



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

**STANDING COMMITTEE ON JUSTICE
AND COMMUNITY SAFETY**

(Reference: [Review of ACT emergency services responses to the 2019-20 bushfire season](#))

Members:

**MRS G JONES (Chair)
MS B CODY (Deputy Chair)
MR D GUPTA**

TRANSCRIPT OF EVIDENCE

CANBERRA

TUESDAY, 11 AUGUST 2020

**Secretary to the committee:
Mr A Snedden (Ph: 620 50199)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

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Amended 20 May 2013

The committee met at 3 pm.

McCONVILLE, MR GREG, Secretary, United Firefighters Union of Australia, ACT branch

COCHRANE, MR MICHAEL, Senior Officer Representative, United Firefighters Union of Australia, ACT branch

THE CHAIR: Good afternoon, and welcome. I declare open today's session of the online, streamed public hearing of the Standing Committee on Justice and Community Safety. This is the second hearing of the committee's review of ACT responses to bushfire season 2019-20.

On behalf of the committee, I welcome and thank, in advance of their appearance, all witnesses who will appear today. Initial discussions today will be with representatives of the ACT branch of the United Firefighters Union. The proceedings are being recorded by Hansard for transcription purposes and are being webstreamed and broadcast live. If questions are taken on notice, the committee would like to have them back within five days of the draft transcript appearing in your inbox.

Mr Greg McConville and Mr Michael Cochrane are appearing today. Can I confirm that you have both read and understand the privilege statement that has been emailed to you?

Mr McConville: Yes, thank you.

Mr Cochrane: Yes.

THE CHAIR: Mr McConville or Mr Cochrane, do you have any opening remarks?

Mr McConville: Yes, thank you, Mrs Jones. The UFU's submission concerning the bushfire season is primarily concerned with fire service planning, coordination and preparedness. We have gone to seven recommendations, and I will briefly touch on the character of those recommendations.

The first is that, in the interests of fire service and emergency service leaders knowing the state of their capability, there needs to be an improved data reporting regime developed, in consultation with relevant stakeholders. That needs to go to not just how many firefighters, both career and volunteer, there are, but to their engagement, their employment and their availability for duty.

The second recommendation goes to the question of the inclusion of community fire unit volunteer numbers as firefighters for the purposes of Productivity Commission data. The community fire units were a critical and innovative response by Canberra to the 2003 fires and they perform a very important role in our suburbs, but they themselves would admit that they are not involved in fire response and should not be counted as firefighters for the purposes of Productivity Commission data.

The third recommendation flows from that, because when you look at the data as reported to the Productivity Commission—and this is from an analysis undertaken by

Emeritus Professor David Hayward of RMIT University—and when you remove the CFU data from the firefighter numbers, you find that the total firefighter resources in the ACT are one-fifth of the national average. That, in turn, requires an increased funding commitment to Fire & Rescue in particular to ensure consistent improvement in firefighter resources as compared to national benchmarks.

The third recommendation which we have touched on is the fire service recruitment issue. The fourth recommendation is that there is an *Emergencies (concept of operations for bush and grass fires in the Australian Capital Territory) commissioner's guidelines 2017*, which includes a list of level 3 incident controllers, many of whom are no longer employed by the services which nominated them. We say two things about that. The first is that the practice of using a notifiable instrument to designate persons as qualified to operate within an IMT should be ceased, and that particular notifiable instrument should be repealed.

The fifth recommendation is related to those incident management team roles, and this is probably the centrepiece of our submission. The Black Saturday royal commission in 2009 found a great inconsistency between the Victorian fire service bodies in the practices for nomination to, accreditation of, training of and re-accreditation of incident management team members.

Even the CFA acknowledged that their practices were inadequate. The practices between the Department of Sustainability and Environment and the CFA were seen as inconsistent. Our own practices are less robust than those that the CFA was criticised for in 2009. We are saying that the approach adopted in Victoria since 2009 can serve as a template to be applied in the ACT and that we should establish and mandate a consistent approach to the training, accreditation, endorsement and appointment of IMT members based on that applied by Emergency Management Victoria in their training accreditation fundamentals and policy of 2018.

The sixth recommendation concerns response arrangements in the bushfire abatement zone. This really goes back to the Doogan coronial inquest after the 2003 fires, and indeed the McLeod report. Doogan in particular recommended that there should be a bushfire abatement zone so that ACT Fire & Rescue is sufficiently able to respond to an incident bearing down on the built-up area. We are saying that if a fast-moving fire is assessed by Fire & Rescue as having the capacity to impact on the built-up area, Fire & Rescue should be able to assume incident control. In addition, the ESA should have a direct line of reporting to the minister. That came from both of those inquiries in 2003.

The final recommendation concerns the two important roles of emergency controller and incident controller. We are saying that the two should not be confused, and that the 2021 review of the Emergencies Act should be specifically tasked with ensuring greater clarity between the roles of emergency controller and incident controller. That stems from the earlier recommendations about AIIMS incident management teams.

I would like to indicate at the outset that Michael Cochrane is with me today, in his capacity as a UFU senior officer rep. He was in fact an official of the UFU in 2003 at the time of those fires. There are some recommendations that resonate from that time, particularly the last few that I touched upon. With the indulgence of the committee,

I would like to hand over to Michael Cochrane so that he can make some introductory remarks concerning the evidence that he is able to bring.

THE CHAIR: Yes, please. We will go to that now.

Mr Cochrane: I would like to corroborate what Greg has been saying. I also point out that back in 2003 we were faced with very similar circumstances in terms of the bushfire threat that we faced this season. We were also faced with issues around the incident management team and control of such fires. One of the concerns that many of us have is that we have not moved a long way away from where we were back in 2003.

In fact, we have taken a step backwards in terms of the bushfire abatement zone. It was set up at the time to provide an opportunity for Fire & Rescue to take command of any fire that would threaten the urban area. That opportunity has been washed away with more recent changes to the legislation and notifiable instruments. It is our firm belief that we need to move back to that situation where Fire & Rescue has more control over what happens, should a fire be threatening the urban area.

