



**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

WEDNESDAY, 19 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).

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The committee met at 2.00 pm.

CORBELL, Mr Simon, Attorney-General and Minister for Police and Emergency Services

CARTER, Mr Robert McKim, Deputy Chief Executive (Operations), Department of Justice and Community Safety

LEON, Ms Renee, Chief Executive Officer, Department of Justice and Community Safety

MANSON, Mr Gregor, Commissioner, ACT Emergency Services Agency

THE CHAIR: We will commence. Firstly, I will read the privilege statement. 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; and when witnesses come to the table they each need to state their name and the capacity in which they appear. At the last hearing we had four or five people at the table, so whenever you chime in, just state your name again for Hansard.

We will now hear from Mr Carter, Mr Manson, the minister and Ms Leon. Do all four of you understand the privilege statement that I have read to you? Mr Carter?

Mr Carter: Yes.

THE CHAIR: Mr Manson?

Mr Manson: Yes.

THE CHAIR: Minister?

Mr Corbell: Yes.

THE CHAIR: Ms Leon?

Ms Leon: Yes.

THE CHAIR: Thank you for appearing today and for making yourselves available. I thank you for the documents that have been provided, although I do raise a bit of a proviso there and I will ask the minister several questions in relation to that. I note that, on 30 January, the previous chair requested a submission, which we received yesterday, just before the committee hearing. On 7 February, some documents were requested. One very large document has been provided.

I must express some concern that both the submission and the documents were received pretty late, which makes it, in the case of the document especially, probably very hard for us to ask a lot of questions about it. I point out that the committee will be meeting privately on Tuesday and that there may well be a need for recall because we simply have not had the chance to digest this.

Mr Corbell: Mr Chairman, I am very happy to facilitate whatever additional information the committee may require in that regard.

THE CHAIR: Thank you—and also, maybe to a lesser extent, the submission. Committee members have had that overnight but it has only recently been approved for publication, so other members of the Assembly would not have had a chance to see it, and they might want to ask questions about it.

Minister, documents were requested. You have indicated in your letter back, in relation to a costing study undertaken by the Emergency Services Agency in relation to costs of delivering all services required under the legislation, that the current ESA three-year business plan forecasts this activity to be completed in the year. I take it from that that work is ongoing and that you are not in a position to provide that. Is that what you are saying there?

Mr Corbell: That is what my letter advises you, Mr Stefaniak.

THE CHAIR: Minister, with respect to documentation in relation to Treasury, you say that the request has been passed on to the Treasury to respond. Could you tell us when you requested Treasury to respond to that?

Mr Corbell: I could not tell you exactly when that occurred but the request has been made.

THE CHAIR: If you could indicate the date on which that was passed on, that may help the committee.

Mr Corbell: I will undertake to get some further advice on that.

THE CHAIR: Thank you. You have supplied the final report of Dobbin—that large document—and I thank you for that. There is a further report by Mr Stuart Ellis, about which a fair bit has been mentioned in relation to this committee inquiry. I understand

that Mr Ellis did a report in relation to the actual ACT Fire Brigade and also the bushfire services. That report was done—correct me if I am wrong—late last year.

Mr Corbell: It was completed last year.

THE CHAIR: Obviously, the committee was looking forward to receiving that, but I note you state that it is classed cabinet-in-confidence.

Mr Corbell: That is correct.

THE CHAIR: Why is that?

Mr Corbell: Because it was part of cabinet's deliberations.

THE CHAIR: What about the second Ellis report in relation to the urban fire service? Is that also cabinet-in-confidence?

Mr Corbell: There is only one report.

THE CHAIR: It relates to both, does it?

Mr Corbell: There was one report prepared by Mr Stuart Ellis.

THE CHAIR: Does that relate to all fire services?

Mr Corbell: That relates to the Emergency Services Agency as a whole, including the fire services.

THE CHAIR: Was that always cabinet-in-confidence?

Mr Corbell: Yes.

THE CHAIR: Can you advise us when it became cabinet-in-confidence?

Mr Corbell: It became cabinet-in-confidence when the government considered it, probably this time last year—well before this inquiry commenced.

THE CHAIR: Thank you for that, minister. Finally, in the letter of 7 February, apart from those four documents which we have now discussed, the committee stated that it would also appreciate any other documentation which you think may assist the inquiry. We asked for the documentation to be sent to us by close of business on 19 February. I have already mentioned that.

In terms of other documents, minister, we have also heard of a report from the deputy chief fire officer in relation to concern about emergency services capability. I do not know whether you received that but it would have been passed up the chain. Reference was made to that in the hearing, I believe, on the 14th. The committee would certainly like a copy of that report as well.

Mr Corbell: Which report is this, Mr Stefaniak?

THE CHAIR: It is a report, I understand, from the Deputy Chief Officer, Rural Fire Service.

Mr Corbell: When?

THE CHAIR: From what we heard the other week, I understand it was in late November or early December last year. Could you check that?

Mr Corbell: I am happy to make inquiries and clarify what the status is, if any, of such a report.

THE CHAIR: Thanks for that, and if you could get back to us on that, minister, I would be grateful.

Mr Corbell: Absolutely.

MR SMYTH: By way of a supplementary to that, the committee, I understand from what you have just said, asked for any other relevant documents. Are there no other relevant documents in your department that would have assisted this committee in its inquiry?

Mr Corbell: I think the difficulty, Mr Smyth, is that it was such a broad request that, without the committee being more specific, it is difficult for me to determine what is of value to this committee and what is not.

MR SMYTH: Did you write back to the committee and alert them to those things that you have just said and ask them to be more specific?

Mr Corbell: I think I have indicated that in my letter of today.

MR SMYTH: Of today?

Mr Corbell: I think so.

MR SMYTH: You do not know?

Ms Leon: I might also add, Mr Smyth, that the department sought to summarise all of the relevant activity in its submission—

THE CHAIR: They have got it. You have got that letter.

Ms Leon: and we expected that our appearance before you today would give us an opportunity to identify any particular matters that you are interested in and to provide you with such documentation as might exist in relation to those. Of course, almost every document within the Emergency Services Agency is potentially relevant to your interest in the operation of fire and emergency services. So to us it seemed to be more helpful to provide you with a very broad submission summarising all the activity and to use this opportunity to ascertain the areas in which you have a particular interest.

Mr Corbell: Before we proceed to more general questions, and of course I am very happy to answer those, I was hoping the committee would permit me to make an opening statement in relation to the government's submission.

THE CHAIR: Certainly.

Mr Corbell: I will then be very happy to move to more detailed questions.

THE CHAIR: Minister, please go ahead.

Mr Corbell: I would like to thank the committee for the opportunity to present to you today on fire and emergency services arrangements in the ACT. As we have just discussed, I am aware that you have been provided with a copy of the government's submission and I would be happy to answer further questions on that.

I have also provided the committee, as we have just discussed, with a reply in relation to your requests for certain other documents. To that end, I am pleased to provide the committee with a copy of the report prepared by Dobbin Consulting on best practice in AIIMS training for the ACT ESA.

I have been following the evidence and discussions this committee has had during the course of its inquiry to date, and I thank the committee for the opportunity today to respond to and elaborate on those discussions from the government's perspective.

Two key issues appear to me to be central to your committee's deliberations. The first is that of preparedness, with a particular focus on bushfire events but also on other emergencies. The second relates to the most appropriate form of governance and administrative organisation for the ACT's emergency services and the involvement of ESA personnel, particularly volunteers, in decision making. This afternoon, I will seek to address each of those in turn.

Firstly, I refer to the issue of preparedness. Anyone listening to this inquiry would be mistaken in believing that nothing has been learnt since the terrible bushfires of 2003. Indeed, this would appear to be an all-too-common and glib assertion made in evidence to date. In my and the government's view, such an assertion is not backed up by the facts. First and foremost, such assertions fail to acknowledge the very large increase in funding to Emergency Services since 2003.

Under the old arrangements put in place by the previous Liberal government prior to 2003, the Emergency Services Bureau—as it then was—total budget was in the order of \$36.189 million. In 2004-05, immediately following the terrible firestorm, it rose to \$64.245 million, in 2005-06 to \$67.471 million, and in 2006-07 to \$84.610 million. Basically, the budget is double what it was prior to 2003. This reflects the seriousness with which the government views the need to properly resource our emergency services.

I would say to the committee that this funding has produced very significant results. Firstly, the antiquated and out-of-date radio communications system, which completely failed on that fateful day in January 2003, has been replaced. The capacity and coverage of this new network is significant. It can manage a magnitude of voice

messages far in excess of what was previously available and it gives our emergency services the ability to handle large volumes of messages in a full-scale emergency without compromising the system, as well as providing for interoperability with interstate services, particularly those in New South Wales, which would be absolutely vital in such a large-scale emergency. This is just one example of being better prepared and learning from 2003.

Another is the provision of community fire units across the territory. The government has provided for 38 CFUs in vulnerable areas along the urban interface. Over 700 volunteers are now associated with this program and this makes the CFU program the largest volunteer service in the ESA. It is another example of learning from 2003 and making sure residents are better prepared.

The government announced in the most recent budget the provision of \$100,000 to review and update the strategic bushfire management plan. This work is now well underway. I mention this because it is important to note that prior to 2003 there was no comprehensive or statutory program in place for fuel management in the ACT. Now there is, and the territory's land managers have undertaken significant fuel reduction work, including many prescribed burns in the urban, urban interface and rural areas of the ACT, as well as more mechanical means of fuel reduction. The question I would put rhetorically to the committee, Mr Chairman, is: did this happen before 2003? The answer is no, it did not, but now it does and it is another example of being better prepared.

I could also detail the government's budget decisions to fund the replacement of 32 fire-fighting vehicles, funding to train firefighters in remote area firefighting, a quarter of a million dollars for driver training for our RFS volunteers, over half a million dollars for an incident control system and leadership training of RFS volunteers, as well as other skills such as chainsaw operations training. I could detail the funding provided to the Bushfire Council to independently monitor the government's implementation of the agreed coroner's recommendations. I could highlight the advanced lightning strike detection capability now available to ESA or the clear protocols now in place to provide timely warnings to the ACT community in the event of an emergency. Time clearly does not permit me to do so today. I simply reiterate these items to demonstrate to the committee that the government is committed to learning from the mistakes, the problems and the disaster that occurred in 2003 and that it is glib and misleading to assert that nothing has changed and that we are no better prepared.

I now turn to the issue of the most appropriate form of governance and administrative arrangements for the ACT's emergency services and the involvement of ESA personnel, particularly volunteers, in decision making. Much of the evidence that the committee has heard to date focuses on the government's decision in 2006 to change the status of the ESA from a statutory authority to an agency within the Department of Justice and Community Safety. The key reason for this change was, and remains, budget accountability. The committee must recognise that, with emergency services, as it is with health or other vital services, there is always going to be a limited amount of funding available. There is no magic pudding to draw on to enable us to perform all of the things that we believe should or can be done.

The range of activities, programs and services that an emergency service provides is potentially limitless. That is why the government, like all other governments and emergency services around Australia and the world, takes a risk management approach—one that is proportionate having regard to the potential risk faced, its likelihood and its possible consequences if it is not ameliorated.

In 2004-05 and 2005-06, the ESA suffered major budget blow-outs in the order of \$5 million in each of those years. The independent nature of the authority, when it came to budget management, had a significant downside. There was no accountability for failure to manage the delivery of emergency services within budget—and, it should be highlighted, within a budget that was growing dramatically. Management of the ESA's budget and programs was required to be brought more directly under government control. Only in this way were the budget problems to be resolved. As the committee is aware, that problem has now been resolved.

