



CORONERS COURT

FINDINGS OF INVESTIGATION

CITATION: **Non-inquest findings into the death of Austin Brunt Desi**

TITLE OF COURT: Coroners Court

JURISDICTION: Brisbane

DATE: 3 March 2017

FILE NO(s): 2016/1934

FINDINGS OF: Christine Clements, Brisbane Coroner

CATCHWORDS: CORONERS: Investigation, paragliding accident, Ozone Zero paraglider, Hang Gliding Federation of Australia

Austin Brunt Desi lived at 29 Conley Street, Clontarf in Queensland. He died on 15 May 2016 at the rear of Mount Archer Airfield at 1253 Neurum Road, Mount Archer via Kilcoy in Queensland.

Mr Desi died due to multiple injuries sustained in a paragliding accident. He was 35 years of age at the time of his death.

Background

Austin Desi sustained fatal injury whilst flying his Ozone Zero paraglider.

The circumstances leading to the death were investigated by the Queensland Police Service Forensic Crash Unit, Burpengary. Sergeant G S Price prepared a report to the coroner. The report incorporated a report reviewing the circumstances by the Hang Gliding Federation of Australia. This is in accordance with protocols from the Civil Aviation Safety Authority.

Events leading to the fatal accident

Austin Desi travelled from his home at Clontarf with his neighbour, Talisa Penny to the Mount Archer Airfield at Neurum Road, Mount Archer. They met with Liam Cunningham at about 0630 hours before climbing to the top of Mount Archer. Once the fog had lifted, Liam Cunningham and Austin Desi unpacked their canopies in preparation for a forward launch. Talisa Penny recorded these preparations on her mobile phone.

Austin Desi launched first, followed by Liam Cunningham and they descended down the mountain to the airfield. Mr Desi went to the left hand side of the clearing whilst Mr Cunningham went to the right hand side. It was intended by both pilots to complete a full turn and land in the clearing. Austin Desi was completing his turn when it appeared that his canopy collapsed and most likely struck a large tree. He fell heavily to the ground, impacting with both his legs before somersaulting and landing on his back.

Liam Cunningham landed safely and immediately went to give assistance to Mr Desi.

A local resident had also used her mobile phone to video the descent of both paragliders. Sara Hall's footage ended just prior to the canopy collapsing on Mr Desi. She provided this footage to police.

Statement from Liam Cunningham

Liam Cunningham was formerly a member of the Australian Parachuting Federation over a four year period. He had experience of 180-200 parachute jumps. He joined the Hang Gliders Federation from the beginning of 2016 and had been issued with a student licence.

Liam Cunningham had known Austin Desi for about two years. (It is understood that Austin Desi was also previously involved with parachuting.) Austin and Liam arranged a flight from Mount Archer for Sunday 15 May. It was to be Austin Desi's maiden flight of a recently purchased Ozone Zero paraglider shortly before the expected birth of his second child.

Liam confirmed Austin was the first to launch into the slight headwind. They guided the paragliders down towards the rear of the runway. About halfway down the mountain Liam recalls there was some turbulent air. Austin had warned him to be wary of a cross wind over the tree line. Liam had planned to perform a u-turn to his left before landing in the clearing.

Liam observed Austin Desi came over the clearing at the back of the runway, washing off his height by 'carving from left to right'. Liam had passed him at this stage and was preparing to land. Liam turned to keep a visual observation of Austin's approach when he heard Austin Desi scream. He saw the canopy fold up as Austin completed his left hand turn near a large gum tree on the tree line. He was about 30 metres above the ground when Liam observed him falling. Liam could not confirm whether or not Austin hit the tree line.

Austin landed heavily and Liam immediately completed his landing in a sweeping arc with light braking. He ran to provide assistance to Austin, who was covered by the canopy and lying on his right hand side. It was apparent he had suffered a severe compound fracture of the right leg. Emergency services were called immediately and Austin was placed in the recovery position.

Liam Cunningham confirmed Austin Desi had flown at Mount Archer on numerous occasions. Austin had extensive knowledge of flying conditions at the area. It was however his first flight with the Ozone Zero paraglider. Liam did not observe anything unusual in the course of Austin's flight until the very end. Liam described his friend doing 'nothing out of the ordinary apart from washing off his height over the clearing. It was a straight forward flight in a light headwind'. He thought it was very favourable conditions to fly.

Emergency services including ambulance and helicopter attended at the scene but were unable to save Austin Desi's life. He was declared deceased at the site. The crash occurred during the late morning of Sunday 15 May 2016.

Autopsy

Autopsy examination was conducted on 18 May 2016 by forensic pathologist, Dr Kedziora and peer reviewed by Dr Milne.

CT imaging confirmed multiple fractures of the skull, facial bones, right arm, left elbow, upper sacrum, pubic bones, left and right femur, left patella and right tibia and fibula.

Internally there were contusions of the lungs and bilateral pneumothoraces. No underlying natural disease process was identified. Toxicology testing did not reveal the presence of alcohol or drugs.

It was concluded Austin Brunt Desi died due to multiple injuries caused in a paragliding accident.

