



**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, 13 MARCH 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

JEFFERY, MR VALENTINE MAX, Brigade Captain, Rural Fire Service22

The committee met at 2.07 pm.

JEFFERY, MR VALENTINE MAX, Brigade Captain, Rural Fire Service

THE CHAIR: We will start. Just prior to your arrival, Deb, we authorised for publication Michael Ross's submission, which I understand has gone to various committee members' offices.

Welcome, Mr Jeffery. I will read out the privilege statement. You have probably heard something similar before, having given evidence before one or two Assembly committees in your time. This has to be read at the commencement of each hearing. In fact, there are a few people here who are going to be witnesses tomorrow. Mr Barling, if you are listening, it will save me reading it tomorrow. I can say you have heard it.

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. That is why we approve submissions for publication beforehand, so that they can be protected in that way.

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, it 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; and when witnesses come to the table they each need to state their name and the capacity in which they appear. Mr Jeffery, do you understand that?

Mr Jeffery: Yes, sir.

THE CHAIR: Mr Barling, you will be giving evidence tomorrow. Do you understand that?

Mr Barling: Yes.

THE CHAIR: I do not have to repeat that. Excellent. Anyone else who is appearing tomorrow, please nod your head. Good. Mr Jeffery, do you have anything to add about the capacity in which you appear?

Mr Jeffery: I am appearing as a volunteer bushfire fighter and captain of the Southern ACT Volunteer Bushfire Brigade.

THE CHAIR: Mr Jeffery, you are a long-term resident; in fact, you have lived in Tharwa all your life?

Mr Jeffery: Absolutely.

THE CHAIR: In your submission you say you first encountered the 1939 bushfire when you were about four and that you still have a vivid recollection of that, and that started your experience with fires.

Mr Jeffery: I do indeed. I have a statement that I am quite happy to read out, if you would like me to do so.

THE CHAIR: Yes, that would be good.

Mr Jeffery: It starts off with my first encounter with bushfires when I was four years old. That was on 13 January—the Black Friday fire in 1939 that overran Tharwa. My memory of that day is still very vivid, although I was only four years old at the time. My father was controller for the Tharwa bushfire district and had been out fighting the fires in the west for several days.

I attended my first fire as a bushfire fighter when I was about 14. Of course, that was the beginning of many hundreds of attendances at bush and grass fires, small and large. I initiated the first volunteer bushfire brigade at Tharwa and also at Naas, and those two brigades subsequently amalgamated to become the Southern ACT Volunteer Bushfire Brigade. I have been brigade captain for more years than I care to remember.

I became a member of the ACT Bushfire Council in 1979 and chair from 1980 to 1991. This was when the council was a very successful independent statutory authority responsible directly to the minister under the Bushfire Act that was introduced after the 1939 fire. This act served the ACT with dignity and professional bushfire management until it was allowed to fail by misguided politicians and bureaucrats following the introduction of self-government. During my time as chair, I represented the ACT on the Australian Association of Rural Fire Authorities.

My history of successful involvement in many bushfires, small and large, and in bushfire management is well recorded. I was also the initiator of the formation of the Volunteer Bushfire Brigade Association and the controllers group, as well as successfully restarting the Hall and Jerrabomberra volunteer brigades whilst I was chair of council. However, after I left council there was a rapid deterioration in bushfire management in the ACT as local governments formed bureaucracies that interfered in vital bushfire management. With the acquiescence of successive chairs and members of council who were unprepared to stand up for the important

independent statutory role of the Bushfire Council and for critical bushfire management for the ACT, despite the Bushfire Act being still in place with clear legal responsibility, bushfire management in the ACT completely, and I believe illegally, lost the plot. As the saying goes, the rest is history—the inevitable January 2003 history.

The potential cost to a community from bushfires is horrendous and no other facet of government comes anywhere near it in risk, yet bushfire management is treated with utmost contempt by politicians and bureaucrats. For instance, if the buses are late or overfull, if the water supply is short, if the schools close, if the grass does not get mown or the potholes fixed, none of these basic government responsibilities has the potential impact on the community, their lives or their property that is anywhere near the possible impact of disastrous bushfires. Yet politicians and bureaucrats continually fiddle or play irresponsible games with bushfire management at the expense of the community's protection from massive bushfire disasters.

The potential destruction from bushfires even overshadows possible terrorist attacks. The greatest inhibitor to the successful progress of optimum bushfire management is not particularly funds, training, OH&S or whatever, but the intrusion of misguided politicians and bureaucrats at all levels of bushfire management.

I fail to understand why such a critical part of vital governance gets so embroiled and bogged down in bureaucratic position politics, as well as local and governmental politics, at the community's expense. Bushfire management is one of the simplest areas of government responsibilities to manage, if everyone in government, in their empire building of suspicious bureaucracies, were to leave that management to independent experts and experienced bodies, with the politicians doing no more than providing basic direction and with the bureaucracies providing vital and necessary support.

What is the basic flawed psychology that pervades government and bureaucracy and blinds and prevents them from recognising and acknowledging proper bushfire management whilst carrying out recognised proper management in other areas of responsibility? It is now even more imperative that governments come to grip with the urgency surrounding the necessity for proper bushfire management with the advent of megafires, climate change and global warming, coupled with 21st century complacency.

One would have reasonably expected that the failures of January 2003 would have spurred positive initiatives in bushfire management in the ACT, but the opposite has happened. In the ACT, in just five short years since the worst disaster to ever strike the ACT, bushfire management itself has stumbled from one debacle to another, with the community fast becoming the big loser.

We are into the era of climate change and global warming, with all the consequences of megafires upon us. We have been warned, but the ACT continues to blunder along the minefield of bushfire politics. I urge this committee to consider very seriously the Assembly's responsibility to protect the community in the best possible professional manner from the destructive ravages of bushfires. If things continue the way they are going, the Assembly stands to be utterly condemned when the next lot of lives and

suburbs are lost by bushfires in the nation's capital. As disastrous as it was, Canberra escaped relatively lightly in the firestorm of January 2003.

THE CHAIR: Thanks for that, Mr Jeffery. You said you actually initiated the first volunteer bushfire brigades at Tharwa and also at Naas. When was that?

Mr Jeffery: That would be 35 to 40 years ago.

THE CHAIR: So your experience is effectively about 40 years, plus you were chair of the council for some 11 years?

Mr Jeffery: Yes, something like that.

THE CHAIR: And you took direct command, I understand, at Tharwa prior to the fires in January 2003 getting near to that village?

Mr Jeffery: In January 2003, yes, direct control. I assumed that control on Saturday the 18th as captain of the brigade.

THE CHAIR: And subsequently, of course, I understand Tharwa did not suffer any loss of houses.

Mr Jeffery: We did not lose any houses.

THE CHAIR: I think we are all indebted to you for that. Were you born in the ACT, Mr Jeffery?

Mr Jeffery: I was born in Queanbeyan, actually.

THE CHAIR: It is close enough! You mentioned the key date of 1991, when you said you were chair of the council. It was an independent statutory authority and it worked very well. Since then you say the politicians and bureaucrats have been interfering. I take it that applies to all governments and all assemblies since self-government?

Mr Jeffery: It does, yes.

THE CHAIR: You have indicated in quite worrying terms that the situation, if I can paraphrase you, has not improved since January 2003, that we face some very severe crises, especially with climate control and other issues such as there having been no real improvements since 2003 in terms of preparedness.

Mr Jeffery: I do not think the community as a whole has recognised the situation that we are getting into as far as bushfires are concerned, with climate change, fuel build-ups and global warming. We are getting into a completely different ballgame. We have to lift our game instead of letting it deteriorate, otherwise the next disaster will involve at least 1,000 houses in the suburbs of Canberra, without a doubt.

THE CHAIR: Obviously, my colleagues would have a number of questions. I see that Mr Pratt has joined us too.

Could you expand on your view of how the situation could be improved. You stated that bushfire management is one of the simplest areas of government responsibilities to manage, if everyone in government, their empire building and suspicious bureaucracies were to leave that management to independent, expert and experienced bodies. You stated you wanted the politicians to do no more than provide basic direction, with the bureaucracies providing vital necessary support. What sort of structure would you see as being the ideal way for this territory to counter the threat of bushfires? What would be the best way we could actually do that?

Mr Jeffery: I would recommend a step backwards to pre self-government, a step back to the old Bushfire Act, with an independent statutory authority made up of people with an interest in the bushfire area, answerable only to the minister, as we were before. When I was chair of council, my responsibility was only to the minister. The minister never interfered with our operational roles. The bureaucracy did not interfere with them; the minister ensured they were not allowed to. I remember one senior bureaucrat describing it as the provision of rations and discipline, and that is all that is needed.