In making the decision to establish the ESA as an agency of the Justice and Community Safety portfolio, the government was acutely aware of the need to ensure that operational decision making was unhindered by administrative arrangements and, indeed, independent of it. I would draw to the committee's attention the provisions of the Emergencies Act 2004 which provide for the independent powers and functions of the ESA Commissioner and the chief officers of each of the four services. These powers and functions are enshrined in legislation. They cannot be usurped or taken away by other public servants. These provisions provide for the operational independence that our emergency services need. With your permission, Mr Chairman, I will table the relevant sections of the Emergencies Act that provide that information.

THE CHAIR: Certainly.

Mr Corbell: Thank you. The government does not believe that issues around funding should be made solely by an independent emergency services body. Decisions around funding are political and are properly the function of elected representatives in our form of responsible cabinet government. There is no getting away from that reality.

I put it to the committee that the question of whether to have an independent authority or a government agency, as raised by other witnesses, is a false dichotomy. Operational decision making and budget decision making occur in two different but related fields. As I have previously said, operational independence is enshrined in legislation and budget accountability is enabled through the establishment of the ESA as an agency of government.

To this end, I must reject the assertions made by one of your other witnesses, Mr Ross, that the new arrangements announced in 2007 did not provide him or other chief officers with the opportunity to provide advice directly to me on budget bids. Indeed, contrary to his assertions, I can advise the committee that I specifically convened meetings with all of the chief officers and the commissioner prior to each consecutive budget to ask them directly what their priority bids were for budget funding. This enabled chief officers to tell me directly which bids they believed were important. Mr Ross knows this is the case and I am disappointed that he failed to advise the committee accordingly.

Turning to the issue of communication between forward commanders and the government and broader community, I would like to take the opportunity to highlight the arrangements that are in place to coordinate and manage full-scale emergencies in the ACT. I should add, Mr Chairman, that this is another example of being better prepared since 2003, in this case through defined and tested emergency arrangements. I would like, again with your permission, to provide the committee with a copy of the ACT management structure in a declared state of emergency.

THE CHAIR: Yes.

Mr Corbell: Could that be circulated so that members can see it in front of them?

THE CHAIR: Yes, that can be done.

Mr Corbell: Thank you. I have provided the committee with a copy of the ACT management structure in a declared state of emergency. This highlights that there is a clear delineation of roles between the tactical, operational and strategic elements of emergency management in the territory which separate operational decisions from broader political considerations. I can also advise the committee that these functions have been consistently tested over the past two years in a range of scenarios, including potential terrorist incidents, major public disease outbreaks and critical infrastructure collapse, amongst others.

I should add that these clear, unambiguous and consistently tested arrangements involving the emergency services, senior public servants and elected officials, including the cabinet, were not in place prior to 2003 and are another indicator of being better prepared and learning the lessons of those terrible fires.

I would like to comment on the issue of involving volunteers in decision making. The government and I, as minister, consider the involvement of volunteers to be vital in informing decision making within the ESA and government. It was in response to volunteer concerns about the adequacy of the RFS vehicle fleet and opportunities for skills development and training that the government announced its \$6 million vehicle fleet replacement program. It was in response to the concerns raised by volunteers.

It was in response to the concerns raised by volunteers that an extra \$644,000 in funding was allocated for leadership training, incident control system training, remote area firefighting, fire management technique skills, maintenance and chainsaw operation training. It was in response to concerns raised by volunteers that the government provided \$250,000 additional for extra driver training.

It is because the government and I consider the input of volunteers to be valuable that I meet with them regularly, along with the chief executive of my department, the commissioner and the chair of the Bushfire Council and that this occurs every six weeks. Its purpose is to discuss progress of budget initiatives and any other matters volunteers wish to raise.

To this end, I am therefore disappointed that my comments in relation to delays in the RFS finalising its business plan for this financial year have been so grossly and

unfairly misconstrued by some. If, in these consultative forums, I cannot speak openly without fear of it becoming a political football about problems that exist and what I believe needs to be done to fix them, then there is a real question about the worth of those meetings. Personally, I remain committed to those meetings and to sharing openly and fully with other participants my views in an atmosphere of mutual respect and trust. And I certainly sincerely hope that others share that view.

The government remains committed to providing the most effective, accountable and responsive Emergency Services Agency for the Canberra community. The past five years have been a period of considerable change and reform and it has not been without its mistakes. But it is a constructive and positive path that we are choosing to tread. As I have demonstrated to you today in detail—not just sweeping assertions; in detail—we have learnt from 2003; we are far better prepared; and we will continue to work to improve that even further.

THE CHAIR: Thank you for your opening statement, minister. One of my colleagues, Ms MacDonald, has asked whether you would mind tabling that.

Mr Corbell: It has got quite a few typos in it. Perhaps if you would give me the liberty of tidying it up, I am happy to provide it.

THE CHAIR: I am quite comfortable with that, minister. I was listening intently to what you had to say. I am going to ask a few questions in relation to what you have said. Then certainly Mr Pratt, I know, had some other questions before you even started that. Before I do that, we have had a number of people give evidence before this inquiry. I think nearly everyone has been asked of their experience in terms of bushfire fighting. I have got a fair idea in relation to you, minister. For the record, Mr Carter, your position is with JACS, is it not?

Mr Carter: That is right, yes

THE CHAIR: Have you got any experience in bushfire fighting or any sort of firefighting?

Mr Carter: I have not. Thankfully, I have no experience of bushfires or fighting them.

THE CHAIR: Mr Manson?

Mr Manson: The committee may well be aware of the published article regarding my CV when I first arrived. But, in simple terms, I have been incident controller in more than 1,000 incidents. One hundred of those incidents would be serious bushfires. I took charge of the Blue Mountains fires, two fires in excess of 60,000 hectares threatening the Blue Mountains in 1994. I took charge of the strategies for three major fires for Commissioner Koperberg in 1998 around Sydney. My demonstrated record is in front-line firefighting and development of remote area firefighting and firefighting plans for national parks such as the Blue Mountains, the Sydney region, and I developed the Kosciuszko's first major fire management plan for that park.

I have some 25 years of front-line experience as an incident commander and have taken charge of more than four fires which would be of the same scale as the

catastrophic fire in Canberra. Fortunately, our strategies worked very well and there was not the catastrophic loss of life or houses. I probably have a very extraordinary record of bushfire fighting and other emergency management.

THE CHAIR: You said 25 years as an incident controller. Are you ever involved with voluntary bushfire fighting? Were you part of a brigade at any stage or what was your discipline?

Mr Manson: Essentially, I have been a member of the volunteer brigade for most of my life in the Blue Mountains. I continue to be an old member of that brigade. I am not an active member, obviously. The fire-fighting arrangements in New South Wales have changed significantly over that period. National parks and state forests were the incident controller's responsibility for all that land.

More recently, following the 1977 fires in the Blue Mountains and later, the cooperative fire-fighting arrangements in New South Wales took place. Under those arrangements, we worked closely with volunteers in the Blue Mountains, the Rural Fire Service of New South Wales, the local government arrangements, the urban fire-fighting arrangements, Sydney Water Board fire-fighting arrangements, state forests. I was the nominee under the act for 17 shires in New South Wales as the primary controller for most of Western Sydney and the Blue Mountains, down to Goulburn.

THE CHAIR: Minister, I understand you are a bushfire volunteer. How long have you done that for?

Mr Corbell: I have been a volunteer member of the Rural Fire Service since 2002.

THE CHAIR: You are the second one here who has done that, along with Mr Smyth. Ms Leon?

Ms Leon: Consistently, with the demarcation of responsibility between administrative and operational responsibilities in relation to the Emergency Services Agency, my expertise is in administration, not in operational matters of the front line.

THE CHAIR: So you do not have any experience in the front lines of operations?

Ms Leon: I do not purport to be a front-line firefighter and I do not seek to present that.

THE CHAIR: No; I did not think you did. I just wanted that clear for the record because we have had a lot of people involved over many, many years in this area. I think it is important to differentiate that.

Mr Corbell: Mr Stefaniak, can I ask you how many years experience you have had in volunteer firefighting?

THE CHAIR: None, actually, and I make—

Mr Corbell: But you are chairing this inquiry, are you not?

THE CHAIR: Exactly, and I have had experience in other areas as well.

Mr Corbell: I just question the relevance of the question.

THE CHAIR: I certainly make that point. You are witnesses and I am not. Other witnesses have given records of years of experience in this area, and that is always something I think a committee needs to take into account in terms of judging what they say and how relevant it might be to improving perhaps the situation, which is something I am sure we are all keen to do. Obviously, the expertise or otherwise of you people in various areas is also relevant. In fairness to yourselves, I think it is important to put that on the record. And I thank you for providing those details. I thank you for your statements, too, minister.

I will go to one of the obvious issues that have come up before this inquiry. It has been put to us that it is an issue of morale but also of communication with volunteers. I hear your statements in relation to that, but clearly there seems to have been, from the evidence we have received over three days now, a significant problem between the volunteers—and the fact that they have indicated to this committee they do not feel like they are being listened to—and the communication from your end.

Apart from the incident in March 2007, we have heard a number of people say the situation has not improved. We had Mr Jeffery say:

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 the community are the ones being exposed by people standing on their heels and protecting what has been put up there.

Those sorts of comments came through in relation to a number of other witnesses, especially on 14 March, when we had four bushfire captains and Mr Barling here. Clearly, on that evidence, there would appear to be a problem as far as the volunteers are concerned.

I might direct this to you, Mr Manson, because some of the comments were very much directed at you. What do you propose to do to re-establish a relationship with those volunteers and to improve this situation that clearly seems to cause a lot of angst to a number of people who have appeared before this committee?

Mr Corbell: Just before I ask Mr Manson to answer your question, can I first of all say that I think it is not accurate to suggest that no communication is heeded and no views are listened to and that requests are ignored. I will give you one small but good example of why it is not the case.

Earlier this year Mr Barling wrote to me on behalf of the Volunteer Brigades Association outlining concerns about the withdrawal of the commonwealth government of its compensation cover for journeys associated with journeys to work. This affected volunteers because, if they were called to a shed to attend to their vehicles and respond to a fire or other incident if they were in the SES, they would no longer be covered by compensation arrangements should they have an accident or be injured in some way on the way to their shed or unit. Mr Barling wrote to me and

outlined to me his concerns and said it was a problem that needed to be fixed.

At the following meeting, which occurred about four to five weeks ago now, with volunteers, I was able to advise Mr Barling and the other volunteer representatives present that the government was able to rectify that problem and that the government had its own insurance cover which could be extended to volunteers to ensure that they were not in any way disadvantaged by that change to commonwealth legislation by the previous Howard government.

I use that simply as an example that the government does listen and respond on these issues. I think it is fair to say that there is not always agreement, but that is the case in all fields of life, including in this place. But wherever possible, we work to achieve good and positive outcomes and we use the forums to try to address that. And that is certainly what occurred in that case. I will ask Mr Manson to outline to you in more detail an answer to your question.

Mr Manson: Thank you, Mr Corbell. Communication with a broad range of volunteers is always a challenging exercise in terms of providing them with the sort of level of detailed information that they may wish to have. The CFUs and the SES have a very good system of operating our internal web portal system. The RFS had not been able to get that up and running until very recently where, at one of those volunteer minister meetings, this issue was raised. In fact, we have rectified that largely and now have an operating portal and the volunteers are starting to get connected to that and starting to use it. So that is an initiative we have taken.

