton, Jonathan <Jonathan.Hanton@casa.gov.au>; ICC <ICC@casa.gov.au>

Subject: APTA ICC COMPLAINT CRAWFORD

Dear Mr Hanton,

Please accept submission of a complaint (APTA REFERENCE- COMPLAINT CRAWFORD). This complaint is substantive, but it is well considered. I am fully aware of the potential implications and I do not take this decision lightly.

I wish to lodge a formal complaint against Mr Graeme Crawford in his role as the Group Executive Manager Aviation. I am of the view that Mr Crawford has displayed unconscionable conduct in his role as a CASA officer. He has also breached his obligations in accordance with the PGPA Act. No reasonable person acting in a well intentioned manner, acting in the interests of aviation safety and regulatory compliance would make the same decisions that he has made.

I base this on the assertion of the following criteria;

- the relative bargaining strength of the parties
- whether any conditions were imposed on the weaker party that were not reasonably necessary to protect the legitimate interests of the stronger party
- whether the weaker party could understand the documentation used
- the use of undue influence, pressure or unfair tactics by the stronger party
- the requirements of applicable industry codes
- the willingness of the stronger party to negotiate
- the extent to which the parties acted in good faith.

I wish to further lodge a complaint that he is acting in breach of the requirements of the PGPA Act. Division 3 places obligations on Officials to act in accordance with the requirements.

Specifically

"25 Duty of care and diligence

- (1) *An official of a Commonwealth entity must exercise his or her powers, perform his or her functions and discharge his or her duties with the degree of care and diligence that a reasonable person would exercise..."*

Mr Crawford has consistently made statements that indicate he does not have a full understanding of the subject matter that he is making decisions on. I will provide a single example here. On 09/05/19 Mr Crawford sent me an email stating in part *"that this has impacted the quality of the material we have received"* asserting that the material APTA had submitted was of poor quality. In fact the only material that has been submitted is word for word the text that CASA provided to me as suggested text for the contracts that CASA now require. He is not displaying the due diligence that I can expect of him. This is only one of many examples. Please feel free to call on me for more.

"26 Duty to act in good faith and for proper purpose

An official of a Commonwealth entity must exercise his or her powers, perform his or her functions and discharge his or her duties in good faith and for a proper purpose."

The stated functions of CASA relate to safety. He has taken substantive action against my business that is not based on safety concerns. If his intended action was successful it would actually reduce safety as Operators would be denied access to a well-funded and well-resourced safety department.

"27 Duty in relation to use of position

An official of a Commonwealth entity must not improperly use his or her position to:
(b) cause detriment to the entity, the Commonwealth or any other person."

Mr Crawford's decisions are not based on safety and they have had a significant commercial impact on me and my business. His actions can not demonstrably be shown to be in the interests of safety or regulatory compliance. He has adopted a stance that is bullying and intimidating in nature in verbal conversation, but his written correspondence adopts an entirely different stance. By placing a restriction on my business, the commercial implications are significant and affect people's livelihoods. He is using his powers inappropriately which has had a detrimental effect on me and my business.

"28 Duty in relation to use of information

A person who obtains information because they are an official of a Commonwealth entity must not improperly use the information to:
(a) gain an advantage for himself or herself or any other person; or
(b) cause detriment to the Commonwealth entity, the Commonwealth or any other person.'

I asked Mr Crawford to explain the reason behind CASA's decision to take such substantive action against my business, which I am entitled to in Administrative Law. He made a condition of that response that I finalise my process with the Industry Complaints Commissioner. My process with the ICC is completely independent of him in his role in the CASA organisational structure. He should not have access to my ICC process, and should not place conditions on that process without having a valid basis to do so. It suggests to me that he may improperly be using information extracted from the ICC process to protect himself or cause detriment to me and my business.

The PGPA act additionally places requirements on the use of Public Funds. At every opportunity when the least costly and least intrusive option has been available, Mr Crawford has decided to choose to avoid that path. An example of this is. After 7 months of CASA placing an operational restriction on my business, they were unable to identify what they require in the contracts. This has now cost CASA a significant amount of public funds, that most likely cost hundreds of thousands of dollars to date, and may potentially cost the Commonwealth in the vicinity of \$30 to \$40 Million dollars. The entire process could have been avoided if CASA simply discussed the matter first.