THE CHAIR: Did it change in 1991? I am just looking at the time frame. The system that you say was a very good system operated during the first two years of self-government under a territory minister. I take it that that territory minister would do no more interfering than what you have described?

Mr Jeffery: No, that was the beginning of the interference from the territory ministers, and most certainly the beginning of major interference from the bureaucracy. The local government bureaucracies had trouble coming to grips with the fact that there was an independent authority that could handle these things. At that stage the Bushfire Council had its own budget, with particular lines—fire control was one line, plant and equipment was another, hazard reduction was another. Gradually, under self-government, that was absorbed into the bureaucracy. The budget was lost. The position now is that the bureaucrats dictate the budget items and the people that know what they are doing and need to handle it do not have any say in it.

THE CHAIR: Ideally, what role would you see the bureaucracy playing? You mentioned in your statement “vital necessary support”, but you were being very critical in terms of how the bureaucracy has interfered far too much. What sort of vital support, and support generally, should the bureaucracy give? Specifically, what should they not do? What actually should they do? Where would they actually assist you rather than hinder you?

Mr Jeffery: Simply, as I stated a while ago, by providing rations—that is, providing the secretarial infrastructure to handle the necessary paperwork involved in running an organisation. The Bushfire Council in those days really did not need to have a bureaucracy of its own. The bureaucracy that carried the support role in my day in the initial stages was Forestry and in the later stages it was Parks and Conservation. After the 2003 fires a bureaucracy was created within a statutory organisation, with Peter Dunn in that statutory role. That is where problems arose. People need to recognise their situation and positions. We now have conflict; we have bureaucrats who feel that, just because they are writing the cheques, they should have a major say

in the way operations are handled. It does not work.

THE CHAIR: I will just deal with a couple more questions and then throw it open to my colleagues. What is morale like now? What was it like after the 2003 bushfires? Has it improved? With your immense experience, how would you compare it to 20 years ago, when you had this structure which was far less bureaucratic, given what you say?

Mr Jeffery: I would term morale as being at the lowest point that I have ever seen it in my history of bushfires. It was certainly low after the 2003 fires, but there was a feeling amongst the firefighters on the ground that they had done the best they could, they had made an effort and they had tried. A lot of people achieved a lot in those firefighting days. But from then on we have been doing nothing else but fighting battles and what you might call stabs in the back from left, right and centre, and getting nowhere. We have got to the point where we have to pull our services out as captains.

We were promised certain things, like having another look at it, which never eventuated. Prior to the self-government stage, back when the Bushfire Council was running the show as a statutory authority, I had one experienced firefighter who had been in the game for years come to me and say, "When we put the yellow overalls on, we grew two-foot taller because we were working for the Bushfire Council." They were not working for the government or the bureaucracies; they were working for an independent statutory authority that had experienced leadership and experienced direction.

That guy said to me, "I'm proud to pull those yellow overalls on because we're working for the Bushfire Council and I grow two-foot taller." That fellow had fought a lot of big fires. But the firefighter at the moment is just down in the dumps. We do not know where we are going; we do not know what our direction is going to be. We do not know how much support we have got. We have just been sitting and waiting.

The firefighters, after the 2003 fires, were missed out in the recovery role. They were virtually ignored for quite a long time, but they got on with their job and they were ready to go. It is time for somebody to sit back and have a bit of a hard look at this quite large force that is out there protecting the people of Canberra and that has been ignored for 15 years.

THE CHAIR: I think our first witness made some mention of this: in March 2007, the brigade captains took the unprecedented step of handing in their keys. There was some discussion in the committee of how morale has gone since then. That obviously was a low point. Has morale improved since March 2007?

Mr Jeffery: Absolutely not, as far as I know. In my brigade, we are all there. Every member is the same: they are there to fight a fire if it happens. They are there to work for me as brigade captain. They are not there for a lot of baloney from up above. I can see the position on the ground in a small fire will be handled quite efficiently and effectively, but I am dreadfully worried, when we get into multiple fires or major fires, about where the firefighters' loyalty is going to be when you get these unknown leaders coming in to direct things.

MS MacDONALD: You made a comment about the expectations of the bureaucracy. Because of the finances they have put in, they expect to have a right to interfere. Although a lot of the people in the bureaucracy do not necessarily have the expertise or the length of experience that you have, how would you envisage trying to involve them, in an ideal scenario?

Mr Jeffery: They do not need to be involved in anything that is happening on the ground whatsoever. They are there completely to provide support and to do the paperwork—and support is what it is, just as it was until things started going downhill from the mid-nineties onwards. They do not need to be any more involved than that.

MS MacDONALD: You do not see that there is any benefit in them actually becoming involved and being aware of the on-the-ground work that the volunteers do?

Mr Jeffery: That does not help them with their role as a support organisation one little bit. If they are interested enough, they can go out and join a volunteer bushfire brigade.

DR FOSKEY: Good afternoon, Mr Jeffery. I am interested in what you are saying because it reminds me a little bit of the kinds of things I hear where I come from, which is down in Tubbut country, where bushfires are fought by the Department of Sustainability and Environment, which I think is its current name, and there is a volunteer bushfire brigade. There are always complaints because of communication problems, and fire control for that very remote bit of Victoria happens from Melbourne these days.

In the last bushfire incident, local people were hardly told anything. What I am seeing here is possibly not unique. What you are explaining may be felt by volunteer fire brigades elsewhere. Therefore, it needs to be recognised as a problem and not just brushed off, as I think bureaucracies often do, in the sense that everyone thinks they know better—and I am sure that the volunteers on the ground do as well. I am interested in what you say about the Bushfire Council because from the way you talk it sounds as though the Bushfire Council was a statutory authority. I do not know if it ever was.

Mr Jeffery: It was.

DR FOSKEY: It actually had some control or had a lot more authority. Now I think it is more of an advisory body; is that right?

Mr Jeffery: Absolutely. It is an advisory body now. Back in the early days, when I was chair, it was an absolute statutory authority with a very significant legal role in putting bushfires out.

DR FOSKEY: You are mostly talking about before self-government?

Mr Jeffery: It did come over into self-government too, and it was still in place—

DR FOSKEY: You said the mid-nineties.

Mr Jeffery: The Bushfire Act was still in place in 2003, but the big problem was that a significant number of chairs and members of the Bushfire Council, in the intervening years between when I left and the fires, had conceded their roles to the bureaucracy. They were not prepared to stand up and fight for the independent role of the Bushfire Council. I think there are a lot of problems with the legality of what happened in 2003. I brought this up at the coronial and the federal inquiry.

DR FOSKEY: It sounds to me as though the Bushfire Council managed the response to the fires.

Mr Jeffery: Absolutely and legally, and if you look at the old Bushfire Act it is a very, very strong and very important act. If ever we are going to get the thing back on the ground here again, we are going to have to go back and have a very hard look at the old Bushfire Act, which was initiated after the 1939 fire and served us well for 50 years. We need to go back to that independence.

DR FOSKEY: And how were people put on the Bushfire Council in the days when you thought it operated more effectively?

Mr Jeffery: At the minister's discretion.

DR FOSKEY: So it has always been a ministerial appointment?

Mr Jeffery: It was a ministerial appointment. In the early stages, categories were not categorised—people were just put on for their abilities—and in the later years there was token categorisation: you would have some representatives of firefighters, some representatives of unions, some representatives of the environment, and that sort of thing.

DR FOSKEY: If you can remember a bushfire that was as devastating as the 2003 one—I think we would have to go back a fair way—how was it a successful fighting of a bushfire, and what was it that was different from 2003, in your opinion?

Mr Jeffery: It is not hard to go back and look at some successful major bushfires in our history and through that period when I was chairman. In 1979 we had what was called the Hall fire, which went from the Barton Highway through into New South Wales and ended up down at Lake George. In 1983 we had what was called the Gudgenby fire. It went for three weeks in conditions that at the start were very little different from what they were in 2003. We were able to contain that and control it without letting it get away. Sure, we burnt 16,000 hectares, or something like that, but we never looked like losing it.

In 1985, another bad year, we had a serial arsonist around that lit fire after fire after fire. In that year the ACT firefighter was declared Canberran of the Year for the work we had done, because people got on with the job and got it done. We had chief fire control officers who took control. There was no buggery around, worrying about land managers and that sort of thing, as happened in 2003. People who knew what they were doing were given the job of incident controllers and the things worked.

DR FOSKEY: What about equipment in those days? You are talking about times when you did not have fabulous communication equipment, for instance; you did not have mobile phones even. Did that make a real difference?

