

# 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

#### Witness

Mr Gavan Knight.

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

**The CHAIR** — Thanks for coming in to talk to us today and give us evidence.

**Mr KNIGHT** — Thank you.

**The CHAIR** — Is it okay if we call you Gavan?

**Mr KNIGHT** — Yes, I am comfortable with that.

**The CHAIR** — Okay. I just have a few preliminaries I will just go through before we start. On behalf of the committee, thank you for coming. All evidence taken at this hearing is protected by parliamentary privilege, as provided by the Constitution Act 1975 and the provisions of the Parliamentary Committees Act 2003, and is protected from judicial review. Any comments made outside the precincts of the hearings are not protected by parliamentary privilege. All evidence given today is being recorded, and you will be provided with a proof transcript. Following your presentation to us this afternoon we would all like to ask you some questions. We really appreciate you coming in to be here and to give evidence today. Thank you. After you.

**Mr KNIGHT** — You are welcome. The motivation, I suppose, is the first question: why did I bother coming forward or what prompted me to come forward? That was the media reporting about the CFA and MFB members that were exposed at Fiskville. I was part of the training team for what was originally Natural Resources and Environment, and then Department of Primary Industries, and then Sustainability and Environment, and now whatever name it is under at this time. But at the time that I was working there I was employed as the lead prosecutor/senior prosecutor for the Department of Primary Industries, after Natural Resources and Environment.

Over the course of time that I was at Fiskville we delivered training courses to probably close to a thousand people. I needed to go back through Excel spreadsheets that I had, but I did not have the time to properly analyse it, just because there were so many training courses that were conducted. We conducted courses at Fiskville for fisheries officers, for wildlife officers, for Forestry Victoria officers, Aboriginal Affairs — pretty much it was almost every state-authorized officer that was not employed by public transport or some of the smaller organisations. But anything that had a law — and Parks Victoria was another one that we provided training for. So at times we had more officers at Fiskville undertaking training or providing training as instructors than what CFA had on courses. I remember one particular course CFA only had six officers going through it the one year, so we had 20 plus our instructing staff that were on site.

So I guess I complained about the fact that, sharing in some of the cottages, often times we would get itchy skin and an itchy scalp. I raised that with the Fiskville officers, especially the admin. staff, and we were told that it was something to do with the run-off from the roof because it was tank water. So nothing much was thought of it at the time, but when this media came up it prompted me and reminded me that there was this itchy, scratchy response to the water that we were using at Fiskville.

I probably put it across to one side until I saw the front page of the *Herald Sun* — I am not playing favourites with this, because I did not get the *Age* that day — and the front page of the *Herald Sun* was talking about the fact that there were contaminants in the potable water. In the seven years that I was instructing staff at Fiskville the courses that we ran would last from a week, sometimes two weeks, and anything up to six weeks, depending on the complexity of the training that we were delivering. At all times we were washing our clothes, eating in the mess room in the main building — and all that potable water was providing the cooking for meals that we were consuming. That was for the period 2001 through 2008. Certainly it caused me some concern, and more importantly for the staff that I was responsible for while I was delivering training at Fiskville.

Recently I got a report from the Department of Environment, Land, Water and Planning. It is dated 8 May. It actually contradicts the fact that there was any contaminant in the potable water.

**The CHAIR** — Sorry, what was that?

**Mr KNIGHT** — This is a report from the Department of Environment, Land, Water and Planning dated 8 May saying that they had commissioned environmental occupational health consultants to assess exposure and health risks to DELWP compliance officers who participated in scenario-based training exercises requiring entry to dams at the CFA Fiskville training facility. What this basically says is that the exposure was very low. I took photographs, oftentimes as part of the assessment, of officers sitting on canoes or kayaks with visible foam

scum in relation to those dams because they were beneath the PAD at Fiskville. The run-off was going into those.

**The CHAIR** — On 8 May which year?

**Mr KNIGHT** — This year, 2015. It basically says there would not have been, or there was very low risk of, exposure for the officers. It totally ignores the fact that all our food and water was coming from that potable water source, so I was a bit gobsmacked when I read this. Maybe it is accurate in respect of the scenario training, but it disregards the fact that we were all on site Monday to Friday, living and working, and consuming what was provided for us.

**Mr RAMSAY** — Are you happy to table that letter?

**Mr KNIGHT** — Yes. It was sent to me as an email from the occupational health and safety people at the Department of Environment, Land, Water and Planning.