Mr Hanton, I genuinely believe that Mr Crawford is acting inappropriately towards my Organisation. I have concerns that if he becomes aware of this complaint before he is required to, then he may have the opportunity to act maliciously and prematurely. I am concerned from his correspondence that he may have already compromised the ICC process, and I call on you to respect my request, as I know you will to the best of your ability without compromising your own position. I do not require you to reaffirm your position, as I do have a high level of trust and confidence in your integrity.

I am lodging this complaint and also formally request that he be immediately removed from all decision making related to my business, pending the outcome of his review. It compromises safety and can be demonstrated to do so.

As my complaint relates to unconscionable conduct, it suggests that I am questioning the decisions that he is making. An alternative to me lodging this complaint would be a letter from either the CASA CEO, the Deputy PM as the responsible Minister, or Mr Peter White (as someone I trust and respect within CASA) confirming that they support the decisions that have been made and would arrive at the same decisions as Mr Crawford has. Obviously that would negate my claim of unconscionable conduct

Respectfully, Glen Buckley.

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Sent: Thursday, 23 May 2019 10:54 AM
To: Martin, Craig <Craig.Martin@casa.gov.au>; Hanton, Jonathan <Jonathan.Hanton@casa.gov.au>;
Glen Buckley <glen.b@auspta.com.au>
Cc: Derek Buckley <derekbuckley40@bigpond.com.au>
Subject: FW: Important Message from Glen Buckley directed to Mr Graeme Crawford
[SEC=UNCLASSIFIED]

UNCLASSIFIED

Glen,

I have personally inserted myself into CASA's management of the APTA situation on several occasions to assist progressing matters in a constructive way with a view to an acceptable outcome. Two examples of this involved ensuring you were provided with CASA resources 2 years ago to help you with work on your manuals necessary for a successful transition to Part 142 and, most recently, providing you with guidance material, including model clauses of the kind we would expect to see in a contract between APTA and its affiliates.

Having read your email below, it seems clear to me that you are of the view that I lack integrity, am unethical and malicious. I reject these assertions and am confident you cannot present any evidence to support such contentions, nor can you demonstrate that I have caused financial or reputational harm to you personally or to APTA, or that my actions have in any way been calculated to do so.

For all that, and as I trust you will appreciate, as a senior executive of CASA, it would be inappropriate for me to ignore serious accusations of this kind, or not to take steps to see that they are investigated. To that end, I have included CASA's Industry Complaints Commissioner (ICC), Jonathan Hanton, in on the circulation of these exchanges in anticipation of you making a formal complaint based on these the allegations.

Regrettably, as a direct result of the approach you have chosen to take in relation to me and my role in this situation, my ability to continue to engage as directly as I have done has become untenable. I am therefore removing myself from any further direct interaction with you in connection with this matter. For the time being, I have asked Craig Martin Acting Executive Manager Regulatory Services & Surveillance to assume responsibility for anything I might otherwise have done in this .

I ask that you are both professional and respectful in your dealings with Mr Martin, and with CASA.

Regards,

Graeme

Graeme M. Crawford

Group Executive Manager – Aviation

Glen Buckley

From: Glen Buckley
Sent: Friday, 24 May 2019 4:54 AM
To: Crawford, Graeme
Subject: RE: Important Message from Glen Buckley directed to Mr Graeme Crawford
[SEC=UNCLASSIFIED]

Dear Graeme,

Obviously that will not be the last contact we have, but that is exceptional news to hear.

Thankfully, Glen



Glen Buckley
Group Chief Executive Officer, Australian Pilot Training Alliance
M: 0418 772 013
E: glen.b@auspta.com.au | W: www.auspta.com.au
A: 17 Northern Avenue, Moorabbin Airport, Victoria, Australia 3194

From: Hanton, Jonathan <Jonathan.Hanton@casa.gov.au>
Sent: Thursday, 23 May 2019 10:59 AM
To: Glen Buckley <glen.b@auspta.com.au>
Subject: RE: APTA ICC COMPLAINT CRAWFORD [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good morning Glen

I acknowledge receipt of your complaint.

I have procedural fairness obligations to discharge (that is, seeking Mr Crawford's comment on the allegations against him). Can you therefore please give me an indication of the timeframe you anticipate in the extract below?

