

Submission to the Aviation Regulation Safety Review

Submission made by the Australian Government Group of Professionals Australia (formerly the Association of Professional Engineers, Scientists and Managers Australia)

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1. Professionals Australia (formerly The Association of Professional Engineers, Scientists and Managers Australia (APESMA)) is an industrial association registered under the *Fair Work Act 2009* that represents professional employees in engineering, science, information technology, pharmacy , architecture and managers both the private and public sector. Professionals Australia represents technical professional employees in the Civil Aviation Safety Authority (CASA), Airservices Australia and the Australian Transport Safety Bureau (ATSB).
2. Our members working in these organisations play key regulatory and investigative roles, and are deeply committed to supporting a safe and effective transport environment. They bring decades of industry experience to their roles across the key transport modes and understand and appreciate the importance of effective oversight arrangements and both current and former employees of these organisations have asked the Association to make brief submissions on their behalf to this inquiry.
3. The Association has particular concerns at the loss of highly skilled technical and professional employees at public sector high levels and the lack of investment in professional development and training (including consideration of industry exchanges). It is critical that the core engineering, safety inspection, analysis and investigation functions have sufficient resources to ensure that a robust, regulatory environment is maintained (in the case of CASA), engineering expertise is maintained and developed (in the case of Airservices) and that investigations into air, rail and maritime accidents can occur promptly and as comprehensively as is practical. All three organisations play critical roles in either minimising the potential for accidents (and potential loss of life) through clearly understood industry regulation, maintenance and management of airway systems or through lessons learned from accident reports. The first priority in these organisations should be ensuring they have the resources to properly meet their mission.

4. In CASA some key changes have been made in the last couple of years in introducing multi-disciplinary teams across key regional offices. It is critical that these teams are provided the opportunity to bed down to provide a more stable, regulatory environment in which operators understand what they must do and what minimum standards apply without fear or favour. Too many restructures and reorganisations in the past have had a significant impact on staff morale and the capacity to deliver effective services. This has also flowed on to challenges in providing and resourcing an adequate technical training framework and the reduction in staffing of inspectoral and auditing functions.
5. The Association is also concerned about the lack of resourcing for programs in CASA and the ATSB that aim to maintain currency of qualifications and ensure staff are abreast of the latest developments in their relevant field and can adapt to new technologies and procedures. This is not only critical to having the appropriate expertise to deliver better safety outcomes but is critical to also ensuring that there is industry confidence in the organisations.
6. With this in mind the Association would particularly recommend that the Government organisations consider a program of industry exchanges. This will be of particular value in ensuring less experienced staff get appropriate industry technical experience and develop a stronger working relationship with industry but it would also allow more experienced regulators to maintain currency of qualifications, awareness of new technologies and a renewed appreciation of the industry operating environment.
7. It is critical for regulatory organisations to be as open and honest about safety risks without fear of the consequences to their job security. A failure to support such a culture will directly lead to the continuing operation of unsafe organisations and put the safety of passengers at risk.
8. The most obvious way to do this is for the Government to demonstrably support enforcement work taken by staff unless there are compelling reasons not to do so. This goes to the heart of problems in maintaining a healthy, mature relationship with industry and meeting community expectations of a firm safety regulator. The message sent to both good and bad industry

participants by the failure to provide such support to staff and follow through on enforcement action is that the Government is willing to sacrifice safety and regulatory compliance to limit potential complaints from industry. This is an abrogation of a duty to the flying public, the good industry participants and staff themselves. The Association does not believe that this is what industry wants from the regulator.

9. In this respect we have seen a significant improvement in the administration of CASA with strong support for justified safety action. Nonetheless we do have concerns about the external pressure that can come to bear on technical staff relating to enforcement action arising from breaches of safety regulations. It is critical that Australian Government safety professionals are provided with appropriate protection from intimidation under the Commonwealth Crimes Act and unsubstantiated allegations should be actively discouraged. A failure to provide such protection from such mischief not only has the capacity to do significant reputational damage but also puts at risk the safe travel of commuters across Australia.
10. Such regulatory and investigative activity needs to be appropriately resourced in terms of financial resources and the qualifications of the staff engaging in technical and professional roles. It is critical for these functions and others requiring critical technical expertise in the ATSB, Airservices and CASA to be exempted from any further cuts to public sector staffing. This resourcing needs to include a genuine commitment to both the funding of ongoing technical and professional training and the time resource to allow employees to participate in such training and development activity.
11. Professionals Australia would be willing to expand further on the matters outlined above should the committee be interested.