**The CHAIR** — Is this a copy?

**Mr KNIGHT** — Yes, it is just a printed-off copy.

**The CHAIR** — Thank you very much. We will take that. Please go on.

**Mr KNIGHT** — Again, this is a restatement: so many officers over such a period of time were living there and were exposed. I do not know whether there are going to be any consequences, but I felt it important to get it on the record that those people were there. I had been told that the training records had gone missing. I have got copies of them because we took copies with us while we were on site. We had to, to update our records, and also if somebody said, ‘When did I last complete my training? Am I due for refresher training?’ or whatever else. There was nothing mischievous about it; it was just that I had them on my hard drive, and I have still got them on my hard drive, so if the committee needs to know who was there, how many officers and what dates and times, that material is available.

**The CHAIR** — Thank you for that. During the period that people were training at Fiskville, do you recall what the health and safety legislation or what requirements there were in terms of health and safety at that time? Did you have much involvement in that side of things, just on a general basis, not particularly at Fiskville but as a general rule?

**Mr KNIGHT** — As a general rule, we were to provide a safe working environment. As such, the officers were in scenario training and — the saying is you train hard to fight easy — if sometimes people got into the swing of things in the moment, we needed to pull them up and say, ‘Whoa, this is training; this is not the real world. Just back off a little bit’. As instructing staff and being responsible for their health and welfare, we would be oversighting what was going on, but we also had to fall into line with CFA’s policies and procedures. While we were a distinct unit and we were complying with our standard operating procedures, we also fitted in with what was going on at Fiskville. We observed giving right of way to marching troops and protocol in meal rooms and things like that — we observed those same protocols — as a courtesy as much as anything.

**The CHAIR** — Did you report your itchy scalp and so on?

**Mr KNIGHT** — It was in passing. Did I make a written report? No.

**The CHAIR** — I was wondering whether you went back to your employer and raised it with them.

**Mr KNIGHT** — It would only have been in passing. It was an incidental thing. I do know I was on a training course with another senior prosecutor, and one of the officers came into contact with dam water during a scenario exercise, and during the Thursday night course dinner she was presented with the Captain Rash award or something like that. It was joked about, but in hindsight it was one of those things where you think, although we were laughing about it at the time, was it actually more serious.

**The CHAIR** — Knowing what we know now.

**Mr KNIGHT** — Knowing what we know now; exactly. I made contact with that officer and suggested that she pursue it. I have been well out of the organisation for quite a period of time now, so I have not stayed in touch with a lot of people, but I did go out of my way to make contact with a few of them and say, ‘Just be mindful of this, and be careful about at least getting it recorded that you were part of a crew or part of a team that was at Fiskville’.

**Mr McCURDY** — We have had people put submissions in who did not just live at Fiskville but were further out in the region. With your experience, were there any concerns further out in the regions — 5 or 10 kilometres out — of people with any health issues or any other issues that might have been related to Fiskville that you are aware of?

**Mr KNIGHT** — Not that I am aware of, no.

**Mr McCURDY** — So basically a lot of your evidence has come from what you saw when you were there and what you have read about in the paper after it was all disclosed?

**Mr KNIGHT** — Yes. What I have read about in the media and what I have heard in the media is what gave me a level of concern. As for being exposed to smoke or chemicals on the PAD — no, we were not. Were we in contact with and potentially exposed in relation to run-off into the dams? Yes, we were. It was part of the duck protester training scenarios; that is where we went. It was not just for that. We did not go anywhere near the residential area. With few exceptions, we were not restricted in where we could go or what we could use as far as our scenario training went, so we did not go on the PAD, but if we needed to go across the PAD, we could have if there was not something going on.

**The CHAIR** — Did you actually go into the dam as well?

**Mr KNIGHT** — Yes. I have got photographs of officers sitting on kayaks and sit-upons and in waders down in the water.

**Mr YOUNG** — Given that kind of close contact with the water, how do you feel about the studies that have been done classifying people as low-risk category?

**Mr KNIGHT** — I do not know. I am not a medical person. Who knows? I did not know anything about what perfluorooctane sulfonates were six months ago, but once I started hearing about this and seeing what I saw on the front page of the paper I made it my business to go online. The two studies that I read — one was from Germany and the other one was from Japan — basically said it can be transferred in utero or can be transferred in breastmilk and that it is really only a problem if it is ingested. Hello! That was about the time I said, ‘Okay, we’ve all ingested it’. We had to, because we were fed it and we drank it. Who knows when it will rear its ugly head and how? That is what is concerning me. Is it 6 months, is it 6 years, is it 16 years? I do not know. That was one of the reasons I got a bit proactive and made contact with former officers and suggested it was time that they at least got their names down.