Mr Jeffery: We did not need mobile phones; we had very efficient radio systems that were capable of doing everything that we needed to do. In every major fire situation or every major emergency, communications fall down. No matter how good your technology is, it just cannot cope with it. It was the same in January 2003: they fell over on the Saturday. Our present communications systems have cost us a massive amount of money, are complicated, complex, are not going to do any better job than the old VHS system and are going to be a real nightmare in major situations because they are so complex. We have got into an era in the last few years of technology for the sake of technology. It is not working and it is not going to work in the future. You have got to keep things simple. We fought fires without mobile phones, and successfully.

MR PRATT: Mr Jeffery, you mentioned earlier about the 14 March 2007 strike and the chair asked you a couple of questions about the handing in of the keys et cetera. Can you give us a bit more background as to how that strike came about?

Mr Jeffery: We have got to go back to the restructuring. I think it was June the year before. The firefighters were completely ignored in the lead-up to that restructuring; they were not considered. The proposed set-up was just wrong, so we had no choice. We could see that the community was going to suffer from the direction things were heading. We did not take that very, very major action for our own sake as bush firefighters; we took it for the community's sake. The community needed to be protected and we thought that it was time for us to stand up and be counted.

MR PRATT: You said that, as a consequence of the circumstances which led to that, morale has been pretty damn low and continues to be low. How can that morale be improved now to ensure that our RFS units and volunteers have the confidence to get back to the job?

Mr Jeffery: It gets down to one simple thing, Mr Pratt: leadership. We have got to have leadership from the top down. We have got to eliminate some of the levels in between. It gets down to one thing: just plain leadership.

MR PRATT: Overall, given the conflict in March of 2007, which I understand has continued, do you think the senior management at the ESA, the Department of Justice and Community Safety, and perhaps ministerial level, have dealt properly with the RFS's grievances and the question of consultation?

Mr Jeffery: I believe they virtually have not dealt with them at all.

MR PRATT: Following on from there, in the wake of the 2006 June restructure and the scrapping of the Emergency Services Authority as an independent authority, then under some pressure perhaps, arising from that strike, did it then agree to review the decision taken to restructure? I understood the terms of reference were supposedly being prepared for that review with you people, the volunteers, being consulted. Can

you give me a rundown of where you understand things are at now?

Mr Jeffery: From my memory that review was to be conducted and taken place by the end of October 2007. There are two dates there; there was that June 2006 scrapping of the authority and then we went into another restructure, undertaken by the commissioner. I think it was about December. That is the one that was just thrown at us without any consultation whatsoever and we were told that we would have to live with it. It really was that later one that led to the action in March. We reluctantly accepted the June one and were starting to work towards it, but it was the December one by the commissioner that really killed it all.

MR PRATT: When do you understand that the terms of reference were supposed to have been completed and the review to have begun?

Mr Jeffery: From my memory it was October of 2007, but Mr Barling will probably be able to enlighten you a lot more when he gets here.

MR PRATT: If I may, chair, I have a couple more. In relation to the ESA restructure, you have spoken here today about ideally the Bushfire Council having a role as an independent authority and the RFS operating within and underneath that umbrella—I presume you mean almost as a single service reacting and responsible direct to the minister? That seems to be the sort of organisation that you are recommending. Putting that aside for a moment, do you think that returning at least to an independent ESA, a la the situation of early 2006, on the back of the McLeod recommendations of 2004, would be a suitable step, or not?

Mr Jeffery: It would certainly be a step, but it would not be the ideal step. I believe there are limitations with that step. It is hard for people to come to grips with the different culture and scenario of running bushfire organisations as distinct from running a fire brigade or an ambulance or an emergency service. It is a different world altogether. To maintain the confidence of the community and the firefighters and the stakeholders, the organisation has got to be run by people that know what they are doing.

The trouble with the scenario, the one that you are suggesting, is that the bureaucracy then is tied up too closely once again to the organisation—and it just does not work; it really does not. Why throw out the baby with the bathwater? We had an organisation that worked independently for 50 years successfully—very, very, very successfully. Why can't we go back to something like that and do it properly?

MR PRATT: To clarify what you are saying, I guess you are saying that the ESA independent authority that we had post 2004 and post the new act 2004, while it was independent and probably in better shape than the old Emergency Services Bureau, is still too much tied up in bureaucracy, there is still too much influence from the Department of JACS, I presume, and that the RFS is much better off operating without an emergency services authority sitting over the top of it; is that what you are saying?

Mr Jeffery: It certainly does not need an emergency services authority sitting over the top of it; it does not give any benefit to the bushfire protection. Although the ESA

then was a breath of fresh air after the ESB scenarios that failed so miserably, it was a long, long way from the ideal. Now that we are looking at these sorts of things, people should keep in mind the possibility of a proper realistic return to the scenario of independence, to provide the best possible bushfire protection for the community. That is what we are here for: we are here to provide the community with bushfire protection.

As I said in my statement, the risk to the community from bushfires is so immense that it cannot be taken lightly. Somebody at some stage has got to stand up and recognise and realise this, stop this stupid, namby-pamby back stepping and interfering and get on with what it is all about: protecting the community from the ravages of bushfires.

DR FOSKEY: I am aware, Mr Jeffery, that there was an emergency services bureaucratic service of some kind in the eighties, before self-government, and I am also aware that some of the cultural issues, for instance, were true then as well—difficulty in cooperation between some of the different parts of the emergency services, so I am not really yet sure why self-government made such a difference. Also, we have had a number of versions of emergency services bureaucracies since self-government. Would you care to give us an idea which one you think did the job best from your perspective?

Mr Jeffery: Possibly the one under the original authority, I think, really.

DR FOSKEY: Are you talking 1993?

Mr Jeffery: No, the early stage parts of self-government, when we still had the old Bushfire Act in place. Once self-government came we had the local bureaucrats flexing their muscles, for want of a better word, and that is when the trouble started. I was able to control that while I was chairman and it did not get away, but, after I finished up as chairman, other chairs—some of them bureaucrats themselves—lost the plot, for want of a better word, and, as I say, the rest is history. As I keep saying, why don't we go back and have a hard look at what worked?

DR FOSKEY: Did you read these reports? We have got a summary here of all the different reports that have been done. It starts off with the McBeth report; do you remember that at all?

Mr Jeffery: The McBeth—absolutely, yes.

DR FOSKEY: That was produced in 1994, so there must have been an understanding that there were some issues then of concern or they would not have set it up, because it is always with great reluctance that these inquiries are set up. So what was going on there? If you are familiar with the reports, what do you think of them, of their recommendations and of the implementation of the recommendations?

Mr Jeffery: The McBeth report is a very, very topical one to pick on. We have got to remember that the bureaucrats tried to bury the McBeth report because it got too close to the nerves; it picked up the problems. The bureaucrats refused to pay McBeth for that report—until we had a change of government and it was dragged out of the

wastepaper barrels and put on the thing and it was paid for. The McBeth report was a very, very accurate report and that was the period when we were starting to go downhill at a very fast rate. And McBeth, of course, resurfaced at the coronial.

DR FOSKEY: The Hannon group report in 1991?

Mr Jeffery: Hannon was another one; we have had that many reports. Hannon was one that recommended a single fire service and got right off the track.

THE CHAIR: Mr Pratt asked you some questions in relation to the pre-June 2006 set-up as a result of McLeod and you said that in itself was not ideal. What sort of relationship do you envisage with, say, the ESA, accepting that bushfire fighting is very different from town firefighting and very different obviously from the ambulance? What sort of relationship would you want from the department?

I am trying to think of analogies. Would it be something like a speciality that, say, the SAS has in terms of the Australian Defence Force? They have a role, but probably they are so different from the rest of that area that there may be a fairly limited contact there, just as much as necessary. I am just trying to get a handle on what sort of role you see bushfire fighting has.

MR PRATT: I can just see Mr Jeffery with a bayonet in his teeth now.

Mr Jeffery: I am not really sure what you are getting at, but there is a misconception everywhere, particularly amongst politicians and bureaucrats, that single fire services are the answer; that these things should be all under the one umbrella. But it does not make for any better workings between the organisations. We had just as comfortable workings with the Fire Brigade when the Bushfire Council was running the show under the Bushfire Act—and, if anything, even better ones than we have in these days when we are all lumped together. We are really, as I see it, going down the track of a single fire service—and God forbid if we ever would get to that stage.

THE CHAIR: You have made that plain. Mr Smyth, you have some questions?

