



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

STANDING COMMITTEE ON LEGAL AFFAIRS

(Reference: Inquiry into fire and emergency services)

Members:

**MR B STEFANIAK (The Chair)
MS K MacDONALD (The Deputy Chair)
DR D FOSKEY**

TRANSCRIPT OF EVIDENCE

CANBERRA

THURSDAY, 21 FEBRUARY 2008

**Secretary to the committee:
Ms R Jaffray (Ph: 6205 0199)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents relevant to this inquiry that have been authorised for publication by the committee may be obtained from the committee office of the Legislative Assembly (Ph: 6205 0127).

WITNESSES

PRINCE, MR DAVID LAURENCE, ex-chief officer, ACT Fire Brigade **1**

The committee met at 10.14 am.

PRINCE, MR DAVID LAURENCE, ex-chief officer, ACT Fire Brigade

THE CHAIR: Welcome everyone to the first public hearing of the inquiry into the ACT's fire and emergency services arrangements. I welcome David Prince, the first person to give evidence before the committee. Mr Prince, have you read and understood the yellow privileges card?

Mr Prince: Yes, I have.

THE CHAIR: I understand you have read that before, being an ex-public servant. I move:

That the contents of the privilege card be incorporated into the *Hansard* transcript.

That is accepted.

The document read as follows:

Privilege statement

To be read at the commencement of a hearing and reiterated as necessary for new witnesses

The committee has authorised the recording, broadcasting and rebroadcasting of these proceedings in accordance with the rules contained in the Resolution agreed by the Assembly on 7 March 2002 concerning the broadcasting of Assembly and committee proceedings. Before the committee commences taking evidence, let me place on record that all witnesses are protected by parliamentary privilege with respect to submissions made to the committee in evidence given before it.

Parliamentary privilege means special rights and immunities attach to parliament, its members and others, necessary to the discharge of functions of the Assembly without obstruction and without fear of prosecution.

While the committee prefers to hear all evidence in public, if the committee accedes to such a request, the committee will take evidence in camera and record that evidence. Should the committee take evidence in this manner, I remind the committee and those present that it is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly. I should add that any decision regarding publication of in camera evidence or confidential submissions will not be taken by the committee without prior reference to the person whose evidence the committee may consider publishing.

I also have a few housekeeping matters which I need everyone in the room to observe:

All mobile phones are to be switched off or put in silent mode;

Witnesses need to speak directly into the microphones for Hansard to be able to hear and transcribe them accurately

Only one person is to speak at a time

When witnesses come to the table they each need to state their name and the capacity in which they appear.

THE CHAIR: I also remind everyone: could you please turn your mobile phones off or at least put them in the silent mode. Mr Prince, if you would state your name and the capacity in which you appear before this committee.

Mr Prince: Mr David Laurence Prince, private citizen, ex-chief officer of the ACT Fire Brigade.

THE CHAIR: Mr Prince, firstly might I thank you for your submission and for answering the questions posed by the committee. We are assessing the issues raised and the recommendations made in various reports—McBeth, McLeod, the coronial inquest and other relevant reports. We are investigating, firstly, the current proposed structural arrangements in ACT fire and emergency services. I note you have addressed that. You make a number of comments in your report and state basically that the current arrangement is very similar to the ESA. You make the comment on page 9:

Considering the structure and staffing arrangements of 2002 and to appreciate the capacity of the ESA today would suggest that history may repeat itself; however only time will tell. The ESB of 2002 is very similar to the ESA of today!

You might like to comment on it. I understand the decision was taken by the government in July 2006 to restructure the then Emergency Services Authority into a non-autonomous agency working under the direction of JACS. Of course, as a result of McLeod, it had been made a standalone authority and then, as you would seem to indicate, we went back to the sort of situation we had in 2002. I would like you to comment on that—your reaction to the current structure and whether the previous structure, the one prior to July 2006 as a result of McLeod, is a better structure.

Mr Prince: The interesting thing about the structure of the Emergency Services Agency is that over a number of years, and in fact the last 20 years, it has changed on numerous occasions. In 1987, we had the Fire and Emergency Services; in 1992 it went to the Emergency Management Group; in 1994 to the Emergency Services Bureau; and then, obviously, the Emergency Services Authority/Agency through 2004-2006. During that period of time there were a number of cuts to budgets and, for a lot of years, about a three per cent cut during that period. We became a very small organisation in relation to response activity, not prevention or preparedness.

The move from the recommendations of Mr McLeod of 2003 was certainly a positive one, to go to an autonomous group where we had the ability, as senior officers, to go straight to the minister. As you are well aware, within an emergency, within operations, it is essential for people to be able to make decisions that are valid and quick for us to understand in relation to how an event may be coming out and affecting the community.

To move back under a bureaucratic approach, such as moving back into JACS, was probably detrimental. However, it was done on an administrative purpose arrangement purely in relation to financial management. The most important thing

about the structure should be public safety and how we work with our community.

THE CHAIR: So are you saying that, basically, if I understand you, the move back to this old type of arrangement was for financial reasons primarily?

Mr Prince: It appeared to be that, yes.

THE CHAIR: And that structure is not the optimum one in terms of public safety?

Mr Prince: I do not believe so.

THE CHAIR: The McLeod recommendations and the previous structure, the standalone organisation, are the optimum?

Mr Prince: It is the optimum, yes.

THE CHAIR: You have got 20 years experience in the—

Mr Prince: Twenty-six years and, in fact, 30 years in Canberra both as a police officer and firefighter.

DR FOSKEY: Before you go on there, would you mind expanding on your experience and your roles within the ESA, because your submission indicates a pretty broad understanding?