The other thing is the make-up of the incident management teams. There was a problem back in 2003. Fire & Rescue was not even a part of the incident management team back then. It could very well be the case, given the list of names available on the notifiable instrument, that you could end up with a similar situation today. There are a number of things that need to be reviewed and probably changed.

THE CHAIR: I will start off by going to that notifiable instrument, while we are on the topic. I believe there were 20 names associated with it, 10 of whom are not currently serving. I have two questions. First of all, if it were abolished, what should it be replaced with internally within the system? If it is not publicly notifiable, obviously there has to be a good system for maintaining who can be in an IMT. Secondly, were you alluding to the fact that there were no or very few Fire & Rescue personnel on that list?

Mr Cochrane: No, there are several Fire & Rescue people on that list, but that does not mean they will necessarily be the people engaged in a pre-formed IMT. They could very well be, but given that there is such a variety of people, it may not be those people in the IMT if the fire were to threaten the urban area.

THE CHAIR: How about the replacement? What is the advice—to replace it with what?

Mr McConville: Going to your first question, of the Fire & Rescue personnel who were mentioned on that list in the notifiable instrument, on my count only three remain in the employ of Fire & Rescue.

THE CHAIR: Are they employees or volunteers?

Mr McConville: No, they are Fire & Rescue officers. We make no comment in respect of volunteers there. They are not our members, and we will leave that to the volunteers association. In terms of what it is replaced with, we point to the Emergency

Management Victoria training accreditation fundamentals and policy—an approach which could be mandated by way of a notifiable instrument. I would distinguish between how accreditation takes place being described in a notifiable instrument and the actual accreditation of persons. The latter brings with it a degree of inflexibility whereby, if people move on or if they no longer possess the necessary credentials to maintain their accreditation, you are stuck with the inflexibility of the notifiable instrument listing the persons rather than the approach.

THE CHAIR: Understood. The other thing that I seem to have garnered from your submission—and tell me if you think I have understood correctly—is that there could be more training for experienced firefighters, of whatever kind, in these competencies for IMT management and there could be early identification of people who could go into those roles, and getting them prepared. My understanding is that if you are a part of an IMT for a season, you perhaps give up other firefighting opportunities for that season so that you are available. Is my understanding correct?

Mr McConville: Yes, that is correct. I would also add that people can be nominated to IMTs for long periods of time. The practice in the United States is that sometimes you can be an incident controller for 14 days. With respect to the approach we would advocate, visual representation of it is set out on pages 8 and 9 of the Victorian document, which we have put in as an attachment. They deal with the nomination, selection and confirmation of persons in the first instance, then their technical training and leadership development, combined with developing a portfolio of exposure and experience, in turn leading to accreditation, and in turn leading to performing the role. If I could put it this way, rinse and repeat, to maintain the—

THE CHAIR: Yes, and having people in the pipeline as well?

Mr McConville: Yes.

THE CHAIR: In order to get somebody ready permanently, they have to continue to gain experience and exposure; nor should we assume that people who are currently qualified will be enough for the long term, and we must continue to find additional people.

Mr McConville: Yes, I agree, Mrs Jones.

THE CHAIR: Can I go to the list of people accredited? Were any of the people on that notifiable instrument without on-the-ground experience in frontline service?

Mr McConville: Yes, a number of them. A number of them, we would say, never had underlying competencies or qualifications as firefighters.

THE CHAIR: Or as other emergency service workers?

Mr McConville: Or as other emergency service workers. I can see one name there who was a human resources practitioner.

THE CHAIR: Really, that is not in line with the AIIMS intent—to have professional IMT managers who have never had any experience on the ground; is that correct?

Mr McConville: That is certainly our interpretation of how AIIMS should be applied. Certainly, that is consistent with the approach we are advocating, applied in Victoria, post Black Saturday.

MS CODY: Thank you for coming along, Mr McConville. As the daughter of a former firefighter in the ACT, I know that the standards of service are very high. I know that the standards that your members need to meet are very high, and that they need to keep improving them throughout their career. It has been a challenge, but I think we are getting there now, thankfully. I do not know whether you have seen the calls by some members of the Rural Fire Service about pathways between the two organisations. I would like to get your take on that.

Mr McConville: I am not sure what you are referring to in terms of specific comments.

MS CODY: I have seen words to the effect that the RFS must develop a career pathway for current and prospective members to join ACT Fire & Rescue.

THE CHAIR: Where did you find that?

MS CODY: They are words I have heard bandied around by some RFS members. I want to get Mr McConville's take on some of that, if possible.

Mr McConville: There will never be a greater opportunity to join ACT Fire & Rescue than over the next four to five years. We have signed an enterprise agreement that will see the service expand by 99 positions through attrition. That is a growth of 27 per cent. The bulk of that will be via community recruitment. Just as firefighters from, for example, aviation might seek to join ACT Fire & Rescue, there is an opportunity for Rural Fire Service volunteers to join through that community recruitment process.

What I think is being sought is the opportunity to acquire skills through discrete units and have recognition of prior learning to be inserted at a particular rank of the ACT Fire & Rescue structure. The difficulty with that is that Fire & Rescue is concerned primarily with urban fire and rescue, and I should point out that rescue is six times the number of structure fires attended. There is a very significantly different set of competencies between urban fire and rescue and the Rural Fire Service in that regard, so there is not a direct alignment. The alternative that is left is that community recruitment process. Michael Cochrane might be able to elaborate on this.

Mr Cochrane: Yes. At the moment ACT Fire & Rescue's recruit college takes 22 weeks to get the recruits through all of those competencies and to come out as a qualified firefighter. During that time they go through a whole lot of exercises, a whole lot of team building, and a whole lot of occasions when they are performing the roles, whether it is a fire, a rescue or a hazardous materials incident, and they get the opportunity to work in all of those different roles throughout the college.