MR SMYTH: Val, the whole issue of the advice that the Bushfire Council gives to the ESA and the minister: are you being heard by the authorities?

Mr Jeffery: What do you mean by “the authorities”?

MR SMYTH: By the minister and the head of the ESA.

Mr Jeffery: I do not think the minister is listening to anything we are saying, really, honestly. Certainly, the commissioner is not listening; the deputy commissioner is, but he is lower down the food chain. I am afraid that the community are the ones being exposed by people standing on their heels and protecting what has been put up there.

MR SMYTH: Both in the lead-up to this fire season and during this fire season, the minister responsible for emergency services and the Chief Minister have both said on a number of occasions that we are more prepared for any fire season than we have ever been. Do you believe that to be true?

Mr Jeffery: I think that is absolutely rubbish.

MR SMYTH: Why is it rubbish?

Mr Jeffery: Because we are not. I would challenge the minister and the Chief Minister to come out and show me how better prepared we are. You would need to go back and compare this with the years before self-government when we had regular hazard reduction and all large-scale hazard reduction throughout the catchment areas, the parks areas, the adjoining New South Wales areas to the west; that was where the preparation was—in the management of fuel loads, the management of personnel.

We had volunteers that were motivated and there to protect themselves and their neighbours. We had a very comprehensive forestry team that lived and worked in the forest and had a major firefighting capacity in tankers and units which we have not got these days. We had experienced people standing up, professionals—a completely different kettle of fish altogether. We are nowhere near in that state now.

MR SMYTH: Did the Bushfire Council make that view known to the head of ESA and to the minister—that they felt we were unprepared for this season?

Mr Jeffery: I cannot comment on anything the Bushfire Council has done, I am afraid.

MR PRATT: If I might ask a supplementary, to your knowledge did a senior officer in the RFS provide a readiness report to the commissioner of ESA and the minister and perhaps the Department of JACS about our state of readiness for the bushfire threat this year?

Mr Jeffery: I am not particularly aware of it.

MR PRATT: Can you give me a little bit of background to the unanimous vote that was taken by the volunteer captains in relation to a senior officer in the RFS some weeks ago—I think, at a captains meeting?

Mr Jeffery: At a captains meeting the senior officer expressed his concerns that he was being blamed for a lot of things that were outside his area. The captains are very confident in this man and his ability and we felt that he was being very, very unfairly blamed for things that were not his doing. We needed to and wanted to show our support for that gentleman. He is our operational manager, for want of a better word, and we are very, very confident in him and we support him 100 per cent.

MR PRATT: I understand that perhaps that officer may have submitted a readiness report which was particularly critical of the lack of resourcing and direction in relation to this coming bushfire season. Does that shed any light on that previous question I asked?

Mr Jeffery: I would be very disappointed if he did not put a report like that in.

MR SMYTH: In regard to the vote that was taken by the captains, was that taken after disparaging comments either by the minister or the head of ESA?

Mr Jeffery: It was taken after comments by the commissioner and the minister were referred to us.

MR SMYTH: You said it is a matter of leadership. Are the volunteers being given the leadership that they deserve to be able to protect the community properly?

Mr Jeffery: Absolutely not. In a major situation or multiple fire situations we are very, very conscious that leadership is going to be tested. I keep going back to pre-1995 days or whatever. In those times, whenever an incident arose, the chief fire control officer would be on the radio directly himself, or his deputy, and would be taking actual physical control of incidents, major incidents like the 1983 Gudgenby fires, the Lanyon fires, the Hall fires. Once again a senior firefighter said to me at the time, “When God gets on the radio, we go two foot taller”. We do not have a god at the moment.

THE CHAIR: Like the Queenslanders used to do when they put on a maroon jersey; they do not anymore. Mr Jeffery, I have a couple along this theme. You mentioned, and I am pleased to see, a deputy commissioner at least was talking to people. What is the consultation like now between the bureaucrats and the volunteer bushfire people? Is there any consultation? Going back through your experience, was there a period when there was what you would consider a proper degree of consultation, and how could we get back to that if that was ever the case?

Mr Jeffery: I think you are probably mixing up the importance or the lack of importance of the role of the bureaucrats. Bureaucrats are there to provide support; the operational side is there to run the fire. Frankly, we do not need to talk to the bureaucrats.

THE CHAIR: But in terms of support; that is what I mean. Obviously you need to talk to them in terms of support and they need, governments need, to listen.

Mr Jeffery: Yes, they need to support our senior officers, not us fellows on the ground. They are there to provide that support to keep the organisation running. You have it in the Army and—

THE CHAIR: Is that support there? Is that consultation between your senior officers and bureaucrats in government there?

Mr Jeffery: I would not be in a place to comment about that I am afraid.

DR FOSKEY: How important is cooperation with New South Wales?

Mr Jeffery: It is very important that we have cooperation with New South Wales; there is no doubt in the world on that. We are a little island in the middle of New South Wales. We have always had quite efficient cooperation with New South Wales, in my experience in fires that I have been involved with across the border, which is quite a few over the years.

From what I understand, they fell down a bit in 2003. They are certainly enhanced

now. I am not far away from the New South Wales border. We had an unwritten rule that we could go 15 kilometres into each other's areas and take charge of fires. As far as I am concerned, that still applies. If I get a fire up Smith Road and there is no-one else there to take control of it, I will be taking control of it.

THE CHAIR: So basically the coordination between you and New South Wales is okay; that is working?

Mr Jeffery: On the ground, no problems at all.

DR FOSKEY: That is at the volunteers level. So that continues to work. Have you got any comments to make on the cooperation and coordination between the actual bureaucracies, the firefighting bureaucracies?

Mr Jeffery: I would not be in a position to comment about that; I am not close enough to it.

DR FOSKEY: No; fair enough.

MR PRATT: In relation to the AIIMS report, which the ESA talks about as being a guiding standard for operations, I understand that the ESA's AIIMS report in relation to RFS readiness talks about an operational standard for a category A bushfire. It says that, for a category A bushfire, you need to have a shift working for 12 hours on and then 12 hours off. Do you believe that there are sufficiently trained and ready RFS volunteers right now to man a second shift in the case of, if not necessarily a macro fire, certainly somewhere halfway between a local fire and a large macro?

Mr Jeffery: Not necessarily only volunteers; it needs to take in all the paid bushfire fighters as well. I think we are right for two shifts. I can manage two shifts from my brigade, but once we get beyond the two shifts it becomes a very big stretch. I think the size of the force of the paid bushfire fighters is very limited at the moment. I believe that, in this sort of situation, they would be stretching themselves very much. But beyond two shifts, we are in trouble these days.

Talking about 12-hour shifts, I honestly believe that 24-hour shifts are the way to go, not 12-hour shifts. There are too many shift changes. All the big fires in my day were fought on 24-hour shifts—24 hours on, 24 hours off—and it works a hell of a lot better.

MR PRATT: In relation to the standard operating procedures for the management and running of watchtowers on days of high bushfire threat, what do you understand to be the current requirements?

Mr Jeffery: They seem to be working well at the moment. They are up at the moment, certainly well and truly covering the hours that I would expect them to be covering. I think there was a bit of a hiccup at the start of the season because the contracts had not been fixed up in time and the season landed on us with a sudden jolt at the start. Just looking from the outside—and I listen to the fire towers probably 10 hours a day—I am quite happy with the performance of the towers at the moment.

MR PRATT: You are satisfied that they are being manned for all the times that you might need to keep an eye out for lightning strike, even if it is not a high bushfire readiness day?

Mr Jeffery: At the moment I think they might be over-manned, if anything.

THE CHAIR: You mentioned before that you organised your own back-burn at Tharwa. Are you satisfied with the current identification of risk areas and the time it takes to follow up with hazard reduction measures? You mentioned hazard reduction earlier.

Mr Jeffery: There are some big problems with hazard reduction in the wide acres in the ACT. In the 2003 fires, the fires burnt so hot that the fuel structure has been completely changed. I am very worried about the situation if we get lightning strikes—and we will eventually get them; there is no doubt in the world about that. The fuel structure is of such a nature that it is damn near impossible to walk through it. The fires opened up the canopy and the grass grew mad, then we had the low bushes grow up, the scrub—

THE CHAIR: That is the heath, is it?

Mr Jeffery: Regrowth is coming up higher and we have got the burnt trees, the big trees, now falling over. In a lot of areas it is impossible to walk through it. In a lot of areas it would be impossible to do a proper hazard reduction burn if you wanted to, because it is just impossible to do it. It would be too hot a burn; it would cause problems.