Mr Prince: I joined the Commonwealth Police and then moved into the Australian Federal Police 1977-1979. I joined the ACT Fire Brigade in 1981. I worked right through all aspects, both as a firefighter and as an officer—a training officer predominantly and project officer during the early 1990s in training, manager of training ACT Fire Brigade personnel—and then I actually operated as a project officer and operations officer during the late 1990s. I moved into a senior position during early 2000 where I was the deputy director of the communications upgrade project and then, probably a month after the 2003 fires, took up the role as the acting fire commissioner and was made chief officer of the ACT Fire Brigade in July 2004. During that period, I regularly acted as the commissioner of emergency services for those three years.

THE CHAIR: Did the move in July 2006 allow the ESA to retain any operational autonomy or indeed enough operational autonomy?

Mr Prince: I think it does. The issue, of course, is the way that the organisation is set up. It is set up to deal with day-to-day, basic emergency incidents, that is, paramedics attending heart attacks, going to road accidents, firefighters going to road accidents, house fires, SES dealing with storms and the Rural Fire Service dealing with the bushfires that we have during the summer period.

The difficulty that we have is the surge capacity of the organisation. It does not exist. The ability for the organisation in preparation for a major event is not there. They will push the organisation to its limit because the senior personnel are too few on the ground. If you have a look at the fires from 2003, a number of people worked 18-hour

days for over 10 and 12 days. That certainly makes it difficult for people to make sound judgements and good, valid decisions.

THE CHAIR: What did you feel about the decision to put, I think it was, about two additional steps in the chain of command between the minister and the actual service COs?

Mr Prince: I think it makes it difficult in relation to operational effectiveness, and the greater the layers in between make it a bureaucratic nightmare. When I originally joined the fire service, it was fire commissioner to minister—as simple as that—and that is how it operated. We now have, I think, three, four layers. So what you now have is the minister, chief executive officer, deputy chief executive officer, commissioner and now deputy commissioner of the fire services. So it is a fair way down the chain before you actually get to somebody. The operational decision is: it will be operationally paramount on that deputy commissioner to go straight to the minister in an event.

THE CHAIR: JACS has got a role in there, too, now which they did not have before?

Mr Prince: JACS will step out of the operational business. They will support and operate the governance of the organisation, but I think it actually muddies the waters in relation to whom you are actually reporting to.

DR FOSKEY: I was interested in two things that I would like to pursue at this point. One is: you envisage a different structure. I felt as though your submission suggested that we should not have separate services, that they should be brought together, but other submissions have suggested real culture issues that I believe would be a problem. I am wondering: one, do you think the best solution is to bring all the services together; two, what are the cultural issues you foresee; and, three, how would you overcome those or deal with them?

Mr Prince: Firstly, we have been working at bringing the four services together for 20 years. It probably has not been successful. So there is an issue there. So the commitment by any government is: do you want one service or do you want separate arrangements? That is a decision for government.

The second component, in relation to culture, is that it is very difficult from a volunteer perspective for people that are working full time and you do have different cultures. Paramedics operate differently to firefighters; firefighters operate differently to volunteers; and then you have the different strains of volunteers all contributing to the community, all wanting to make sure that we have a safe environment. Paramedics and the ambulance service would naturally appear to be the first line of health and were originally in health and were drawn out of health in about 1993.

The SES and the Fire Brigade are now working regularly together, especially in the built-up area and structurally, and would regularly work together. So they are a natural mix. Both the territory and municipal service firefighters out of TAMS and the Rural Fire Service volunteers working in the ESA work on bushfires. There are natural separations if you wish to go that way.

And the third point? Was there a final point?

DR FOSKEY: How you would see that we could begin to work on those issues of the culture.

Mr Prince: I think, strategically, you have to make a decision at some point in time that you want one culture or you are willing to keep the four separate cultures—certainly, in fact, five separate cultures if you look at the public service arrangements. The decision by the then commissioner, Peter Dunn, was to keep the separate cultures and have four separate chief officers, and that arrangement appeared to work very well and was working very well until the decision last year to actually change that. The pressure now on one person to manage three different cultures from one position, I believe, is quite difficult.

DR FOSKEY: And would you say that is primarily a resource decision to bring them all together like that? It is actually cheaper to do that than to maintain them as separate services, even if it is not as efficient?

Mr Prince: It may well be, and I think that was the original decision that there was duplication and that, from an administrative point of view, from the administrative umbrella for those four agencies, you could actually gain efficiencies by doing it differently. I do not know whether we ever have. It has just continually been a battle for all the agencies.

THE CHAIR: So you would agree with the McLeod recommendations then that—

Mr Prince: The four separate cultures be kept separate?

THE CHAIR: Yes?

Mr Prince: Yes.

MR PRATT: Following on from the question before about the reverse of the structure and the layers of command—and I would see five layers of command, when you consider that the chief officers still have that step in the chain of command—would it also be true that, in addition to the fact that you have got so many layers of command and therefore a large gap between ministerial oversight and the frontline units, that is not just the issue? It is also that when you have got RFS captains or Fire Brigade district officers managing an incident they have got behind them so many layers of command overlooking what they are doing. Is that also, therefore, not a recipe for disaster as well in terms of being able to respond quickly and allow people to get on with fighting the frontline battle?

Mr Prince: A single commander who makes decisions in an autocratic manner in relation to emergencies is important—in fact, it is paramount—and any greater layers that you have in there are going to add to the confusion. We do not in an emergency need that sort of confusion added.

MR PRATT: Which is surely the lesson that was learnt after the 2003, fires, is it not?

Mr Prince: That is correct.

MR PRATT: You have mentioned earlier that McLeod had pointed all this out. It is very interesting when you look at Doogan. What is your comment on Doogan's observation in her coronial inquest report that it became public knowledge that adoption of one of McLeod's primary recommendations, that the Emergency Services Bureau be replaced by a statutory authority, the ACT Emergency Services Authority, has been reversed by the ACT government? She then goes on to be quite critical of that. Can you make a comment on Doogan's observation?