'I have concerns that if he becomes aware of this complaint before he is required to, then he may have the opportunity to act maliciously and prematurely. I am concerned from his correspondence that he may have already compromised the ICC process, and I call on you to respect my request, as I know you will to the best of your ability without compromising your own position.'

And while I note you don't seek a reaffirmation of my position, it's worth noting that the ICC's reporting arrangements mean no CASA officer can compromise the ICC's functions.

Thanks

Jonathan

From: "Crawford, Graeme" <Graeme.Crawford@casa.gov.au>
Date: 23 May 2019 at 2:40:33 pm AEST
To: "Derek Buckley" <derekbuckley40@bigpond.com.au>, "Martin, Craig" <Craig.Martin@casa.gov.au>
Subject: RE: APTA [SEC=UNCLASSIFIED]

UNCLASSIFIED

Derek,

First of all, I thank you for taking the time to write to me. As I have previously said, I recognise the frustrations Glen (and you) have regrettably experienced in relation to this matter and apologise for the extent to which CASA may be seen to have contributed to those frustrations. In fairness, however, it seems to me that, in no small measure and especially in recent months, Glen himself has been responsible for the difficulties giving rise to many of those frustrations.

I remind you that CASA has given the flight training services model advanced by APTA a great deal of attention and consideration, supported by the direct and extensive involvement of Peter White (Executive Manager Regulatory Services & Surveillance), Dr Jonathan Aleck (Executive Manager Legal & Regulatory Affairs), Craig Martin (Acting Executive Manager Regulatory Services & Surveillance) and others, including me. A very considerable amount of time and effort has been dedicated by CASA, in an effort to allow for an organisational approach like APTA's to succeed. As we have previously communicated to Glen, while not expressly precluded by the provisions of CASR Part 141, arrangements of the kind involved here were clearly not contemplated by those regulations when they were drafted.

You will surely be aware that, during a meeting in March 2019 with Glen, Peter White, Jonathan Aleck and Glen's legal representative, Mr King, advice and guidance was provided about what CASA would expect to see in a contract between APTA and its affiliates intended to support the role those affiliates and APTA would need to play in helping to ensure APTA could fulfil its obligations under the civil aviation legislation. I understand Dr Aleck confirmed the substance of that advice and guidance in writing to Glen and Mr King, and that Peter White subsequently provided additional information and advice (again, in writing).

Regrettably, Glen chose to dismiss Mr King almost immediately after the meeting mentioned above, and to proceed to deal with the issues to hand without the benefit of independent legal advice—advice we strongly encouraged him to obtain and retain. The quality of the input Glen provided at that point reflected the absence of such advice, and a clear understanding of some of the issues CASA has consistently identified as critical.

Despite this set back, CASA committed to providing further guidance and advice, inclusive of model clauses of the kind we would expect to see in a contract between the authorised flight training service organisation (in this case, APTA) and its affiliates in the week beginning 20 May 2019. We did so on Tuesday, 21 May 2019.

I remind you, too, that CASA has consistently advised that, among other things, a clear set of legally enforceable contractual obligations, between APTA and its affiliates, would be necessary to ensure the legality of arrangements of the kind envisaged by the 'APTA model'. This view has been confirmed, and our actions continue to align with this view.

Pending what we assume Glen would consider to be a successful resolution of crucial aspects of the matters outstanding, CASA has confirmed that APTA may continue to operate as it has been doing until 01 July 2019, by which time we would hope all necessary arrangements to regularise operations in a manner consistent with the applicable legislation can be finalised. At this point, critical elements of this process remain in Glen's hands. These requirements, and CASA's corresponding expectations, have been spelt out in detail in the materials CASA has already provided.

With these considerations in mind, I shouldn't think I'd need to point out that, as high a priority as APTA's affairs have continued to be given, CASA has other concerns to which we are obliged to devote our time, attention and resources. We cannot allow our broader safety-related obligations to be compromised by unduly focusing our efforts on a single issue or a single entity.

Let me close by reiterating our consistent advice that Glen should obtain independent legal advice on the contractual aspects of the regulatory matters with which he and CASA must necessarily be concerned. Assuming he ultimately does so, I reiterate, too, that Dr Aleck will be happy to address any questions Glen's legal adviser may have. Specifically legal questions from Glen himself, of a kind to which Dr Aleck might provide a meaningful reply, will likewise be addressed. These should be conveyed to Craig Martin in the first instance, however, not directly to Dr Aleck. In the meantime, and as Glen has been advised, any other questions related to the matters to hand should also be addressed directly to Craig Martin.