It is clear that misinformation or a lack of information going out to individuals, volunteers in a brigades, has caused concern. In relation to some of the statements which were given recently by witnesses here, if you read our newsletters—and I am happy to provide these—this was an initiative taken to address the communication problem, where fortnightly now we provide from the chief officer of the Rural Fire Service information relevant to brigade members. That has been very well received.

It is interesting that, in relation to some comments made by the captains in relation to vehicles and equipment and funding for the RFS, prior to their giving evidence here these newsletters, which are very accurate and provide information about the purchase of tankers and motor vehicles in some great detail, were sent out. So I was a little surprised that captains that appeared here felt that they were not informed about those things when the newsletters in January and February provided detailed advice on the progress of purchase of equipment and tankers. Communication is an issue.

THE CHAIR: You can table that, if you like.

Mr Manson: I would like to table those because they do provide, I guess, a bit of a different picture about the information which is available and which may not be read by everybody because they are busy volunteers. In the absence of their having read those documents, they may be unaware of the progress of certain activities.

THE CHAIR: In fairness to you and the minister, I will ask one more question and then Dr Foskey has got some questions. I thank you for that, Mr Manson. It came through from these four captains, Mr Barling and perhaps one or so other witnesses

that they felt that obviously there was a complete lack of you listening and perhaps to an extent the minister listening and maybe other senior people in the organisation listening. One of the captains, talking about changes of management et cetera, finished by saying:

My impression is the same as Pat's. I think he—

meaning yourself—

is just there to—pardon the French—stuff us and get rid of us.

Obviously, I would ask you to comment on that because clearly that is—

Mr Corbell: Again Mr Manson can elaborate, but that is a very sweeping assertion. And what does that mean? The government has made its policy very clear.

THE CHAIR: I took it to mean simply that there is obviously concern from a number of witnesses that there is what they probably describe as a total lack of proper communication between, I suppose, the commissioner and some other staff and themselves. I am asking the commissioner to make comments on that and to indicate—because clearly we had a number of people saying there was a problem—what steps he intends to take. I would invite you perhaps to comment on what steps you intend to take to overcome this very real problem.

Mr Corbell: Again, I noted in some of the evidence that there was a suggestion that the secret agenda is a single fire service. There is no secret agenda and there is no agenda to create a single fire service. I do not know how many times I have said that, but I guess I just have to keep saying it. There is no agenda for a single fire service. We will have two fire services in the ACT: the ACT Fire Brigade and the ACT Rural Fire Service. Each performs a separate but complementary role and, on the ground, I believe they work very well with each other.

It concerns me that those comments continue to be made, despite the very clear announcement and reiteration of government policy by me and by my officials that that is not on the agenda. I note that other witnesses such as Mr Prince suggested that it should be, but the government does not agree with that. So I do not know how many times it needs to be said, but I say it again anyway.

THE CHAIR: Thank you.

Mr Corbell: I will invite Mr Manson to elaborate further.

THE CHAIR: I think it was probably more than that but I think Mr Manson should have his comment and then—

MR SMYTH: A supplementary on that: in the document that sets up the consultation for the business plan, under the planned principles adopted, No 1 dot point is “active integration”. What is active integration?

Mr Corbell: Active integration means that the Rural Fire Service, the ACT Fire

Brigade, the SES and the Ambulance Service work as a coherent team in delivering emergency services to the ACT community.

MR SMYTH: So they are actively integrated into what?

Mr Corbell: In terms of cooperating and working with each other.

MR SMYTH: That is cooperation, surely, not integration.

Mr Corbell: This is the issue that I think comes to the issue of governance, which I note has been a significant subject of discussion at this inquiry. I note evidence from others such as Mr Jeffery that the RFS should go back to the days when the Bushfire Council ran bushfires and that was the end of it and they had authority to do all of those things. That sort of model does not encourage integration, coordination and cooperation between the different emergency services. It promotes and tries to create demarcation disputes between services.

We are one territory; we are small; we are effectively one urban area with a couple of villages around us. We need to make sure that our emergency services work collaboratively and together, not try to demarcate and stand separate from each other. It does not mean you have got to have a single fire service to do that. The government's view is that the RFS and the Fire Brigade perform important but complementary roles. They do different types of work, and that is recognised and respected, I think, by each of the services as well as by the government as a whole.

But we must ensure that they work collaboratively and together because we have one agency. They are all members of that agency and they all need to work together within that agency. That is what that means.

THE CHAIR: Mr Manson.

Mr Manson: I think one of the most proactive things that we have done, certainly since December before last, was that the RFS had a number of committees which were connected to providing advice and consultation through to the chief officer and the commissioner. The RFS and the captains formed one single group, at their instigation, to provide a single voice and a single point of contact for consultation. I supported that approach.

I have been, I think, to almost every meeting of that group, as an observer. That group includes Territory and Municipal Services, the captains and a representative from the Bushfire Council. Normally the chair attends. We meet every six weeks generally and we have had a number of special meetings to do with special issues.

I think, if you look at the record of the minutes—and I actually have them here—that that group has identified a significant number of issues which needed to be dealt with and which were issues of great concern to the captains. They were put on to an action sheet and are followed up at each meeting after that. If you look at the record of that group and my attendance, you will find that there have been a large and significant number of outstanding issues which have been dealt with through that group.

The latest interest in that group was when Mr Barling made comments about some review process that I had agreed to. It was that captains group that put forward a revised proposal about how they wished to move forward with the review and the development of a business plan—put forward by them to me at that group, at that meeting—and I agreed with their revised proposal and moved forward.

Mr Barling's assertions in his evidence that nothing has happened is quite at odds with the minutes that I have here of that meeting and the fact that the captains requested a change in approach and I agreed because I thought it was a very positive way forward. I think the communication, in terms of dealing with issues such as the BAS and operational matters, has been raised there, and a significant number of issues have been resolved.

The working relationship between Territory and Municipal Services, the brigades and the Fire Brigade, as a result of those meetings, has vastly improved. I think some of the issues were raised with me when I visited every brigade in the first two months that I was here in this job. I listed those issues. The vast majority of those have now been dealt with.

THE CHAIR: Thank you for that. You have answered my second-last question. I will do my last one. Mr Pratt has a supplementary and I understand Dr Foskey has got some substantive questions. We will do it in that order. My final question is: do you or have you, to date, actually rung up Mr Barling or met just with him privately over issues?

Mr Manson: I certainly have. I would run into Pat at various brigade functions and, apart from the formal meetings that we have six weekly, I often ring Pat up about particular issues that he is following up. I have had conversations with Mr Barling on a number of occasions, usually at my instigation, where he has raised an issue and I need to follow up with him where I am up to with it or get further input from him.

THE CHAIR: You have done that by phone calls initiated by you?

Mr Manson: Largely by phone calls. As I say, we often run into each other at functions. I always take the time to have a conversation while I have an opportunity.

Ms Leon: I might add that I also have not infrequent informal contact with Mr Barling. He knows my door is always open to him. He and I have met for coffee and to have discussions about issues that are of concern to him. As I understand the communication between Mr Barling and me, it is frank, open and good.

MR PRATT: Good afternoon, minister and officials. My supplementary goes to the heart of the question on communication, the passage of information and the consultation issue. If, minister, the communication, consultation, the passage of information from governmental departments out to the front-line units, is as good as you say it is, why did it take so long to sort out the saga of the bank accounts? Why did it take that amount of time to listen to the grievances and to then take the absolutely appropriate steps that were finally taken to sort out the bank accounts issue?

Mr Corbell: I do not believe it did take a significant period of time, Mr Pratt. Can you tell me how long it took?

MR PRATT: It took some months. My understanding is—

Mr Corbell: First of all, I would comment that some months is not a protracted period of time. Nevertheless, there was clear communication on that issue from the beginning. There was a disagreement about how the matter should be handled, but that does not mean there was not communication.

MR PRATT: But you would not argue, would you, minister, that there was a high level of dissatisfaction around that subject for a considerable period of time—

Mr Corbell: Yes.

MR PRATT: which caused a lot of angst and therefore must have impacted on your readiness to make the territory safe in terms of morale and capability?

Mr Corbell: I do not see how the status of volunteer brigade bank accounts has anything to do with preparedness for an emergency.

MR PRATT: I will show you why, minister, in the next number of questions perhaps. Why did it take so long, therefore, for the government and the department to be able to listen to the deep concerns expressed by the volunteers—and not simply the volunteers, but other officers—about the restructure and the reorganisation of the ESA? Why is there still today a high level of dissatisfaction? How is that listening, communicating and consulting?

Mr Corbell: Again, as I said at the beginning, the issue of how the emergency services is organised is based on the government's policy. The government took decisions that the ESA should be organised in a particular way, in terms of its status as a statutory authority or not, because of issues around budget accountability. I have outlined to you what the problems were with budget accountability, and the government takes that matter very seriously, as it should. This is taxpayers' money. Whilst there is always support for spending money in emergency services, it still needs to be spent responsibly and effectively, and within budget. That is why the government took the decision it did to establish the ESA as an agency rather than an authority.

The restructure that the commissioner and I advised at the beginning of 2007 was based on the commissioner's advice to me as to the best way to organise the emergency services. As I have outlined to you in my evidence earlier, that is one of the commission's statutory roles: to ensure that the emergency services is organised in an effective way to be able to deal with emergencies. The commissioner has the authority, under the act, to determine those matters and I have given my full support to the commissioner in that regard because I believe it is important for the minister to support the commissioner in his decisions around the best way to organise the emergency services, to protect our community in the event of an emergency.

Yes, there was disagreement between the government and RFS volunteers—

predominantly, but some other volunteers as well—on that issue. That was effectively a political dispute. It was a disagreement of ideas; it was a disagreement around how things should be organised. When you have a disagreement, you have to take the time to work that through, and we did that. Ultimately, we were able to reach a conclusion on that point which offered us a way forward which also allowed the dispute to effectively be brought to an end. Where you have disagreements, you have to take the time to work things through—and that is exactly what we did.

MR PRATT: Earlier, minister, you said that volunteers are involved in decision making. We have just outlined how the volunteers, through their captains and the VBA, have expressed their deep concern and frustration about their reorganisation because they say—and I would be surprised if you would disagree with this—that out of the McLeod recommendations came the need for a statutory independent authority, unencumbered by bureaucracy, and that is the heart of their concern.

Is it not also true that Mr Prince and Mr Ross, two ex senior officers of the Fire Brigade and the RFS respectively, also deeply criticised the restructure and the bureaucratisation? Is it also true that Commissioner Dunn and other middle ranking and senior officers of the then ESA, and other organisations, basically walked away because of their deep concern about the restructure that you undertook in late 2006?

Mr Corbell: I am certainly aware that you asked Mr Ross—I am not sure about Mr Prince—that question and he answered that question. It is not for me to say why individuals did certain things. You should ask them that. You have asked Mr Ross that and he has given you his answer on that. In relation to the restructure and the McLeod and the coroner's recommendations, I draw your attention to my opening comments where I said very clearly that the distinction must be drawn between operational independence and budget accountability. These are two issues that are related but separate.