I do not know how we are going to address it, and this is one of the areas that worry me very much, because I do not know how we are going to address it. When we get those fires in those sorts of areas we are going to have to depend on an aerial attack, and I am not very confident about aerial attacks. We are going to have to get bulldozers in there as quick as we can because we cannot get through the scrub to walk to them, whereas over the years we have walked in to lightning strikes, put them out and walked out the next morning. It is a very big problem that I do not think anyone is thinking about—the fuel structures.

MS MacDONALD: With respect to your comment about the aerial attacks and your lack of confidence in them, can you expand on why you do not have confidence in aerial attacks?

Mr Jeffery: I see a little place for aerial attacks in an initial drop on a lightning strike or something like that, but, once it gets past that, my opinion as a firefighter is that it is all show, it is an expensive show, it can help a bit at times but it causes as much trouble as the benefits it gives you. Frankly, I do not have a great deal of confidence in aerial.

MS MacDONALD: When you say that it causes as many troubles as benefits—

Mr Jeffery: The rotors go out. I have been on fires where the chopper comes over, drops a bucket of water on it and, instead of putting the fire out, it spreads it.

DR FOSKEY: How would you tackle that problem of the regrowth?

Mr Jeffery: Frankly, I do not know how we tackle it. I really cannot offer an answer to that. It just worries me.

DR FOSKEY: If someone has to tackle it then who has the expertise to work out how and what would be needed?

Mr Jeffery: It must be possible at some point to tackle it with light burns, but it is going to take an awful lot of planning and enterprise to do it. Hazard reduction in its proper form is a very simple operation. Just taking the fine fuels off the bed of the forest is a very simple operation that does not do any damage to the forest and achieves an awful lot. It is the fine fuels that cause the problem in the forest areas. It is not the big fuels. What you try to do is take those fine fuels off without damaging the large fuel. I cannot see how we are going to be able to do that with the fuel structure we have got there now, I am afraid. Frankly, it is going to need better people than me to work that one out.

THE CHAIR: In the last couple of years I have heard you say you did not know how to handle the heath country and the problems you described, and you still do not seem to. You talked about the bulldozers going in there and getting in there quickly. What are the fire trails like now, and what is access like? Is there a greater need for much better access to these areas? Do we actually have the equipment for that?

Mr Jeffery: The fire trails in the ACT are in a very good condition now. A lot of work has been put into them since the 2003 fires, which is very good. Unfortunately, up to 2003, in the previous 10 years or so, they had been neglected and were in a bad state. They are in good order at the moment. From my point of view, very few more trails are needed anywhere. There is a limit to the effectiveness of breaking up the areas too much. I am not an advocate of going in and putting trails in everywhere just for the sake of putting trails in. They are in a good state at the moment.

MR PRATT: What is the ESA's plan right now for tackling the heath country? I guess we are talking about the bushfire abatement zone, and even beyond that. What do you understand to be the strategic plan right now, particularly to deal with the western approaches to the ACT, with that heath country? What are their instructions?

Mr Jeffery: I am not sure there is any plan there, Mr Pratt. You mentioned the bushfire abatement zone. That is one of the areas that I have a lot of problems with. I think it was a very unwise decision to create the BAZ. When we do get fires, it is going to create more problems than it will relieve. The fact is that turf wars are going to eventuate between ourselves and the fire brigade. We do not need them; it achieves absolutely nothing. The people that should be controlling fires in the open country, in the rural country, should be the Rural Fire Service. Bushfire fires should be dealt with by the fire brigade. Everybody has their own expertise. It was a very ill-conceived idea to create the BAZ.

THE CHAIR: For the record, what does that acronym mean?

Mr Jeffery: Bushfire abatement zone. It is on the western side of Canberra and it runs right out even as far as Tharwa. It means that the fires in that zone are to be controlled by the fire brigade.

MR PRATT: Basically, you are saying that the RFS ought to have authority right back to the urban edge?

Mr Jeffery: Right to the urban edge, the way it was under the old Bushfire Act.

MR PRATT: The fire brigade with its CFUs might then take over. In fact, I presume you would see a mix, anyway, around the urban edge.

Mr Jeffery: The fire brigade has to be responsible for building and vehicle fires, as they were before. There are no arguments about that whatsoever. The Rural Fire Service looks after those until the fire brigade turns up. There is no problem with that.

MS MacDONALD: I have a supplementary question on the relationship between the rural and the urban fire brigade services or the general fire brigade services. Do you think there is a natural level of suspicion between the two groups?

Mr Jeffery: Suspicion?

MS MacDONALD: I am sorry if that is a bit of an incendiary word.

Mr Jeffery: I think it varies right throughout Canberra; there is no doubt in the world about that. With different people in different areas, there are different levels of respect, there are different levels of interaction. The trouble is that you cannot come to grips with it until you have an incident. I do not have any problems in my area because I respect the station officer and the district officers in my area, and I believe they respect me. I think in some other areas you get problems; that is natural.

THE CHAIR: In your opinion, are the rural land managers equipped well enough for bushfire in terms of information, preparation and resources?

Mr Jeffery: For rural land managers, certainly with preparation and information. Twelve or 18 months ago, there was an initiative to provide slip-on units to rural landholders in the ACT. That was started; it then fell in a heap as the usual funds run short. That needs to be followed up and more of them need to become available. But the rural landholders are very conscious of fires. People tend to think they need to be educated. Frankly, I think that is a bit of a misconception.

THE CHAIR: They probably could do the educating.

MR PRATT: Just going back to the issue of the heath country, I asked you before and you told me that you are not aware of an ESA plan or instructions on how to deal with this heath country. It is now getting towards the end of the bushfire season, so it may be too late, but do you think that in the winter and spring months approaching the season something should have been done out there in that heath country? Could there have been some further instructions on preventative burning? Could there have perhaps been more fire breaks created? If fire breaks were the answer, are you happy

with the level of coordination between ACT Environment and Emergency Services on the preparation of fire breaks?

Mr Jeffery: I do not think that anything could have been done to this point. It is five years since the fire. It takes that sort of period before you can get to a point where you can think about hazard reducing after a major fire. I do not consider, with the separate small area in the south of the ACT that was not burnt in the 2003 fires, there were any of these other areas that were ready even to be considered for hazard reduction. That is the problem, because in-between times, while it is getting to that point where you can consider it, the whole thing has gone mad. We have not had those opportunities to even discuss those sorts of things, so it is hard to assess whether Environment ACT is ready and prepared for that sort of stuff. Frankly, I do not know.

THE CHAIR: Why haven't you had that opportunity to discuss those sorts of things? Who is preventing it, if anyone?

Mr Jeffery: The strategic bushfire management plan has been worked on. I am not really familiar with that; you would need to talk to other people about that.

MR PRATT: If that is the case, what is the use of the strategic bushfire management plan if blokes like you, particularly captains, with areas of responsibility, are not given bushfire operational plans, bushfire action plans or copies of something to use as guidance in both preventative planning and preventative tasks and then finally in bushfire fighting?

Mr Jeffery: You would need to ask other people that.

MR PRATT: I will do that, thank you.

DR FOSKEY: After the 2003 fires, was there a debriefing session so that you had a chance to get together with other parts of the response to go through where problems were, where things could be improved etcetera?

Mr Jeffery: No, there was not. It fell so quickly into the coronial area that a debriefing just did not eventuate. It became too big.

DR FOSKEY: Would it have helped?

Mr Jeffery: It would have been impossible to have a debriefing on a fire of that size.

DR FOSKEY: But it would have been a chance for some sharing of the lessons before things became adversarial and entered the legal realm, in order to have better operations next time, recognise mistakes and see where to go next.

Mr Jeffery: I think it was recognised very quickly that to even discuss these things outside parliamentary privilege and coronial privilege was dangerous. I think that was why it was missed.

MR PRATT: At the end of 2005 and in early 2006, after the spring rains of 2005, there was fairly robust grass growth. Do I recall the southern brigade doing some of

your own controlled burning along Tharwa Drive?

Mr Jeffery: Yes, we did, and we did it along Tidbinbilla Road quite extensively.

MR PRATT: Did you do those preventative tasks which you saw as being necessary as a result of ESA direction or did you determine that they had to be done yourself and you did them yourself?

Mr Jeffery: Certainly from our own initiative; there is no doubt about that. We recommended it and got support from the chief officer at that stage, without any problem.

MR PRATT: Quite right. So you determined the need. Just so that I get this straight: you then presented recommendations to the chief officer, RFS?

Mr Jeffery: Yes.

MR PRATT: And he said, "Go ahead"?

Mr Jeffery: Yes.