Mr Prince: Obviously analysing the events and having, over a number of months, critically analysed what occurred, it appears that the coroner herself was concerned that that had occurred. The decision was a government one. I will probably leave it at that.

MR PRATT: You said that you had some confidence that the Emergency Services Agency, even though it is not an independent authority, is still going to be operationally responsive when the balloon goes up, so to speak. But is not it also true that, with JACS maintaining a watch over the ESA and having some administrative control, you have still got those confusions in place and the ability of the ESA commissioner, and indeed his deputy commissioners, to get assets and resources quickly is therefore much more difficult with this bureaucratic mire?

Mr Prince: That may well be the case. I think the most important thing here is the planning process and preparing for emergencies. We must, as professionals within the emergency service environment, be able to consider the possibility and therefore prepare, that is, having staff, equipment and the community prepared to deal with an emergency, whether it be a flood, a bushfire or a major structural fire.

The question is: do we resource the Emergency Services Agency in such a way that they can plan and exercise all their plans to ensure that all departments, the community and all the officers playing a role within that emergency understand what they are doing? And the clarity of that is the issue. If people understand what is expected of them and operate in such a manner that is appropriate to the role that they have been designated during an emergency, it will work. If they have not done that, it will be an issue.

MR PRATT: When did you leave the service?

Mr Prince: I went on leave on 16 March last year and then officially left on 30 May.

MR PRATT: You were around at the time that the RFS demonstrated and went on strike?

Mr Prince: Yes, I was.

MR PRATT: In your professional opinion, can you make an observation here: did the RFS captains and vice captains, the 40-odd who went on strike, as they said, in response to the failure of the senior bureaucracy to consult with them about the restructure, have a point or were they being too bloody-minded?

Mr Prince: I suppose we could discuss consultation at length, and it is an issue for any organisation to make sure that they consult appropriately. I believe the decision was probably not consulted at the end point. It was discussed prior to that and people understood that changes were coming, but the immediacy of it and how it came out so quickly for them was probably insufficient to actually reflect and consider.

THE CHAIR: You may not be able to answer this, but have the ongoing morale problems improved and has there been better and further consultation between the volunteers and senior management?

Mr Prince: My feedback is that morale is as low as it has ever been in the organisation and people are not happy. That is only from personal feedback from a number of people, and that is not many. And I do understand that the issues with the volunteers and ESA senior management are fractional, to say the least.

MS MacDONALD: Can I just ask, Mr Prince, what you are doing now. Since you have left, what is your—

Mr Prince: I sought employment in May of last year and have been working on a contract basis with the Australian Federal Police.

DR FOSKEY: I am interested in the arrangements for land management in regard to fire because, apart from the services that we know are identified within emergency services, there are also a number of departments and officers who have roles in relation to land management. At the moment, say there should be an emergency, another fire, what happens there? We have got people working for TAMS, there are park rangers and no doubt you can identify other people. Are they all brought under the command of one person, the commissioner or I have no idea who? If you could tell me how that works and did work and what would be the optimum arrangement. For instance, the idea that, in terms of management for fire prevention, protection and putting out, should the fire authorities have an overriding role of coordination across those departments and does it?

Mr Prince: There are two departments. Obviously Territory and Municipal Services are looking after parks and all the land around the ACT and managing that land and are an essential component. A separate component is the fire arrangements. Whilst they have firefighters within the Territory and Municipal Services parks officers, they will normally work under an incident controller from the Rural Fire Service. They may provide a number of incident controllers themselves, which they do.

I think having two chief executive officers in relation to the management of both fire and land management at times would be in conflict, not only from a resource perspective but also from a decision-making perspective; so it can add a layer of confusion as well. I would think the best arrangement would be to have, as I stated in my submission, a single CEO overlooking both the land management aspects and the bushfire arrangements.

DR FOSKEY: And where would you have that CEO placed?

Mr Prince: That is a decision for government, not for me.

DR FOSKEY: You can have opinions.

Mr Prince: I would think, if you are going to sit with the land managers, that the Rural Fire Service would naturally sit with Territory and Municipal Services so that they actually work hand in hand together and continue to operate on a daily basis so they understand how they are going to operate and work and function, rather than having any, I suppose, differing opinions.

THE CHAIR: I have got some more questions in terms of some of the administrative arrangements and some of the other potential issues, such as Fairbairn, which we will come to. But in your submission you refer to land managers being appropriately resourced to ensure the upkeep of trails and the necessary work is actually maintained. You have been involved for over 20 years. What work has been done on the trails? Do we have a problem in terms of inability by our emergency services actually to get to trouble spots, which we clearly saw in 2003 where trails were overgrown and had not been maintained for 20 years?

Mr Prince: I think it is always a difficult upkeep. It is probably like the Harbour Bridge; it is a continual process and you must resource it. There would always be difficulties if the body of works is not being completed on a regular basis and being assessed by park managers. That is a decision for TAMS, in my view. They do need to be resourced. The key point here is to ensure that the key trails or the core trails needed to actually keep parcels of land in such a manner that is appropriate to firefighting is probably an issue for those land managers themselves.

THE CHAIR: In your recent experience, has that occurred? I would have thought it would have been a no-brainer after 2003 that that—

Mr Prince: I believe a significant body of works was undertaken after the fires. I could not tell you, in the last 12 months, as to the continuation of that work and whether or not it has been resourced.

THE CHAIR: Can you say whether in fact the key trails are actually open or were open as at the time when you ceased to be employed?

Mr Prince: I believe they were, yes.