I have said to you very clearly in my evidence today, in my opening statement, that the operational independence of our emergency services commanders is guaranteed in legislation. I have tabled for you the provisions of the act that deal with those matters, what powers those are and how they must be exercised independently by the commissioner and the chief officers. So there is independence on those matters. The point and the issue the committee is going to have to address is that you are not going to get away from the issue of budget accountability.

You need to focus on how you ensure that an organisation works within its budget and what you do if it does not. That is the reason why the government believed the authority model did not work, because the authority model did not allow government to ensure that the agency worked within its budget. Basically, if it blew its budget, what could we do? We could not do anything; there was no accountability around it.

MR SMYTH: So nobody in the government was responsible for the ESA if it blew its budget? There is no ministerial responsibility for the ESA at all?

Mr Corbell: There is absolute ministerial responsibility, and that is why the government, and I as the minister at the time, took the decision that we had to change the structure to ensure budget accountability.

MR SMYTH: So you could have enforced ministerial responsibility and ensured accountability without drawing it back into the department?

Mr Corbell: No, no, you could not.

Ms Leon: Mr Smyth, perhaps I can just add to the point that was sought to be brought out by Mr Pratt and which I think you are expanding upon, concerning the McLeod recommendation that there ought to be an independent authority unencumbered by the bureaucracy. The point is that the situation Mr McLeod was addressing was a circumstance where my predecessor held both operational and budgetary responsibility for ESA. During the 2003 bushfires my predecessor in this position therefore was involved in the operational decisions that were taken, was in the incident control room, was integrally involved in operational decisions.

MR PRATT: We know all that.

Ms Leon: I think it is important to know that in the nearly two years since I have had responsibility for ESA I have not taken or been involved in a single operational decision. So the McLeod recommendation that ESA should operate unencumbered by bureaucracy is one that has been implemented, because we have separated the budget accountability from the operational accountability. I am responsible to the minister for bringing the budget of the entire portfolio in within budget, and I cannot play to him an operational card that says, "I have responsibilities under the Emergencies Act, and therefore I am just going to spend \$5 million I don't have." That is the distinction that has been drawn in the new structure.

MR PRATT: I appreciate—

THE CHAIR: I have got a question on that, Mr Pratt, thank you very much, and it is something you have raised in a couple of supplementaries here, so I think it is important that the minister has given an answer. Mr Jeffery in his evidence gave a lot of comment in relation to how it all operated prior to 1991, largely under the federal government, saying they had line items in the budget. I would imagine the federal government of any political persuasion was hardly going to give them open slather in terms of how they did bushfire fighting, yet they seem to have very little influence in terms of—

Mr Corbell: Why did they give us self-government, Mr Stefaniak?

THE CHAIR: It goes past self-government, minister. That structure lasted, I think, until about 1992. But it seemed that there was a budget; they had a limited budget, they had line items, yet they seemed to have very much an independent structure. So how are the two incompatible? Surely any government is just going to give a certain bucket of money and the agency is meant to work with that. I would have thought that is fairly basic.

Mr Corbell: To answer your question, Mr Stefaniak, as Ms Leon has indicated, it is all too easy in the context of budget management if you have the emergency service chief having complete statutory independence in relation to all matters, including,

importantly, budget matters, for them to say to government, “If you don’t let me spend this extra \$5 million, the safety of the city is compromised.” It creates an environment where you cannot enforce budget accountability. You need to be able to say: “This is the amount of money you are getting. You must deliver these services within that budget.”

The beauty of the structure we have now is that the commissioner and the chief officers can tell me what they believe are their priorities, and they can do so without fear or favour in that regard. Ms Leon, as the chief executive of my department, is accountable to me for the administration of those funds and is accountable to me for making sure that those funds are spent in accordance with how the government has said they should be spent and in accordance with the total amount of money that the government has provided.

The decision rests with me and my cabinet colleagues as to whether or not we believe we are getting the balance right between what the emergency services say they need and what ultimately is allocated. If we get it wrong, we are accountable to the community for that, and accountable to the Assembly for that, and that is what responsible cabinet government is about. But it is wrong to suggest that operational independence is compromised, because it is not. Ms Leon and Mr Manson have just given you evidence that highlights that.

Equally, budget allocations, as I said to you in my opening statement, are a political decision. In our system of government, it is not that whatever the bureaucrats ask for, including this bureaucrat here who happens to be the ESA commissioner, they get. You know that. You make an assessment of what is reasonable, what is needed, what is urgent and what can be deferred. You make those assessments. That is what responsible government is about, and that is what we seek to do.

THE CHAIR: I might just stop you there, minister. I am not disputing anything you say, but what you say—

Mr Corbell: So the question that I put to you, Mr Stefaniak is—

THE CHAIR: is by no means dissimilar to what Mr Jeffery was suggesting as the model he thought was a great one to go back to, because I think the same principle applies exactly. They are hardly going to give him everything he wants.

Mr Corbell: No, it does not, and the reason it does not—

THE CHAIR: It was not quite how I understood it to operate, Mr Corbell.

Mr Corbell: The reason it does not is that the same body that is responsible for operational matters is also responsible for and obviously accountable for the budget management side of things as well.

THE CHAIR: I am not talking about Mr Dunn’s model; I am talking about the old model under the old Bushfire Council and the Bushfire Act.

Mr Corbell: No, no, that is what I am saying—the Bushfire Council, the old Bushfire

Council model.

THE CHAIR: Maybe we will have a look at that.

Mr Corbell: That is what I am talking about, the old Bushfire Council. They ran the bushfire service. They paid for the equipment, they paid for the training, such as it was, and they were responsible for operational and budget management. The problem with that model is that operational needs will always trump budget accountability, and that is what leads to budget blow-outs.

That was the issue that we encountered with the authority and it needed to be resolved; otherwise, I believe today we would continue to have an authority that spent more than it was allocated, there would be no focus on more efficient provision of services, there would be no focus on better integration and coordination between the services and there would be no focus on making sure that the services worked more collectively together. It would simply be a case that at the end of the day it is an operational need and the government will just have to give it to us. That model is not an accountable model; it does not work.

THE CHAIR: I will leave you with this, Mr Corbell, because Dr Foskey has been waiting patiently for about 20 minutes or so with some questions and I want to get to her and then to other members. I would like you to point out—you do not have to do it immediately—under the old Bushfire Act, when the agency operated, when Mr Jeffery was, I think, head of the Bushfire Council, just where there were blow-outs. There may well be things you can indicate there, but I would just like to see that.

Mr Corbell: I do not know whether or not there were blow-outs. I am not suggesting that there were. The point I am making, first of all, is that the risk is far more evident when you have those operational needs and those budget needs conflicting in the same person. The operational needs will always come out in front because that is what the person is; the person is a firefighter, in the case of the Bushfire Council. They will always put that first and, whilst that is appropriate, it may be to the neglect of budget management, and that is equally a concern.

The second point I would make is that the Bushfire Council operated in an environment where basically the commonwealth funded all ACT entities extremely generously and with little oversight or accountability. Why were we granted self-government? We were granted self-government because the commonwealth decided it could no longer afford to fund the ACT administration on that basis; that we had to make our own decisions about what were priorities, about what we should and should not fund, and we had to—to use the cliché—live more within our means. That is why they granted us self-government.

I think the environment and the context are entirely different, and I think it is misleading to suggest you can go back to those days, when that is not the environment within which any government entity operates anymore.

DR FOSKEY: Greetings to Mr Corbell, Commissioner Manson, Mr Carter and Ms Leon. I just hope you are enjoying yourselves. I want to take you down a different line. To me this inquiry has, I hope, the potential to improve some of the issues that

we are exploring. I want to thank you for your submission, but it is probably just lucky that I had time to read it last night. Nonetheless, I did, and I have some questions that are based on your submission, but I also have a couple of questions that follow up from the evidence that we have heard so far.

As someone who has stood somewhat outside these debates, one of the things that came up in regard to the rural fire services and the volunteers is that, while I acknowledge that there is improved communication—that is how it looks to me and I commend this newsletter—and improved meetings, one of the frustrations that I thought I heard from the volunteers was at the lack of joint exercises. I guess if you are a firefighter that is really what you are on about, rather than meetings around that, although they are really good and really important.

There seems to have been a bit of a problem arranging joint exercises. I know there are issues, like times when the public servants can attend are different from the times that the volunteers can attend, but it would seem to me that that is core business and that it is on the job that you build relationships.

Also, with all the best preparation in the world, we cannot tell if it works until it is tried out on the ground. So, to me, exercises should be not only a way of improving relationships and working out whether all the things that you put into place work; they are essential so that we know that, when the next fire does come, it is not an exercise; it is actually trying some things. So can you tell me, Mr Manson or Mr Corbell, whether you have some joint exercises on the boil, when they are and where they are and, if not, why not?

Mr Corbell: The point is well made about joint exercises, and it is the case that in relation to the RFS there is, I think, much more opportunity to conduct joint exercises with other services. The SES has been well integrated into our exercises in relation to a range of potential scenarios, such as those I mentioned in my opening statement, such as a terrorist incident or a building collapse. So we have exercised our SES volunteers in that context, along with the paid services of the Fire Brigade and ambulance and police.

We have not to the same extent engaged the Rural Fire Service—I would concede that—and I think that that needs more work. The difficulty is that we are working to establish exactly in what context RFS can assist, given the skill set that is available amongst volunteers. There are examples where this occurs. For example, the SES does call on RFS volunteers who have expertise in chainsaw operations to assist with storm damage et cetera, so RFS volunteers do work in those contexts with storm damage.

I am also aware, for example, that the RFS does assist the SES and Fire Brigade with issues such as pumping to do with localised flooding events and things like that; they have that capacity as well. So they have those skill sets and those are utilised, but I think they could be utilised a lot more.

The joint exercises that predominantly occur with the RFS relate to their field of operations. So they are working with the departmental officers from, for example, TAMS, the land manager, in dealing with hazard reduction on government owned

land, whether that is in a national park, old forestry areas or whatever. So they certainly are engaged in that work.

I think Mr Barling in his evidence to you highlighted the hazard reduction burn that took place at Isabella Plains earlier this year or late last year—certainly in the last two to three months—which involved both departmental officers and volunteers. But, again, we do not do as many of those as I would like to see us do.

As they highlighted in their evidence, the challenge is that land managers are employed in that role and they tend to want to conduct their hazard reduction activities at a time when their staff are on duty, which is during the week, and volunteers are just that, volunteers, and they are not available necessarily as readily during those week times for an exercise, as opposed to an actual call out.

So more work needs to be done with land managers to provide more opportunities for the RFS to undertake training, particularly in their area of expertise—hazard reduction and firefighting type skills—in hours that are more suitable to them, in the evenings and on the weekends. I know that the land managers are continuing to try and improve that situation; I know Mr Manson and Mr Parry are continuing to try and improve that situation. It is an incremental process, but it is acknowledged that more needs to be done and that is something we are definitely continuing to work on.

Mr Manson: I will make a supplementary comment to the minister's. In the last 12 months we have established some very formal meetings with TAMS at a strategic level to try and open the door to some opportunities within TAMS to have more exercises involving the RFS. That is starting to work; we have some progress to make there.

We have also established some high-level, formal meetings and strategy meetings with the New South Wales RFS and the New South Wales parks service, particularly in our Brindabellas and the Kosciuszko area. Those meetings have been particularly positive in relation to joint exercises across the border. The ACT has a limited amount of hazard reduction or mosaic burning that it can do in any one year, but they are keen to involve our RFS volunteers in joint exercises on the border, largely at their convenience.

