

TRANSCRIPT

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE

Inquiry into the CFA training college at Fiskville

Melbourne — 18 May 2015

Members

Ms Bronwyn Halfpenny — Chair

Mr Tim McCurdy — Deputy Chair

Mr Brad Battin

Mr Simon Ramsay

Mr Tim Richardson

Ms Vicki Ward

Mr Daniel Young

Staff

Executive officer: Dr Greg Gardiner

Research officer: Dr Kelly Butler

Witnesses

Mrs Diane Potter, and

Mr Paul Potter.

**Necessary corrections to be notified to
executive officer of committee**

The CHAIR — On behalf of the committee I welcome Diane Potter and her son Paul. We will quickly introduce ourselves. I am Bronwyn Halfpenny, and I am the Chair of this committee and the member for Thomastown.

Mr McCURDY — I am Tim McCurdy, the Deputy Chair, and member for Ovens Valley.

Mr RAMSAY — I am Simon Ramsay, member for Western Victoria.

Mr RICHARDSON — Time Richardson, member for Mordialloc.

Ms WARD — Vicki Ward, member for Eltham.

Mr YOUNG — Daniel Young, member for Northern Victoria.

Mrs POTTER — I have lived in Wangaratta. I have lived in Colac.

Mr RAMSAY — That is my home town.

Mrs POTTER — That is where it all started. Firstly, I would like to thank you for inviting me to come today to share our story. I say ‘our story’ as for the last four years it has been a roller-coaster of emotions. Brian Vincent Potter, my much-loved husband that I shared this very fortunate life with.

Today I come with my support team — the most wonderful thing that came out of Brian’s and my life together — three of our four wonderful children: Paul, who was born in Colac; Mark, who was born in Seymour; Meagan, who was born in Wangaratta; and Luke, our fourth child, who was born in Wangaratta as well. He lives in Sydney, so he cannot be with us today. They went on to present us with nine beautiful granddaughters and one spunky little grandson, who up until Brian’s passing was Brian’s protector.

The grandchildren have only ever known their grandfather as sick, and they were accepting of the situation we had. Recently Noah, who is six, made the Brian Potter newspaper. The heading he wrote was, ‘Brian Potter fights back one last time’; his words. I have to wonder if there is some truth in there. Was Brian guiding Noah and letting us know that he was fighting back? I actually live with that family, and Noah just pleads, ‘Can I please hear Pa’s voice just one more time?’.

I also have with me Geoff Donald. Geoff was working at the *Herald Sun* in distribution, and over a pizza tea this story started, and I will get back to that later. I also have Justine Upton, who was always wanting to put Brian’s last words down on paper, but unfortunately we did not get there. Ben, from an old Country Fire Authority life. You would just receive a phone call from the then chief officer, who would usually call to ask how you were going, and then towards the end of the conversation he would proceed to tell you that at the board meeting this day it was agreed that you will take over, and I use an example of region 12 at Seymour.

Our life goes like this. Brian and I marry in 1970. I have grown up with a fire background. My dad was a volunteer resident officer at Colac fire brigade, and that is where it all starts. Brian gets transferred to Colac. He is looking for somewhere to live, and my parents have a spare room at the fire station. I met him on the eve of my 17th birthday, and we had 43 wonderful years married.

After getting married Brian tells me, ‘We’ll probably be in Colac for about 10 years and then have a move’. In our first year of married life we have our first move. Pregnant with Paul we were off to Seymour. Tears from me, who has not travelled very much and thinks that Seymour is the highway, and how are we going to live on the highway? Chief officer Pickford at the time told us that we could stay in Colac until Paul is born, and then move. Life was never all smooth. On our first anniversary Brian has to attend a CFA function, which happened quite often. I look after the phones at Colac fire station while my parents go to a wedding. Six-week-old baby, packing to move to Seymour, which I have now seen — there is a town beyond the highway. You get the drift of our CFA life, which then went on for the next 25 years, virtually in the same format: two moves in Colac, Seymour, Wangaratta, Fiskville two moves.

We go then to Wangaratta. So much for 10 years in Colac. But then in those days you always got a house supplied. You always took the Weet-Bix out of the cupboard in the morning, and you put them in the new one that night, because it was exactly the same house. We travelled all over Victoria for functions and fire brigade demonstrations, and our children’s holidays were mainly wherever we needed to be. It was a bit of a family joke

at the time. Brian would appear in the media quite often, and we would tape it for when he was gone. So when the children had not seen their dad for a while we would say, 'Let's have a remember Dad time', and we would sit and we would watch him to see what he looked like, because he was not home often.

Onto the Fiskville story. As you can imagine, over the 17 years of Brian's ill-health we have had many opportunities to have many deep and meaningful. We did not get to have the retirement years and enjoy travelling and spending quality time after children. Our time was mainly spent in hospitals and doctors surgeries. Just to get an idea, I called a couple of Brian's hospitals: 57 admissions to Beleura Private Hospital, 69 to Peninsula Private Hospital, 10 to Frankston — they had a discharge for him on 12 February 2014. I had to think about that one, then found it too distressing to realise that that was the day he died at Golf Links Road palliative care. I gave that up then as I still had St Vincent's Private, Cabrini, the Valley and Florence Nightingale rehab to get numbers from. I did not need any more proof that I had lived over the last 17 years with a very sick man.

It also made me realise the expenses we had had over the years and all the shortfalls in seeking his medical care. The amount of times I have sat with him in all the different hospitals, whether it be intensive care or specialist wards. Brian was such a humble man. He would often apologise for the times I was with him, and as I would reply to him, 'Reverse the situation, and I know where you would be'. Thankfully he did not remember a lot of the times in ICU, but for me and the family it was very hard to see someone you love so sick.