THE CHAIR: That is something at least. Actually in relation to the relocation of Fairbairn, I understand you would have been very much involved in that whilst you were still there. When did you first receive instructions on the proposal or request for comments to relocate the ESA and its service headquarters to Fairbairn?

Mr Prince: Now you have got me. It would have been, obviously, early 2004. When I say “early”, it could have been March, April—somewhere around that time period.

THE CHAIR: First quarter.

Mr Prince: Yes, first quarter.

THE CHAIR: What was the deadline for the relocation? When was the move meant to have been finalised by?

Mr Prince: I think it was July 2007, if I recall.

THE CHAIR: And it still has not been finalised, I take it?

Mr Prince: Discussions with government and Treasury and the airport were ongoing when I left, and it is a matter that has been left with the department and the government.

THE CHAIR: Do you know what is being paid a month at Fairbairn?

Mr Prince: I could not give you the exact figure; I would be guessing and I would rather not guess.

THE CHAIR: What did the Fire Brigade, to start with, think about the relocation and what are your views on the relocation? Is it a good idea or is it something that should be revisited or scrapped?

Mr Prince: The Fire Brigade, from, I suppose, a day-working component actually operate out of four separate areas—Curtin, Rae Street and Egan Court in Belconnen and they have their operational district officers sitting in Forrest fire station. We saw it as beneficial to get our teams together from a training perspective and have all the admin team together. Operationally, there was an issue in relation to time of travel into Civic and response through that Pialligo nightmare, I suppose, as far as the road system was concerned. We were also concerned about the north road being opened into Fairbairn and looking at some sort of access across onto Fairbairn Avenue from that north road as well, but that had not been decided either. It would have extended response times if we had any response vehicles out there.

THE CHAIR: I understand there are communication problems. Are you aware of those coms problems in terms of the actual site?

Mr Prince: I do not believe there were major problems. I think there were issues that had to be discussed with the airport in relation to how that was going to work. My view on communications and certainly the position I had in place before I left was that I believe there should only be one communication centre in the ACT. That should be at the Winchester police facility, and with all emergency services in one area, so that any 000 call that came in could be discussed by all agencies at the point of entry.

THE CHAIR: You indicate in your submission that some other states actually have ESA very much under police and you seemed to indicate that it might not be a bad idea to have them under police.

Mr Prince: It is certainly an issue in the Northern Territory where it operates and functions quite well because it is a smaller jurisdiction. In the larger states it is not necessary because they are large infrastructures. If you look at the New South Wales fire brigades, with over 6,500 people, they have a very big organisation and the

support infrastructure, which is the key. Training, HR, finance, any sort of prevention or preparedness work, planning work, is being done with a number of people. In a small jurisdiction you really do not have the numbers to do the work that is necessary. In 1974, when we actually left the New South Wales fire brigade, the ACT Fire Brigade lost its major core infrastructure out of Sydney because it ended up being about four people looking after the fire service here in the territory.

MR PRATT: Just going back to the Fairbairn headquarters relocation subject, one of McLeod's major recommendations, No 19, was:

The ACT Government should take urgent steps to upgrade the Emergency Services Bureau's operation command and control facilities—either by carrying out a major refurbishment of the existing facility at Curtin or, preferably, by relocating ...

He said “an urgent upgrade”. Was it your view at the time that McLeod was right?

Mr Prince: Yes, and it remains that. It is still an urgent need. The facilities at Curtin are inappropriate in relation to a major event.

MR PRATT: So you would be fairly disappointed in terms of your own professional opinion about these matters that four years later there is still no resolution to this matter?

Mr Prince: Certainly disappointed. It is a difficulty that you have to work through appropriate process, and due process is something that you always have to deal with with government. I suppose finding an appropriate site and moving into an appropriate site will always take time. And if you consider the budgetary arrangements for anything, you are talking a minimum three years to make that decision, if you have made it, and if there are any glitches in between it is going to be extended.

DR FOSKEY: Can I just jump in there. In your opinion, what would be the criteria that you would apply to identify the ideal site in Canberra for placing the centre?

Mr Prince: I would be looking for the geographic centre of Canberra, which is probably the Cotter Road and the Parkway.

DR FOSKEY: Something like near where the forestry headquarters are?

Mr Prince: Somewhere in that arena. In fact, if you look at the Joint Services College, that land there, that allows you to go north, south, east and west and is probably the most obvious place for emergency services headquarters.

MR PRATT: Yes, with good laterals.

DR FOSKEY: Do you think the Molonglo township idea, which is going to lead certainly to the removal of the RSPCA—I think the Joint Services College is a bit out of the government's control—might have been a reason why it was not optimally placed?

Mr Prince: I think that is an ACTPLA issue in relation to planning and available land and certainly an issue for government and ACTPLA in relation to what is the best site and what is available for the headquarters.

THE CHAIR: So clearly the airport is not?

Mr Prince: It would not appear to be, would it?

THE CHAIR: No, just geographically, I suppose.

Mr Prince: When you actually look at the map and you understand how you are going to operate within the environment.

MR PRATT: Particularly with the Majura Parkway, Pialligo Avenue and the complex of unfulfilled road projects clogging that precinct, it would be a bit of a disaster, would it not?

Mr Prince: As I said, certainly from an administrative point of view you could put your headquarters there and you could operate, but from an operational point of view it would not be a sound decision.

THE CHAIR: Mr Prince, on page 9 of your submission, you talked about the size of the ACT, the impost on the local budget and the internal supporting infrastructure within ESA is insufficient to ensure that all legislative obligations are met. You state:

The need to seriously consider outsourcing emergency Services and contracting them in to the Territory needs to be assessed.

What do you mean by that?

Mr Prince: There was a recommendation by the coroner to actually do that and have a look at it. I think it was recommendation 22, if I remember correctly. I am not sure that we actually did that. I think we just made a decision not to look at it, and I believe that with any critical analysis you should look at all of your options and see what is available.

