



11 August 2025

Coroner Paul Lawrie  
Coroner  
65 Cavanagh Street  
SOUTHBANK VIC 3006  
[via email: [team10@courts.vic.gov.au](mailto:team10@courts.vic.gov.au)]

Dear Coroner Lawrie

## **Inquest into the Death of Mathew Martin Farrell (COR 2022 005430)**

The ATSB received a copy of your findings from the inquest you conducted into the death of Mr Matthew Farrell (dated 14 February 2025). On 22 May 2025 we received a letter from Mr Joshua Munro, Senior Coroners Registrar, requesting that we respond to the following recommendation from the inquest by 20 August 2025:

*In light of the declaration by RA-Aus that it will no longer investigate fatal accidents involving RA-Aus registered aircraft, that the ATSB should investigate all fatal accidents involving such aircraft.*

During the course of the coronial investigation, the ATSB wrote on 22 August 2023 advising of the long-standing policy that the ATSB follows with respect to the sport and recreation aviation sector. The policy, acknowledged by successive governments, is that the ATSB will only investigate fatalities involving powered sport and recreation aircraft (that do not have a Civil Aviation Safety Authority (CASA) registration) on an exception basis, where resources permit, and there is the potential to highlight wider safety issues.

Occasionally, the ATSB has had some resources to assist a sport and recreation organisation with some technical assistance, such as a metallurgical examination of an aircraft component. However, the ATSB has not had the resources to investigate more broadly.

To provide some context to the policy position above, the ATSB:

- receives 6,000 to 7,000 aviation occurrences each year;
- only around 60 can be investigated with the ATSB's resources;
- in addition to the aviation occurrences, the ATSB must also extend its resources to cover the rail and maritime industries. The ATSB is unable to investigate all fatal

accidents in these modes.

In aviation, the ATSB focusses its resources on passenger carrying operations and non-passenger commercial operations. While providing this prioritisation, the ATSB recognises that there is public benefit in the investigation of fatal sport and recreation aircraft accidents. The ATSB empathises with the next of kin who have lost loved ones and are seeking answers as to how the accident occurred.

The ATSB will continue to offer assistance to other organisations that conduct investigations, where resources permit. Recently the ATSB provided technical assistance to the New South Wales police for a collision with water involving TL-Ultralight Sting S4, 23-177, 5 km north-west of Scotts Head, NSW, on 4 January 2025.

We are aware of the statement by RA-Aus in November 2022 that they would no longer investigate fatal accidents involving RA-Aus registered aircraft. We also note that self-administering organisations like RA-Aus are required by the Civil Aviation Regulations 1998 to identify hazards and risks in their operations and must provide for investigations as part of their exposition. The ATSB will continue to offer assistance to RA-Aus, and other self-administering organisations, where resources permit.

The ATSB is continuing to engage with the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts with respect to the *Australian Transport Safety and Investigation Bodies Financial Sustainability Review* (the Review) into the operations and sustainable funding for CASA, ATSB and the Australian Maritime Safety Authority (AMSA). The Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government, is carefully considering the findings of the Review report and recommendations.

At the time of providing this response, there has been no change to the ATSB's resources to cover the investigation of sport and recreation aircraft accidents to meet the expected outcome of your recommendation.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Patrick Hornby', with a stylized flourish at the end.

Patrick Hornby  
General Counsel