This is where you ask, 'How could it have been avoided?'. If only we had known. The hardest part for me here is to find out when the story went to the media that the CFA in 1991 had been told to warn the people who had lived at Fiskville that they had been exposed to dangerous chemicals. To think that somewhere the powers that be had hidden that information. It may not have saved my beautiful man or our other friends who were living there who have either died or been very sick, but no-one had the right to withhold that information.

Brian was the chief officer at the time. His thoughts on that were that it did not get passed onto him because we had lived there and our name would have been on the list. Fiskville to me — I cried the day I moved in, because I did not want to live there, and I cried the day I moved out, because I did not want to leave there. On the first night at Fiskville I ran a bath for the children. The water was brown. It turns out that that is the normal colour for plain water at Fiskville. I then had to convince the kids that it was okay and that they would not turn brown, while putting in more bubbles to try to disguise the colour. We did have a water tank at the old house that came through the kitchen, so we felt we had safe water to drink. I did often question why it had floaties in it, with Brian assuring me it was okay. I would still boil it for drinking, and now one wonders: what were the floaties?

When we moved into the newer house — it was just too expensive to stay in the old house — Brian would bring our water up from the cottage tank. Was it also contaminated? It is probably hard for people to understand when I say it was too expensive to live in the old house, the original house on the property. It was very old and damp due to the cold and wet conditions there. Many a day the mist and fog would just not lift. Washing was a big problem, as with that of the water problems, weather, smoke and windy conditions.

For our children, living in Fiskville was a big adventure — freedom — and to this day they still say, 'Out of all our moves Fiskville was the best'; climbing trees, playing on drums and pallets, and playing in the fire building, riding their bikes all over the property, even to a lot of places they should not have been. There was even an occasion when they tried to build a raft to sail on the dam. Thankfully that was aborted when one of the other mums found them and stopped that adventure. I hope now I have given you a small window on life in Fiskville.

Back now to Brian's story. Over the years, as he battled his own health issues and we watched so many of his work colleagues sick and dying, he would quite often ring up and say, 'We've all lived at Fiskville'. It was only when Brian was talking to his brother Terry, who until the day he died was his best mate and confidante, that Terry had mentioned that there was a lot of publicity about firefighters from America that were suffering from rare diseases and cancers, and a lot of them had been involved in 9/11. Brian, always a deep thinker, started doing some research on the net and suddenly could see scenarios similar to what was happening in our fire service.

We had one instance with an anaesthetist where, after one of Brian's surgeries, we found were a couple of thousand dollars out of pocket. I happened to mention this to the surgeon, who then went on to tell the anaesthetist Brian's story and all the surgeries he had had. This resulted in a phone call from her to tell me that

she had not realised all Brian's health issues and that the account was now closed and we were not to make a payment. She then went on to ask me what Brian had done in his career life. When I answered, 'A fire officer', she answered straightaway she now understood all his health problems, as she had also been watching what was coming out of the States and had no doubt Brian was a victim.

After this call Brian went home and started putting down on paper his concerns. One time when he was in hospital he mentioned that he would like to talk to someone at the CFA about his concerns. I then put a call in to a board member, and that started the ball rolling. Unfortunately, when an appointment was made to come and talk to Brian, they chose not to turn up. Brian was quite disappointed. He had written up a paper to hand over to them with all his research he had done. He was in hospital at this time but had agreed that they would come and see him there. For those who knew Brian well, the body was giving out but the brain was still very active. We heard later the reason they did not turn up was that someone high up had said they were waiting for Brian to fall off the perch and they would not have to deal with it. Very distressing for us. They also denied that they knew anything about Brian's concerns until the story broke, but the meeting had been organised five months prior to the media release, so they did know.

The next part starts with Geoff and Gail. Geoff is with me today, as I mentioned earlier. They come around for a visit. Brian heads off to bed, as he tired very easily. A round table discussion turns to how he could have so many health problems and the unfairness of life. I then bring up the story of Fiskville and the CFA, who do not care and will not listen to him. I then print out the paper Brian had prepared and give it to Geoff to take and read, as by now the beer has kicked in, and I felt it was better he took it home and read it. Two weeks later Jeff calls me and asks me did I want him to give it to one of the journalists. Brian was really sick at the time and still very frustrated, and being a very private person he really did not want to blow it up, but no contact from the CFA — and he answers, 'Do what you like with it'. That started the meeting with the wonderful Ruth Lampert, who has worked so hard on this story.

The CFA handling of the whole thing has been the biggest disappointment to a lot of people. It is hard to believe that a chairperson and a CEO of such a large fire service could treat people like they have over this whole tragic event. Every time anything came up about Fiskville, I felt when Mick Bourke referred to the historical time at Fiskville he was saying Brian Potter was a liar. I even put a call in to the chairperson of the CFA to ask, 'Would you ask him to show a bit of compassion?', as it was distressing to hear his denial, as you would expect someone in that position would be supporting and not be trying to dispute the allegation.

The day after the story was announced in the media, we had a visit from Mick Bourke and Euan Ferguson. Mick was telling us that he had organised an independent inquiry and that he had appointed Professor Rob Joy to be the chair. I could see Brian was not very happy with this, and then he went on to tell Mick Bourke that he felt it was incestuous, as the CFA were doing an inquiry on themselves and that he was also using an old work from EPA days.