Kind regards,

Graeme

Graeme M. Crawford

Group Executive Manager – Aviation

From: Rule, Joe <JOE.RULE@casa.gov.au>

Sent: Thursday, 23 May 2019 4:35 PM

To: Glen Buckley <glen.b@auspta.com.au>

Cc: White, Peter <Peter.White@casa.gov.au>; Crawford, Graeme <Graeme.Crawford@casa.gov.au>; McLachlan, Colin <Colin.Mclachlan@casa.gov.au>; Carmody, Shane <Shane.Carmody@casa.gov.au>

Subject: RE: Request for meeting [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Mr Buckley,

In accordance with your email below, we have referred your request for an informal meeting concerning your claim for compensation from CASA for consideration by CASA's insurers, Comcover.

Comcover has advised us that they do not propose to participate in any such meeting at this stage, since they are unable to identify the basis of your claim.

Likewise, CASA does not consider that the further material you supplied in your email of 30 April 2019 (including the attached audio recording), provides sufficient information to identify the legal basis of your claim. As such, CASA does not consider that a meeting of the kind you have proposed would be productive.

We invite you to provide further and better particulars in writing, outlining the amount of money that you claim, and the precise legal basis upon which you say that you are entitled to that payment. Subject to receipt of sufficiently detailed particulars of this kind, CASA will review its position in relation to this matter.

Yours sincerely,

Joe Rule
Branch Manager
Litigation, Investigations and Enforcement

From: Glen Buckley

Sent: Friday, 24 May 2019 4:54 AM

To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>

Subject: RE: Important Message from Glen Buckley directed to Mr Graeme Crawford
[SEC=UNCLASSIFIED]

Dear Graeme,

Obviously that will not be the last contact we have, but that is exceptional news to hear.

Thankfully, Glen

From: Derek Buckley <derekbuckley40@bigpond.com.au>
Sent: Friday, 24 May 2019 3:49 PM
To: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Cc: Martin, Craig <Craig.Martin@casa.gov.au>
Subject: Re: APTA [SEC=UNCLASSIFIED]

Hi Graeme many thanks for your response to my email, I understand that you have now removed yourself from any direct interaction with Glen and I appreciate that I probably should also not make further contact.

However, in your response to my email there are a couple of points which I feel need some final comment.

You correctly point out that there has been considerable time and effort dedicated by CASA personnel at all levels, you will also recognise that this also applies to APTA which does not have the resources of CASA hence some emails from Glen at weird times of the night. Unfortunately after some 7 months we do not appear to be any closer to resolving the issues and CASA have really only succeeded in destroying the livelihood of several Companies and individuals in the GA industry.

As previously advised I am not from the aviation Industry but, over 55 years in business and in various roles I had always found that good communication fixed most problems. I believe that had CASA taken a realistic and genuine approach to resolving the issues back in October 2018 this problem would have been fixed and we would not be where we are now.

Your reply to my email still does not address the problems I outlined. Under the current circumstances of you removing yourself I do not expect that now, but please understand this is the sort of thing APTA has been subjected to for several months. This situation together with a possible circuit breaker is what I was trying to communicate in my email.

Thank you for listening and please have a pleasant week end.

Kind regards
Derek

From: Derek Buckley <derekbuckley40@bigpond.com.au>
Sent: Sunday, 26 May 2019 10:58 PM
To: Martin, Craig <Craig.Martin@casa.gov.au>
Cc: Crawford, Graeme <Graeme.Crawford@casa.gov.au>; Glen Buckley <glen.b@auspta.com.au>
Subject: APTA and CASA problem

Dear Mr Martin,

I am repeating details of which you are probably aware but for your clarification feel I should. My name is Derek Buckley, I am the Father of Glen Buckley (APTA). I have been involved in the problems with CASA for the past 7 or so months and previously in communication with Graeme Crawford.

Let me clarify, that I am both emotionally and financially involved with APTA. I have no flying experience but am learning about this Industry which you are supposed to regulate in the interest of safety for everyone.