Those negotiations and discussions have taken place. It will take a little bit of time to bed those down into their programs so that our people can actually join up. But there have been invitations involving CFUs and the RFS; they are meeting more regularly. There have been some opportunities for joint exercises with fire brigades, CFUs and the RFS. Those invitations have been issued. Having regard to members' availability and the time being right to burn, they have not always been successful. This matter was raised by Mr Barling as being an opportunity for our ministers' meetings. We followed that up as an initiative from Mr Barling, and that has started to progress.

MR PRATT: How many exercises have taken place jointly with New South Wales authorities? In each of those exercises, how many volunteers have actually been exercised in the last six months, leading up to and through the existing bushfire season?

Mr Manson: I am not familiar with the detailed local arrangements between Lake George and the RFS. I know they have regular meetings. I understand that they exercise their MOUs in those meetings, but that is more at an officer level. In terms of actual exercises as opposed to—

MR PRATT: Deployments?

Mr Manson: Deployments? As an exercise, I understand there have not been many, apart from training programs. In terms of actual firefighting, there have been quite a few. We have deployed to Kosciuszko on a number of occasions, to Lake George and so forth.

Mr Corbell: The most valuable opportunity is for us to assist New South Wales authorities when they have incidents. In the last 12 to 18 months there have been a number of incidents where task forces from the ACT have been deployed into New South Wales. That gives brigade officers and crew members very valuable experience in working in that interagency environment and working under the command structure of another jurisdiction. I think I can confidently say that everyone who goes on those deployments finds them valuable—tedious and dull at times, because, as is always the case, there is a lot of “hurry up and wait”. Nevertheless, it is valuable as well, not only for the actual firefighting that occurs but for the experience of working in another jurisdiction and becoming familiar with their arrangements.

MR PRATT: Can you tell us how many brigades have either deployed with New South Wales units or participated in field work on the western edge of the ACT, either over the border or just on this side of the border? How many exercises or deployments like that have there been? You can take it on notice, if you like.

Mr Corbell: Yes, I am happy to take that on notice.

MR PRATT: How many exercises and how many deployments, and in each of those exercises or deployments how many RFS officers or volunteers in general were involved?

Mr Corbell: I am happy to do that.

THE CHAIR: Over what period of time?

MR PRATT: Through winter 2007 to spring, leading to bushfire season 2007-08.

Mr Manson: I will provide a more detailed list but I might remind you of the large pine forest in Tumut in the previous bushfire season. We were heavily involved in exercises there. On the southern edge of Kosciuszko there was a very significant interagency deployment. There were significant deployments from the ACT to the Victorian highland fires which went on, as you know, for a number of months.

I refer to those exercises, along with exercises in integrated management. In particular, I refer to a small, remote fire recently in the ACT, where an incident controller was a TAMS officer, the fire brigade was involved in assisting SES, who did the base camp, and the Rural Fire Service provided people to the incident management team as well

as remote area firefighters.

That was a good exercise this year in totally integrated management of the incident under the Australian incident management system. It is really about providing the best expertise to the chief officer and the chief officer will determine the incident controller, the plan and the operations officer. That shows we have moved a long way forward in providing the best and most competent people into those management teams. That involves volunteers, TAMS officers and officers from across the agency. So our mapping people come from another area and assist the SES or RFS as necessary.

THE CHAIR: If you could provide the information Mr Pratt seeks over the last 12 months that will be of assistance to the committee.

DR FOSKEY: One of the things that really interested me in the submission is this idea of the ESA as regulator. On page 14 the submission discusses the appropriate level of responsibility to place on land managers. There is a whole section that starts on page 14. The line appears: “Who should take primary responsibility for the various aspects of bushfire management prevention, preparedness and planning, response and recovery?” At the end of the section on bushfire management, it states:

In this activity the ESA’s role is primarily as a regulator, while that of land managers in the community is primarily as operators.

This says to me that really most of our firefighters are out in the community or in the volunteer brigades. So the actual firefighters, or operators—you can tell me if it means something different—are in the community. They are rural landholders and they are often in TAMS. These are the two strands that I want to explore. The ESA is in fact the regulator, which I guess includes being the coordinator but I am not sure. I would like an expansion of that statement. It is interesting because there are conflicts inherent in being a regulator while other people are operators. Is that in any way different from the way previous iterations of the ESA operated? How do you get around those conflicts, if they do occur?

Given that TAMS appears to be the biggest land manager of the whole lot, and that most of the operators are in TAMS, how has that been affected? I hear anecdotally—the government might tell me differently—that a lot of bushfire fighting expertise was lost from TAMS after the functional review and job losses and that some of the people who had that expertise might not be there anymore.

Mr Manson: Across Australia, and indeed in the ACT, the legislation generally for bushfire emergency management consistently applies responsibility to the property owner and manager or land manager to take care of their land and, in particular, the consequence of an event escaping from the land, be that water, or bushfire in this case. The ACT is no different in that the act provides for a significant onus and responsibility on the landowner to protect and manage their asset, and manage their asset in relation to their neighbours in the case of a fire escaping.

With respect to the ESA’s role as a regulator, the act requires that bushfire plans and operational plans be prepared. In those plans we set standards for protection of assets

by the loads of fuel and the distance from houses. In the Building Code of Australia certain building regulations that apply to bushfire prone areas have been adopted. Our role is to ensure that the plans are in place and to prepare some plans. We also monitor and audit to see whether those plans have in fact been prepared and that the action in those plans is undertaken. We provide a report on those plans annually. In this case we are no different from other states. There is an onus of responsibility on the land operator.

In the case of TAMS providing about 150 experienced and trained firefighters to look after their lands, they do that largely under the guise of the strategic bushfire plan, and their national park will reserve plans. They then provide that service for their managed lands. They also become an operator under the Bushfire Act, so that we have one organisation in charge of the emergency response as opposed to day-to-day land clearing or mowing. So I think it works quite well in that, in an emergency situation, there is one person or one agency—in this case the chief officer—who has responsibility for applying the resources of government and the volunteers to put out a fire.

Generally, there is not too much conflict of interest between the regulator and the operator in that circumstance. Within the agency, we have tended to separate the regulatory functions from the operational functions in the way we have structured our staff and the way we have a separate risk assessment section in the department and outside independent risk assessors who provide advice to us.

It is always difficult in a small jurisdiction to have complete separation of the regulator and operator, but across Australia, and in New South Wales particularly, the Rural Fire Service in New South Wales has a strong planning and regulatory role which was reinforced after the 1994 fires. So we are not out of step and we have not seen any direct conflict at this point.

DR FOSKEY: Not out of step, but in the ACT we do not have that distance issue that might be overcome by having that division of roles in New South Wales. It is all a lot closer, which inherently makes it all a bit more fraught as well. It is face-to-face stuff; it is not a matter of sending a letter to someone that you do not see very often. It is observable from this inquiry that there are issues. I wondered whether those divisions of roles might have exacerbated those issues. What can be put in place to overcome them?

Mr Manson: The revision of the strategic bushfire management plan deals significantly with those issues of conflict—the natural ones. The new version will obviously contain another layer of detail. The major natural conflicts between land use, land management and fire protection, and the alternatives—different sorts of hazard mosaics and so forth—will be dealt with in that plan.

My experience in Western Sydney and in the Blue Mountains when that exercise was done around the table was that there was very little conflict at the end of the day, even between the most ardent national park and water catchment providers and the most ardent of the burners. Experience will demonstrate that a good plan will resolve the majority of those conflicts of interest. When you have a plan, it is agreed and you undertake an operation, it is consistent with the planning instrument or the regulation

that you put in place.

DR FOSKEY: Let us hope so. That does indicate it will take some time to get to that point. I want to finish off that line of questioning because the other partner that is mentioned is the community. One of the things that I learnt was that the community information through FireWise has been lost to some extent as we have moved over to Farm FireWise. It sounds to me as though the accent on working with the community has been moved—it is not continuing.

If the community is in fact one of the operators, do community response plans go along with the CFUs? In the submission, while there is some talk about community information and community engagement, it seems to be in terms of giving out information to the community. Has there been any attempt to develop community response plans so that if a suburb is again threatened by fire, people know what roles to fall into, how to pull out the CFU, how to tackle the fire and how to make sure that elderly and vulnerable people, for instance, are accounted for? There are ways in which communities can work if some effort has been put into it and they can pull out a way of operating themselves. They are the operators; this submission says they are.

Mr Corbell: A range of things are done to deal with those matters. The community fire units program is a very successful program. It has over 700 volunteers in it. It is our largest volunteer service in that respect. It serves a very valuable purpose, not only in terms of its immediate function, which is to provide residents with skills for property protection in the event of a fire, but also it helps to strengthen those community networks in the neighbourhoods where they are placed.

Certainly, when I have gone out and spoken with a range of community fire units around the city, and I meet with their representatives, as I do with the other volunteer representatives, every six weeks, they highlight to me the social capital that they develop in terms of getting to know people on their street and in their suburb—who is vulnerable, who needs some advice or help, who is going to be potentially more vulnerable if there is a fire in their area, and so on. The community fire units are very successful in that regard. I am certainly giving consideration to whether we should enhance that by, along with the fire brigade and the RFS, looking at what sorts of information CFUs can make available to local communities to help business to be prepared.

In relation to vulnerable residents—the elderly, people with a disability and so on—the Department of Disability, Housing and Community Services, which is responsible for recovery planning in the ACT, does maintain now, as I understand it, a database of people whom they consider to be vulnerable and particularly at risk in the event of an emergency. Should an evacuation, for example, be required for a particular area, DHCS, as the responsible agency, now has the capability to identify who of their clients is vulnerable in that area and make sure that knowledge of them is brought to the attention of the Emergency Services Agency so that they can be evacuated. Preferably, that occurs in a timely way and in an organised manner so that there is time to prepare for evacuation. That is certainly the preferred approach. So we do have mechanisms now for identifying that.

I was also pleased to attend a function and launch a new program for Red Cross ACT,

who received some funding through Emergency Management Australia, as part of their safer communities program, which provides for what is essentially known as the CARE program. It involves people who are vulnerable because of age, disability and so on registering with the Red Cross so that the Red Cross can maintain a database. As part of that program, those residents would be facilitated in preparing an evacuation plan for themselves in terms of how they would get out, whom they would call to assist them and so on, so that there is a way also of identifying those residents at risk. That work is developing very well, I believe. It is complex in large and mobile communities such as ours, but nevertheless it is occurring and I am comfortable with the progress to date on that.

DR FOSKEY: I think you are talking about a top-down approach; I am talking about a bottom-up approach. The description of the way in which a woman in the Mount Stromlo community died during the fires is really what I am thinking about. The residents thought she had gone but she had not gone. I do not know whether she would have been on your list as a vulnerable person.

I think everyone is vulnerable in a fire, frankly—especially city people who have not experienced it before and do not know how they are going to react because they have never been in this situation before. Some people act quite irrationally because they do not know. So everyone is vulnerable.

But if that community had had a plan—what I call a community response plan—then everyone would have been accounted for. They just would have done that. People were worried but they did not know; they did not know whether they should go and have a look or whatever, because they had not established those rules about how they would deal with a fire.

I am really talking much more about a community development approach. You identified the fact that 30 per cent of Canberra turns over every year, so you have always got a new lot of people to deal with. The street level or the suburb level might be the best way to deal with that because they might not be known to DHCS.