I would like to say here that Brian's thoughts on EPA and Bourke coming from there, and his constant denial of any problems, were that Brian would question had there been something on Fiskville in Bourke's days at EPA that had been covered up — that he did not want exposed. I would like to read to you a statement that I found the other day on our computer, which sums up Brian's feelings over the whole time. It obviously was done on a day that Brian was feeling quite frustrated about what was going on, because he was not ever very critical:

It is some two years since I first tried to alert Country Fire Authority executive management of the link between the hazardous materials stored and burnt at Fiskville, the CFA training establishment, and the deaths and illnesses of those who worked, trained and lived there. My initial attempt to publicise the danger to other officers was unsuccessful. However, the *Herald Sun* took up the issue in December 2011 and the resultant publicity alerted serving and retired fire personnel throughout Australia of the potential danger from cancer to them.

The reaction by the CFA was remarkable. It first sought to discredit me and my colleagues by insisting there was no link and then commissioned an expensive report which was skewed to ignore any related fire training activities at Fiskville since 1999. The word 'cancer' was not mentioned anywhere in the report.

Subsequently, CFA has tried desperately to maintain that there are no dangers at Fiskville despite multiple reports identifying high levels of contamination in the run-off dams. CEO Mick Bourke claims the sludge is of 'historical' significance only and has no effect on the safety of firefighters working at Fiskville today. The EPA obviously disagrees, having served a notice to clean up the dams last month.

It is quite evident that there is a serious threat to the surrounding environment. Fiskville sits astride two water catchments — Geelong and Werribee. Any contaminated sludge that leaves the property potentially affects either city. In the event of heavy rain, the dams will flood and contaminated water will spread to adjoining properties. Conversely, during the summer months when surrounding properties are short of water, the Fiskville dams are attractive sources of water during major fires in the Ballan-Mount Wallace area. A helitanker pilot desperately seeking water to attack a fast-moving fire, is not going to be able to differentiate between clean and contaminated water. A load taken from either dam and dumped on a farm property in the district will result in the contamination being spread over a much larger area.

Why take the risk? For at least six years, CFA has been warned it must remove the contaminated sludge from its property. The money it has spent on multiple investigations and reports would have removed the contaminated sludge.

The saddest aspect of the constant refusal by CFA's Mick Bourke to accept the reality of the situation is that the reputation of the finest practical fire training establishment in Australia is being sullied — not by those who are being criticised by Mick Bourke but by CFA itself.

That is signed Brian V. Potter.

I feel as though now it is dead man talking. Over the three years from when this was first published till Brian's passing on 12 February 2014, Brian had many calls from people, some who cannot be named, telling him of many wrongdoings. One of the main ones that concerned him was from someone who could not speak out. They knew someone who worked for the company that were doing an investigation on the land. They were told areas that they were not to go into, and one would believe it would have been open go. What were they hiding? He also heard from people who were sick but did not want to talk, as they were frightened of their job prospects.

We have had to listen to many hurtful things. A senior CFA officer went over to the AFAC office and proceeded to tell them that Brian was trying to blindside the authority. For those that know Brian, it would be the last thing he would do. I believe the AFAC office has a room called the Foster room, and that sits pretty hard, as Brian believed he was one of two CFA chairpersons who from 90 to 93 were in the original cover-up of this tragic story. Brian did a lot of work for AFAC, usually under someone else's name.

I hope through all of my stories I have been able to give you our insight. Where would I like it to go? Hopefully all the people that have been affected will be compensated for what we have gone through for many years. Brian, through our solicitors, put in two compensation claims through CFA's insurers, which were both declined. I have now put in an independent claim that is going through the system, the hardest part for me being that I had to get a stat dec done to say that Brian and I were in a relationship when he died. One just waits for my claim to be knocked back as well.

I also have to live with the hurt caused by the insurer's doctor, who was very supportive and sympathetic when seeing us, and then wrote a report that said there was definitely no connection with chemicals and firefighting, and he could not support our claim. There are a lot of firefighters who have had the same response from the same doctor. I know that Brian would be wanting presumptive legislation to go through so that career and volunteer firefighters are all covered. Yes, Fiskville is a lot of our dangers, but firefighting in a whole is.

I also have to live with the fact that I lost my husband, and I also lost my dad, a retired resident officer from Colac fire brigade, at 68. Brian and Dad both started with brother-sister rare autoimmune diseases, no blood relationship, but tyre factory fires, arsenic-treated fires, train fires and Fiskville they shared together.

I will just finish with a statement Brian made at a function we had 18 months before he died. We called it a celebration of his life. Brian, always the joker, called it a wake while he was awake.

I have had an aneurysm of the aorta and angina which required a double bypass in 2000. I was burnt on the arms and face at major Gippsland fires in 1965. Cancers have attacked my bladder, bowel, lymph nodes, liver.

I have had two major operations on my liver, and there are now three cancerous tumours on my lungs. In 1999 I suffered a coronary, which resulted in a stent being inserted.

I've had melanomas and skin cancers, which ultimately resulted in much of my scalp being replaced with a flap from my thigh.

Osteoporosis has led to fractures of my pelvis, ribs, collarbones and shoulder. I have had a stroke following open lung surgery in 1997, duodenal and gastric ulcers and Wegener's granulomatosis, a vascular autoimmune disease — and I am still here.

Today unfortunately he is not. Thank you.

Ms WARD — Well done.

The CHAIR — Thank you. Can I call you Diane?

Mrs POTTER — Yes, definitely.

The CHAIR — On behalf of all the committee we are really sorry about what you have gone through, and thank you and Brian and your family for raising this as an issue, hence we are here today. Maybe if I could just ask a couple of questions about some times. You were saying that Brian raised his concerns about Fiskville I think it was two — —

Mrs POTTER — It was actually six months before. It was in the *Herald Sun* December 2011, and it was probably six months before that he wanted to talk to a board member, because he did not want it to blow up. He just wanted to talk to someone and talk about it. The board member at the time was quite accepting of that and wanted to talk to him, because they were building new buildings up there. They did not want to do them if they were building — —

The CHAIR — This is before the buildings were built?