Glen and I have just this evening completed a detailed discussion on the current situation with CASA and APTA. In an attempt to resolve these ongoing problems I have proposed to him that I insert myself as a conduit and I hope that we, you and I, can resolve this situation. Glen has agreed to this and will be copied in any email contact.

The aim: to resolve the ongoing "dispute" for both parties.

Expected action:

Initially can you please respond to the items 1 through to 5 in Glen's email to Graeme Crawford dated 16 May 2019, full email is copied below. I suggest that Item 3 referring to the Contracts is an urgent priority.

I have no legal training but his request "Can you identify the deficiency in our existing contract, and the reasons that the existing contract and exposition do not suffice" would appear to be reasonable. Maybe you can enlighten me preferably in simple layman terms.

Re the other items, 1,2,4 and 5 I hope we can obtain shortly from you, (CASA) clarification so that we (Glen and I) move to resolve them to CASA's satisfaction.

I look forward to your response.

Derek Buckley
0419154233

From: Martin, Craig <Craig.Martin@casa.gov.au>
Sent: Monday, 27 May 2019 4:47 PM
To: Derek Buckley <derekbuckley40@bigpond.com.au>
Cc: Crawford, Graeme <Graeme.Crawford@casa.gov.au>; Glen Buckley <glen.b@auspta.com.au>
Subject: RE: APTA and CASA problem [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Mr Buckley (Derek)

I acknowledge receipt of your email. It is a Public Holiday in the ACT today, and I will respond to the questions as I can once I have access to all relevant information.

Kind regards

Craig

Craig Martin
A/g Executive Manager
Regulatory Services & Surveillance

From: Derek Buckley <derekbuckley40@bigpond.com.au>
Sent: Tuesday, 28 May 2019 7:39 AM
To: Martin, Craig <Craig.Martin@casa.gov.au>
Cc: Crawford, Graeme <Graeme.Crawford@casa.gov.au>; Glen Buckley <glen.b@auspta.com.au>
Subject: Re: APTA and CASA problem [SEC=UNCLASSIFIED]

Hi Craig, many thanks for your note. I assume that you have also received the email from Glen yesterday confirming my position.

I am sure that we can work on this together and I await your reply once you have the relevant information,

Kind regards

Derek

From: Derek Buckley <derekbuckley40@bigpond.com.au>

Sent: Sunday, 9 June 2019 5:55 PM

To: Martin, Craig <Craig.Martin@casa.gov.au>

Cc: Crawford, Graeme <Graeme.Crawford@casa.gov.au>; Glen Buckley <glen.b@auspta.com.au>

Subject: Fwd: APTA and CASA problem [SEC=UNCLASSIFIED]

Good morning Craig, I hope you had a good week end.

Re my email sent 7 June, I mixed up APTA and CASA, see copy below, the last sentence should read:

Simply put can you advise:

does APTA "documentation" for Temporary Bases meet or exceed that required by CASA. A yes or no, if no can you tell me why.

My apology for the typo.

Kind regards

Derek

From: Derek Buckley <derekbuckley40@bigpond.com.au>
Sent: Friday, 7 June 2019 1:49 PM
To: Martin, Craig <Craig.Martin@casa.gov.au>
Cc: Crawford, Graeme <Graeme.Crawford@casa.gov.au>; Glen Buckley <glen.b@auspta.com.au>
Subject: Re: APTA and CASA problem [SEC=UNCLASSIFIED]

Craig, I Glen and I discussed about inserting myself in the communication as I wondered if the difficulty in obtaining relevant responses may have been a personality clash. But, find myself starting to agree with Glen, I ask a simple question but never receive a straight answer.

I will ask again and have copied and pasted my request dated June 5 after follow up from my email June 3.

We have advised that APTA meet or rather exceed the CASA requirement and would like your confirmation that our application method/documentation is acceptable.

Simply put can you advise:

Does APTA "documentation" for Temporary Bases meet or exceed that required by APTA. A yes or no, if no can you tell me why.

Regards
Derek

From: Martin, Craig <Craig.Martin@casa.gov.au>
Sent: Friday, 7 June 2019 8:36 AM
To: Derek Buckley <derekbuckley40@bigpond.com.au>
Cc: Crawford, Graeme <Graeme.Crawford@casa.gov.au>; Glen Buckley <glen.b@auspta.com.au>
Subject: RE: APTA and CASA problem [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Derek

I'm sure Glen has shared the response from Shane Carmody provided yesterday with you. Consistent with what is stated below, the first step in resolving the situation requires APTA to provide CASA a contract consistent with the guidance previously provided. Once received, CASA will review to confirm acceptance at which time APTA can formalise the arrangements with the affiliates. Subsequent to this, CASA will accept an application to add affiliate organisations on a case-by-case basis.