The biggest problem we have got there is that, being a science-based organisation like DPI and DSE were, people come into the organisation, get some experience and then move on to other things. They move interstate or move overseas, pursuing their career path. There is a really big chance that they will not even know about any of this stuff. They might have a health issue but not be aware of why they have a health issue. There was one particular staff member, and I was aware that she had a child who at three months old, I think, developed a particularly vicious type of leukaemia. Leukaemia is linked to PFOS. Was it because of her exposure at Fiskville? I do not know, and it is not my place to go and stir things up, but certainly it has acted on my mind to think: was this something that caused that child to have an aggressive form of leukaemia and then die?

**Mr RICHARDSON** — Gavan, I just wonder if you could give us the time frame for when you served and trained at the facility?

**Mr KNIGHT** — 2001 through 2007.

**Mr RICHARDSON** — You touched on some other individuals who might have been affected. The Joy report went from 1971 through to 1999. I just want to get your thoughts on the need to go beyond that to the

present day and some of the procedures that could better inform our committee that might have been a shortcoming in terms of occupational health and safety?

**Mr KNIGHT** — I have not read the report. I do not know what it touched on or did not touch on. I saw the time frame in media reports. I have not delved deeper than what I have got at first blush. It is not sound or safe for me to comment as to what is in or is not in a report.

**Mr RICHARDSON** — It was up to 1999. We are looking at the present day and those procedures that might have still been of concern.

**Mr KNIGHT** — If the pipes were fractured, and if the holding tanks had contaminants in them, then it certainly covers the period that we are talking about when I was actively involved in training delivery at Fiskville, and possibly up to and maybe even exceeding 1000 state authorised officers from various departments.

**Mr RICHARDSON** — Yes. And what do you think needs to go beyond in terms of working through those issues and your team that was training on site? What were some of the activities that were going on there in and out of the water? Could you give us a bit of a picture of that as well?

**Mr KNIGHT** — If we were on breaks, and there was firefighting activity going on on the PAD, the staff were able to leave the classroom and stand there and observe. We would not knowingly and willingly have put them into a situation where they were exposed to smoke, but I do not know that it did not happen. I am not saying that it did. We also broke one day. There was a graduation parade going on, which was interesting for state authorised officers who were not from a policing or firefighting background, although most of our students — DPI and DSE students — had a fire role as frontline firefighters. For them to see a grad parade — there was no point in trying to continue with the class when there was a pipe band and drill going on outside the window, so we just suspended training and said, ‘Go and watch it’. That was part of the interaction we had between the organisations as well.

**Mr RAMSAY** — My question is in relation to contamination of the water supply. I am just trying to remember the exact time when the mains were connected to Fiskville. I suggest it is probably somewhere in the vicinity of when you were there during that 2001–07 training. My understanding also is that the latest testing has indicated that the training facility water supply does not have any high contamination in it, so it is at safe levels. I am just wondering what your view is in relation to the contamination of water and soil during the period you were there, because I guess that is the only period you can really respond to.

**Mr KNIGHT** — I can tell you that the officer who was presented with a certificate at the formal dinner definitely got a rash from being exposed to water at Fiskville, because she did not go anywhere else in that week. The way we did our training course was that Monday and Tuesday was pretty much law and theory, Wednesday would be notes and note taking and then we would do scenario training in the field. On Thursday we put the briefs of evidence together and got ready for delivering evidence on the Friday morning, so moot courts and running scenario court cases. So from Monday till the Thursday night when the rash was visible she had not been off site.

For me — this is not evidence because it is hearsay — but my mother read the *Herald Sun*. I rang her, and I said, ‘Look, I’d better come and see you’. She said, ‘I remember you telling me about Fiskville and how you got an itchy scalp and you got itchy as a result of being in the showers’. I do not want to drag my mother in here to give that evidence viva voce. Other people have remembered it and recalled it. They said, ‘You spent a lot of time at Fiskville, and we remember you talking about that itchy, flaky scalp stuff as a result of being in the showers at Fiskville’. That is my evidence. I cannot postulate or guess at what other people experienced or did not experience.

**Mr RAMSAY** — Was she also exposed to the dams on that site as well?

**Mr KNIGHT** — I would physically have to look at what the course was that she was on and then work out what training we would have done in relation to that type of course. If it was duck protester management, definitely we would have been down around the dam. If it was forestry protest management, possibly around the dam as well. We tried to tailor the training that we were delivering as closely as possible to the scenarios that people were going to be delivering. So if it was Parks Victoria, the offences would be dog in a park, camping

without a permit, a fire that was too big or lighting a fire on a day of total fire ban. If it was duck protester management, then it was obviously different. We would teach them how to tell somebody to lower a weapon and make it safe and then carry out your interviewing. That was totally different. I cannot tell you what that officer was exposed to without physically having a look at the training notes and seeing what course she was on, and then it would be an educated guess.

