

Question on notice no. 11

Portfolio question number: SQ26-000703

2026-27 Budget estimates

Rural and Regional Affairs and Transport Committee, Infrastructure, Transport, Regional Development, Communications, Sport and the Arts Portfolio

Senator the Hon. Matthew Canavan: asked the Civil Aviation Safety Authority on 9 June 2026—

The following questions on notice seek documents and records relevant to CASA's answer to SQ26-000173, the 2021 independent RPAS Review and evidence provided to the Committee on 26 May 2026 (RRAT Hansard Proof Tuesday 26 May, pp 81-84) .

In these questions:

(a) "the relevant officer" means the CASA officer whose involvement in matters concerning Mr Barker, UAS Pacific or associated staff is referred to in the public determinations identified as FWCAB2023 157, AB2023 666, AB2024 20 and 2024FWC2716, and who is referred to in SQ26-000173 as being subject to a full prohibition; and

(b) "the reviewing officer" means any CASA officer who managed, reviewed, approved, referred, defended, explained or handled FOI matters concerning the relevant officer's involvement in those matters.

1. Formal counselling decision

In answer to SQ26-000173, CASA stated that on 3 February 2026 a staff member was formally counselled.

Please provide:

(a) the decision record, minute, outcome letter or equivalent document recording that outcome;

(b) any investigation report, assessment, finding, recommendation or briefing that formed the basis of that outcome;

(c) any document recording whether an APS Code of Conduct process was considered or undertaken; and

(d) any document recording the conduct found, the reasons for the outcome, and why formal counselling was considered sufficient.

If CASA will not provide any of the documents requested, please provide for each withheld document:

(i) the date;

(ii) the title or description; (iii) the author or originating business area; and

(iv) the legal basis on which CASA says it cannot be produced.

2. Review commenced on 8 October 2025

In answer to SQ26-000173, CASA stated that on 8 October 2025 it commenced a review of the range of concerns raised by Mr Barker.

Please provide:

(a) the terms of reference for that review;

(b) the authorising minute, approval, brief or other initiating document;

(c) the identity, title and business area of the reviewer or reviewers;

(d) any document recording the scope of the review; and

(e) any document recording the expected completion date.

If any document is withheld, please provide a schedule identifying the date, title or description, author or business area, and basis for withholding.

3. Forensic preservation

Please state whether CASA has issued a forensic preservation direction in relation to all records concerning Mr Barker, UAS Pacific, Mr Nowak and affected staff, including conflict declarations, conflict register entries, conflict management plans, EICMS/RMS/EAP access logs, emails, Teams messages, referrals, draft histories, metadata, third party communications, and any redaction, withholding, suppression or access control instructions. If no such preservation direction has been issued, please explain why not.

4. Positive involvement schedule

Please provide a positive involvement schedule for each matter concerning Mr Barker, UAS Pacific, Mr Nowak or affected staff, stating whether the relevant officer or the reviewing officer had direct involvement, indirect involvement, briefing involvement, file access, referral involvement, drafting involvement, review involvement, approval involvement, or no involvement.

For each matter, please identify the date, business area, matter type, relevant system references, and the basis for CASA's answer.

5. Timing and adequacy of conflict controls

Please provide documents recording:

(a) the date CASA first identified any actual, potential or perceived conflict of interest involving the relevant officer in relation to Mr Barker, UAS Pacific or associated matters;

(b) the date any restriction on the relevant officer's involvement was first imposed;

(c) the wording and scope of each restriction, including any "limited exposure" restriction;

(d) the date on which the full prohibition referred to in SQ26-000173 was imposed;

(e) any monitoring or compliance record for each restriction; and

(f) any review of whether earlier conflict controls were adequate.

If CASA will not provide the documents, please identify each document by date, title or description, originating business area, and basis for withholding.

6. Conflict of interest records

Please provide the following documents held by CASA concerning any actual, potential or perceived conflict of interest involving the relevant officer or the reviewing officer in relation to Mr Barker, UAS Pacific, Mr Nowak or associated matters:

(a) conflict declarations or notifications;

(b) conflict assessments;

(c) conflict management plans;

(d) decisions imposing, varying or lifting restrictions on involvement;

(e) monitoring or review records concerning compliance with any such restriction; and

(f) records of any access, briefing, referral, drafting, review or approval activity involving the relevant officer or the reviewing officer.

If any of the above documents are not provided, please provide a schedule for each document withheld stating:

(i) the date;

(ii) the title or description; (iii) the originating business area; and

(iv) the basis for withholding.

7. Conflict or self-review consideration

Please provide any document recording whether CASA considered an actual, potential or perceived conflict of interest involving the reviewing officer in relation to their management, review, defence, restriction, approval, referral, FOI handling, or explanation of matters involving the relevant officer, Mr Barker, UAS Pacific, Mr Nowak or affected staff.

If no such consideration occurred, please state that directly and explain why.

8. Third party evidence / external verification

At the 26 May 2026 Estimates hearing, Ms Spence referred to "third party independent verification" of the original issue.

Please provide:

- (a) the identity or role of the third party, with personal information redacted if necessary;
- (b) the date and form of the verification;
- (c) the precise issue said to have been verified;
- (d) all documents provided to the third party;
- (e) all communications between CASA and the third party;
- (f) whether the relevant officer or the reviewing officer communicated with the third party before or after the verification; and
- (g) whether CASA has reviewed whether any third party allegation, statement or evidence was influenced, shaped, solicited, coordinated or otherwise affected by the relevant officer or the reviewing officer.