Mrs POTTER — At Fiskville, and the last thing they would want to do is build it on contaminated land. And of course he said to Brian, ‘You know, we really need to go ahead of that’, but I believe that person was stopped by someone higher up.

The CHAIR — Okay. So he contacted the board member — your husband?

Mrs POTTER — Yes. He organised to come.

The CHAIR — And there was an arrangement to meet?

Mrs POTTER — Yes, and they did not turn up, and we never heard anything.

The CHAIR — So nobody contacted you to say anything after that?

Mrs POTTER — No, nothing.

The CHAIR — And then I think you were saying that in 1991 the CFA was warned that there were some — —

Mrs POTTER — They were warned by a person who was living at the time, who was going out of the authority and was very sick, and they had said that it was definitely to do with the chemicals, and he felt that everyone should be warned who lived at Fiskville in that time that they had been contaminated.

It is hard when you listen to the Monash report, who say there is low, medium and high. Brian really found that one quite hard to get around, because as he said, ‘What might affect you might affect me differently’. What the first concern was when it all first started was that we know that there was benzene, toluene — there was four different chemicals that were there — but no-one knows what those four chemicals all mixed together did. We all know that they are dangerous to have.

We also lived in an environment that, you know, if there was a fire on the PAD, what did you do? You put the kids in the pram and down you went to watch it. Or, you know, the men would come home and they would be all smokey. I would say to Brian, ‘Gee, you’ve been in the smoke today’. Well, what were we breathing in? What were the children playing on, that they should not really have been there? That was the sort of thing. But it was 91, and that is what really sits hard with me. As I said, it may not have saved anyone, but I think we should have been told.

The CHAIR — When you said that the CFA was aware in 1991, how did you know that?

Mrs POTTER — They had a letter; they actually found the letter. When Ruth did all the research for it from the *Herald Sun* story, they actually found the letter that had been sent to the authority to tell them.

Ms WARD — A letter from whom? Who was the letter from?

Mrs POTTER — From the doctor, from the specialist doctor, to say that he felt that this person was sick through the chemicals and that we all should be warned that it was quite dangerous.

Going back to that, in the Professor Joy report — I think the transcript is in here, and we were interviewed for, what, 4½ or 5 hours — they actually did find a letter that Brian wrote between 1978 and 80, which is when we lived on the property. He had written a letter. He had apparently been reading an American magazine and had seen that there were problems with some of these chemicals and what was burning on hot fires — PADs, I think they call it — and that he wanted it investigated. He was worried about what we were burning at Fiskville. They found a letter, this letter that Brian had written. Brian said he could not remember at the time, because it was back in those days when he was writing most of his letters himself. As he said, ‘I was writing continuous letters all the time about different things’. They did find the letter, and they had sent back and said, ‘No, everything’s okay’, but someone in black letters had written across the top of the letter ‘Be careful’. Yes.

I mean, it was 1978 he brought it up, that he was concerned, and I think it was something that just went on and on, and there it is.

Mr McCURDY — Thanks, Diane, for your time here today. I am just trying to get some clarification.

Mrs POTTER — Yes.

Mr McCURDY — You lived at Fiskville between 78 and 1980?

Mrs POTTER — Yes.

Mr McCURDY — In your opinion do you believe the cancer was during that time or was it over many years as a firefighter, because if it was during that time when you — —

Mrs POTTER — I believe Fiskville is part of it, but I also believe, probably from my dad — —

I’ll start again. I think that is why we have to look at the firefighter as a whole. The dangers are there, and I guess with what is available — and firemen were not reading up on things — what has come out of America and what has come out of the States, you know, with the dangers and that and what has come up with the legislation, yes, it is — —

Mr McCURDY — Because I can only imagine if there is a certain degree that it is actually Fiskville, you would then also hold fears for the rest of your family and yourself?

Mrs POTTER — We do. I have got four children, and every time anything is wrong with them I do think. I think it is fair enough to say that we are low, medium — all of that, what risk we were, but it still goes back to what might affect you might affect me entirely differently — but no. I just think the whole firefighting thing. Even though we only lived there for two years, I may tell you Brian in 25 years spent a lot of time at Fiskville. He was on the board of examiners, he was on the truck design committee, he was on all different things. He was quite often at Fiskville. Whenever there was a family emergency, Brian was always at Fiskville; so, no.

Mr YOUNG — Thanks, Diane. Given that you have been involved with the CFA for a long, long time and that is obviously close to the family, how confident were you when you approached the CFA that they would give you any amount of support?

Mrs POTTER — I think I was just disappointed on the whole reaction of it. In fact one day I went to say to Brian, ‘If you were the chief at the time and this was happening’, and then I went, ‘No, you don’t need to answer me’, because Brian, or Ray Greenwood who is here today — he was the chairman in Brian’s time most of the time — it was always they were kind and caring and they looked after their people. I think that was Brian’s biggest thing. The whole thing of this story was it was not to look after Brian Potter; it was to look after everyone else that had been in the situation and had been sick.

One of Brian’s famous sayings was — I remember Colleen Hartland one day saying, ‘Brian, if it gets through legislation, I’ll bring you down a few loaves’ — he used to say, ‘I’ve done all this work, and I haven’t even got anyone a loaf of bread’. As he said, there was so much money being spent on all this research but no-one was really caring about us who had been affected. That was Brian’s biggest frustration, because he felt he could not do anything for anyone. He agreed that there were problems.