THE CHAIR: How would you see that working? Would you see us being able to call on additional services during an emergency, yet maintaining our own, or would you be seeing a total contracting out of this?

Mr Prince: I suppose you would have to make a decision in relation to all components. How is health going to operate and where do the Ambulance Service sit there, state emergency services, Rural Fire Service and obviously New South Wales fire brigades? If you consider the planning arrangements through New South Wales fire brigades, they may do it certainly differently to the way that we currently operate here, the same with the Rural Fire Service, et cetera, et cetera. So it would be something that you would want to analyse to make a decision on.

THE CHAIR: On another point, talking point No 6, about public education and

awareness campaigns, you felt that schemes where children are informed about emergency three times over their school years appear to have the greatest success, where information is imparted and remembered through reinforcement methods. Do any other states or territories—

Mr Prince: Victoria are the leaders on this at the moment. They actually run their fire ed program for the kindergarten kids as we do here in the territory. They then do year 6 or 7 again, they actually go through a program, and then obviously in the last year, in year 12, they actually have another program as well. So they are actually making them aware of emergency situations right throughout their school curriculum. The issue there comes back to driving; especially they look at driving. Education in relation to driving and road accidents is the key point before they get going but you can also hit key emergency community issues as well.

MR PRATT: Just going back to Fairbairn for a moment, please, Mr Prince. You were acting commissioner in late 2006. I cannot remember exactly when.

Mr Prince: I can tell you. It was June 2006 right through to September, so three months, and then I actually had another stint before Mr Manson came and then when he went on immediate leave, so another couple of months late 2006, early 2007.

MR PRATT: Thanks for refreshing my memory. At that time that you were there, if you like, with the sudden departure, of course, of ex-commissioner Peter Dunn, in some respects you were left carrying the baby. Can you recall, therefore, roughly what sorts of contractual arrangements were in place with the Fairbairn airport administration, when those contracts commenced, when the rents for those buildings commenced and, roughly, can you even give a minimum value of what you think the outlays per month of rental accommodation for Fairbairn might have been?

Mr Prince: No, I cannot do that last bit. As I said earlier, I do not wish to guess. The issue in relation to Fairbairn: I wanted to make sure that the contractual arrangements and the appropriateness of how we were going to move forward were checked; so I discussed things with the chief executive officer of JACS, Ms Renee Leon, and Treasury in relation to how we were going to operate. Those things were reassessed, contracts were looked at.

On your second component, I think we were supposed to begin paying rent in December, or it could have been November—November or December—2006. But whether or not that was actually moved because of discussions with government and the airport, it may not have been until probably March or so 2007 when I left that they were to begin.

MR PRATT: Again, as a professional observer, it would appear that rents have been paid since at least December 2006 until now for an area which is largely unoccupied by emergency services agencies and headquarters, with the exception of the RFS and the air component, correct?

Mr Prince: I believe so, yes.

MR PRATT: I have heard something in the order of, I think, \$22,200 a month or

something like that.

THE CHAIR: \$220,000, I think.

MR PRATT: Add another zero to that. We could be talking about a significant expenditure of money for a facility which is not even working.

Mr Prince: That is correct.

MR PRATT: Do you happen to remember, from when you were in the chair, what the difficulties were with the airport precinct and about progressing the arrangements to relocate?

Mr Prince: Certainly there was a decision about building the new headquarters, where we were going to build the new headquarters, how the facilities were going to look, what arrangements we could actually make to ensure that the buildings that were being built out there were appropriate. There were discussions around the contract and the decision to move forward.

MR PRATT: Do you recall whether there was a problem with the standard of the buildings which the ESA had taken on?

Mr Prince: One building had a problem with the roof and it needed some work to be done, and that was being negotiated to have that work done.

MR PRATT: Concurrently with all that, do you recall concerns expressed by the chief officers of the services about relocating, in terms of the appropriateness, going back to previous answers that you had given about the suitability of Fairbairn?

Mr Prince: Certainly it was seen as suitable, as I said, from an administrative point of view so that we actually had the headquarters and we could operate out of there successfully. Operationally, the chief officers recommended that it was not appropriate to actually respond vehicles from that point.

MR PRATT: In your considered opinion, why do you think, on the first day of total fire ban in this current bushfire season, it was necessary for the RFS incident control management team to relocate back to Curtin?

Mr Prince: I could not answer that.

MR PRATT: You do not know the reason.

Mr Prince: I was not there and not privy to the decision.

MR PRATT: And finally in this vein, are you aware that there are infrastructure communication difficulties at Fairbairn in terms of its linkage to Mount Ainslie?

Mr Prince: That may have been found out in the last 12 months. I was not, prior to leaving.

THE CHAIR: In relation to communications, there have been some big problems with communications. For starters, I understand that there are meant to be 15 TRN towers. Do you know why it has taken the government and ESA four years to establish, I think, nine out of the 15 towers?

Mr Prince: Certainly. I think there have been contractual arrangements. Getting people into remote locations to actually put these towers up, that is part of it. Obviously within the funding arrangements, making sure that how they are actually phasing that through the structured project management arrangements have been issues. But the exact reason behind it, you would have to speak to somebody from InTACT who actually assists in managing that area.

THE CHAIR: Was it your understanding that the new TRN system was deemed urgent to be established; in other words, it was a real safety issue?

Mr Prince: It was and obviously the communication in relation to interoperability is always an issue. If you look at the territory and the topography of the territory, we could say that 95 per cent of our business is around the built-up area. As soon as we go into remote areas we are going to have difficulty. The terrain is such that from a communications point of view it is always going to make it difficult. So you had to look at alternatives. I know that the Rural Fire Service, every time that they went into remote locations, found it very difficult to communicate appropriately back to Curtin or even to themselves at times.