It is quite an arduous undertaking and it is very difficult to give people credit for discrete units of competence along the way. They really need to be involved in the

whole process before they come out. Once they come out then their journey on gaining experience and also in furthering their qualifications is just beginning. The recruit college gives them the basics but that is all. There is a whole lot more that they need to learn and courses they need to do—things like urgent duty driving et cetera—that happen after they go through the recruit college. So it is not a simple thing.

MS CODY: What is also very important is the ongoing camaraderie and upskill required by ACT Fire & Rescue members.

Mr Cochrane: That is right. We have career pathways, once they come out of the recruit college, that require them to do a number of courses and development programs to move up the ranks. The other thing I would add is that we have been quite successful in recruiting quite a few people from the Rural Fire Service over the years who are now part of Fire & Rescue. They are certainly—

THE CHAIR: There is a history.

Mr Cochrane: Yes. They are certainly able to apply and go through the normal recruit process with everyone else.

THE CHAIR: I have a question about the 22 weeks. Are they paid during the 22 weeks and at what level?

Mr Cochrane: Yes, they are paid. They are paid at FB1 level.

MS CODY: You were talking with Mrs Jones a moment ago about the IMT. There are specific skills required to be part of the IMT; is that correct?

Mr Cochrane: That is correct.

MS CODY: Mr McConville, do you want to say something?

Mr McConville: Yes. There are two sets to that. The observation I am about to make also relates to your previous question. There is a difference between competency and proficiency in terms of the training framework for firefighters. On the one hand you can have units that result in competency at a particular qualification level—for example, the advanced diploma—but the requirement in Fire & Rescue for the ongoing training of firefighters is for those benchmarks to be exceeded—not met but exceeded. The reason why that proficiency is so important is that we are talking about life-threatening situations. The difference is that you do not just want someone to be okay at it; you want them to be very good at it, because someone's life depends upon it.

It follows that in the incident management teams it is not sufficient to send someone on a two-day course that teaches them awareness of the Australian inter-service incident management system—AIIMS. You need them to have that underlying proficiency before they learn the system of incident management. The second is not a substitute for the first, nor should it be. It is those two things together that we say create proper qualification proficiency to be able to operate in an incident management team structure. The awareness course, of itself, does not equip people to

do that, and the previous practice of the Emergency Services Agency has in fact been to appoint people who understand the system but to actively not appoint people who have the underlying competency or proficiency. It is the wrong way around.

Mr Cochrane: When you are going through your career as a firefighter in Fire & Rescue, you are building your experience every day that you go to work. You are building situational awareness, which is a critical component of understanding different fire and rescue incidents. You are building on your training and skills on a regular basis. You are exercising those skills. We train in many different ways, from very small incidents and skills right up to major incidents where we might have multiple stations involved in an exercise.

We encourage our people to build on their knowledge and understanding in other ways—external courses et cetera. There is the safety culture that our members take on in being part of Fire & Rescue—and it is specific to Fire & Rescue. There are the procedures and policies that are specific to the organisation, and having an understanding of those. There is then the industrial world, which Greg represents, through the UFU. We have an enterprise agreement that, in itself, is a document that is used by our whole workforce, and that is what we work to.

There is an understanding of our resources—all of the things that go into making up our fleet and equipment, and having an understanding of all of those, their capabilities, and the capabilities of our people. All of that is an underpinning foundation or knowledge and set of skills that build up before you are in a command and control setting. That is why we value the experience of our people, and that is why we are here talking to you, in trying to express that, and the need to acknowledge that that is an important factor in any incident management.

MS CODY: I would like to apologise to the committee. I have just had a family incident and I have to take off. Thank you for your time today, gentlemen.

MR GUPTA: I have a question about preparedness. You talked about this in your submission, regarding the fire season. What are the issues regarding a lack of preparedness in the ACT? Is it about resources?

Mr McConville: The primary issue that I would point to—and I think Mr Cochrane would agree—was that there was no active recruitment for many years. That has created a succession management problem. We have a number of people who have been appointed to superintendent and commander ranks in relatively recent times. We make no criticism of them or their appointments, but we would observe that a window of opportunity was lost with a cohort who have now left.

Succession planning needs to be a consistent piece of work so that you do not have peaks and troughs of numbers of available people. That has become a problem for us, in a sense, at every rank of Fire & Rescue. There is now a commitment to address that, from the minister through to the commissioner, right through the whole ranks down to recruit, but we will be paying for that lack of continuity for some time. Mr Cochrane might like to comment.

Mr Cochrane: I will happily comment on this one because it was certainly something

we raised post 2003. It was a significant issue for us then and it has been a significant issue in recent years. Fire & Rescue has been unable to recruit and promote in a timely manner for several years. As Greg said, it has only been in the last few years that there has been a sudden spurt of promotions which sees us with a very new group of superintendents all promoted in the last 18 months, and a very new group of commanders, most of whom have been promoted in the last few years as well. Barring two or three exceptions—myself included—I think they have all been promoted since 2017. We have had over 40 station officers promoted in the last four years. Similarly, with recent recruitment, we now have a very large cohort of relatively new firefighters who do not have the skills that it takes a few years to get in the service.

All of these things have a compounding effect on the fire service over years. As Greg said, I think we will be paying for this for some time. It takes time to build a fire service and to build experience, and we are doing that right now.

Mr McConville: If I could elaborate on that briefly, I would observe that previously there has been an attempt to run Fire & Rescue, and emergency services more broadly, on a utilisation model. Emergency services are necessarily a capability model. They are similar to armed services. If you argue that we have not been to war for some time, you might then, by extension, argue that we do not need an army. People would feel very insecure with that proposition. We ought to apply the same logic to Fire & Rescue—that is, you would prefer to not see the fire brigade, but when you do see them in those necessary moments you are very glad to see them, even though you would hope to not see them again.