MR PRATT: Beyond that, though, do you recall a list of preventative tasks of that sort of calibre, the Tharwa Drive calibre, prepared and given to RFS captains and other authorities in the lead-up to the 2005-06 season?

Mr Jeffery: No, not that I can recollect, to any extent. Anything like that comes from the bottom up.

MR PRATT: Right, which is probably where it should come from.

Mr Jeffery: Yes, that is where it should come from; absolutely.

MR PRATT: Because you guys are on the ground?

Mr Jeffery: Yes.

MR PRATT: Is that what you mean by that?

Mr Jeffery: Yes. They are the blokes who know what is needed—the blokes on the ground.

MR PRATT: Are you suggesting that if RFS captains are given stronger responsibilities for areas of responsibility, they could perhaps do a lot of the planning and preparation and contribute to an overall strategic bushfire management plan, for want of a better term?

Mr Jeffery: The captains on the ground these days have taken on a more significant role in that area and returned probably to what it was 15 or 20 years ago. We went through this period of ESB so that everything had to be done from the top down and the brigade captains were overruled and directed. But that has changed. As I think I

said earlier, if we get a fire on the ground now, we will be going there and putting it out, and it will be a game man who sends us back. But that scenario has changed, even to the extent that fairly shortly the captains will have the ability to issue permits to burn through the season. And that is the way it should be.

MR PRATT: Do you think it would be a good idea if the captains of all of the RFS brigades, who are given areas of responsibility, could also play a more active role in looking at all properties, public and private, with a view to assisting land managers and landowners to prepare their preventative tasks?

Mr Jeffery: I think unconsciously that happens.

MR PRATT: It happens now?

Mr Jeffery: Yes.

MR PRATT: Fully or is it only unconsciously?

Mr Jeffery: Certainly, in my area, it is very conscious.

MR PRATT: I know it is a professional intention but does it reflect on a protocol? Are there protocols in place that ensure that that sort of preventative work happens?

Mr Jeffery: There would not be any protocols in place; definitely not.

MR SMYTH: The committee is tasked with making recommendations for the future as well as reviewing what has happened in the past. I have a small list I want to run through of things that you might like to comment on. First and foremost, there is a review of the current fire season in regard to the new arrangements. Do you have an opinion on the effectiveness of the new arrangements as they exist?

Mr Jeffery: It is a bit hard to judge that one because we have virtually had no fire season. That is the hardest part of that, I am afraid.

MR SMYTH: In regard to headquarters of RFS, a huge turnover of staff has occurred and a lot of experience has been lost. Are you aware of why the staff turnover has occurred?

Mr Jeffery: It gets back to this leadership question. That is my assessment. We have lost an awful lot of corporate memory over the last four years, and it worries me. Sure, these people might be replaced by very competent people. There is no doubt in the world about that. We may be very fortunate in that area. But you can't beat corporate memory. I am afraid that, no matter how good some of these people will be, it takes a while to learn the ACT scene.

MR PRATT: Is it true that you have lost nine out of 13 senior and middle-ranking RFS officers in the last 18 months?

Mr Jeffery: I am not sure of the figure but it would be something like that, yes.

MR SMYTH: The move of the headquarters RFS to Fairbairn: has that been effective and is it operating properly to support the volunteers in the field?

Mr Jeffery: I had a lot of confidence in the move to Fairbairn, I must admit. I saw it as going back to the days when the Rural Fire Service had its own control room and command centre, and that was one of the things that we lost when self-government came in, I am afraid, once again. It is very important that the Rural Fire Service has its own control centre. The combined comcen conception has not worked, does not work and is not going to work in the future, I am afraid. The single control centre for the Rural Fire Service is an absolute necessity in the future.

I had visions of the Fairbairn one heading in that direction. With the Ballineen, I think it was, they moved the control room to Fairbairn. It worked very, very well—there is no doubt in the world about that—and I would very much like to see us go back to a Rural Fire Service control room, separate from the fire brigade, ambulance and all the rest.

MR PRATT: Why was the ICC redeployed from Fairbairn back to Curtin at the beginning of this season on the first readiness exercise?

Mr Jeffery: I do not know for sure. I am not familiar with it—I am not in that area—but I think it might have been an initiative from the commissioner. I do not know.

MR PRATT: Do you know how that worked? I am probably asking you questions slightly beyond your brief—please forgive me—but do you have any feeling for how, in terms of command and control of RFS units, that relocation worked and what the impact was?

Mr Jeffery: I really do not know.

MR PRATT: Okay.

MR SMYTH: Just to keep going on with the list of what might happen in the future: your strong recommendation to the committee would be an independent statutory authority with greater power for the RFS?

Mr Jeffery: Absolutely, a necessity.

MR SMYTH: And backed up in legislation?

Mr Jeffery: Backed up, absolutely.

MR SMYTH: In terms of the equipment that the volunteers use, are the vehicles that you have currently got and the vehicles that are mooted to be purchased adequate? Do you have enough vehicles? I understand some of the units do not have a new command unit. Let me run through them. Are the tankers that you have got currently adequate?

Mr Jeffery: Unfortunately, the replacement of vehicles has started to go backwards at a rate of knots. I do not know what the causes were; you would have to ask other

people that. Vehicles that were on the purchase list two years ago still have not arrived, is my understanding. A large tanker, which some people call a supertanker, was put on the purchase list three years ago and still has not eventuated. I think it is still up in the air.

There seems to have been a history of budgetary disappearances of plant and equipment moneys and that sort of thing, and I am only speaking from the outside. I know that we have quite a lot of vehicles that are overdue for replacement and I believe were planned for replacement a few years ago and still have not eventuated. I think we need a big shuffle up in those areas for sure.

MR SMYTH: In regard to the tankers, I noticed there was an announcement the other day that they have picked the new chassis for the tankers, but the question seems to be whether or not we go with the South Australian model or the Victorian variant. Do you have an opinion on which is the best one for the ACT?

Mr Jeffery: I do not know the difference in them but I am quite happy to go along with whatever our equipment people recommend. What is getting me very annoyed is that this is just going on and on and on.

MR SMYTH: Light units that we currently have in your opinion are adequate?

Mr Jeffery: A lot of those are getting well over their age limit. I have a couple in that category myself. We have to keep looking at equipment as it becomes available and different vehicles as they become available. We cannot just sit on our hands and keep replacing with the same vehicles for the sake of ease.

MR SMYTH: But the process at this stage is letting the volunteers down?

Mr Jeffery: We are too far behind with our equipment purchases—no doubt in the world about that.

MR SMYTH: And command units? I believe most of them have been replaced?

Mr Jeffery: Most of them have been replaced to my knowledge.

MR SMYTH: Okay. Access to stores: do volunteers get adequate and immediate replacement of stores as required—everything from overalls and helmets down to gloves?

Mr Jeffery: There are always difficulties with stores. I understand there is a meeting planned between equipment officers and stores in the near future and hopefully that will iron out some of the difficulties. If the brigades plan ahead with their stores, it should not be a problem.

MR SMYTH: Personal protection equipment is adequate and up to date?

Mr Jeffery: Adequate, as far as I am concerned.

MR SMYTH: Could be better?

Mr Jeffery: Not as far as I am concerned.

MR SMYTH: Communication systems: FireLink has now been abandoned by the government. Are you happy with the current arrangements that they have in place?

Mr Jeffery: I am not happy with the TRN system. I am very concerned about it. It is a very complex system. It has cost a fortune.

THE CHAIR: Perhaps just for the transcript would you say what TRN stands for?

Mr Jeffery: Trunk radio network.

THE CHAIR: Thank you.

Mr Jeffery: It is a digital system that relies on signals going through to Sydney and back again. When you talk on the radio there is a very significant delay before the message gets through and the other person answers, and even just with the towers reporting in it is very noticeable and it worries me. There is a complex amount of channels and systems inside a system.

You have got to be simple in all these arrangements like bushfire fighting with the old KISS principle: keep it simple. The TRN radio system, in my book, is just too complex. In the old VHS system we had four channels. It was adequate for everything we needed. Sure, it is going to run out on an 18 January day, but it is all we need.

MR PRATT: You talk about the complexity of the trunk radio network system. Is that perhaps a reason why still, after four years, of the 15 towers which were identified to be installed for the trunk radio network, I understand the ESA has only at this stage installed the ninth one, that is Mount Tennant.

Mr Jeffery: Mount Tennant is not up yet.

MR PRATT: It is not up yet, okay.

Mr Jeffery: One of the big limiting factors with those towers is that they have to have 240-volt power, whereas the old transmitter stations had solar panels and 12-volt power. To get that power through the mains up to Tennant is millions of dollars.