THE CHAIR: I understand that back in 2002-03 the then ESA had been working on the form of vehicle, locating a digital data communication system—I think it was something into the CAD system which had been upgraded for the ACT Fire Brigade and also the Ambulance Service—which was meant to be adopted for use by the Rural Fire Service and the SES. I understand that plan was scrapped and FireLink instead was put forward as the thing that they wanted to identify for application. Do you think the CAD-link system could have worked, and indeed would it have been faster and cheaper to adopt that rather than FireLink?

Mr Prince: It certainly could have worked and it would have been appropriate, as I said, for probably 90, 95 per cent of occasions.

DR FOSKEY: Can I just ask a couple of things. There have been some differing opinions about the usefulness of the ACT Bushfire Council. I wonder whether you could give me your opinion on that and how it is useful at the moment and how it could be made more useful.

Mr Prince: I think the ACT Bushfire Council are very important, and the reason I do is they actually audit through a number of significant professionals from within the territory and from outside the territory who have large experience with the bushfire phenomenon. This allows them to test and check the arrangements in relation to bushfire management in the territory and give advice to both the commissioner and the minister. So that audit process is something that we should be thankful for, and that sort of scrutiny is essential to make sure that we are considering all aspects of our business. I keep saying “our business”; I should not be saying that anymore—but the business.

I do believe they have a place. I think that working together with the ESA, the minister and the community is their role. And if you look at their original establishment in, I think it was, 1936—1939, was it?—in 1939, they have been around the town for a long time and provided great benefit to the community. So I think the continuation of the way they operate is essential. There may be other facets that they could consider in relation to how things operate. But I think checking the plans and assessing the way ESA is operating is very beneficial.

DR FOSKEY: I want to ask one more quick question and then I will bow out. You have talked a lot about resources and the inability to muster a surge capacity. I wonder whether you could go back to January 2003 and how much that was an issue at that time. And if you would like to weigh up more resources and the way that emergency service is organised, how would you get the balance between those two things?

Mr Prince: The organisation of the plans, making people exercise through processes and preparation, and ensuring that everybody understands what is going to happen when an event occurs. I think the issue for us during the 1990s was we did not have that capacity to exercise; we certainly did plans. And one of the worst things about plans is you can develop them and then they can actually gather dust. And that is a critical issue. We need to test them and exercise them regularly.

That has certainly been shown out of the London emergency services liaison panel where, since 1972 or 1973, they have actually been meeting on a monthly basis and conducting exercises within the London community. And when we had the bombs of July 2005, it was clearly seen as something that works. So the testing and exercising of your plans is the key point and you need to be able to resource that. The ESB, and possibly the ESA today, do not have that capacity to do necessary exercises and test the plans on a regular basis.

If you look back at that day, there were insufficient numbers at a senior level with senior leadership command and control skills; the involvement of the bureaucracy in operational decisions, which was inappropriate at that time and certainly was stated by both McLeod and the coroner; and the fact that people were not prepared or ready to be recalled. So the recall process to the surge capacity is necessary. The communication systems also failed, as we saw with both the telephones and the radio system on that day.

THE CHAIR: A few questions from me. On that day, two of the biggest criticisms we hear are that, one, the fires when they could have been put out were not put out; and, secondly, unlike 2002, when the population was warned, people were not warned. I would like your comments on those two points.

Mr Prince: I think the leadership capacity of the organisation has not been grown over the years, and a leadership development program making sure that people have the appropriate skills to operate at that level is essential. As to the decision in relation to warning, I am probably as confused as the community is in relation to why we did not do it. Certainly it was an error that was unforgivable.

THE CHAIR: I have got one other in relation to communications. While you and

your service, I understand, were not directly involved, what did you think about FireLink? Was that a system that could have worked?

Mr Prince: Very difficult, as I did not probably analyse it as I should have. I had a brief understanding. At the time as chief officer of the Fire Brigade, I was more than comfortable with the system that we were operating. The Technisys system that we were operating within our trucks was operating very well. FireLink has an ability to actually give you plans and give you information if you are feeding it and have the appropriate gear on the ground. It is a tool; it is not a system that is going to actually help you make the decisions that you need to. I think that is the difference in relation to technology v process.

Getting the process right, making sure that you use the technology as a tool to assist you, and then making those decisions through strong leaders all need to come together. I think we needed to do considerable work with the people and the processes to make the technology work. It certainly would have done a lot of things for us if we used it to its full capacity.

MR PRATT: The Technisys system which was linked to CAD and which the Fire Brigade and the Ambulance Service had used in 2002-2003 was upgraded, I think. I understand that the RFS communications section were very keen to try to adapt—and I think that question has been asked previously—that perhaps to the Rural Fire Service and the SES as a vehicle locating system. You have initially said that might have worked. Surely, if they had gone through that adaptation, perhaps there would have been a vehicle locating system in place far quicker than what is currently the case, for example, the failure of FireLink?

Mr Prince: I agree. It was not adapted and was not moved across to the RFS, for a number of reasons, because it was not seen as appropriate in the remote areas. As I have previously stated, 95 per cent of the fires that the Rural Fire Service attend are not in remote areas.

MR PRATT: In fact, Technisys may well serve the RFS in terms of its operations in the bushfire abatement zone and, as you say, a very significant part of the ACT landscape?

Mr Prince: It certainly could have.

MR PRATT: In terms of FireLink, though, again, you have come in as acting commissioner and you have been given another baby called FireLink. We have heard what ATI have said; they have said that if there had been additional IT upgrades it could have worked perfectly. Do you have a view about that? Could there have been more effort put into trying to make FireLink work in 2007?