The capability must be there, and the capability is not just people but the proficiency that I was touching on before. As Michael Cochrane was alluding to, what is required when a recruit leaves the recruit college as a graduate is continuous development of their capability throughout the whole classification structure up to and including the rank of chief officer. That needs to be through skills transfer from those people with the ability and the situational awareness. That takes an awful lot of time and a very large investment. We are pleased that we have in fact signed an enterprise agreement that will commit the government to greater investment in building that capability, because Canberra desperately needs it.

THE CHAIR: There are two matters that I want to go to. At the beginning of your submission you outlined the complete lack of consistency from the Emergency Services Agency in keeping count of how many firefighters, voluntary and paid, we have across your area, as well as RFS. I do not really know what to say. It is quite astounding. The evidence that you have given us shows that, on the volunteer side, the numbers fluctuate by hundreds, depending on when people are asked, and on the UFU side by at least dozens. It also shows that stagnation that you have been talking about. Even if the numbers are correct, there is still that stagnation over that 10-year period until now.

Would you like to go into some detail about the two services? You mentioned in your opening remarks the community fire units. My husband is in a community fire unit. He would not call himself a firefighter. He has a blue suit that he puts on. They maintain a little trailer. He has explained to me that his role is to sometimes doorknock or pump that little trailer with local water where the supply is available. He

is a very highly trained military officer and he would not claim to be a firefighter at all. I would like you to comment on that.

Mr McConville: Mrs Jones, I will deal with the second part first because I think it can be dealt with more briefly. The traditional definition of a firefighter connotes a person who gets in a truck and goes to where the fire is, to fight that fire and to respond to that emergency in a very dynamic sense. The community fire unit volunteers are an important auxiliary to that; they were built out of a clear inadequacy that Canberra had, following the 2003 fires, in order to deal with the unique demography of Canberra as the bush capital. So many suburbs fringe onto what is often public land that is bushland, where there is a threat that a fast-moving grass fire could encroach on those buildings. There is a very specific need for a defensive role in those places, and that is exactly what the community fire units do.

To count them in national datasets as if they are the same as the Rural Fire Service volunteers, who go and fight campaign fires, or as ACT Fire & Rescue firefighters, who might do that and might respond to a whole range of emergencies in the built-up area, is simply misleading. To the best of my knowledge, we are the only jurisdiction in the country that counts them in that way. We should stop doing it.

THE CHAIR: “Lies, damned lies and statistics.”

Mr McConville: To quote Sir Humphrey Appleby, statistics can be used to prove anything, even the truth. We say that they should be, and that people ought to be able to rely on what is reported as being an accurate picture of the capability of the various services.

THE CHAIR: Otherwise we are only cheating ourselves when a fire occurs that we need all these people for.

Mr McConville: In the event of an unfortunate incident that claimed lives, the coroner would look at this very closely, and those who reported the data incorrectly would, I dare say, face some consequences.

THE CHAIR: You would like to hope so.

Mr McConville: We need a true measure of our capability, and the true measure of our capability can only come with a mandated data reporting regime. We think that needs to include data that is reported internally for operational purposes, externally for accountability and capability purposes and also externally for policy purposes. That would include through the annual reports of the Justice and Community Safety Directorate, or indeed an annual report of the ESA, through to the reporting to the Productivity Commission and to the reporting to the emergency services operational review group.

THE CHAIR: Mr McConville, in your view, who is responsible for these numbers being so rubbery, and sometimes incorrect, as your submission has shown?

Mr McConville: There is a correlation between the time in which the numbers fluctuated and the tenure of the previous Emergency Services Commissioner. That is

as strongly as I could put it.

THE CHAIR: Okay; fair enough. We will get a chance to speak, no doubt, to the current Emergency Services Commissioner. We will be able to put all of these matters to her and find out where she is up to with reconciling what went on before she got here and what she is going to do about it.

I want to go back to the issue of the IMTs. In particular, towards the end of your submission you mentioned the Pierces Creek fire, which was the summer before last. It might give us some insights into what was lacking in training for IMTs for last summer. I am wondering whether there is a correlation. I am certainly hearing from witnesses, submitters and people in the community that there was concern about how tasks were allocated at the IMT and that that may have had something to do with who was able to be in the IMT, who was actually qualified to be there, and who the commissioner could rely on in the IMT. Is that something we possibly could have or should have picked up after the Pierces Creek fire the summer before last?

Mr McConville: Yes, I think so, for two reasons. Firstly, the notifiable instrument itself, flimsy as we consider it to be, mandates that both ACT Fire & Rescue and the ACT Rural Fire Service will actively select personnel to be utilised as level 2 and 3 incident controllers and will assess their competence against the relevant training packages. This is set out at page 16 of our submission. It sets out additional criteria, but all the way through it places that responsibility on the two respective fire services. The fact is that the Emergency Services Agency, in the lead-up to the Pierces Creek fire, actively breached the requirements of that concept of operations.

THE CHAIR: By selecting their own.

Mr McConville: And it did so by appointing to level 3 incident controllers and other IMT roles when such appointments should have been made by the chief officers. That included the appointment of an ESA executive manager, no longer employed, during the Pierces Creek fire in 2018. We believe that many of the people that are set out in notifiable instrument No 2018-713 were not appointed through the processes mandated by notifiable instrument 2017-92. That is wrong because the former is intended to be a subset of the latter, not the other way around.

THE CHAIR: Yes, and if this is a notifiable instrument then it is the law in the ACT.

Mr McConville: Yes.

THE CHAIR: In 2018 at the Pierces Creek fire who was the Emergency Services Commissioner then?

Mr McConville: It is a matter of public record that it was Dominic Lane.

THE CHAIR: The current commissioner was not there then. That is good to note, because we will be questioning her as well. Given that that commissioner is no longer here, and in the absence of some kind of coronial inquiry—thank God—we need to ask the minister, as a committee, why things were not improved after that occurrence. I think it is quite concerning. I am glad to have uncovered this issue on the committee,

and thank you especially for your submission, which points to it. It is very concerning.