We had a phone call on the day the story broke from an ex-fire officer from Queensland who had moved to Fiskville with a baby at four months old, a healthy little baby, left there as a three-and-a-half-year-old sick child. That child is now in his early 30s and still sick, and they cannot find what is wrong with him. As he said, 'I wonder, was it Fiskville?'. He played in the dirt and played in the sand, went down to the fire buildings. They are saying it can still be decades. I do worry about our children. I think something still could show up. Going back to the CFA, I think that was the whole, big disappointment — how they handled it. They did not want to know about it, and thought, 'We'll just wipe it away'. I think that was the hardest thing for us to cope with, because we could not do anything for anyone. We tried, but it did not work.

As Brian said at the time, the CFA had an opportunity to make itself look good by looking after people. But they chose to just virtually say — —

In the time that we lived there in the 12 houses, six of those people who lived there at the time with us have died. That is too many people, and that is what we used to say, 'Look, they have gone, they have gone and they have gone'. There are two scenarios there for the firefighters and Fiskville, because for a lot of them the illnesses they have are not on that list in the legislation, but I think because of the situations they were in at Fiskville, there are probably a lot of diseases that have just come up.

Mr RICHARDSON — Thank you, Diane, for presenting today. It gives us a great insight into the challenges ongoing. I just have a couple of questions with regard to the challenges you faced with the CFA, and I guess from that initial 1991 letter that was forthcoming and then the gradual trip-wires that could have initiated an investigation subsequently. Now that we look at it 20 years later, Brian and yourself had to bring that forward. What were some of the challenges you faced leading up to that point in bringing it forward? Also, was there anyone you were in contact with in 2011 who you directly liaised with at the CFA, and what were some of those challenges?

Mrs POTTER — At the CFA it was mainly board member David Gibbs. Brian and David had been long-time friends. He is a solicitor down on the peninsula. I believe he was being stopped further up the line. I spoke to him the first time Brian was sick in hospital, and David said, 'No, Di. I will come and see him'. That was the disappointment mainly, that they did not want to. I do not know if I even mentioned it — I think we were going to put it in — but Brian still had this thing that we could never understand with the EPA. Paul used to be our monitor of the EPA site. When it all first started, there was never anything on the EPA site to say that Fiskville was under investigation. That was a bit strange, because usually if there is something — if there is a leak or asbestos is found — it comes up, but nothing ever did come up on the EPA site at that time to say there was a problem at Fiskville.

Brian always had this concern about Mick, who had come from the EPA, that there might have been something in his time that had been covered up, and that that might have been why he was in denial over it. Really he was in denial. That was all it was. We never got offered anything from them.

Brian's funeral was a magnificent occasion. We had a private mass at our local church, at which there were 300 people. We then went to the local fire station, and there were 1500 people there. I got really thingy, because everyone kept saying, 'The CFA have done a wonderful job of sending Brian off'. The CFA had not done that. Langwarrin fire brigade had done all the work, with some help from the UFU. Paul actually made a call to them and told them about the cost of the funeral, because we had been hit with another big cost. They did put over \$8000 towards his funeral.

I spoke to the chairperson about asking Mick Bourke to please just settle down. It is not only me; I am in contact with a lot of the wives and ex-partners of people who have died. Their thing was, 'Well, just let it all quieten down a bit'. When I spoke to Claire Higgins, and I said to her, 'Look, you did pay \$8000 towards Brian's funeral, and that was very nice that you did it, but we had to ask'. She said, 'We were always going to offer to pay it, but we knew you were not happy with the CFA'. That is a pretty poor excuse. So they did pay \$8000 towards his funeral.

I work in a preschool in Langwarrin, and Brian had come around to pick me up one day. I came out to the car, and he was quite distressed. I said to him, 'What is the matter?'. He had had a phone call from Euan Ferguson, who told him that his second claim had been knocked back by CGU. I said, 'Well, we knew that was probably going to happen'. He said, 'Yes, but I got told to ring up the emergency services board. They are not going to

pay any money, but they're telling me to look for charity'. He said, 'How do I feel?'. That was just so distressing for him that that was all we got offered. It is hard to just take it in.

Mr RAMSAY — Diane, congratulations, and thank you for your advocacy. Because of Brian we are now moving towards presumptive legislation. We have bipartisan support now for that piece of legislation, so hopefully it will come through the Parliament soon. I actually sat on the upper house inquiry a couple of years ago, and through that time I met Brian.

Mrs POTTER — Okay. Yes.

Mr RAMSAY — I also trained at Fiskville myself, so I have a self-interest in knowing what we have been exposed to over that latter period. The questions I want to raise with you are, firstly, I want to know if you are prepared to name on the record the insurance doctor who rejected your claims?

Mrs POTTER — Yes. Professor Fox was the doctor. Actually I had something in my notes about him, but the children made me take it out. The day we went there he was fantastic; he was a beautiful person to our faces. I did actually speak to the solicitor the next day, who was handling it at the time, and she said, 'Diane, wait till you get the report'. When that report came, there was just no contact whatsoever. I also know of other people who have been in the same situation as us and had their claims knocked back as well.

Mr RAMSAY — It is important we have that on the record.

Mrs POTTER — The thing there is that he is probably not up with what is going on. He is a much older man, and I think he is not up with the latest things about what is happening and what is actually coming out. Brian did give him all the information to look up, but I do not know that he did. But then he was working for the insurance company.

Mr RAMSAY — And if I may, Chair, the second part of my question is: what are you seeking now, assuming there is the inquiry and there have been a number of reports and the presumptive legislation is something Brian was keen to advocate for? What are you seeking in relation to justice?

