



Australian Government

Department of Infrastructure and Transport

Secretary

*File reference: 03081-2013
Contact: Jim Wolfe (02) 6274 7611*



Ms Briley Miller
Coroners Register
Coroners Court of Victoria
Level 11, 222 Exhibition Street
MELBOURNE VIC 3000

Dear Ms Miller

Investigation into the deaths of John and Samuel Hender

I refer to your letter of 6 June 2013 to the Commonwealth Attorney-General's Department concerning findings and recommendations made in the Coroners Court of Victoria regarding the deaths of John and Samuel Hender on 12 March 2006, following an aircraft accident. As the Coroner's findings raise issues relating to civil aviation, this matter was subsequently referred by the Attorney-General's Department to the Department of Infrastructure and Transport (the Department) for consideration.

The Department notes that the Australian Transport Safety Bureau (ATSB) and the Civil Aviation Safety Authority (CASA) are responding directly to the Coroners Court of Victoria in relation to the specific recommendations directed at those agencies.

The Department provides the following response on the two recommendations specifically related to Commonwealth aviation regulatory policy matters.

In relation to the Coroner's recommendation nine regarding the death of John Hender, CASA has confirmed with the Department that the relevant Civil Aviation Regulations were amended in June 2010 to require all aircraft operating to, or from, registered, certified or military aerodromes to carry a VHF radio.

In relation to recommendation one regarding the death of Samuel Hender, proposing the prohibition of all passengers under 17 years of age from travelling in amateur-built experimental aircraft, it is noted that this recommendation is linked to recommendation two which requests similar action by CASA.

The Department has consulted with CASA on this matter and is advised that CASA does not consider there to be an aviation safety basis for introducing the proposed age-related passenger carrying prohibition.

Yours sincerely

A handwritten signature in blue ink, consisting of several fluid, overlapping strokes that form a stylized representation of the name 'Mike Mrdak'.

Mike Mrdak

12 September 2013