Mr Manson: I will make a couple of comments in relation to that. I chair a national committee which looks after education and awareness for emergencies. That committee, as part of the Australian Emergency Management Council, has done some very significant research work. It has a major project going at the moment about how to continue to keep communities educated about emergency situations. That work will be completed later this year. An interim report is available. The message, not only here but through a number of other areas, is that maintaining the momentum of awareness after an event is always difficult, but I think the CFUs have been very successful in their door-to-door approach in these local communities.

Farm FireWise—the more rural approach—has been involving the RFS volunteers in on-farm surveys and management where the community of volunteers who are likely to be assisting in the operations on those farms get to know the people on the farms and get to know their community. That is a role that the RFS has been strengthening more recently. There has been some very good feedback from the Farm FireWise preparation of farm plans in relation to volunteers being involved and understanding the individuals in those remote situations.

The agency does have a media and education plan. We take some very serious advice from educators and others in trying to target and pinpoint that plan. It is interesting to note that the MOUs that we have with radio stations for emergencies have now flowed into significant in-kind support from our media outlets in providing, in dollar terms, almost two-to-one in value, in promoting our campaigns for bushfire and storm seasons.

THE CHAIR: Mention was made of volunteers. Over the last year or so some brigades have been up to reasonable strength. With other brigades, I think Mr Jeffery indicated that for the first time for a long time there were no new volunteers coming forward. We heard in other evidence that quite a number of volunteers, including some reasonably senior staff, had left. Ms Leon, your name was mentioned because exit interviews were done. Were there any recurrent themes as to why volunteers were leaving? What reasons were given to you?

Ms Leon: As I understand it, exit interviews with volunteers are conducted by their own brigade captains. They are not conducted with me personally.

THE CHAIR: We had some evidence from the brigade captains, but it was mentioned as something that you should look at. There were recurrent themes. I got the impression that there were documents like questionnaires that these people would fill out.

Ms Leon: I am always very happy to receive any feedback from the volunteers that they wish to provide to me but they have not sent me any such forms.

THE CHAIR: Are there any forms? If there are, if we had that in evidence, it would be handy for the committee to have copies of them.

Mr Corbell: Having read that transcript, I think you may be confusing the reasons that volunteers leave and the reasons paid staff in the RFS leave. Two or three of those people have left in the last period of time. You may well be confusing the two—

THE CHAIR: No, I think there was a figure of nine out of 13 people leaving.

Mr Corbell: but there is no formal process in place in relation to volunteers. That is a matter for individual brigades.

THE CHAIR: We certainly had evidence in relation to individual brigades but I was also led to believe there were reasons given which indicated there may well be some documents in relation to reasons. If that is the case, we would certainly like to see them.

Mr Corbell: If brigades have those, we would welcome that.

THE CHAIR: As far as Ms Leon is concerned, or perhaps those in other parts of the organisation, there is no formal tick-and-flick or questionnaire which people are asked to fill in when they leave?

Ms Leon: For staff of the organisation, there is access on a voluntary basis to an exit survey. Those are not provided to me in an identified way as a matter of course.

THE CHAIR: No, that is fine.

Ms Leon: On an annual basis, I would get a compilation of exit surveys that people may have filled in from across the organisation. The number of departures from the staff of the RFS has been so small that they are unlikely to register as a statistically significant group.

THE CHAIR: Have you got anything?

Ms Leon: Not that I am aware of.

MR SMYTH: The number might be small but, as a percentage of staff, is it not large?

Mr Manson: Maybe I can answer that. The general turnover rate within an agency of 560-odd staff, as in our agency, plus the volunteers, but leaving aside the volunteers, is about four per cent. Our age profile, as a lot of our people are getting to 54/11, adds a bit to our four per cent. Four per cent is extremely low. Most public service agencies are around 10, and up to 15 in the commonwealth, so the ESA as a whole does very well. There are 10 full-time staff positions normally within RFS. Three people out of that 10 have left, but RFS is just—

MR SMYTH: Only three?

Mr Manson: Only three out of 10. So, as a percentage of that little group, yes, it is a bit high. But the fire-fighting effort is 150 people at TAMS, 450 volunteers that we can call on for a variety of skills across the agency in our planning, risk assessment, mapping, SES and fire. If I add them as the fire-fighting organisation, then three people out of perhaps 300 is not a high percentage.

But, just to correct the record, I was advised that we tried to encourage people to do exit interviews. I understand that most people in our agency do provide exit interviews to their supervisor. Again, I do not see the outcomes of those, but they are often summarised in our forward thinking. So, if there was a trend occurring, I would expect those supervisors to feed that back into the business planning process. If there was not enough money, not enough equipment or they were not being looked after in some way, I expect that management cycle will attempt to pick that up in the new position descriptions.

THE CHAIR: Have you been advised or told why people are leaving?

Mr Manson: No. I have not sought that advice. I do not really get involved in the operational management of the agencies. The chief officer has a very defined, as we mentioned in the act, role and responsibility for the administration of his or her area. I have an overview of the administration and organisation to make sure that they are in a position to provide the emergency services. If I saw something extraordinary, I might ask the chief officer to give me advice, but on this occasion I have not seen it as being extraordinary and therefore I have not asked for that advice.

MR PRATT: In evidence somewhere I have seen the claim made that nine out of 13 RFS headquarters staff have left or are considering going. You would dispute that?

Mr Manson: What I have provided to you in those newsletters is the actual budget for the last four years and the staff list, approved staff. I can tell you that in each of those years in the past, four of the five, the RFS overspent its budget significantly above that allocated. When I arrived, they had 14 staff, when they had budget and approval for only 10. I allowed them to continue that for some time to finish some projects. So there have been 10, and we have lost three of those. Those are the facts.

THE CHAIR: I will just ask one thing. Mr Pratt has obviously got some further questions. Mr Prince and Mr Ross, both fairly experienced people—Chief Officer of the ACT Rural Fire Service in Mr Ross’s case, and Mr Prince is a senior person too—gave evidence. Mr Prince said that the ESA of today is very similar to the ESA of 2002—concerned that history may repeat itself.

Mr Ross, and I think Mr Prince also, mentioned that 95 per cent of the time the organisation will get it right. But they both had significant concerns—and it was replicated, I think, by some other witnesses from the volunteers—that, if we faced a macro event like 2003, the system would go to overload and it would have difficulty coping with that. Effectively, whilst everyone has conceded that some things are better, basically they feel that we are back to square one and the system would not really be able to cope with that. None of them had any confidence that that would occur.

Could you comment on that and can you assure the committee that you are able to cope with a macro event like 2003?

Mr Corbell: Again, chair, I draw your attention to my opening statement where I took some time to highlight to you the differences in terms of capacity of the ESA and the differences in terms of governance. That is exactly the reason why I circulated to the committee that chart, that diagram, that shows you how the emergency arrangements work in the territory.

Those arrangements did not exist before 2003. There was no mechanism, let alone a mechanism that had been exercised by all the key players, as to how the government, public service agencies, the emergency services themselves and the broader community received information and took decisions about how to respond to a major event. That structure is the structure that would be employed in the event of a state of emergency, which is by definition a major emergency.

Before 2001, we did not have the ECC arrangement that we have now, where the Emergency Services Agency Coordination Centre coordinates the activities of the different emergency services, ensuring that they get the appropriate logistical support, the appropriate information support, data support and so on. We did not have a Territory Crisis Centre, which is outlined in that diagram.

The Territory Crisis Centre is established and has dedicated facilities within the Department of Justice and Community Safety—arrangements to provide for whole-of-

government coordination of the emergency. For example, in the Territory Crisis Centre there are representatives of the defence forces. We have dedicated liaison with the defence forces that sit in the TCC in the event of a major emergency so that they can provide advice on, for example, what the defence forces can provide to aid the civilian government, as well as act as a form of communication to request those resources.

A whole range of other government agencies sit within that Territory Crisis Centre, including the planning authority in terms of mapping capability and including the Department of Disability, Housing and Community Services in terms of community recovery and disaster recovery. The Australian Federal Police are represented there. Actew and the utilities are represented there. So we have that bringing together of those key elements that did not exist prior to 2003.

There was no mechanism before 2003 for that to occur, and on top of that we now have a very clear arrangement where there is a security and emergency management cabinet, where cabinet is briefed by the relevant officials, through the Territory Crisis Centre, on what are the key issues that government needs to have consideration for. And these are the strategic decisions—not the tactical or the operational matters; those are matters for the commanders on the ground, regardless of what the emergency is—about how the community is going to be informed, what information needs to be made available to the community, what assistance does the government need to put in place in terms of—

THE CHAIR: Just stopping you—

Mr Corbell: I am answering your question, Mr Stefaniak—

THE CHAIR: I have got a question in relation to one of the things.

Mr Corbell: It is very important, because the assertion can be made that the structure—your assertion is based on the evidence—

THE CHAIR: That is not my assertion.

Mr Corbell: Sorry. You are relaying the assertion made by Mr Prince that the structure—

THE CHAIR: And Mr Ross.

Mr Corbell: is not adequate.

THE CHAIR: And they actually said there are too many layers, if you have a look as well.

Mr Corbell: What I am trying to highlight to you is that we now have a very clear framework that distinguishes between the operational and the strategic, that makes sure everyone knows where they go and what they do in an emergency. There are forums for decisions to be made promptly and quickly in terms of recovery, aid to the community, financial assistance, recovery centres, defence assistance, public

information and communication, as well as coordination or logistics on the ground and assistance to the commanders in the field, whether that is a terrorist event, a fire, a flood or whatever it might be.

So that is a structure that is in place, and that is why I say it is wrong to suggest that the structure is no better than ESB. What I have just outlined to you and what I have provided to you in the terms of that information did not exist prior to 2003.

THE CHAIR: Both gentlemen—

Ms Leon: Mr Stefaniak, if I can just refer to the relevant part of Mr Prince's evidence, which is in his answer to question 18, it consists of two sentences:

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!

That is the extent of it. It is a statement not backed up by any specificity, unsupported by any example, not taking into account any of the facts that the minister has put before the committee. It does make one struggle really as to how to counter these assertions that are unsupported by any factual reference, whereas what we are putting forward today is a series of indisputable facts about the arrangements that are inconsistent with this continually made assertion that the ESA of today is the same as the same as the ESB of 2002; it clearly is not.

THE CHAIR: I do not think anyone has suggested it is the same. They have suggested that it may be no better—and thank you for reading out what he said—but you will agree that whether he backs it up or not he is a man with considerable experience. He seems to have been backed up by other people such as Mr Ross. Both of them, and other people, seem to say that the structure now has too many layers in the bushfire fighting context; perhaps it is unfair to say that in relation to other areas of emergency services crisis management. But you have got two—

Mr Corbell: Again—

THE CHAIR: What do you say to that?

Mr Corbell: Mr Stefaniak, what I would say to that is: listen to the evidence; do not just accept the assertion without evidence.

THE CHAIR: I am not accepting—

Mr Corbell: And what really—

THE CHAIR: Listen; just hold it there, minister.

Mr Corbell: You have asked me the question, Mr Stefaniak.

THE CHAIR: I am putting to you what other people have said. I am not putting any of my own views, regardless of what they may or may not be. I am just putting to you

what other people have said, to enable you to comment on that.

Mr Corbell: Thank you. And what I would say to you is—

THE CHAIR: And that is what these people have said.

Mr Corbell: And what I would say to you is: do not accept assertions as evidence. If someone makes an assertion, they need to back it up. They need to say why they are asserting that. Mr Ross, for example, asserted that he could not tell me what his priorities were in terms of budget funding because there were too many layers of bureaucracy, to use his language. That is what he said in his evidence.