Mrs POTTER — Brian would want to see the presumptive legislation. To see that would be great. I know that is what he really wanted to see go through. I guess by now I am probably telling the bitter side of the story, because I look at what we have gone through and what has come through with everything, with all the reports since. I just want to see some compassion shown to some of the people who have been affected, and some help.

Mr RAMSAY — Do you think Fiskville could ever be remediated to the point where it could be used for park use in the future?

Mrs POTTER — If there is any danger, and if this has saved one person, it has been worth what they have done. I thank the Andrews government for bringing it up and going on with what has gone on. It has been a real, 'What is going on? Are they going to do anything?'. Brian never ever wanted to see Fiskville closed. He wanted them to accept there was a problem there and fix it. I think what is coming out of it is: can the problem be fixed, or is it going to take many years to fix it? I do not think he wanted anyone to go through what we have gone through and what we have seen other people go through.

Ms WARD — Thank you, Diane. You spoke very well. Based on a bit of what Simon was asking you, for your individual family, could you expand a bit more on what you had hoped to see the CFA give you or help you; what would you have wanted them to do and what you would like to see them do in the future?

Mrs POTTER — I guess just acceptance that there is a problem. How can I put it? I want acceptance that there was a problem there and Brian was right. I believe with the reports that have come out Brian was right in what he said and what he brought up. It was never ever to go. He would never believe — —

He used to always say to me, 'You're building castles in the sky'. If I had said to him that this was going to finish up how it has today — that I would be sitting at a parliamentary inquiry, putting to it his story — he would go, 'Diane, you're dreaming again. You're building castles in the sky'. Brian and I were very different. He was the oldest of nine children; I was the youngest of three. But it would never have been the magnitude of what it is. He would never have wanted to go. He never wanted it to go to publicity. He just wanted the CFA to come and talk to him and rationally look at what he was saying, but it was not to be. But then perhaps it was

meant to be this, because there are so many people who have had so many illnesses that they did not know anything about and they did not know why they were sick. When we have all looked at the big picture to see how many people have been sick and are sick, there is a lot of sick people.

Ms WARD — Moving forward, what do you think the CFA could do that could help you feel better or help improve the situation?

Mrs POTTER — Mick Bourke is now gone, but more just to see that if they cannot do it again, that they will make some other arrangements, I guess, if they cannot open it again. I just want to see acceptance that it has happened, but I do not think the personal acceptance from them is there now, so it is not going to happen. I do not know what to say. Hopefully today I have brought the story, and hopefully today I will wait for the outcome. I just want it to just settle down because it has just been our whole life for the last four years, four and a half years. plus 17 years of ill health.

The CHAIR — Diane, when you were talking about some people who have rare illnesses that are not listed in the presumptive legislative drafts, are these people who lived on the Fiskville site as opposed to firefighters — —

Mrs POTTER — When you look at it, there are a lot of rare cancers that were on Fiskville that are not on the list, that are not on the actual list. I think there are 15 cancers on it, and there are people who have died that have had cancers that are not on that list.

The CHAIR — So you think that list should be expanded? Is that what you are saying?

Mrs POTTER — I think there are two different ways here: there is presumptive legislation, and there is Fiskville. There are two different avenues. The people who have been affected by Fiskville need to be looked after and the presumptive legislation comes in for the people in the future that are going on.

The CHAIR — In terms of your concerns about what the CFA did and did not do, from what I understand, just from reading through some of the submissions and in the community, the CFA is a life, not just a job. It is a life and people stick together and do things together — —

Mrs POTTER — I think it has gone the other way, yes. It has always been the big family life. I guess I have probably seen all aspects. My dad was a resident officer and if the chief officer came and he washed his hands in the bathroom, oh my goodness, 'The chief officer's washed his hands!', and then when Brian is the chief officer and I think, 'We're just normal people'. So I have seen it from right through and it was a really big family thing. I know things are never the same as what they were years ago, but I think it is sad that we have lost that part. Our time at Fiskville was really good fun. We did have some good fun things.

The CHAIR — But do you think that sort of broke down because of Brian getting ill and speaking out, or is it a general — —

Mrs POTTER — I think it just all went as time went on and things got changed and different management there, different values.

The CHAIR — Just one other question about your compensation claims. In the end the insurer rejected the claim. Did you know if the CFA were cooperative in terms of your claim? Were they supporting you?

Mrs POTTER — I do not believe they were, but then I do not know whether they have got any say in it. As I said, there is a claim being put in now for a dependant's claim form for myself. At the beginning I did not really want it be put in because the solicitor at the time said, 'Look, I know, Diane, they're going to knock it back, but we'll put it in just to say, "Look what they did to Brian; now they've done the same to Diane"'. It is in now. We are still waiting on a result. We have about eight weeks to go.

The CHAIR — So you have had no support from the CFA or anybody in terms of how that — —

Mrs POTTER — No.

Ms WARD — How that process — —

Mrs POTTER — No. And no-one has rung. That I think was the disappointing thing. It would never have happened years ago, put it that way. There would have been the support; it would definitely have been there. Since all of this started there has been nil support, other than putting Brian down in the media or on YouTube videos or whatever. But then they probably picked on the wrong person to do it about, because Brian has got a lot of supporters and we have got a lot of people who really support him. I would say Brian would have to have been in favour of what he said. I know there are a lot of people who are thankful that he did come forward and talk.

Mr McCURDY — And you still hear from others now? People who trained at Fiskville or firefighters from throughout the state — all of the above?