Mr Prince: Technology and IT is a hungry beast. I suppose the main issue here is that if you keep throwing money at something you have got to look at the maintenance program and the ongoing costs in relation to contracts and how you are going to utilise the system. We were certainly, if you remember in 2006, cut in relation to funding and we had to make some decisions. And the critical analysis of the ESA budget was done on numerous occasions, not only through the expenditure review

committee but through Mr Costello and, internally, four or five iterations of trying to see what the problem was. We could not put the necessary funds into that area to resource it appropriately.

MR PRATT: So by then FireLink had just run its course. Certainly in terms of the government's intention to have a digital data communication system like FireLink identified and in place by bushfire season 2004-05, three years later, is it your view that the project was a total failure?

Mr Prince: I think, with any project, it is the scoping and consideration of the use of the technology which is the most important thing. Whether or not we rush into it, I suppose, the proof is in what has occurred. So we have to ask ourselves: with any project management arrangements, it sits with the ESA; it certainly did not sit with government; and we have to make sure that as you assess what you are going to do in a project you need to scope it appropriately. So those decisions, early, should have been made by the ESA.

DR FOSKEY: Hang on there. I got the sense from what you said to the question preceding that last one that you really felt it was looked at and looked at where cuts could be made and FireLink, this hungry beast, even though it worked or could work, was seen as—this is me speaking, not you—the place where they finally stopped and said, “Yes, we can make the cuts there.” That is what I heard you say.

Mr Prince: I think the decision to actually move away from FireLink was done after I left.

DR FOSKEY: Yes, I know it was.

Mr Prince: I would say that, again, it is a decision for both the ESA and government and I would have to say that, with any assessment of technology, you have to see whether or not you can continue it appropriately. The decision by the ESA was to move away from it. Again, it was the commissioner's and the minister's decision that it was appropriate to do so. I cannot expand on that.

DR FOSKEY: Except you did say that it worked or would work.

MR PRATT: In 2003-04, \$23.6 million was appropriated for a large slice of communications programs. McLeod identified that this was a priority, of course. How do you feel about the fact that four years later they have still only got nine of the 15 trunk radio network communication towers up? What is the problem there? Is it contractual or did they perhaps run out of funds? Do you have a view?

Mr Prince: There was the maintenance of the previous system. They were attempting to run two systems for the RFS, which made it difficult, and certainly you had the rest of the CAD and the Technisys system being run as well. So you were attempting to actually do a number of things at the same time and you had competing priorities. I believe the ESA had to assess which was the most appropriate, and that is what they did.

MR PRATT: If I could turn to preventative planning and the strategic bushfire

management plan, et cetera. McLeod's recommendation 53 was very, very clear about the need for better preventative planning. He talked about the McBeth inquiry of 1994. You may be familiar with that.

Mr Prince: I am.

MR PRATT: In terms of very heavy fuel fire loads, he really stressed the need for a plan. At page 215, Doogan was saying, "Fine, you have got a strategic bushfire management plan four years later. However, the plan must provide a basis for bushfire hazard assessment and risk analysis and prevention et cetera." But then she goes on to make a comment "wonderful plan" but there is no detail in how this plan is going to be implemented. "However, it lacks detail about how the objectives will be implemented." She was very critical of the strategic bushfire management plan and the fact that it was still in draft form. In terms of the very critical issue around preventative planning, what is your observation? Is Doogan right?

Mr Prince: The capacity and capability of any organisation to plan and then resource those plans come back to this exercising that I continually will reiterate. The training, the exercising of plans, is absolutely paramount for the community and for the people working in the organisation. If you consider that you put a plan together and you say that you have completed the plan, it can never be an appropriate plan until it has been tested, re-evaluated, reviewed and continually touched up, upgraded. So that is a continuing process. It does not matter if you have written a plan; you have got to use it and you have got to understand how to use it at the time of an event or an incident.

Yes, the coroner is correct. You have got to be able to say it is not in draft form; yes, we are testing it; and people understand what it means to operate within the functions of this plan. Again, you go back to the fact that you have got TAMS and the ESA—competing priorities, competing resources—trying to manage bushfire mitigation within the territory.

MR PRATT: Would it also be true that from a concrete plan, which is no longer a draft—and you may or may not know that apparently we are still at SBMP version 2, still not in any other than a draft form—would emanate, therefore, the public information and the public education that we need to ensure is out there so that everybody in the territory has got a fair idea of what is going on? Do you have an observation to make about that?

Mr Prince: Certainly. The Emergency Services Agency and all of its agencies were built on response and they were never really in that preventative or preparedness area, other than a couple of small cells. The planning arrangements immediately after the fires set up by the then commissioner, Peter Dunn, had a team of about four or five people working on plans and working through a joint operational planning group and bringing the agencies together, not only internally but externally from the ESA. I understand that, with approximately 80 to 100 staff leaving since 2006, that planning cell is down to about one or two people and they would not be able to keep up with the considerable amount of work in relation to developing the plans, let alone testing or exercising them.

MR PRATT: Doogan makes a comment that she is concerned that perhaps many of

McLeod's recommendations have either been "ignored or even reversed" and says, for example, in terms of the reversal of the ESA from an autonomous body to a non-independent agency, that this recanting of the adoption of an important change prompts one to ask how many other initially adopted changes have similarly been reversed or had their implementation stalled or abandoned.

On the recommendations of McLeod about the warning system and the need to warn the community, are you satisfied that all of those recommendations have been implemented, or is Doogan right here? Does she have a point?

Mr Prince: Certainly there is a point. The issue here is managing to educate the community and having them prepared. You need to put considerable time and effort into that component. As I stated earlier, it is a response agency. The community education side, the preventative and preparedness side, is one that needs a lot of resources. And if you are going to prepare people to understand what to do in an emergency, they have to be interested.