What I have told you today is that before every budget I meet with the chief officers and the commissioner of the ESA and I say to them: “Right, what are your priorities? What do you need? Is there anything missing out of this list?” That is what I did with Mr Ross, but he did not tell you that. Why he did not tell you that, I do not know, but he did not tell you that. What I have sought to do, and what my officials are seeking to do, in this inquiry is to back up our assertions with evidence.

It is easy to make glib and sweeping assertions such as “we are no better prepared” and “we have not learnt the lessons”. Go and have a look at what has been done. What I have sought to do in my evidence today is to highlight to you—whether it is in terms of governance and emergency management structures, whether it is in terms of resourcing, better equipment, better training, whether it is in terms of opportunities for communication, opportunities for sharing of information, whether it is in terms of the legislative protections that are available and given to the chief officers and the commissioner—the facts. Those are facts.

MR SMYTH: Presented by you. You said in your introduction—

Mr Corbell: Mr Smyth, I am very happy to be interrogated on those and to dispute those and I can provide as much evidence as you wish on those matters. But the point—

MR SMYTH: You said in your introduction that there was no comprehensive bushfire fuel management plan before 2003 and I tabled the 1998 version. Everything you have said is also assertion.

Mr Corbell: The point I am making is that a number of your witnesses have made those assertions, such as the one Ms Leon read out, but how is that substantiated? I would ask the committee to take those matters into account, as I trust you will, when you consider your report.

THE CHAIR: We have a large amount of evidence so far from a wide range of people, many with a lot of experience, minister, and we are giving you the opportunity to have your say as well. I think it is only right and proper that I put some of these more controversial matters to you, especially when quite serious allegations are made in relation to a complete lack of communication between senior managers and others.

DR FOSKEY: But, Bill, why didn't we interrogate those people, to back up those

assertions in a similar sort of way?

THE CHAIR: These people are probably countering them now, aren't they, Dr Foskey. I think it is important that all witnesses be allowed to have their say in relation to quite serious matters before this—

Mr Corbell: Are you suggesting that some witnesses'—

THE CHAIR: No, I am not.

Mr Corbell: assertions are tested and some are not?

THE CHAIR: Hardly, Mr Corbell.

Mr Corbell: Is that the way you approach this inquiry?

THE CHAIR: Hardly—and do not accuse me of that, please.

Mr Corbell: I am just asking the question.

THE CHAIR: Do you have a supplementary, Ms MacDonald?

MS MacDONALD: Yes, I do. Before I ask a couple of supplementaries that relate to it, I think we would all be aware that matters get thrown up and you do not necessarily always have the time to interrogate to the full extent that in hindsight you might want to, so I just remind everybody of that.

DR FOSKEY: I am saying that about myself.

MS MacDONALD: Minister, with regards to Mr Ross, you said that you met with him and you met with all of the chief officers in the lead-up to the budget and asked them what their priorities were. Is that with each of them individually or is that with them as a group?

Mr Corbell: That is with them as a group. It is a meeting with the commissioner and the chief officers. In the current arrangements, this year it was the commissioner and the deputy commissioners, performing the roles of chief officer. In previous years, it has been the commissioner and the four chief officers, and certainly during the time of Mr Ross's appointment it was the commissioner and the four chief officers.

Ms Leon: Can I just add in relation to the alleged layers of bureaucracy that the practice that has been agreed between the minister and me is that all budget bids made by the ESA go to the minister without any editing out or filtering by any so-called layers of bureaucracy between the ESA and the minister. So there is no dead hand of bureaucracy filtering out important operational matters; all budget bids made by the ESA go unfiltered to the minister.

MS MacDONALD: Given that Mr Ross did not tell us about that meeting, is it possible that there was disagreement amongst them and that he did not raise it because there was a disagreement amongst the chief officers? Is that a possibility?

Ms Leon: My recollection of the meeting is that there was a completely frank exchange of views by everyone, and Mr Ross was not at all backward in coming forward about his views about the priorities.

THE CHAIR: I think he did give evidence in relation to his view and some other people's view not being accepted at the end of the day, so that is on the record.

Ms Leon: I think the budget outcomes might demonstrate that Mr Ross's views had a considerable degree of sway, because the RFS did very well out of the budget. In fact, it was in the wake of those meetings that the government made decisions about a substantial investment in vehicle replacement in the RFS. So I think Mr Ross must have had some considerable influence in those discussions.

MR PRATT: Minister, given that seven of the witnesses who have appeared—all of those closely related to bushfire fighting or have been, retired or otherwise—have said that morale amongst the RFS units and perhaps the RFS headquarters itself is no better than it was in March 2007 when they went on strike, why do you think that is the case? Why is morale so low?

Mr Corbell: You would have to ask them that, Mr Pratt.

MR PRATT: But you are the minister. Given that broad expression of views, surely you and the commissioner would have a pretty damn good idea why that is the state of play.

Mr Corbell: It is interesting that you comment on this, Mr Pratt. I was reading Mr Barling's evidence this morning. I think you asked him a question about recruitment of volunteers and levels of staffing, or levels of crewing, if you like, within brigades, and he indicated that in his own brigade, which I place on the record is also my brigade, there has been quite a considerable influx of young members and new members into that brigade. He made the point that they themselves are very enthusiastic about the work that they do; that was his word. "Enthusiastic" was the language he used.

On the issue of morale, there is no doubt that some people are unhappy. That is going to be the case in any volunteer organisation; there is going to be a range of views. On the ground, in terms of people doing their job, the volunteers remain enthusiastic, keen and wanting to do what they enjoy doing, and that is a good thing. I do not feel I am in the strongest position—indeed I do not think that many other people are either—to really judge the feeling across such a diverse group of people. There are some people who are unhappy with the government's political decisions—I accept that—but the government is elected to make decisions and we are accountable to the community for that. People can express their views on that through the ballot box, and that is entirely their right and responsibility.

But, equally, I do not think it would be fair to say that every single member of the RFS is going around saying that things are terrible. I think that would be an overstatement as well. So my focus and the commissioner's focus is to continue to work to improve communication, continue to engage in a dialogue in a full and frank

manner, which I think is important. That is what I always endeavour to do, and certainly the volunteer representatives approach it in the same light.

As Mr Manson has outlined to you, a range of mechanisms are being put in place to improve communication and information flows. He has tabled copies of those newsletters for you. He has advised you that the web-based portal is getting moving now and that is helping to improve communication as well. So step by step we are working on these issues.

It may be that at the end of the day there remains a political disagreement. I do not mean to diminish the numbers—there is a group of volunteers who disagree with the government’s decision, but I do not think it is fair to say that that is every single member of the RFS either—or to suggest that it is a small minority or anything; I am simply saying that it is not universal. I think that a lot of people recognise that good work is trying to be done to improve the management of the RFS, to improve the operation of the RFS, to improve communication between volunteers, the RFS and otherwise, and the government and the ESA as a whole—and that is what we are going to continue to try and do. It is a challenging environment at times, but that is the approach we are going to continue to try and adopt.

MR PRATT: I presume you have read the evidence and have seen some of the statements made. It is not a question that everybody can be made happy. Four captains appeared with Mr Barling. Mr Barling used the quote “we are being treated like garbage”. They are pretty colourful words in relation to the question of leadership and management. The other four captains were not as colourful, but they certainly backed him up. You have heard Mr Jeffery talk about this is absolute rubbish the way that these matters are challenged.

Clearly what these people are saying—and we are talking about people with a very large collective batch of years of experience—is that morale has never been as bad as this. Surely, minister, what these people are saying is that this is not just a range of isolated cases of disagreement; they are saying universally it is the worst morale they have ever seen. Do you not know why?

Mr Corbell: They are individuals of strong opinion who have no hesitancy in expressing their opinion. And that is completely reasonable. What I would say in response to that is that assertions that they are being “treated like garbage” are, I believe, intemperate and inaccurate. The reason I say that is, again, I go on the evidence. I have given you evidence today where requests have been made by the VBA to me and to the commissioner to deal with certain things and they have been dealt with.

I agree that does not happen on every occasion, but at the end of the day the government and the commissioner have to make decisions and sometimes those decisions will not be popular. That is the reality of decision making sometimes. But it does not mean that the views are not considered and taken into account. It does not mean that the issues are not listened to and that the time is not taken to engage, because it is. And I have outlined to you how it is.

I meet with the volunteers every six weeks. I have outlined to you in evidence that, for

example, the VBA requested that issues around compensation cover be dealt with. And it was dealt with. So these things are addressed wherever possible. But clearly there is a view that a sizeable number of volunteers disagree with some of the decisions the government has made. I accept that.

The government believes that the broader community interest, which is what we are elected to represent—I have to take into account the views of the volunteers, yes, but I also have to take into account the views of the broader community—in my judgement, is best served by the arrangements we have in place. I rely on the advice of the officials who advise me, who have expertise in these matters, such as the commissioner and others, and who have experience in running large organisations that have emergency response responsibilities.

MR PRATT: Could I take you back to the issue of the readiness to face a macro bushfire event. Did you receive in 2007 or 2008 any alternative view in relation to the statements that you and your officials have made—Mr Manson and others—that we are in a good state of readiness? Against that, have you received any alternative views in 2007-08 from any of your departmental or emergency services officers or senior RFS officers that we are not as well prepared to face a bushfire threat?

Mr Corbell: I think I can confidently say that all of the advice I have received from the ESA and its officers has been that we are well prepared.

MR PRATT: Could I ask the same question, please, of Ms Leon?

Ms Leon: I have not received any advice that we are not well prepared at all.

MR PRATT: Could I ask the same question, please, of Mr Carter? Have you received any alternative views about the state of readiness from any senior RFS officers or any other Emergency Services officers?

Mr Carter: I have received correspondence from one individual.

Ms Leon: When you say “prepared”, I have certainly heard views from people, both volunteers and otherwise associated with RFS, that are about some morale concerns that have been discussed here today.

MR PRATT: No.

Ms Leon: I have heard morale discussed in the context of preparedness.

MR PRATT: I can save you time there. I am not talking about morale and those issues. We have already dealt with that subject here. I am talking about the state of readiness, our ability to face the macro bushfire event. That is the question. Mr Carter, you say yes.

Mr Carter: In that case, I would have to clarify my answer because it was more in the context of morale that I had received it, but it was—

MR PRATT: Was it only morale or was it more collective?

Mr Carter: It was a general—

MR PRATT: It is not so much an issue about morale only but is about readiness overall, I understand. Have you received anything like that?

Mr Carter: In a general sense, it has been put. However, I have taken advice from the people who are in charge of the operational areas and I have had assurance that there is readiness.

Ms Leon: When Mr Carter refers to “in a general sense”, I would concur with him. I have received occasional assertions along the lines that we have discussed that have been put in evidence before you, assertions that we are not ready or that we are not better prepared. Have I received any facts that suggest we are not well prepared? I have not.

MR PRATT: I am talking about a fairly comprehensive statement, not just a piece of correspondence. That is what I am referring to. Mr Manson, have you received the same, either from Mr Carter or from the RFS?

Mr Manson: I think there are two parts to this. No, I have not received any formal report in that sense. I remind you that—

MR SMYTH: A letter, an email, a conversation, a report?