Mrs POTTER — Yes. We still have a page running on Facebook, ‘Brian Potter, the life of a chief officer’, and it is just incredible what we still get on that. But everyone is still waiting to see what is going to happen.

Mr RAMSAY — Can you give an indication of how you think Brian might feel about the importance of having a regional-based training facility for the CFA? Despite the poor practice, certainly historically at Fiskville, at the same time what I am told is that it is a wonderful facility for training for CFA volunteers. Assuming it cannot be decontaminated to the point where it is safe, do you see the importance of having a regional-based training facility?

Mrs POTTER — I think he would want something, yes.

Mr RAMSAY — So if not at Fiskville, a Fiskville somewhere within the region to satisfy the training requirements?

Mrs POTTER — Yes, something. Because as I said to you, and he used to say, ‘I never ever wanted Fiskville shut down. I just did not want anyone to get sick and go through it. If there’s a problem there, let’s sort it out’. I think he believed that it could be sorted out, but with what is coming out now, we do not know.

Mr RICHARDSON — Diane, I have a couple of questions. I just want you to paint a picture of what you had to go through in terms of the claim for other people who might be confronting that. Obviously that would have been a trying time. What were some of the things you had to go through and some of the thresholds that were presented with when presenting to the medical expert?

Mrs POTTER — With Brian’s two claims we only ever got to seeing two doctors. With Professor Fox, we only got to see him on the first visit. On the second, they just rejected it. The second doctor that we saw said to Brian, ‘I don’t really know why they’ve sent you to me, but anyhow we’ll have a look at you’, because he was one of those return-to-work doctors. At this stage Brian has had a stroke; he has cancer galore going through his body. He said, ‘I know you’re not going back to work, just look at you’. But I have no doubt that if Brian had not got sick, Brian would still be working to this day. He spoke in January before he died at Langwarrin fire station at a function. I have no doubt that he would still be doing work — going around and speaking at different things — had he not got sick.

Mr RICHARDSON — To go to the culture at Fiskville and at that time, were there any concerns at the time about the exposure to chemicals on-site? Were there any lingering concerns? Obviously it was a fun experience at the time, but was there anything that was nagging in the culture at Fiskville that there might have been any concerns?

Mrs POTTER — No, because you did what you did in those days. Someone was talking about it the other day. At the time I was standing there holding up a cartridge in a photocopier, and I said ‘Well, who’s to say in 20 years someone’s not going to say, “This is dangerous”?’ In those days you did what you did and you thought you were doing the right thing. I believe Brian had a lot of concerns while he was there. He was a bit concerned about what they were burning and, as I said, by the letters that they found. But I do not think we ever believed it would be as bad as what it has turned out to be.

Ms WARD — Going on your experience and what Tim was just talking about, what other services or provisions do you think could be made for people in your situation to help ease the burden that you are carrying as you are trying to sort through mountains of paperwork and phone calls and hospital visits and chasing up records and so on? What services do you think could be provided to help ease that process?

Mrs POTTER — I guess what probably started me on it too was talking to someone who was with the police. Her husband had been a policeman, an inspector of police, and he had died, and she was saying the things the police do for their ex; but there is nothing CFA-wise. I guess that is what I would probably like to see. At the moment I ring a lot of the widows, and they ring me. We send letters, we do things, and I think it would be nice if there was some sort of organisation with which we could have some sort of contact. We have talked about starting up the ex, the late whatever — I do not know how to put it — but there should be something that they have got a bit of care to them.

Ms WARD — So there is that aspect of someone like the CFA or government setting up a body for you all to meet together and have that social support, but what about other services that could be provided with helping you fill in the forms or doing any of that kind of work?

Mrs POTTER — I guess there was nothing, and I guess we just handled all our own things ourselves. I do not know.

Ms WARD — Do you think there is a role to be played there?

Mrs POTTER — I think there is something now. I think there definitely needs to be something, but whether they are prepared to do it would be another thing.

Ms WARD — Is that something you would like to see?

Mrs POTTER — I would like to see it, yes. I think it would be great. They have got a counselling service that they offer.

Ms WARD — The CFA offers a counselling service?

Mrs POTTER — Yes. Over the Fiskville thing, you could ring. They then immediately — —

Ms WARD — How long has that been in operation for?

Mrs POTTER — Since the story broke.

Ms WARD — So since late 2011?

Mrs POTTER — Yes. That was set up — they set up one. They also set up the health study. Brian got the forms to do that, but he just laughed at it. They sent a thing to have a blood test and all of that. We took it down to our doctor, and he said, 'Brian, you have these every month'. But the thing was you went to their doctor and had the tests, but if they found anything, you had to go back to your own doctor. I mean at this stage Brian and the ones we knew had so many things wrong with them that they were not going to off just to have a medical by someone else, because we were all the time at doctors anyhow.

Ms WARD — So the counselling service that was set up in late 2011 by the CFA, how has that worked? Have you utilised it at all?

Mrs POTTER — No.

Ms WARD — Has anyone used it at all?

Mrs POTTER — No, not that I know of.

Ms WARD — Why is that?

Mrs POTTER — I think probably because we just thought it was at CFA, and with what was coming out of CFA — there was no help. There was definitely no help right from the start.

The CHAIR — I just have a couple of questions based on what you were saying. One is in the Joy transcript that has been accepted by the committee and will be published soon, I think Brian mentions that there was a sign put up at the front of the Fiskville property with a warning about chemicals. This was early on. I guess when you say that in those days no-one really knew that these things were happening, but he did make mention of this sign. You might not be the person who could say whether there was any — normally if a sign gets put

up, senior management would then train people or talk to people or explain to people why the sign was there and what it meant and what they needed to do.

Mrs POTTER — Yes.