MR PRATT: When you deployed to the Namadgi fire—was that 12 months ago—how did you find the trunk radio network reaching you in that southern extremity?

Mr Jeffery: The recent fire? I was not at the fire myself; I was at the base at Tharwa.

MR PRATT: Your unit was there?

Mr Jeffery: I have units there—two or three units there. The reception on TRN was absolutely pathetic. You may not be aware that in my brigade we have a local radio, which is a VHS radio that we put in at our own expense about 15 or 20 years ago. We raised \$25,000 and put it in ourselves for our own communications and back-up to the

other systems. We have a relay from the top of Mount Tennant. It worked perfectly that night, at the bottom end of Namadgi.

MR PRATT: So you had good VHF communications down there in that particular fire?

Mr Jeffery: Absolutely.

MR PRATT: You had very, very patchy communications with the trunk radio network—

Mr Jeffery: With TRN.

MR PRATT: which I think cost in the region of \$15 million—

Mr Jeffery: And the rest.

MR PRATT: and the rest, yes. Is it also true that in that particular fire some officers on the ground had to in fact use satellite phones to get back to Fairbairn headquarters?

Mr Jeffery: I am not sure of that. I did not talk to any of my blokes on mobile phones.

MR SMYTH: You mentioned fire stations. Are the rural fire stations in your opinion adequate in their upkeep and their maintenance and their ability to house the units?

Mr Jeffery: Mine certainly is.

MR SMYTH: Good. Number of brigades, the coverage we have got: do we need more brigades, fewer brigades, or do we just need the brigades we have?

Mr Jeffery: I do not think we need any changes to brigades.

MR SMYTH: Good. You mentioned air support earlier in terms of fire bombing. You are dubious, it sounded like, of their value?

Mr Jeffery: I am. Air has a very vital role in management of fires and we recognise that. We were one of the first organisations in Australia to introduce helicopters to control fires, as control platforms.

MR PRATT: You are talking in terms of reconnaissance, surveillance, observation.

Mr Jeffery: Observation and control—

MR PRATT: What about the insertion of raft teams?

Mr Jeffery: Getting people in, yes, definitely that. As far as dropping water is concerned, I have got a lot of reservations with that. I just want to repeat that that was one of the initiatives that came out of us when I was chairman of the Bushfire Council: we introduced helicopters here before anyone else in Australia and we also introduced Fire-Trol, a fire retardant chemical, before anyone else in Australia. We

led the field in those days.

MR SMYTH: I will keep going with this. Warning systems: before 2003, you, I understand, personally informed the people of Tharwa as to what might be required. Are the warning systems that we have got in place now to warn the community at large, or unique communities at the smaller area, adequate?

Mr Jeffery: I think there is a recognition now that they were inadequate, and if this situation arises again shortly I think there would be a different approach to it.

MR SMYTH: Liaison: you mentioned that with New South Wales you think it is adequate?

Mr Jeffery: I think so. I am concerned about the compatibility of radio communications, but we do not get too concerned about that in our area at the south of the ACT, because with our local radio system we have radios in the adjoining New South Wales brigade vehicles.

MR SMYTH: All right. Liaison, communications, relations with headquarters and with the minister?

Mr Jeffery: They seem to be quite adequate. Mr Barling probably will be able to enlarge on this, but the minister has a meeting at regular intervals with volunteers and bushfire councils, as I understand it, but I am not involved in that.

MR SMYTH: All right, thank you.

THE CHAIR: Volunteer numbers, Mr Jeffery: what are they like now, compared with, say, 12 months, three years, five years ago?

Mr Jeffery: I can only speak for my own brigade. I have had no inquiries from new potential volunteers in the last 12 months in my brigade. Two years ago, I had 22 that I put through basic training. Two of those stayed on to become members. The big problem is that there are too many hoops for people to jump through these days—things like medical tests, police checks and so on. I have found that these people are coming into training and doing the basic training but are not continuing on because there have just been too many hoops to jump through, too many assessments, too much emphasis on overtraining and not enough emphasis on common sense and initiative. People are just not prepared to come through the hoops.

THE CHAIR: Do they have to pay for their own police checks and things like that?

Mr Jeffery: They have to pay for their own police checks, their own medical checks.

THE CHAIR: And volunteers do not get paid anything I take it?

Mr Jeffery: Volunteers do not get paid anything, and if they work for themselves or in private industry they do not get paid.

THE CHAIR: There is no provision anywhere, is there—correct me if I am wrong—

whereby they can be compensated for excessive time off work?

Mr Jeffery: No. Government employees get paid; they get reimbursed. They get paid.

THE CHAIR: In terms of they get time off work which is counted as—

Mr Jeffery: Yes.

THE CHAIR: They get their public service salary while they are working?

Mr Jeffery: While they are working, yes.

THE CHAIR: We heard this in the January 2003 fires and I occasionally still hear it in terms of other fires around the country: one of the big criticisms in 2003 was that we had four fires—one at McIntyres Hut in New South Wales, three in the ACT—and certain people said they all should have been put out within the first 24 hours. There seem to be various schools of thought as to whether that is the most sensible thing or not to do with a fire, and occasionally I have heard that crop up in relation to fires in New South Wales. As a very experienced firefighter yourself, what is the most sensible thing to do in terms of fighting bushfires in the territory or elsewhere? If a fire starts, should it be put out as soon as possible, or does that depend on other circumstances?

Mr Jeffery: It depends a little bit on the time of the year and the conditions, but go back to January 2003: we were in the middle of a drought, we had the highest fuel loads we have had in history, and it was just plain absolute lunacy not to put those fires out. We had never lost a lightning strike in the previous 50 years in the ACT or surrounding the ACT.

THE CHAIR: Never lost one—what do you mean by that?

Mr Jeffery: Never lost one, never had one get away. I had been involved in dozens and dozens of those fires: you walk straight into them and put them out that night. The weather you get after a lightning strike is usually very mundane. The storm passes through, the humidity builds up and the winds drop and you have got this period of very mild firefighting weather.

There is an old bush legend that if you have not got that fire under control by 10 o'clock the next day you are in trouble. We have managed to do that all the time, and we should have done it on 8 January 2003—as simple as that. Without going back over history, we could have done it. There is no doubt in the world that we could have put those fires out, but this is probably not the place to debate it.

THE CHAIR: Are you confident that we have at least moved on from that and that—

Mr Jeffery: I have got no doubt in the world we have moved on from that.

THE CHAIR: If something like that happens again, there will be a big attempt made to put it out?

Mr Jeffery: There will be people like myself that they will not be able to stop.

MR SMYTH: Were you stopped in 2003?

Mr Jeffery: Yes. On the afternoon that those fires started, I had eight fires start between Tharwa and Banks. A bloke drove along the road on his rim, with a flat tyre, and started eight fires. I had all my brigade called out to those fires and we got every one of those under control without losing them. We were all there, about 40 experienced guys, ready to go. We were advised by the incident controllers in Curtin that we were there to go, and we were told to stay where we were.

MR SMYTH: Were you given a reason as to why you should stay where you were?

Mr Jeffery: It was being investigated—the fires were being investigated. That was the era when brigade captains were not making any decisions. That was made from Curtin by people who did not have any experience in—

MR PRATT: You are referring to the Stockyard Spur fire debacle on the night of the 8th?

Mr Jeffery: Yes.

MR PRATT: I think you were saying you are a lot more confident that micro control of captains has pretty much gone now?

Mr Jeffery: It has gone now. It would be a game man who knocked us back now.

MR SMYTH: Were there other occasions in January 2003 where the full services of your brigade were not called upon?

Mr Jeffery: It is a bit hard to go into that detail. It was probably about three days before we got involved in it at all. But after the first night, that is understandable. There were other brigades and other arrangements made. But that is a long story.

MR SMYTH: But on that first night, you were quite willing to go to the Mount Franklin Road and do whatever you could to put out those fires?

Mr Jeffery: Not only quite willing but raring to go, because my brigade had the most experienced bushfire fighters, remote area type firefighters, available to anyone. They were experienced in it. My deputy captains and I were all experienced in it and we should have been there; it is as simple as that.

MR PRATT: Could I revisit the very important comments you made about the organisation. I want to polish my understanding of what you were saying about pre 1995 or 1991—I am not sure which of those. Are you saying that the best structure that will meet the needs of this community is a bushfire council and an RFS organisation along the lines of an independent authority reporting direct to the minister?

Mr Jeffery: Absolutely.

MR PRATT: Are you saying that the RFS headquarters which commands the RFS brigades is part of, alongside of or subordinate to the council? And is it the council that actually commands and directs the operations as well as the planning?