Mr Manson: I was just going to add that every second Tuesday morning the chief officers, the deputy commissioners and the deputy chief officers sit in my office and we usually spend two hours talking just about the operational preparedness for the whole of the ESA. Obviously, in the bushfire season there is a considerable part of that meeting dealing with preparedness, aeroplanes, fire towers, what TAMS is up to. Remember this year we had the horse flu. That impacted on our state of readiness on a daily basis.

MR PRATT: In relation to bushfire readiness?

Mr Manson: Yes, in relation to our bushfire readiness.

MR PRATT: What can you tell us about that, in terms of the alternative views expressed by you and the minister that we are in a good state of readiness? What have you been receiving, either written or otherwise?

Mr Manson: I had not received any adverse comments in relation to our state of preparedness, but we have testing debate at those meetings to make sure that every element of what we need to do—are the staff ready, have we got enough budget for this and that and whatever?—is tested every fortnight. Those discussions are professional and robust, and we test each other about whether we are ready.

In all of those discussions where there has been an issue about concern about the availability of equipment or aircraft, for example, on a particular fortnight ahead, the responsibility of that group is to deal with the issue. So I am sure, if I went back

through the minutes, I would find comment which related to “we are not too sure about this working properly” and it would be the responsibility of an officer from that meeting to then go away and address that issue. That has occurred on a number of occasions where the Fire Brigade has been asked to go and help the Rural Fire Service with some repairs to equipment, for example.

MR PRATT: Would you be able to table that report, Mr Carter, that you have received?

Mr Carter: It was not a report. It was a personal letter that was sent to me in confidence.

MR PRATT: To what extent can that be tabled, chair?

THE CHAIR: I would have no dramas. You mentioned also, Mr Carter, in fairness to everyone, that it was answered. I certainly see no problem if you table that, with the person’s name out of it, plus the answer that was given in relation to reassuring whatever it was.

Mr Corbell: I will take your question on notice, if I may, and provide some more formal advice to the committee as to whether or not that can be made available.

MR PRATT: Thank you, minister.

THE CHAIR: If you would, minister. Obviously, if there are any confidentiality issues, names can be blanked out. Obviously also, if the matter was answered, as Mr Carter seemed to indicate, putting a different view to what was in the letter, we would want that material as well. If you could, the committee would look forward to receiving those documents, with confidentiality issues taken into account, and any alterations for names et cetera you need to do.

MR PRATT: Going back to that previous request to table information about joint exercises et cetera on the western border, would you mind qualifying that in terms of numbers of reconnaissance and planning by RFS staff in that area in support of TAMS who of course have ownership of Brindabella Park; then numbers of actual deployments of units; and, thirdly, any hazard reductions carried out by RFS units on that western border?

DR FOSKEY: I want to go into the area of moving the Emergency Services base or centre to Fairbairn. I am interested in the cost of this to the government and the taxpayer, and I am interested in what the forward plans are because—I am not sure but I understand—not all the Emergency Services are located there yet. It is the cost of rental; it is the cost of preparing that to be the Emergency Services; it is whether the site is fully used at the moment and what the plans are for full use; and, finally, how is this going to be dealt with in the case of an emergency—a lot of vehicles coming and going—especially if that emergency occurs when the road is at gridlock? Perhaps you have identified another route. I am interested in how you will deal with speedy departure and arrivals at that place?

Mr Corbell: First of all, in a moment I will ask the commissioner to outline to you

some of the actual details of who is where and costs and so on. I think that has been answered on numerous occasions in questions on those, but we are happy to do it again.

In relation to access, I would make two points. First of all, the ESA headquarters are not the single point from which response vehicles come. In fact, most response vehicles will not be coming from the Fairbairn location. Most response vehicles will come from the various fire brigade and ambulance stations, RFS sheds, SES unit locations. Obviously our overall response is dispersed around the city and we do that for obvious reasons in terms of adequate response times.

There are some elements that will need to be dispatched from Fairbairn. The first is the issues around command personnel for more serious incidents. Once an incident gets to a particular scale you need people with particular expertise to oversight the command of that incident. Some of those people will be located at Fairbairn. The government will be further decentralising, if you like, some of those command elements so that they are available at the other ESA stations, thereby diminishing the requirement for them needing to be located at Fairbairn.

The only other elements that are potentially located at Fairbairn are some of the more specialist response capability, in particular the fire brigades, urban search and rescue and chemical, biological and radiological response capability, which basically is a series of large vehicles that carry the equipment that is needed for that type of incident.

We believe Fairbairn is well located to deal with the type of response that those vehicles would be involved in because it is close to the Parliamentary Triangle and Civic in particular, which is where many of our large buildings and significant buildings are located and where building collapse and so on would be more likely to be an issue. We believe the location in that regard is reasonably good. Of course the government is also upgrading Fairbairn Avenue, which will provide for improved access. In terms of the long term, we are advised by the airport management and owners that a second access point from the airport to Majura Road will be built, and that will also provide an alternative access route.

DR FOSKEY: That road is contentious, of course.

Mr Corbell: It is, and obviously it is subject to environmental assessment and planning approval by whoever gives planning approval, if anyone does, at the airport now.

DR FOSKEY: The airport will give it planning approval.

Mr Corbell: But that is the government's assessment of the situation. Mr Manson can tell you more about location of various elements and cost.

THE CHAIR: You have another question?

DR FOSKEY: No; I am just waiting for answers to the rest of my questions.

Mr Manson: I could provide you an updated report, but I will just highlight some issues.

THE CHAIR: Perhaps if you table that it would be handy.

Mr Manson: The headline is that we are well advanced in the detail level of planning, the arrangements with the airport following the review of our size and scope resulting from the 2006 budget, because we have something like 60 or 70 fewer staff. So we have done that review and those contracts. The detail of that is being worked up so that we have a specification to give to the builders at the airport.

That is being managed by a departmental committee with TAMS property, Chief Minister's Department, Planning and ourselves so that whole process is being overseen by an interdepartmental committee to make sure that any hiccups or hurdles can be dealt with quickly at a senior level. I am quite pleased with the progress of that.

I will just correct the minister. Our hazmat truck will most likely remain at Fyshwick. Sometimes it will be at Fairbairn but the majority of the time it will probably be housed at Fyshwick. Things are going along.

I have the rents here. While they are not totally commercial-in-confidence, I think the committee should be aware that, in providing the rents in this report, it might be useful to not have those released publicly.

MR PRATT: I promise not to.

Mr Manson: Canberra airport has advised us that they were happy to release the previous rent figures we have given you on the ASOC, but for commercial reasons these are commercial rent rates and probably could be found out from Colliers anyway.

THE CHAIR: At this stage I think we can keep them confidential. Should there be any need to remove that provision we will let you know so that you can talk to us about that further before we make a decision on that.

Mr Manson: I am not sure that there is a need; it just provides you with the dates, when the rent-free period was and those sorts of commercial arrangements I have just summarised. I will provide that to you.

THE CHAIR: You can table that. Thank you. Mr Smyth, you had a question and then we probably need to adjourn this hearing.

MR SMYTH: In regard to the helicopters for the current fire season, I understand the contract for helicopter support finished in early February. Is that true?

Mr Manson: The arrangements for helicopters are under what is called NAFFS, the international aerial fire-fighting group. I am a director of that company, which is set up as an independent company funded by government and by the states. It has a specialist advisory committee which essentially manages the aircraft deployment on a day-to-day basis across Australia. The funding arrangements are essentially that

there is an aircraft in Sydney, Canberra, Melbourne and so forth.

MR SMYTH: You are talking about the sky cranes?

Mr Manson: And medium-sized aircraft.

MR SMYTH: I am talking about the small-fire controllers.

Mr Manson: The ACT sometimes separately, depending on the seasonal conditions, will have its own aircraft on standby. But because we have now pooled all of that, there are significant advantages across Australia for us to be part of a pool because we end up with a much better deal than otherwise we would get.

MR SMYTH: Did our aerial support finish in early February?

Mr Manson: Yes. That was my understanding; while I was on leave. The contract period goes usually for 10 or 12 weeks, with a possible extension. The extension nationally is decided by that committee on the advice of each state. We advised that, given the conditions at that time, it was unnecessary to continue the standby arrangements. They are expensive, I must say.

MR SMYTH: But we have asked for helicopter support in recent weeks?

Mr Manson: Helicopter support is generally available under a number of arrangements. I can probably clarify this. I was not actually in Australia at the time but my understanding from a briefing was that last weekend an aircraft was actually sitting in Canberra. They asked for some standby rates. I understand there was some discussion about that. Aircraft were available should it have been necessary to hire.

MR SMYTH: The standby rate is what, about three times the standard rate?

Mr Manson: No, \$6,000 day for a medium-sized aircraft.

MR SMYTH: As opposed to the contract rate of what?

Mr Manson: Under the contract, it probably ranges from \$2,000 to \$4,000 for a medium size under our long-term contract.

MR SMYTH: Why was the decision taken to end the contract in early February?

Mr Manson: Simply, the weather conditions prevailing did not warrant that sort of aircraft to be available. In fact, last weekend, while the weather was hot, there was no serious prevailing wind. You always try to secure a resource, if it is possible, free of charge or know that there is one available. That is what happened. It is not necessary unless you are convinced that there is a real need to go and hire an aircraft. That is purely a judgement made by the RFS staff who advise the chief officer based on preformed conditions. The chief officer makes that decision based on advice from his staff, consultation with TAMS and usually consultation with our neighbours in New South Wales about what they are doing.

The other thing is that in the ACT we do have the Snowy Hydro SouthCare which is available to us should we need it if it is not being diverted to emergency work. There is backup there. Looking at the report I had, I was quite convinced that it was not necessary to have an aircraft. It is always desirable to have one if there is one about.

MR SMYTH: Can you inform the committee how much the standby rates have cost us since the contract finished in early February?

Mr Manson: My understanding is we have not paid any standby rates.

MR SMYTH: And can you inform us how much has been spent on helicopter services since the end of the contract in early February?

Mr Manson: To my understanding, nothing, but I will clarify that. We will use some of the unused helicopter money, if you like, because we had a quiet season. With that money, I have suggested to the RFS that they do some extra remote-area training for the RFS volunteers. Because they did not get it during the season I have recommended to the chief officer that he spend some of those funds on exercising using the aircraft for hazard reduction and so forth. But I will provide you accurate advice on that, but that is my current understanding.

Mr Corbell: One other matter, if I may—I am conscious of the committee's time—I note that Mr Smyth asserted that prior to 2003 there was a fuel management plan in place and he waved that about earlier. Can I reiterate to the committee that my comments were that there was no comprehensive and statutory program in place for fuel management, and that remains the case.

THE CHAIR: Thank you for that.

MR SMYTH: Yes, but there was a fuel management plan. What you do, as you always do so well, is twist what people say.

Mr Corbell: Mr Smyth, the issue for you is that, rather than relying on assertions, you need to assess things on what is said and the evidence before you.

MR SMYTH: I can show you the bushfire fuel management plan that you refuse to acknowledge.

THE CHAIR: We will have a look at the documents which have been provided. Again, I think it would have been far preferable had they been provided on time. I note, however, the minister's comments. We will have further questions on that and hopefully have a rescheduled meeting which I would imagine would not go for 2½ hours by any stretch, but please give us a chance to ask further questions in relation to what has been now provided to the committee.

I thank the four of you and everyone else here today for your attendance. The hearing is adjourned. The committee will next meet at 10 am on Tuesday for a deliberative meeting.

The committee adjourned at 4.36 pm.