The CHAIR — Do you know — were you aware of any — —

Mrs POTTER — I think that sign was put up after our time. I think that was something that was only put up in very — because the day we went up to Fiskville, just before the story was put into the paper, Brian pointed out then — about the signs. I think they were — —

The CHAIR — They were fairly late. I did not get the timing in the report.

Mrs POTTER — I think that about the Fiskville thing — Fiskville, when we were there, was very open. I can understand them blocking off the fireground now to make sure no-one does get in there, but getting into Fiskville now is like getting into Fort Knox. It is probably worse now. But when we went up there I could not believe how no-one could get in unless they got buzzed in and things like that. My thought was also what were they really hiding. Why could people not come in?

The CHAIR — Have you had an apology from the CFA?

Mrs POTTER — That does not mean anything.

The CHAIR — You have or you have not?

Mrs POTTER — No, and I would not expect that; so, no.

Mr RAMSAY — Can I ask a quick question. It is not only the CFA that used that facility. The army used it, the SES, the police — —

Mrs POTTER — The air force.

Mr RAMSAY — Quite a number of different bodies. Has there been any criticism from those groups? I appreciate they have not been working on the fire pad, like the CFA, and I have not heard from them, in any of the submissions, of concerns. I am just wondering if you have.

Mrs POTTER — There have been a lot of people who actually contacted Brian, mainly the Point Cook air force people, because they had used Fiskville — they were using the facilities at Fiskville. When the story came out a lot of them did contact him and said that they had been there and were also ill, and they had thought the same thing. They did burn a lot of our fuel there, and that looks to be one of the things that could have caused a lot of trouble, mainly coming out from 9/11 because of what happened there and the firefighters getting sick after their aviation fuel was in the buildings. That was, I guess, what was the main thing to get it going. But I know we had someone from Dulux ring, because Dulux used to run a lot of things there. They used to supply a lot of the fire things. Yes, there have been other people from other organisations that have complained.

Mr RAMSAY — Can I just ask, Chair, I guess what is frustrating is that apart from Mick Bourke, who you have already put on the record as not listening, there are board members who are representatives from different regions who sit on that board. I am just wondering if they all had blockages in relation to complaints about potentially — —

Mrs POTTER — I think so. As I mentioned before, I spoke to Claire Higgins. It was after the cancer council report came out. Once again, Mick was on about, ‘See, there’s nothing to Fiskville. It’s nothing to do with it. They’ve checked it out now. Everything is okay’. I thought, ‘Here we go again. Can that man ever just accept that yes, there might be a problem at Fiskville?’. So I did ring Claire Higgins about it, because one of the mums — I am used to talking to mums in kinder. One of the wives rang up and said, ‘Now we’ve got a bit more denial’. And I said to Claire, ‘Could you please just ask him to show a little bit of compassion and not to make a big thing of, “See, there’s nothing wrong. There’s nothing wrong at Fiskville”?’.

Anyhow, Claire then went on to tell me about the things that they had set in place — the counselling service and the health service and all of that. I finished up getting — I was frustrated. I really was quite frustrated, and I got

quite upset with her on the phone. I just said to her, 'Look, I'm going to have to go' because I was quite emotional over it. I thought, 'I'm just hitting my head against a wall. Why am I doing it?'. I thought I might have got a phone call back to just say, 'Are you okay?', and all of that. Nothing. That would have been nice — to have just got a letter or a phone call to say, 'Thanks for bringing it up'. But it just seems to be that total denial that there is a problem.

Ms WARD — With the closure of Fiskville, you said earlier that while Brian was alive he did not want it closed. He just wanted it cleaned up and fixed so that it could be used. Now that it has been closed, and we have learnt about the amount of pollution that is on the site, do you think that Brian would have thought about things differently?

Mrs POTTER — Yes, definitely. If there is any danger, he would not want anyone to be in any danger. We would all just have to be accepting of the situation. But, no, he certainly would not want to put anyone back into what was happening there.

Mr RAMSAY — Did you have any confidence in the EPA's work and the work orders that were required for decontamination, because the standard — —

Mrs POTTER — Brian questioned a lot of it. I don't really understand a lot of it and what was going on. He was probably more onto what was happening, but I think he questioned a lot as to why was it not coming out.

Mr RAMSAY — But it was still going through the process. My understanding is that they were on stage 1 or 2.

Mrs POTTER — I think that was a lot of the frustration too for a lot of us, because we knew all these reports were going on, but no results were ever coming out. 'Oh, yes, they are going come out then'. I guess even with the Monash report, we were told that was coming out in, what, November, and it was in January that you people brought it out. Where was it?

Mr RAMSAY — I cannot tell you.

Mrs POTTER — Yes. I mean was it held back for a reason? Why was it not brought out?

Ms WARD — Do think that the CFA were having conversations with the EPA?

Mrs POTTER — I don't know. I mentioned the story of the lady who made the phone call anonymously and said it was just strange that her husband had been up there working and they were told certain areas that they were allowed to go to. I would have thought that they would have been allowed to go to all of it. I had a personal thing, because while we were up there and we were living in a big house and we actually had an animal paddock at the back of the house. So I decided that I would play Farmer Brown while we were up there. I had a calf, and I had two sheep. I might tell you, they were pretty scrawny looking animals. I often wonder what was behind that. But no samples were ever taken from up there.

The CHAIR — Thank you so much for coming in. It must be difficult.

Mrs POTTER — Thank you.

The CHAIR — And to your children for coming in as well.

Mrs POTTER — I hope that was of some interest.

The CHAIR — It was a very good presentation, and it gave us lots of information. Thank you.

Witnesses withdrew.