As previously stated Derek, CASA is standing by to move to the next stage of the process, but Glen must finalise the contract issue to enable this.

Yours sincerely

Craig

Craig Martin
A/g Executive Manager
Regulatory Services & Surveillance
Aviation Group | CASA

From: Derek Buckley <derekbuckley40@bigpond.com.au>
Sent: Wednesday, 5 June 2019 4:33 PM
To: Martin, Craig <Craig.Martin@casa.gov.au>
Cc: Crawford, Graeme <Graeme.Crawford@casa.gov.au>; Glen Buckley <glen.b@auspta.com.au>
Subject: Re: APTA and CASA problem [SEC=UNCLASSIFIED]

Hi Craig, thank you for your reply to my email of last Monday can you please respond to the first part my email re temporary locations.

We have advised that APTA meet or rather exceed the CASA requirement and would like your confirmation that our application method/documentation is acceptable.

As indicated APTA have a "Customer" requiring a temporary location and we need to clarify how we should proceed.

Many thanks
Derek

From: Martin, Craig <Craig.Martin@casa.gov.au>
Sent: Wednesday, 5 June 2019 2:38 PM
To: Derek Buckley <derekbuckley40@bigpond.com.au>
Cc: Crawford, Graeme <Graeme.Crawford@casa.gov.au>; Glen Buckley <glen.b@auspta.com.au>
Subject: RE: APTA and CASA problem [SEC=UNCLASSIFIED]

UNCLASSIFIED

Dear Derek

As CASA has stated on numerous occasions, APTA should carefully consider the guidance material and model clauses provided to inform the drafting of contracts to be executed between APTA and the companies ('affiliates') by and through which APTA conducts flight training under the umbrella of APTA's CASR Part 141 certificate. While this applies to APTA's current and any prospective affiliates, the approach reflected in the guidance material provided would be applicable to anyone interested in pursuing such arrangements.

To reiterate prior advice, CASA's expectations in relation to the next steps APTA would need to take in order for flight training operations to continue under APTA's CASR Part 141 certificate are:

- APTA must properly develop, and ultimately fully execute, contracts consistent with the principles reflected in the guidance material we have provided;
- CASA must be satisfied that both APTA and each contracting affiliate understand the terms and conditions of the operationally relevant provisions of the contracts by which they are bound, as well as the legislative requirements with which they are obliged to comply; and
- CASA must be satisfied APTA is able to conduct, and is in fact conducting, its operations accordingly.

Derek, CASA has been clear in articulating exactly what is necessary at this point, and the action that needs to be taken by APTA.

With these considerations in mind, I await clear advice from APTA about its intention, and evidence of the kind mentioned above if that intention is to proceed along the lines Glen has indicated he wants to do. At this point, the ball remains very much in APTA's court.

Yours sincerely

Craig

Craig Martin
A/g Executive Manager
Regulatory Services & Surveillance

Glen Buckley

From: Glen Buckley
Sent: Sunday, 16 June 2019 12:24 PM
To: 'Minister McCormack'
Cc: 'Catherine.King.MP@aph.gov.au'; senator.fawcett@aph.gov.au; senator.brockman@aph.gov.au; sen sterle; 'ben.morgan@aopa.com.au'
Subject: Important Message for Deputy PM, the Honorable Mr McCormack regarding Aviation Safety

To the Deputy Prime Minister of Australia, the Honourable Mr Mc Cormack.

I write to you in your role as the Deputy Prime Minister of Australia, as the Minister for Infrastructure, Transport, and Regional Development, and as the person responsible for aviation safety in Australia.

My name is Glen Buckley, the CEO of the Australian Pilot Training Alliance (APTA). I am writing to you on important matters of aviation safety, allegations of misuse of public funds within the Civil Aviation Safety Authority, and allegations of unconscionable conduct displayed by at least 5 individuals within CASA. The conduct of those individuals compromises aviation safety, compromises regulatory compliance, and compromises people's livelihoods.