I think the community saw a very active Emergency Services Commissioner during the fire, doing lots of communicating with the community, and they are very grateful for that. What they do not see is what goes on in the incident management team, how many professional, capable, trained, identified and pre-organised incident controllers and IMT members she had and how many people she had to rely on, essentially. We know from the submissions from the Rural Fire Service that they are very concerned that they do not get enough training, that the training is not on at the right times of the night, generally, or the weekend. I know you have raised very clearly your concerns about the last decade and how it will affect your people's service for the next decade, as we try and recuperate. I cannot say how astounded I am that we are in this position after 2003; we really should be in a better position.

Mr McConville: In response to your observation, I think there is a very clear way out of this. It is not cheap and it is not a quick fix. I would observe that the training effort needs to be across all of the services. A capability model mandates an investment in training. In addition, the framework needs to be correct, and that is why we point to the Emergency Management Victoria policy that is an attachment to our submission, because it establishes clear and consistent pathways for the nomination, selection, skill acquisition, accreditation and performance of both level 2 and level 3 incident management team personnel. It is sufficiently robust to apply to all hazards but it is sufficiently flexible to apply to a jurisdiction like the ACT.

We think those two items together, if pursued diligently and rigorously, can vastly improve our position in terms of preparation. But it will not be turned around in one fire season; it needs a consistent effort.

THE CHAIR: My consistent concern is that under the current minister we have had things go wrong, clearly, and while a new ESA commissioner gives us hope that things are improving, there are no guarantees; and the energy and impetus will need to be there to see this change and improvement occur so that, come the next, the following bushfire season and the one after that, we have a plethora of well-trained personnel with the right previous experience to run incidents well from incident management teams at the headquarters.

The only other thing that I want to touch on briefly—unfortunately, we have two minutes before I have to let you go—is the process for identifying possible future leaders. Is that something that is set out clearly in your enterprise agreement or is that something that needs to be pushed from the ESA end to coordinate with the other agencies to make sure that we have plenty of IMT-trained, AIMS-trained leaders?

Mr McConville: In part it is in our enterprise agreement because there is a clear skill acquisition pathway. But in respect of the specific proposition of persons to perform in incident management teams, we point very clearly to the Emergency Management Victoria approach which can be applied across all agencies. Indeed, I would indicate that in Victoria that document is jointly owned by Emergency Management Victoria, which is the equivalent of the ESA; the Country Fire Authority, which is the equivalent of the RFS; the Department of Environment, Land, Water and Planning, which is the equivalent of Parks ACT; the MFB, which is the equivalent of ACT Fire

& Rescue; and the Victorian SES, which is the equivalent of the ACT SES. That document is owned by all five agencies and, similarly, it should be owned by the relevant agencies here.

MR GUPTA: With the method of assessment to the chief officer of the respective services, how established is that now?

Mr McConville: That is the method of assessment established now, but we have said that it has not been consistently applied in the last few years.

THE CHAIR: Thank you very much for appearing. I know you are probably both very busy men. We really appreciate your expertise and your knowledge of how the systems work, how they can work better, what perhaps could have been done better in the past and what we hope will be done better in the future. The people of the ACT really rely on your knowledge and your willingness to come and share this information with us. You will be provided with a copy of the transcript. If it is in any way incorrect then let us know.

Mr McConville: Thank you, Mrs Jones, and thank you, committee.

Mr Cochrane: Thank you.

ROMANO, MR JOHN-PAUL, ACT Volunteer Brigades Association

THE CHAIR: On behalf of the committee, I welcome our next guest, Mr John-Paul Romano from the ACT Volunteer Brigades Association. We have an apology from Dr Allison Ballard who is unable to join him. Mr Romano, do you understand and accept the privilege implications of the statement that has been emailed about parliamentary privilege?

Mr Romano: I do.

THE CHAIR: Do you have any opening remarks?

Mr Romano: Yes. I will very briefly go through a few things included in our recommendations. This has been a very busy season and that has meant we have a lot of fatigued volunteers who are a little bit fed up with what happened during the season and, in fairness, they want to be treated better. Full disclosure: I am no longer the president of the VBA. I am the immediate past president and Dr Allison Ballard is the current president, but the VBA made its submission during my time as president.

I will briefly go through our recommendations. The first is that we believe there should always be a volunteer liaison officer in the IMT. Unfortunately, it is generally only volunteers and those who work with volunteers who know how volunteers operate and know the requirements of volunteers. That is why we believe there should always be a volunteer liaison officer in the IMT. This is a person who would be able to come back and say, “No, that’s not good enough. What about the volunteers? How can we look after their wellbeing?”

On many occasions the volunteers are left to go without food. Often the volunteers are overworked or they are used as an *[Interruption in sound recording—]*. While the parks crews are getting paid and the Fire & Rescue crews are getting paid and they get overtime, the RFS volunteers have to go to their day jobs. Unfortunately, that is the reality. So a lot of it is knowing about how volunteers work.

We need to manage fatigue better, and that comes back to what I was just saying. The staff that will front these hearings will say it needs to be managed by the individuals. It actually needs to be managed by the establishment. The establishment needs to manage what the average time frame is for me to get from my workplace or, when I am home, to the station, get my gear on, get in the truck, drive to a fire or to a staging area, then to a fire and include breaks within that time and then track all the way back. It is no good to say, “Well, you can do 14 hours on the fire ground.” When you take into account two hours in transport either way and half an hour or an hour getting home then you are up to 24 hours. So that needs to be managed better.

To respond to what Ms Cody was saying earlier, it is about better career progression within the RFS. It is not about bringing members into Fire & Rescue; it is about having a better path to say, “Well, you joined the RFS at this stage. This is where you should be in 12 months and 24 months and so on and so forth.” That does not really exist now or it is not apparent to the members.

