

# MEDIA RELEASE

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## INDEPENDENT ROLES OF PNG ACCIDENT INVESTIGATION COMMISSION AND STATE CORONER IN FATAL AIRCRAFT ACCIDENT INVESTIGATIONS

On Sunday 15<sup>th</sup> September 2019, the Chief Commissioner of the PNG Accident Investigation Commission (AIC), Mr. Hubert Namani clarified the role of the AIC in fatal aircraft accidents.

Mr. Namani said “The AIC is the Nation’s agency mandated to conduct independent no-blame aircraft accident investigations to determine why an accident or serious incident happened and make findings and recommendations for preventing similar accidents in the future. It is independent of all regulatory and judicial authorities, and service providers.

“I also want to recognise the independence of the State Coroner in the investigation of deaths in aircraft accidents. The Police assist the Coroner and provide a report to the Coroner on the death.

“In conducting on-site accident investigations the AIC complies with *Section 246* of the *Civil Aviation Act* that specifies where an accident occurs to an aircraft in Papua New Guinea, the aircraft including the contents and parts shall be deemed to be in the custody of the Commission for such period as the Commission considers necessary for the purposes of an accident inquiry, and shall not be removed or otherwise interfered with except with the permission of the Chief Commissioner, the Deputy Chief Commissioner or the Chief Executive.

“However, the Act also provides for the aircraft be moved to the extent necessary to extricate persons, animals, mails, and valuables from the wreckage.”

Mr. Namani added “The AIC always assists the State Coroner and the Police to have victims of aircraft accidents removed from the wreckage. When a person dies as a result of injuries sustained in an aircraft accident, the AIC will always ensure that the Coroner and the Police have full access to the body of the deceased person as soon as possible. The AIC has no power over custody of a deceased person. That power solely rests with the State Coroner.

“The Coroner is the only person empowered to release the body of the deceased person for burial.”

Police acting for the State Coroner take custody of the deceased person at the accident site and arrange for a Certificate of Death to be issued and the Police report of the accident to be tendered to the Coroner. The Coroner then approves the movement of the deceased. An autopsy is normally required by the Coroner to establish the cause of death. The State Coroner seeks to establish the date, time, place, manner and cause of the death.

Mr. Namani added “In the AIC’s recent experience the deceased is flown under Police escort to Port Moresby where the State Pathologist performs an autopsy and prepares a report for the State Coroner.”

The AIC conducts its investigations in accordance with its international obligations under *Annex 13* to *The Convention on International Civil Aviation*. *Annex 13* specifies that an autopsy is to be carried out on deceased flight crew and in specific circumstances passengers and cabin crew.



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Mr. Namani said "The AIC receives a copy of the autopsy report and it is used by the AIC investigators to assist them in determining if a medical condition contributed to the accident and also assists in examining survivability. Survival aspects required to be investigated include search, evacuation and rescue and an analysis in relation to injuries sustained and aircraft structural and seat failures and failure of associated equipment.

"There are important independent yet complimentary roles for both the AIC and the State Coroner in the investigation of aircraft accidents involving fatalities.

"Because the AIC has no jurisdiction over the repatriation of deceased persons, family members of victims of aircraft accidents are urged to contact the Provincial Police Commander in the area of the accident or the State Coroner.

"The AIC is able to provide family members and the public with details of the status of the AIC's investigation and releases the AIC's Final Investigation Report at the completion of the AIC investigation."

**Hubert Namani, LLB**  
*Chief Commissioner*

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