**Mr RAMSAY** — I stand corrected; it was 2012 when full mains water was used for training purposes, but I was not clear about the actual water supply to showers and drinking water and the like.

**Mr KNIGHT** — I thought our water was tank water at the cottages. I presume that the committee has been for a site visit?

**The CHAIR** — Unfortunately the day before we were to go was when — —

**Mr KNIGHT** — It was closed.

**The CHAIR** — it was closed. We are going there, though, I think in the next couple of weeks.

**Mr KNIGHT** — The students mostly stayed in the old buildings, and the instructing staff mostly stayed in the new buildings, the quarters — the self-contained units. I can tell you that showering in the self-contained units — I would occasionally take my bottle of Jameson's with me, and I would make ice with the potable water. I am hoping that the Jameson's will have counteracted whatever was in the water.

**The CHAIR** — Hearing what you have said about the period of time, and we have had the Monash study, are you surprised that the CFA has not tried to contact people or gone a bit further — other than the CFA volunteers — in terms of looking into what has gone on here and trying to contact people to make sure that they are registered, at least, in case there are any health effects they can report?

**Mr KNIGHT** — CFA are responsible for CFA personnel. DPI, DSE and NRE were responsible, as I see it, for the officers that were there, and by extension Aboriginal Affairs for the Aboriginal and Torres Strait Islands inspectors that were trained up there as well, and Heritage Victoria, if they had people that were there — so each organisation. The difficulty as far as NRE, DPI and DSE is that the specific training officers moved in and moved on, and where the training records went to — because the offence management unit, in effect, became emasculated over a period of time, and vocational instructors like myself were superseded by lawyer-based instructors, or the training was outsourced. Where those records ended up is anybody's guess, because it would only be somebody like me or colleagues that I know who also had their copies of the records up to a certain date. We have still got those. If my hard drive had died, then I would not have them now. It is just that I went back through, and I thought, 'Maybe I have still got something on the file'. That is how I found those Excel spreadsheets.

**The CHAIR** — The committee is gathering evidence and of course making recommendations in terms of how to deal with some of this stuff. Do you have any suggestions?

**Mr KNIGHT** — I have spoken with the occupational health and safety person who was responsible for making contact with the Fiskville people. To say that my initial response and reaction to it was fairly blunt and fairly terse would be an understatement, because I certainly took the view that they were not trying very hard to make contact with former officers. I know people who are now living in Tasmania and are totally out of the public service and totally out of the loop, but they had been to Fiskville not as students but as part of the scenario actors. Because they were sympathetic to some of the causes, it was easier to have somebody playing those roles in a scenario when they believed in stopping forest logging or whatever else. We were a dynamic organisation, but we were not in competition with each other as far as training people up and getting the best result for them. However, to have somebody who passionately believed in not logging forests as the protester certainly added a level of reality to the scenarios.

**The CHAIR** — It would.

**Mr KNIGHT** — It did.

**The CHAIR** — In terms of any — —

**Mr KNIGHT** — I do not know how; whether they put ads in the papers. Even if they just invited people, saying that if you are still in touch with anybody that you formerly worked with, just send them a message via social media and say, ‘By the way, this is what’s happened; you might like to make contact and at least get a package sent out to you so that you can register and say, “I don’t know what’s going to happen down the track, but I want you to know that I did undertake training at Fiskville”‘.

I have the names of everybody who was at Fiskville. I do not know that I have all the scenario actors’ names, but there were usually friends within groups who would know that they went to Fiskville. On the Thursday night we would have a debrief as part of the course dinner and the scenario people were part of that dinner as a thankyou for coming up and giving up their time during the day, so they may remember who it was. I certainly do not have records of who all the scenario people were.

**The CHAIR** — Thanks very much for coming in. This is another angle that we probably originally had not thought of considering, but you have now really alerted us to how wide the problem is.

**Mr KNIGHT** — There would be more than DSE, NRE and DPI, because I know we used to watch the 44-gallon drums take off into the air while VicPol were there doing their fire and arson investigation course. We know that there were other organisations that were there, and a variety of different uniforms, too. They were not just CFA uniforms. I know that there were other people who were at Fiskville for extended periods who were potentially exposed.

**The CHAIR** — Thank you very much.

**Witness withdrew.**