We also saw a reliance this season on the mobile data terminals and the information which is stored within these mobile data terminals. This was used to determine many things like how many hours volunteers were working or which days members were out on the fires. These are outdated systems and need to be replaced with something better that actually works. On many occasions volunteers were out and headquarters had no idea who was out, where they were and what time they got back. That is unacceptable.

The other thing we need is a little bit of respect. The RFS, unfortunately, in the ACT is seen as a poor brother. The reality is, unlike what Mr McConville said, the ACT RFS is not like the CFA and the MFB is not like ACT Fire & Rescue because the ACT is a completely different jurisdiction. We are a city state and so these things work really differently. The New South Wales RFS will visit car accidents, house fires, industrial fires. The RFS in the ACT is very different and so is the legislation behind these organisations.

Unfortunately, we are seen as the poor brother, and I think part of the solution is better cooperation between the services. Many a time I have spoken to Fire & Rescue operators who do not understand the motivations behind why the Rural Fire Service volunteers do what they do. Many a time you will get in the RFS a page or a fire call at 2 am or 3 am or 2 pm or 3 pm, when you are at work. You will get to the station only to be told, "Well, you're not needed. You shouldn't have been called." These things are unacceptable.

THE CHAIR: Thank you for your submission. I know you were involved in the submission even though you have moved on from the role now. It is very clear and well set out. Clearly, the things that you have identified are the same as all the issues that have been raised by individual RFS personnel who have also taken the time to submit. It has been set out very clearly and very simply, so I thank you for that because it makes our job that a little bit easier.

I am concerned about the statements about the future of the RFS and I know some of our other submitters have said that as well. I do not see how this government would afford to pay, given the current circumstances, for the in excess of 53,000 volunteer hours contributed by our volunteers during this season. But one of the things that has occurred to me along the way is that one of the greatest changes that we could achieve potentially out of this report is not just a volunteer liaison person in the IMT but more RFS personnel trained to be incident controllers and in IMTs.

Clearly at the moment, given that there is a struggle just to keep people trained to do all the basic functions that the RFS has at the brigade level, not many people are keen to put their hand up to do a lot of extra training. Perhaps one of the things we could recommend is that we should be spending money on getting some of our volunteer RFS personnel paid for a little bit of that training interstate and at other events so that they can get up to the level of being really useful in an IMT. Then you would have that perspective of the volunteer, and they are not just a token commentator; they are actually decision-makers.

Mr Romano: Yes, that is great. We do have to remember that no-one does it for

money—

THE CHAIR: No, I am not suggesting that money would motivate but that it might make it possible for people who otherwise already give so many days of their life to the RFS to be trained for IMTs if that was funded.

Mr Romano: Yes, and I completely understand what you are saying. I take no shame in saying that I was a recipient of the payment scheme. I spent 51 days of the summer doing night shift every second night. I have no problem with that, but being a small business owner it takes a toll. Everyone has a sense of obligation. As much as you can say that no-one forces you to do it, when you join you personally have a sense of obligation.

Whether you have a methodology of paying people to do training or whether you simply make a statement and say, “Well, you’re already expending your time. We’re not going to allow you to have any incidental expenses,” the problem we have currently is we have all these people giving up their time, and this is a range of people. We have public servants, some of whom receive emergency leave, so they are being paid while they are there. We have business people who do not and we have other people who do not. For some people it is costing them \$1,000 a day. That is what they get paid. Some people in the RFS get paid. We have senators; we have members of parliament who have all told me about their concerns because they feel as if their time was wasted.

The unfortunate fact is that the other thing that happens in these circumstances is that it is not like Fire & Rescue, where you join and are given everything you need—your T-shirts, your uniform. The RFS does not have that full uniform issue. If you want a backpack, your go bag with your food that you are supposed to bring, that is at your expense. If you want more than a T-shirt, that is your expense.

THE CHAIR: So right down to the very small, detailed level, even though you are not being paid that does not really excuse not providing you with the same level of equipment and training?

Mr Romano: Yes.

THE CHAIR: If you compared it to the Army Reserve, even though they are paid they are also given a full issue of equipment. They may not have exactly the same stuff as the full-time paid force, but it is close. I really understand what you are saying because in a way the whole point of volunteering is that it is like other work; it is something you pour your heart and soul into. In this case, you put yourself and your body and your heart on the line. We will certainly be able to put in some recommendations about that.

MR GUPTA: Mr Romano, first of all, you are very proud of yourself and you talk about your professionalism, and that is reflected in your submission. Do you think that this service should be paid only so that we do not need people in the fire services who are volunteers? Is that your view?

Mr Romano: Not at all. Not at all.

MR GUPTA: It does not sound like that.

Mr Romano: No, not at all.

THE CHAIR: I do not think that is really respectful, Mr Gupta, to put—

MR GUPTA: No, that is all right. I mean—

Mr Romano: There are 500 or so people in the ACT who are members of the Rural Fire Service and I think about 700 in the SES. I am a member of both services. I do not do it for the money. Until I had a business I never would have considered accepting any payment. What I am saying is that incidentals should be covered. They are covered in other services. Even the SES performs much better in this incidental space than the RFS.

I travelled, in the season, to Port Macquarie and down to Albury and, speaking to commanders from interstate in this space, the simple thing is food. If you feed your troops, they will be happy. That is something we do not do well in the ACT. We really, really do not do well in that space.

THE CHAIR: In fact, if you turn up to a fire ground and the paid staff are being fed and you are not, you really must feel very much like second-class citizens.

Mr Romano: One of the things is that the ESA should be one service in the sense that it is one service with multiple agencies. The unfortunate reality is Fire & Rescue has all these assets like welfare pods, catering pods and all these things. On many occasion I have been to a fire where we get there and the catering pod is there or the welfare pod is there for the Fire & Rescue guys. When the Fire & Rescue guys leave the pods go with them. These are all things that when they were created, these assets, they were supposed to be whole-of-service assets for use for all the services, not just one.