Mr Jeffery: The council.

MR PRATT: The McBeth report found, did it not, that across New South Wales and the ACT there was something in the region of plus-10 metric tonnes of fire fuel per hectare in forests, as a general average?

Mr Jeffery: Yes.

MR PRATT: And that was a disaster waiting to happen.

Mr Jeffery: Yes.

MR PRATT: Basically, you are saying that was not rectified before 2003?

Mr Jeffery: Absolutely. After the Gudgenby fires in 1983, that was about the last hazard reduction that was done, and that was not a proper hazard reduction.

MR PRATT: It was not planned?

Mr Jeffery: It was not a planned hazard reduction.

MR PRATT: Impromptu.

Mr Jeffery: This culture developed whereby the land managers took the steps of playing the waiting game, for want of a better word. To Canberra, the Cotter catchment is one of our biggest danger areas, along with the Brindabella national park. The Cotter catchment used to be managed by Forestry, back in the days when I was chairman, and pre that. Forestry would carry out low-level hazard reduction burns on a five-year rotational basis, as regular as clockwork. You can't get them regularly at five years; it depends on climatic conditions. We had no major fires in that time.

The Brindabella national park in New South Wales was unoccupied crown land in those days and the ACT Bushfire Council, the statutory authority, had the lease of that for bushfire protection over those early periods, probably in the 1940s. For a token rent, we paid for it, we managed it and the Bushfire Council did the hazard reduction burns in Brindabella national park or its equivalent, and did so successfully until we got into the self-government period. Then, when we started to put the smoke up out there, people started to complain about it and the politicians could not stand the heat. As a result, we handed back the lease of the Brindabella areas to New South Wales and we stopped the hazard reduce in the catchment area. As a result, there is an old saying: history is there now.

That was all part of the optimum bushfire management for the ACT: protect it from the west. And we did it. We did it with the catchment. The Namadgi areas, which in pre Namadgi days was rural leasehold, were regularly burnt off all the time. The

fellows would ride through and drop their matches every winter. Nobody would take any notice of it, and it was stopped. So we had this protection for the ACT, for Canberra.

MR PRATT: In fact you are saying that matters changed after independence and sensible reduction work has simply gone by the board?

Mr Jeffery: Completely and utterly stopped. There was no wide acre hazard reduction done from that period on, and for a small period before self-government too.

MR PRATT: After the 2003 fires, McLeod certainly referred to McBeth and those lessons learnt. Are you satisfied that we are in a better position now to influence preventative planning and tasking in the Brindabella national park west of the border than we were prior to the 2003 fires?

Mr Jeffery: That is a hard one to answer. I think we are. I think the managers of that area are more concerned about the state of their parks now.

MR PRATT: But you were depending on New South Wales—

Mr Jeffery: We are dependent on New South Wales, absolutely.

MR PRATT: being better prepared.

Mr Jeffery: I know they have improved their trails but beyond that I do not know.

MR PRATT: So you are not aware that the brigades have received instructions or directions from the ESA or the government to get involved with New South Wales authorities in the preparation of the forests west of the ACT border?

Mr Jeffery: No, I am not aware of anything like that.

MR PRATT: Do you think it is a good idea that we do not have much influence at all over what work is done on the western approaches to the ACT?

Mr Jeffery: I think that we need to have influence over it. It is the national capital. It worked well when we did have the lease of it and we did have the run of it, but it is a different world now as far as national parks are concerned. New South Wales have got to pick up the responsibility now. As I say, it is a different world and a different era.

MR PRATT: Do you think that we could go into a collaboration with the New South Wales government as a jurisdiction and at least ask for a bit of cooperation or demand a bit of influence?

Mr Jeffery: We definitely should be involved with them—there is no doubt in the world about that—because it is so important to our survival in Canberra. The fires come from the west but the firestorms that hit Canberra on 18 January built up their steam in the high fuel out in the west, not just in the run through the pines into Duffy. The firestorms developed out in the west.

THE CHAIR: Were those areas that you used to do hazard reduction burns in, prior to this arrangement, in New South Wales?

Mr Jeffery: Absolutely, yes.

THE CHAIR: How far up did you go?

Mr Jeffery: Into New South Wales?

THE CHAIR: Yes.

Mr Jeffery: Virtually all of what is now Brindabella national park. We had the management of it. It was federal in those days but ACT Forestry used to manage it and do this regular burn. We would have in our vote a budget line for that sort of management.

THE CHAIR: And the New South Wales authorities would cooperate because you had the lease?

Mr Jeffery: New South Wales did not care what we did in those days. We had the lease of it and the fire protection. When a fire started there, not only for hazard reduction, we bore the cost of putting it out, and did so.

THE CHAIR: Would you get any assistance from, say, local brigades?

Mr Jeffery: Absolutely, yes.

MR PRATT: This may be a bit beyond your brief, but do you have an impression that, since the 2003 lessons learnt, ACT Environment and other authorities here are more mindful now of reducing those fire loads, re the McBeth recommendations, or are they in exactly the same position as they were in prior to 2003?

Mr Jeffery: I think land managers in the ACT are now more conscious of their responsibilities. I do not think it is so much as a result of McBeth; I think it is as a result of the consequences of January 2003.

MR PRATT: Are we somewhere down the one or two metric tonnes per hectare that I think McBeth recommended?

Mr Jeffery: It is impossible to measure it at the moment because of what I spoke about earlier—this fuel structure.

MR PRATT: Because of the heath, yes.

Mr Jeffery: It is just in the too-hard basket, frankly. I am dreadfully concerned about this and where it is leading us to. That is why it is so important to get back to this stuff that I talked about earlier—that we have this proactive recognition of the problems of politics and bureaucrat interference in bushfire management. We have those sorts of things like this fuel structure thing that, frankly, is beyond the conception of bureaucrats and certainly a lot of politicians as well. The whole thing has got to be

based on the community and we have to get back to looking after the community and protecting the community from bushfires. Because of that fuel structure thing, we have to take into consideration how we are going to put these fires out quickly and early.

DR FOSKEY: I have a question coming out of what you just raised. The fuel load problem that you are mentioning is in the Namadgi national park; is that right?

Mr Jeffery: Yes.

DR FOSKEY: Have you noticed any changes in the management regime of Namadgi national park—for instance, fewer people on the ground, those people actually managing the place? I am thinking particularly of the cuts in 2006 that did reduce the number of rangers and so on.

Mr Jeffery: I do notice, just from my own familiarity with it, that Parks workers in Namadgi seem to have virtually disappeared. As I see it, there seems to be only one Parks worker in Namadgi. There seems to be a proliferation of rangers and people sitting in front of computers.

I am concerned about the ability of Tidbinbilla and Namadgi to man the amount of units that they should be able to man in a fire situation. Namadgi is 42 per cent of the ACT and until this point they have been able to man one light unit. I heard in the last couple of days that Tidbinbilla nature reserve, even in the conditions that we are moving into at the moment, cannot man a tanker. That is hearsay, but I am concerned about the amount of Parks workers.

DR FOSKEY: We need to ask some questions about that.

THE CHAIR: What would be the three main things you would urge this committee, the Assembly and the ACT government to do to get it right in future in terms of bushfire management?

Mr Jeffery: I would urge the Assembly and this committee to look at the responsibilities to the community and not to let themselves be swayed by individual ideas, preferences and political persuasions. The community is number one. The community has to be protected from bushfire. Bushfires have the ability to virtually destroy our community. The 2003 fires destroyed a lot of people. Those who were not directly involved in it had a lot of trouble coming to grips with the hurt and the feelings of the victims of those fires.

Those who were not involved keep saying, “Why don’t you forget about it and get on with your life?” It is not quite as simple as that. With respect to the next one that comes up from Caswell Drive or further out near Mount Painter and goes up Black Mountain, with spots all over Ainslie and those places and which burns 1,000 or 2,000 houses and kills 100 people, it will have to be on the conscience of the Assembly, because they are the ones that are governing the ACT. That fire is going to happen one of these days if we do not do the right things and protect the community from that.

THE CHAIR: What are the three main things that go to protecting the community?

What should the priorities be?

Mr Jeffery: Independence is the main one; adequate funding, which is not as big a problem as it sounds at times; and conscious acceptance that there is an obligation there to the community to provide these things.

THE CHAIR: Thank you very much, Mr Jeffery, for appearing before the committee. Your experience and thoughts on this inquiry are invaluable. I thank you for your time. I thank members of the committee and also the other two members of the Assembly for their attendance. The inquiry will resume at 10 o'clock tomorrow morning.

The committee adjourned at 4.00 pm.