9. External referral

Please state whether CASA has referred, or considered referring, any issue concerning potentially misleading evidence to the Fair Work Commission, conflict of interest failure, record taint, or third party evidence contamination to the APS Commissioner, NACC, AFP, or any other external integrity body. If not, please explain why not and identify the decision maker.

10. Schedule of adverse records

Please provide a schedule of all adverse allegations, findings, assessments, intelligence entries, compliance notations, enforcement references or similar records held by CASA concerning:

- (a) Mr Geoff Barker;
 - (b) UAS Pacific; and
 - (c) any UAS Pacific staff member in respect of whom CASA took or considered regulatory action arising from the same or related matters.
- For each entry in the schedule, please state:
- (i) the date created;
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(vii) whether it has been used, viewed, relied upon, referred to, copied, exported or included in any later regulatory decision, enforcement process, show-cause process, approval delay, licence privilege decision, FOI decision, complaint response or litigation process

Answer —

Please see attached PDF.

QUESTION ON NOTICE

Budget Estimates 2026-2027

Infrastructure, Transport, Regional Development, Communications, Sport and the Arts

Departmental Question Number: SQ26-000703

Division/Agency Name: Agency - Civil Aviation Safety Authority

Hansard Reference: Written (09 June 2026)

Topic: CASA - Records, Conflict Management and Review Processes

Senator Matthew Canavan asked:

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Answer:

1.

- a. Mr Lewis' conduct was referred for consideration under the Civil Aviation Safety Authority (CASA) code of conduct by email dated 5 January 2026.
- b. An initial assessment of the referral was completed on 21 January and a recommendation was made that Mr Lewis be formally counselled.
- c. Mr Lewis was formally counselled for an identified breach of the CASA Code of Conduct in a letter from Acting National Manager, People and Capability branch dated 3 February 2026.

The information above outlines the relevant timeline and outcome in Mr Lewis' case, should the Committee wish to be briefed in more detail or review the documents, CASA requests to be able to brief committee members on this personally sensitive information.

- 2. The Board requested the Industry Complaints Commissioner (ICC) undertake a comprehensive and detailed review of all the matters raised by Mr Barker in his correspondence with the Board since September 2025 as well as information he had provided previously.

The ICC set out the background to the events referred to in the correspondence and the Board completed its review at its meeting on 24-25 June 2026. The review was supported by a summary of the matters arising from Mr Barker's correspondence to the Board.

- 3. No, as CASA has not had any basis for doing so.

Mr Barker has made an application to CASA under relevant provisions of the *Freedom of Information Act 1982* and the *Privacy Act 1988* seeking correction of certain records held by CASA on the basis that they are incomplete, incorrect, out of date or misleading. That application is under consideration by CASA.

Please refer to Committee Question Number SQ26-000980 from the 2026-27 Budget Estimates Hearings.

- 4. Please refer to Committee Question Number SQ26-000546 from the 2026-27 Budget Estimates Hearings.
- 5. Please refer to Committee Question Number SQ26-000545 from the 2026-27 Budget Estimates Hearings.
- 6. Please refer to Committee Question Number SQ26-000545 from the 2026-27 Budget Estimates Hearings.

7. The Board did consider whether it was appropriate for the ICC to support the Board on this matter given the nature of Mr Barker's allegations and concluded that the ICC was more than capable of completing a fact-based report for the Board setting out the issues that Mr Barker had raised over the last nine months and their background.
8. An investigation conducted by CASA's Investigations Section (in which Mr Lewis was not involved) verified allegation raised by Mr Lewis in relation to Mr Barker. In the course of that investigation, written statements from verified third party sources were provided.

The information above outlines the process that was followed and nature of the evidence that was relied on. Should the Committee wish to be briefed in more detail or review the documents, CASA requests to be able to brief committee members.

9. CASA has not referred any issues to the APS Commissioner, the National Anti-Corruption Commission (NACC), the Australian Federal Police (AFP), or any other external integrity body.

Based on the information currently available, there is insufficient evidence to support a reasonable basis for referral to any external integrity or law enforcement agency. The decision not to refer was made by the Chief Executive Officer/Director of Aviation Safety acting on the available evidence and in accordance with CASA's governance and integrity frameworks.

10. The only records containing adverse enforcement findings relating to Mr Barker, UAS Pacific or any employee of UAS Pacific are:
 - a. The documents which culminated in formal counselling of Mr Barker dated 20 November 2020 referred to in response to question 8.
 - b. Counselling notices issued to UAS Pacific on 12 May 2021 were withdrawn and CASA has apologised to Mr Nowak and Mr Barker for the distress caused by CASA's actions. For more information please refer to the answer to question SQ26-000980 asked by Senator Roberts.
 - c. A further enforcement referral relating to activities conducted by another remote pilot (who was not an employee of UAS Pacific) in October 2017, under the UAS Pacific Operating Certificate was resolved without any adverse findings against Mr Barker or UAS Pacific.

The CASA Enforcement Manual notes that, in making enforcement related decisions, CASA will not generally take into account matters which occurred more than 3 years before the matter(s) under consideration unless:

- a. The person has a prior history of similar contraventions,
- b. The person's compliance history taken as a whole demonstrates a pattern of non-compliance with regulatory requirements,
- c. The person's compliance history taken as a whole demonstrates that they are not a fit and proper person to hold a particular aviation authorisation.

Should the Committee wish to be briefed in more detail or review the documents, CASA requests to be able to brief committee members.