MR GUPTA: There has been a concern that a lot of documentation from the VBA has not been the subject of consultation with the volunteers. So with this submission of yours, were the volunteers consulted before you did the submission?

Mr Romano: In the submission we undertook a number of consultation steps with the VBA. The VBA represents the brigades, not the members individually. So all eight brigades are individual organisations—they have their own ABNs, their own bank accounts et cetera. Consultation was undertaken prior to this submission.

I think if you went out and you spoke to individual members you would know that a lot of this stuff is not even controversial in the fact that it is just stuff that should happen. There is no question about it.

THE CHAIR: I want to go to the discussion that we were having before with the United Firefighters Union representatives about the incident management teams and the notifiable instruments. Are you aware whether there are Rural Fire Service volunteers or personnel on the notifiable instrument list of people who can serve in

the IMT?

Mr Romano: I think there are a few. I do not have that document in front of me, but there are a few, being the chief officer and a couple of the other paid staff. There are a handful of incident controllers who are captains, ex-group captains et cetera. But I could not tell you specifically.

THE CHAIR: In your opinion, during the summer incidents were all notifiable instruments followed?

Mr Romano: In my opinion, there were a handful of occasions where possibly notifiable instruments were not followed.

THE CHAIR: Can you give any information or ideas or suggestions about when that might have been, for us to look into?

Mr Romano: I think mainly that had to do with reporting incidents, from what I have heard.

THE CHAIR: Understood. Many of the things that you have raised here in the recommendations have been raised and discussed by this committee with the individual RFS personnel who have submitted. We are certainly on board with suggestions that a lot of these things be pursued. Can you tell us about the mobile data terminals? What do they look like? What are they and what do you think the modern technology for that could look like?

Mr Romano: The MDTs, mobile data terminals, sit in each vehicle, all service vehicles—ambulances, fire trucks, SES vehicles, command vehicles. These data terminals run Windows 2003 or something like that. They are outdated, they often fail and they often do not work. In that mobile data terminal you put in your service number, and that sends it back to headquarters, and what should pre-load is a member's qualifications, what position they have in that crew, being crew leader or the driver of the vehicle or just a team member, and all that should be fed back to HQ. There are many, many occasions where it does not work; it does not function.

There are a handful of systems which exist for overlapping purposes. A lot of brigades have a system to allow them to log in to the shed. My suggestion was not of a specific example, but I know the technology exists to have a system which would track a member using their ID card. We already use it to get into the stations and, as they go into the station, as they get on to the truck, when they get their meal and then as they get back to the station and they leave the station they are tracked. That could all be populated in real time to headquarters, I am sure.

THE CHAIR: A bit like logging on and off the bus.

Mr Romano: Exactly.

MR GUPTA: There was a lot of concern that some of the firefighters were washing their own PPE during the bushfire season. I know ESA arranged some dry cleaning. But now I think ESA has arranged washing machines in all the fire stations to address

that issue. Has that been addressed?

Mr Romano: That is correct, Mr Gupta. At the beginning of the season there existed a system where members were forced to bring their dirty PPE home and wash it at home, for the stations that did not already self-fund their own washing machine or have one donated. The ESA then committed to buying washing machines and commercial dryers for all the stations. As far as I know, they have not been installed yet. Then they entered into a dry cleaning contract and now we have been told that dry cleaning will only occur on a case-by-case basis for major incidents.

Personally, I do not believe that is good enough. If Fire & Rescue have contaminated gear it goes into a bag and, for the next person to touch it, the bag dissolves at the dry cleaners. I know they deal with different kinds of fires with different kinds of chemicals, but when they go to a grass and bushfire, their gear goes into a sealed bag and then goes to be dry cleaned.

It is unacceptable that we still have members today who, after a fire, take their gear home. They put their gear in their car, they take their gear home and they wash it in their household washing machine. I know that is a decision for members to make, but they are putting their whole family at risk.

MR GUPTA: So the washing machines have not been installed yet?

Mr Romano: One has not been installed in my station. As far as I know, they have not been installed in any stations yet.

THE CHAIR: That is certainly something we can look at for our recommendations. On masks and breathing apparatus, before this season various RFS personnel raised with me the belief that the masks being issued were not appropriate for bushfire fighting and that they could actually incinerate themselves. As far back as 10 years ago, the ACT government was in possession of advice from other jurisdictions that we should be investing in and changing the breathing apparatus and masks that are available to RFS and improving them. Do you have anything to say about that?

Mr Romano: The ACT RFS has committed again to a trial of masks, to look at it. I think some decisive action needs to be taken.

THE CHAIR: I thought the trial was over the last summer, so you would think by now we would be seeing some decision.

Mr Romano: As far as I was aware, the last time I inquired about it we were told that we were waiting for New South Wales or Victoria to do some further research and maybe piggyback on an order. We tend to do that a lot—piggyback on New South Wales orders. That means we are at their mercy. At the end of the day, we are almost back into fire season and there is still debate ongoing about what kinds of masks, how do we use them, whether they are full face, how does someone with a beard use them. It is a whole other can of worms.

This comes back to the difference between states and territories. The ACT, as a jurisdiction, does not train Rural Fire Service volunteers in breathing apparatus,

whereas in New South Wales there are brigades where members are trained in the use of breathing apparatus. That does not exist here.

THE CHAIR: Perhaps we could recommend improved training in the use of breathing apparatus and masks.

MR GUPTA: We saw during the bushfire season that the NSW RFS was the beneficiary of some amazing fundraising for equipment. How is that done in the ACT RFS?

Mr Romano: The ACT is supposed to be a fully funded service. That means the ratepayers pay for everything. Unfortunately, that is now how it ends up. Walk into an RFS shed, compared to a Fire & Rescue station; some rural fire sheds do not even have female toilets. They were told five years ago that they will get female toilets and they still have not got female toilets because there is no space in the budget.