I have been involved in the flight training sector for 25 years, the last 15 years as the owner of a flight training organisation. CASA records will clearly support my contention that my operations have been well intentioned, safe, and compliant. I consider myself a Subject Matter Expert (SME) in my field, and I am qualified to make the statements that I make.

I stand fully behind everything I say. My assertions can be supported by well documented evidence. I understand that I am fully accountable for the statements that I make, they are being made in the interests of aviation safety, they must be responded to.

Although I am initiating this correspondence as an individual business owner, and drawing only on my own personal experience, I am confident my experiences will be shared by the entire General Aviation (GA) sector of the Industry.

For those not familiar with the term "GA", it includes almost all flying in Australia that is not airline flying, and GA flying is predominantly conducted in propeller driven aircraft. i.e. carrying freight and passengers in smaller aircraft, flying training, community flights, agricultural work, private flying etc. It also includes all the maintenance organisations, spare parts, refuellers and admin personnel that work in that industry sector supporting those safe operations.

My allegations are substantive and not limited to the following.

Breaches of obligations under the PGPA Act to use public resources responsibly

The aviation industry has a legislative program introduced by CASA referred to as Part 61/141/142. It was introduced a decade behind schedule, and is universally acknowledged as an absolute and complete failure. That component alone is estimated to have cost every Australian family \$100. It is only one component of a much larger and mismanaged regulatory reform program that has cost both the taxpayer and industry an unacceptable amount, and this matter continues to escalate at an alarming rate. This issue must be addressed.

It can be demonstrated that CASA consistently choose the more costly option, when a more effective solution is available. In my own organisation, CASA have made decisions that have cost me hundreds of thousands of dollars, and taxpayers substantially more, when a simple well-intentioned conversation would have achieved the same outcome. I have many well documented examples. My experiences are not unique.

CASAs failure to achieve "clear and concise aviation safety standards". This failure impacts on safety.

Critical to my assertions is an understanding that the Civil Aviation Act states the very first function of CASA as: *"developing and promulgating appropriate, clear and concise aviation safety standards"*.

There is no doubt that CASA have totally and completely failed against this core function, and industry will unilaterally support that statement. I strongly encourage the Government to do a random sample of 50 rural based, and 50 city-based GA businesses. You will find that in excess of 90% of respondents will support my contention that CASA have failed.

If 90% of road users felt the road rules were so disjointed that they couldn't understand them, we would have a major safety issue on our roads. In the interests of aviation safety, and jobs, CASA must deliver rules and regulations that are clear and concise.

For a clear demonstration of this significant issue. Ask someone from CASA to verbally answer this question, *what activities can be delivered as an independent instructor?* Then ask them to demonstrate how they arrived at that answer as they step you through the associated legislation. It is so complicated that it is truly akin to fraud. It's simply not fair to deliver rules to a sector if the intended recipients cannot understand the rules because they are not clear and concise. It is actually incumbent on CASA to deliver clear and concise aviation safety standards. That failure directly impacts on safety.

Personnel within CASA displaying "unconscionable conduct"

The Australian Competition and Consumer Commission website states criteria to determine unconscionable conduct. Those criteria include;

- The relative bargaining strength of the Parties.
- Whether any conditions were imposed on the weaker Party that were not reasonably necessary to protect the legitimate interests of the stronger Party
- Whether the weaker party could understand the documentation being used.
- The use of undue influence, pressure or unfair tactics by the stronger party.
- The requirements of applicable industry codes. (i.e. CASAs Regulatory Philosophy, requirements of the Civil Aviation Act, the Ministers Statement of Expectations, requirements of Administrative Law, CASAs Enforcement Manual and section 2 of the Australian Public Service Commission website.
- The willingness of the stronger party to negotiate
- The extent to which Parties acted in good faith.

From my own personal experience, I believe I can clearly demonstrate that 5 personnel within the Aviation Group of CASA headed up by Mr Graeme Crawford, have made decisions that demonstrate unconscionable conduct i.e. reasonable people making decisions primarily on aviation safety could not reasonably arrive at the same decisions as these individuals. This conduct has substantially impacted on me and my business.

Previous approaches to your office have not been responded to, so I am simultaneously releasing this correspondence to other persons, including but not limited to, the Shadow Minister for Infrastructure, Transport and Regional Development, the Honourable Catherine King MP. As this is a matter of aviation safety, and includes allegations of misconduct within CASA, I would call on bipartisan political support to work towards a solution that improves aviation safety across the GA industry, improves regulatory compliance, supports business, and encourages jobs in rural areas.