I think I stated clearly in relation to community education a lot of people are not interested until they have been involved. Unless you have been in a motor vehicle accident, had a house fire, had a burglary or actually been involved in a bushfire, you are really not interested. But then when that fire comes and hits you, you think, "They gave me something. They gave me actually an emergency pamphlet. What do I do with it? Bottom drawer, bin, it has gone. What do I do?" So people are not necessarily prepared.

The issue around this whole planning process is the key, and it is the strategic vision of the Emergency Services Agency in the future that is absolutely important. I believe government and the community must have an agreed position so that the continual inquiries into the emergency services and its agencies stop. Let us have a 10-year or a 20-year vision. We are going to manage the uncertainty in the next 10, 15 years in relation to weather and certainly global warming. There are a number of factors that we need to anticipate. I believe, honestly and professionally, that a planning component, the exercising and training of both the community and emergency services personnel, is the key to the future.

DR FOSKEY: Can I ask a supp to that. You mentioned Victoria before. I wonder whether you are familiar with Victoria's program. Unfortunately, I cannot remember the name of it but it involves having at least a number of coordinators, community development people really, working with various communities, I suppose, particularly urban edge, fire-prone towns, to develop a community plan such as if there is someone in your street whose garden is all amuck, an elderly person, the community goes and helps that person. It would mean that, if there were a fire there would be not a single person who would be burnt in their house because people would have a way of knowing who was there. I cannot remember the name of that program.

Mr Prince: Community fireguard, community fire units.

DR FOSKEY: Yes, that sounds like it.

Mr Prince: And if you look at the way that the CFUs have been developed here and

the way the volunteers are working, that is certainly starting to occur in certain areas of Canberra in preparing the community. Again, you have got to be able to resource that. You have got to make sure that you have got a workforce plan that allows you to have an appropriate structure and numbers of people within that preventative preparedness area, in that community education area, to actually develop that. It is a decision that government has to make in relation to risk and if they are willing to accept the risk and the possibility of future events that sits with any government.

I think we can see, over the last 20 years, it has not just been an issue for today; it has been an issue for people to say, “Let us take the risk; let us say that everything is going okay on a day-to-day basis. But in the case of a major event, such as 2003, are you ready, are you prepared?” And that is the key. When you ask yourself that question you start saying, “We are probably not.” That is the real issue here. It is about having a plan for the future and being able to commit resources to look at a new future for ESA.

THE CHAIR: Are we prepared now?

Mr Prince: I would suggest that the people on the ground are doing a fantastic job and are real professionals, both volunteers and career personnel, and are putting a great effort into the community. It would become difficult from a leadership point of view, from a command and control point of view, if you are not testing your senior leaders and your senior team to actually operate in a major incident. I would suggest that we are probably not quite there.

MR PRATT: So we can rely on our front-line units—they are professional; they are absolutely enthusiastic—to deal with the day-to-day emergencies but, if there is a macro event, are you saying we do not have that much confidence in strategic management and leadership?

Mr Prince: You have that confidence in senior personnel within the emergency services business. What you do have to do is make sure that people are prepared and they have tested and exercised themselves. I think from a command and control point of view you have got to test your teams and you have got to test your systems. If you know that they are going to operate and they are actually going to meet the surge on a major event, then you should be confident. If you have not done that, then you would be concerned.

THE CHAIR: And I take it that has not happened?

Mr Prince: Obviously through Isomex, we have done things through police forces and the services; obviously through the airport with planes down, yes. But if you look at such things as floods, if you look at such things as major storms and how we are actually going to scale up and deal with the damage and the concerns that we have in the community—you only have to look at cyclone Larry here, cyclone Katrina in the states—there are going to be issues. It is about clearing and having a simple system where people understand who makes the decisions and why they are being made.

MR SMYTH: Following upon Mr Pratt’s line of questioning on recommendations, there was a fire on Christmas Eve 2001. Following that, there were a number of

reports that came up with 109 recommendations. Were those recommendations ever implemented properly?

Mr Prince: Now you are stretching me, Mr Smyth. I believe a number of them were done, but I would probably have to refer back to one of my cohorts in the old ESA days to find out what the final number completed out of those 109 was. I have got a feeling it is in the vicinity of 90, but I cannot remember. There might have been a couple of outstanding ones.

MR PRATT: With the departure of senior staff in late 2006, early 2007, I understand that half of the RFS headquarters had disappeared after you and others left. Is there a corporate knowledge problem now at the RFS headquarters and the ESA headquarters level? Have good staff gone in such numbers that it would impact on the corporate knowledge?

Mr Prince: I think that is a question for Commissioner Manson and his team. I would not like to answer that because I obviously have a biased opinion.

THE CHAIR: You can still give your opinion, I suppose. Yes, give your opinion.

MR SMYTH: But it is true that probably decades if not hundreds of years of experience has gone. You were an officer for how long? More than 20 years?

Mr Prince: Twenty-six years.

MR SMYTH: The planning cell is gone. The former heads have all gone. Many of the middle-level managers, people like Dave Ingram, have gone. RFS lost four or five key officers just in December last year. Surely with them has gone knowledge of old fire scenes, of how the wind and the conditions will affect a fire in different locations. This is experience you cannot buy, but the loss of that experience must surely have a detrimental effect on their ability to respond?

Mr Prince: It is a significant loss in any team. I think that, when you are going through a rebuilding stage and you are assessing how you are going to operate in the future, it is one that you have to make sure that you have a strategic position on. As I suggested in my paper, a key point is a leadership development program that is developing young people for the future and preparing them to operate in the emergency services environment.

THE CHAIR: Thank you, Mr Prince.

Mr Prince: Thank you, Chair.

THE CHAIR: Thank you very much for your assistance to the committee. It has been invaluable.

Mr Prince: Thank you very much.

The committee adjourned at 11.19 am.