The point is that the rural fire brigades here do fundraise and they have their own bank accounts. They have not fundraised anywhere near what some New South Wales brigades have, and we do have far better equipment. Our trucks are full. You go to some brigades in New South Wales and their trucks are empty, so we do have a really high standard of equipment and we do have a really high standard of training. But, unfortunately, what comes along with it is a lot of red tape.

I know a number of situations where stations have asked to build bathrooms or build extensions on to bathrooms. They have licensed tradesmen, licensed with the government, and licensed builders to conduct this work and the government has said, “No, they can’t do it. It needs to go through a government tender process, otherwise it would be unfair.” These are not people who are requesting money for it but are willing to do it for free. So a part of it is in red tape. But I have to say that we are spoiled in the ACT in terms of equipment. There is no doubt about it.

MR GUPTA: I am sorry to hear that there are no proper toilet facilities for females. Chair, can we put a strong recommendation on that, please?

THE CHAIR: Yes, absolutely. The other thing I wanted to go to was your experience of training. Some of the feedback we have is that training is not offered at the most convenient times for volunteers and it is perhaps sometimes RFS specific and sometimes it is across-service training. What is your experience of that?

Mr Romano: If you were to look into this space, the SES has done some really good work in the past year regarding training. I believe that involved paying not the participants but the assessors and running a range of different time slots—for example, running a five-day course, intensive, Monday to Friday, or running a four-day course over a weekend, Friday to Monday, so that business owners could participate and take only a very short amount of time away from their businesses.

I think it does have to be flexible and, at the end of the day, there is not one solution to fit everyone. You have 9 to 5 workers, you have people who work six or seven days a week, you have people who work from 6 to 3 and you have people who work from 9 till 7. So there does need to be some work in the training space.

THE CHAIR: Your suggestion is to take some advice from the SES about how they have managed to improve it?

Mr Romano: They have done it as a trial. It cost a little bit more because they paid their trainers. So even if the volunteers were doing the training, they were paid—not the participants but the trainer.

THE CHAIR: It does not seem like the biggest cost in the world when you are getting an outcome.

Mr Romano: Exactly.

THE CHAIR: I note that with the submission came several copies of correspondence between the VBA and the commissioner and they are worth noting. In particular, one letter is about respiratory and face mask options. Another letter goes to firefighter welfare, particularly based on the length of shifts, and this was during the bushfire season. The final one I have is a letter to the minister from the VBA basically asking for clarification on the future of the RFS. It is certainly something that we can raise with the minister when he appears before the committee. It is a theme that has come up a few times. Again, I do not see a packet of money to pay for a fully paid Rural Fire Service, so perhaps we just need to improve how we treat people.

Mr Romano: That is not what we want at all. As I said, we all do it out of the kindness of our hearts. Everyone has got different reasons for doing it. Why do people play rugby as a team sport? It is very similar. It is exactly like that. That correspondence attached is all stuff that has not been formally replied to. We have not received any formal comments. The letter to the minister has not been responded to and the letters to the commissioner have not been responded to.

THE CHAIR: That is pretty disappointing, so I am glad you attached them. We can certainly raise them with the ESA commissioner and the minister when they appear.

Mr Romano: Thank you very much.

THE CHAIR: Thank you very much, Mr Romano. I know your time is precious and we really appreciate you coming and representing the volunteers. I know there are many people who are at work today who, on a Thursday night, go and train for the RFS. I want to put on record again how much we value you and the work you do out of the goodness of your hearts and for the sake of the community, as well as for the personal satisfaction that you are doing something worthwhile with your time. I hope that as a result of our committee's report we will see an improvement to both the relationship with the ESA and the training opportunities and resourcing on the ground.

Mr Romano: You raised a good point, chair, which I actually forgot about it but it is within the submission. A number of members raised the topic of recognition quite highly, not because they want necessarily to be recognised themselves but they want when they are recognised for it not to seem—

THE CHAIR: Tokenistic.

Mr Romano: Tokenistic, yes. When they are recognised they also want not just them to be recognised but their employers and their family as well, because behind every firefighter is a family who also makes the sacrifice of risking that individual's life—fathers, mothers, brothers, sisters et cetera. The nature of the service is that people do not enjoy a tokenistic pat on the back. A great example of that was citizen of the year. Everyone appreciated being named citizen of the year but no-one appreciated receiving a certificate in the mail that was not signed, did not have individual names on them, was folded or bent. They are all things that took something that was really significant and that everyone was grateful for and turned it into something where people went, “Oh, really?”

I know the RFS are doing a great deal of work in terms of the national emergency medal and we wait to hear regarding the ACT emergency medal. Obviously that is something that cabinet has to decide on with the minister. But we hope that all that will be finalised before the next season.

THE CHAIR: Absolutely. My husband is in a community fire unit and he got the citizen of the year in the post and thought it was a little bit hilarious. He was not really able to be a part of the work of the firefighters this year because we were in Duffy. But he said it would have meant a bit more if it was related to something that he had actually done, so I understand that. I guess right direction, perhaps not quite great execution.

Mr Romano: Yes.

THE CHAIR: We look forward to hearing about the service medal for frontline serving personnel. We have long recognised those who go to war and go overseas to serve our country but we rely entirely on those who serve our country, paid or unpaid, at the local level. In a way, your work is never done because season after season it comes back and it is time to get the uniform on and go again. We thank you for all you do and for your service. We hope our report will be appropriately respectful to what you do and will increase and improve the chances of a really good relationship with the ESA.

Mr Romano: Thank you very much.

THE CHAIR: We will call the hearing to a close. Witnesses will be given a copy of transcripts to amend if anything has been misunderstood. Any questions that have been taken on notice we would love to get back five days after receipt of the proof *Hansard*. I call the hearing to a close.

The committee adjourned at 4.22 pm.