I am also advising that I make myself fully available to any media form, that is prepared to pursue this matter. It is a matter of aviation safety, and breaches of the PGPA Act, and inappropriate conduct in a Government Department, all of which impact on every Australian. My only request is that CASA be given the full right of reply to any allegations I make in the media.

These matters are significant. I have made repeated attempts to meet with the Board of CASA over the last 6 months, and all requests have been completely ignored. I have sent correspondence to your office on two occasions,

and that correspondence has also been ignored. I feel I have no other option available to me, other than going public.

The purpose of this letter is to ensure I am given an opportunity to meet with yourself, or a nominee from your Department. I would like to attend that meeting and provide documentary support of all my claims.

I respectfully request that the Honourable Catherine King, or her nominee be given the opportunity to attend that meeting.

I would also call on two industry body representatives to attend in an observer role only. They would not have input into the meeting.

My sincere hope is that you will attend to this matter as it deserves. At this stage I am requesting the opportunity to be heard. Failing that opportunity being provided to me, I will be forced to escalate the matter in the interests of aviation safety within the General Aviation sector.

Respectfully

Glen Buckley, CEO- APTA



Glen Buckley

Group Chief Executive Officer, Australian Pilot Training Alliance

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A: 17 Northern Avenue, Moorabbin Airport, Victoria, Australia 3194

Glen Buckley

From: Glen Buckley
Sent: Friday, 16 August 2019 7:06 AM
To: Crawford, Graeme
Cc: Martin, Craig; Eddie Kuyper; Peter Henry; Peter Parniak; Keith Jeffs; McHeyzer, Jason
Subject: Request for definition of "direct operational control"

Good Morning Mr Crawford,

I acknowledge that you elected, and initiated stepping back from matters related to APTA which I acknowledge and respect. I appreciate that Mr Martin will be the person responsible for the response.

I notice that CASA have introduced new terminology, "direct operational control".

As CASA does not appear to have a definition, may I respectfully request that industry be provided with that definition.

In principle, I feel that is what APTA had, and I appreciate that you both have a differing opinion. If industry could have a clear and concise definition of what "direct operational control" is, it may assist to avoid any confusion at a later date.

The information is important for my own school Melbourne Flight Training, Ballarat Aero Club, and Latrobe Valley Aero Club in the current situation but will be of great assistance to the wider industry. A definition of CASAs expectations will help each respective organisation plan how they will be able to facilitate continuing operations.

Yours respectfully

Glen Buckley

Glen Buckley

From: Glen Buckley
Sent: Monday, 23 September 2019 7:15 AM
To: Crawford, Graeme
Subject: Message to Mr Carmody from Glen Buckley re. Commonwealth Ombudsman

Dear Mr Carmody,

I appreciate that I am able to access the Commonwealth Ombudsman.

Unfortunately, I will not be able to avail myself of that process, at this stage.

Respectfully, Glen Buckley

Glen Buckley

From: Glen Buckley
Sent: Wednesday, 13 November 2019 5:52 AM
To: Crawford, Graeme
Cc: 'McLachlan, Colin'
Subject: Allegation of Malfeasance- Jason Mc Heyzer

Mr Crawford,

I am writing to you in your role as the Executive Manager of the Aviation Group.

I am formally advising you that I have a submission prepared for the Commonwealth Ombudsman, which will be submitted at 4PM on Friday 15/11/19.

At this stage, I am lodging a single submission alleging malfeasance in public office by Mr Jason Mc Heyzer in his role as the CASA Region Manager Southern Region.

Glen Buckley CEO- MFT.

Please acknowledge receipt of this email.

Glen Buckley

From: Crawford, Graeme <Graeme.Crawford@casa.gov.au>
Sent: Friday, 15 November 2019 3:24 PM
To: Glen Buckley
Cc: McLachlan, Colin
Subject: RE: Allegation of Malfeasance- Jason Mc Heyzer [SEC=OFFICIAL]

OFFICIAL

Glen,

Acknowledged,

Graeme

Graeme M. Crawford

Group Executive Manager - Aviation

Civil Aviation Safety Authority

Australian Government

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