



## NEW ZEALAND AIR LINE PILOTS' ASSOCIATION

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News Release  
New Zealand Air Line Pilots' Association (NZALPA)

### **Pilots Welcome Court Ruling On CAA's 'Unlawful' Trawls of Pilot Info**

The Air Line Pilots' Association is welcoming the High Court ruling that the Civil Aviation Authority's random trawls through Pilot information held by the Ministry of Justice were unlawful and must stop.

The Association was forced to go to the High Court last month to challenge the legality of the what the CAA called "the random sampling of conviction history information" after the Authority accessed, reviewed and stored criminal record information held on pilots by the Ministry of Justice.

The Pilots' action was taken in a bid to stop the CAA going ahead with a second trawl after the CAA refused advice from the Association and the Ministry of Justice that Pilots should be told if their records were being looked at.

The NZALPA President, Glen Kenny said the High Court decision gives strong guidance to the CAA Director on the power he has to lawfully seek records from other agencies.

He says the Court ruling is a solid win for Pilots in the protection of their statutory rights, but it's disappointing that they had to go to Court in the first place when there were lawful alternatives available to the CAA.

Mr Kenny says the Court decision supported NZALPA's decision to challenge the CAA on behalf of its members. "Our members have no issue with disclosing relevant convictions to the CAA and they are already required to do. It was the random sampling without just cause used by the CAA in obtaining the information, which our members should not have been subjected to."

In his ruling yesterday, the Judge noted the CAA's method was illegal and went further by noting that the information sought was far beyond what was necessary for the CAA to be able to decide if a Pilot was a "fit and proper person" to hold their licence. The Court ruled that any information obtained should be information "relevant" to making a fit and proper person assessment, not convictions for minor offences or those not relevant to holding a pilots licence.

Mr Kenny said NZALPA members have an inherent interest in aviation safety and want to work with the CAA to ensure the highest standards of safety for the flying public. But, he says that being subjected to an unlawful process which breached members' rights has damaged that relationship. "We look forward to engaging with the CAA in the future to see if we can find a way that will allow CAA to have confidence in the robustness of its process that can be achieved in a lawful manner." ENDS

NZALPA President Glen Kenny is available for interviews on (021) 685 865

**About NZALPA:**

Glen Kenny is President of the NZALPA and a Boeing 767 pilot.

The New Zealand Air Line Pilots' Association is a professional union for New Zealand pilots and air traffic controllers. Established in 1945, NZALPA is an internationally affiliated professional trade union for New Zealand pilots and air traffic controllers. Our diverse membership includes General Aviation and commercial pilots, flight instructors and approximately 400 of New Zealand's air traffic controllers in the employ of Airways NZ. [Read more about us here.](#)

NZALPA was one of the 15 founding states of IFALPA - the [International Federation of Air Line Pilots' Associations](#), an organisation founded to represent the interests of over 100,000 pilots worldwide. IFALPA membership is dispersed through 101 Member Associations who work together as the 'global voice of pilots'.

In 1989 the Air Traffic Controllers joined NZALPA. NZALPA is now one of 130 Member Associations affiliated to the [International Federation of Air Traffic Controllers' Associations](#) (IFATCA), which represents 50,000 air traffic controllers worldwide.