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Australian Government

Inspector-General of the Australian Defence Force

**DIRECTION TO ASSISTANTS IGADF TO
INQUIRE INTO
THE CRASH OF AN MRH-90 TAIPAN
HELICOPTER IN WATERS NEAR LINDEMAN
ISLAND ON 28 JULY 2023**

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**DIRECTIONS TO ASSISTANTS IGADF INQUIRING INTO
THE CRASH OF A MRH-90 TAIWAN HELICOPTER IN WATERS NEAR LINDEMAN ISLAND ON 28
JULY 2023**

To: The Honourable Margaret McMurdo AC, Air Vice Marshal Geoffrey Harland AM CSC DSM, Colonel Jens Streit, Lieutenant Colonel Glenn O'Brien, Major Luke Chapman, Flight Lieutenant Alexandra Rose and Ms Siobhan Harrison

The purpose of this Inquiry is to examine the circumstances of the deaths of 8562322 Captain Danniell Lyon, 8642096 Lieutenant Maxwell Nugent, 8240356 Warrant Officer Class Two Joseph Laycock and 8557409 Corporal Alexander Naggs in a crash of an Australian Army MRH-90 Taipan helicopter (the aircraft) in waters near Lindeman Island off the Queensland Coast on 28 July 2023 (the incident) during Exercise TALISMAN SABRE 2023.

The Honourable Margaret McMurdo AC is to lead the Inquiry with help from Air Vice-Marshal Geoffrey Harland AM CSC DSM. They will be further helped by Colonel Jens Streit, Counsel Assisting the Inquiry, as well as Lieutenant Colonel Glenn O'Brien, Major Luke Chapman, Flight Lieutenant Alexandra Rose, and Ms Siobhan Harrison, who will provide legal support to the Inquiry.

DIRECTIONS

The Inquiry is to obtain evidence and prepare a report addressing the following:

General

- a. the date, time and place of the incident
- b. the chronological sequence of the circumstances of the incident including the circumstances of death of persons involved in the incident
- c. the purpose of the flight during which the incident occurred
- d. the identity and particulars of the occupants of the aircraft and of any other person directly or indirectly involved in the lead up to, the occurrence, and directly after the incident
- e. whether the occupants of the aircraft were on duty and if so the specific type of duty being performed at the time of the incident

Pre-incident issues

- f. the serviceability, configuration, modification status and recent maintenance history of the aircraft
- g. the qualifications, aircrew currency, experience and medical category of each occupant of the aircraft to the extent that such matters are relevant to the incident
- h. the details and adequacy of the authorisations associated with the mission and the relevant effect of any limitations imposed by such authorisations
- i. the adequacy of all written orders, instructions, procedures and manuals governing the maintenance, operations, control of the aircraft and the carriage of persons in the aircraft to the extent that they are relevant to the circumstances of the incident
- j. the content and adequacy of pre-flight briefing materials relevant to the mission during which the incident occurred

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- k. the extent to which there was compliance with the limitations, orders briefings and other matters described in sub-paragraphs h, i and j
- l. the before flight activities of the members directly involved in the incident to the extent that those activities are relevant to the circumstances of the incident
- m. the medical and psychological history of each occupant of the aircraft to the extent that such matters are relevant to the circumstances of the incident

The incident

- n. the primary and contributory causal factors in the incident
- o. the adequacy of all written orders, instructions, procedures and manuals governing the maintenance, operations, control of the aircraft and the carriage of persons in the aircraft to the extent that they are relevant to the circumstances of the incident
- p. the extent to which there was compliance with the limitations, orders briefings and other matters described in sub-paragraphs h, i, and j
- q. the medical cause of death of Captain Lyon, Lieutenant Nugent, Warrant Officer Class Two Laycock and Corporal Naggs
- r. the rescue operations and the adequacy of the rescue procedures as may be relevant

Post-incident issues

- s. the performance and adequacy of the post-incident procedures including:
 - i. rescue, recovery and casualty notification and reports;
 - ii. Defence's decision to remove witnesses from Queensland shortly after the incident and the impact of this decision on the activities of the Queensland Police, and;
 - iii. whether Defence's actions were sufficient to ensure that witnesses did not collude before statements were taken (whether or not there was collusion).
- t. details of all ADF personnel and others proximately involved in the post- incident procedures and the extent of their involvement

Other issues

- u. whether the incident was caused, or partly caused by:
 - i. an act, omission, neglect, carelessness, or misconduct of any person
 - ii. the use of alcohol or drugs
 - iii. non-compliance with orders, instructions or safety procedures
 - iv. inadequacy in the individual training of an ADF member or the collective training of ADF personnel as it relates directly to this incident
 - v. any equipment limitation, misuse, malfunction or failure
 - vi. any weakness in relevant systems or methods of command or control
 - vii. any other matter that you consider relevant.

Findings and Recommendations

- v. the report is to make findings and may make recommendations arising from those findings, including:
 - i. whether the conduct of any person or the occurrence of any event in relation to the incident warrants further investigation by Service police, civilian police or other authorities
 - ii. whether any immediate action is required to prevent recurrence of a similar incident
 - iii. whether actions that should be taken to prevent the occurrence of a similar incident, or reduce the probability of another incident occurring from the same causal factors including remedial action in respect of any weaknesses or deficiencies (isolated or systemic) in Defence policies, practices, equipment, procedures and training.

Originals signed

JM Gaynor CSC

Inspector-General of the Australian Defence Force