Investigation of cause

Police investigation was assisted by specialist review provided by the Chief Flight Instructor of the Hang Gliding Federation of Australia Safety and Operations Committee, Andrew Polidano.

The Hang Gliding Federation of Australia reviewed the circumstances and noted Austin Desi had an intermediate certification as a pilot with 18 documented hours according to online recordkeeping. It was his maiden flight of this particular aircraft, an Ozone Zero 17 metre paraglider.

There was no evidence of any defect or safety issue with the Ozone Zero paraglider, which was manufactured in December 2013. It had between 25 and 50 hours previous use. Subsequent to the accident the craft was inspected and had damage and some lines cut.

The site where the flight had been conducted was rated as 'advanced'.

The primary cause of the accident was attributed to loss of control of the canopy leading to canopy collapse. The pilot did not have the paragliding experience or altitude to correct the canopy collapse.

The HGFA report attributed the secondary cause as follows:

The pilot used excessive and inappropriate banking turns to manoeuvre the glider into the landing zone. A review of video evidence showed the manoeuvre prior to the collapse. The high banked turns executed by the pilot while flying the canopy were outside the manufacturer's wing loading and caused the collapse of the canopy. The collapse led to a high rate of descent and impact with the ground.

It was also noted that Mr Desi's weight, including necessary gear was about 10 kilograms above the manufacturer's recommendation for the Ozone Zero paraglider. This was considered a minor causal factor to the incident occurring.

The Ozone Zero 17 was suited to advanced pilots with an in-flight weight of 80-95 kilograms, or intermediate pilots of 85 kilograms total in flight weight.

The effect of a collapsed wing in a critical situation required a higher level of pilotage and altitude, especially if the canopy was flown at a higher loading. The wing loading is the ratio between the size of the paraglider wing and the total weight of pilot, harness, instruments, and other items (water). It was calculated that the pilot was about 10 kilograms above the maximum recommended weight according to the manufacturer. The extra weight did not allow for normal collapse recovery.

Finally, the Chief Flight Instructor's report noted that the Ozone Zero paraglider has not undergone any flight certification tests. The manufacturer states the canopy is suited to experienced, competent pilots.

The Chief Flight Instructor considered it was not suited to Mr Desi's experience or weight range.

Police comments and response from the Hang Gliding Federation

The investigating officer from the Forensic Crash Unit suggested consideration to improve safety as follows:

1. The Hang Gliding Federation of Australia complete a safety audit on the use of Ozone Zero paragliders and their subsequent use within Australia.
2. A review of licensing standards, including a minimum flying hours to be established by members on basic gliding equipment before more advanced equipment can be purchased and used by their members.
3. Minimum flying hours under direct supervision of a suitable qualified mentor as approved by the Hang Gliding Federation of Australia.

The Hang Gliding Federation was invited to respond as they are the governing body for this form of aviation with responsibility for standards and training, under the auspices of Civil Aviation Order 95.8.

The Chief Flight Instructor, Mr Polidano commenced his response with information about the very recent widespread use of smaller wings by members of the Australian Parachute Federation. The Hang Gliding Federation seeks to attract and educate members of the parachuting fraternity in the safe flying of hang gliders.

Mr Polidano pointed out that the manner in which an experienced parachute descent is made is vastly different to that of a paragliding pilot landing a canopy. It was noted that indeed Mr Desi was an experienced parachute flyer prior to more recently taking up paragliding.

The HGFA created an endorsement specific to aircraft type as part of their strategy to manage the safe transition from parachuting to paragliding and vice versa.

In that context, the HGFA responded to the police comments as follows-

- (1) The HGFA strongly recommends that the classifications given to wings by the manufacturers as well as the certification bodies are adhered to by pilots. This includes but is not limited to flying the canopy within the recommended weight range.

He went on to explain the HGFA has deemed "all wings flown to a capacity of 5kg per square meter or higher now require the pilot to complete a 'Speed Wing Endorsement'."

In response to the police suggestion of licensing standards the Hang Gliding Federation stated:

- (2) The HGFA has reviewed and is currently implementing a new licensing standard in relation to the requirements and supervision of flying speed / mini wings.

With respect to police comment requiring direct supervision of a minimum number of flying hours, the Federation responded-

- (3) Minimum flying hours under the direct supervision of an instructor are in the process of being implemented for the issue of a speed/ mini wing endorsement.

Mr Polidano concluded his response with assurances that educational information and workshops about the requirements and endorsement are being rolled out across Australia, targeting Safety Officers and Instructors.

Information is being circulated to target audiences in both the parachuting and paragliding groups via their organization's member magazines and on-line.

Conclusion

Paragliding is a recreational activity with obvious high risks. The cross over between two different enthusiast groups of pilots accustomed respectively to parachuting and paragliding, has the potential to elevate risks as the skill sets are different.

I am satisfied that the review of Austin Desi's tragic death has highlighted these risks.

I am satisfied that the Hang Gliders Federation has responded to the situation appropriately as documented in these findings.

The publication of these findings may further assist in highlighting the risks and safety recommendations.

Christine Clements
Brisbane Coroner
Brisbane
3 March 2017