

VOLUNTEER SUBMISSION TO UPPER HOUSE SELECT COMMITTEE INQUIRY INTO FIRE SERVICES RESTRUCTURE PROPOSAL

The Secretary,

Select Committee Inquiry into Fire Services Restructure Proposal

Legislative Council

Parliament of Victoria

LCSC@parliament.vic.gov.au

Dear Sir/Madam,

I write to present my views about certain aspects of the Fire Services Legislation currently under consideration by the Victorian Parliament.

I am a CFA volunteer firefighter with more than twenty years' active service as member of the Limestone Fire Brigade, part of the Yea Group. I was on active duty during the Black Saturday fires in 2009 and part of the initial strike team that responded to the East Kilmore fire.

I make the following points:

1. I am supportive of the proposal that the boundaries that determine the jurisdictions of the CFA and the Metropolitan Fire Brigade be redrawn so that the latter has exclusive coverage of urban areas and the former is able to continue to be a rural fire service. This makes a lot of sense as does the exclusivity of domains that each fire service should have within its own jurisdiction.
2. Achieving that outcome successfully for the longer term is a complex matter. The devil is in the detail. It will be imperative that both fire services have a fair and equitable allocation of the assets that will need to be divided up as a result of the reallocation of existing joint brigades. This applies to training and support functions as well, not just the direct on the ground resources. It is also essential that each fire service has a sufficient and sustainable revenue base in order to undertake its mission into the future. It is not clear from what I have read that this has occurred in any substantive or authoritative way. The principles on which the carve up of resources and future funding arrangements will be based must be determined in advance of any legislation being considered. Otherwise the CFA in particular is merely being asked to accept a 'pig in a poke' in relation to funding, assets and resources. There is too much at stake to allow this to occur.
3. Some have raised the concern that the protocols for joint engagement of both fire services at particular incidents will be unclear where one fire service is asked to assist the other. Clearly the principles on which these protocols are to be based must be determined in advance of the passage of the legislation. The issues at stake here lie at the heart of the ill-will that has been allowed to fester between representatives of the paid and volunteer fire

services. Unless they are resolved these issues risk compromising fire safety and morale. I note that in our own district we have operated for many years with a clear and collaborative set of protocols governing the relationship between the volunteer CFA service and the paid DELWP fire fighters who manage fire operations in State forests and National Parks. This is hardly rocket science provided there is goodwill on both sides and a commitment to consultation.

4. The provisions in the bill that provide for future changes to respective boundaries of the CFA and the restyled Metropolitan Fire Brigade are deeply troubling. Effectively they transfer decision rights from the Parliament to the Minister, with the Minister having the power to appoint the review panel, issue references to it and subsequently act on its advice to determine changes in jurisdiction. In light of actions by the Victorian Government and the relevant Minister over the past 12 months, if this provision were to remain as presented, it is likely that the CFA jurisdiction will get progressively compromised as political and industrial pressure is applied by representatives of paid firefighters. The integrity of Victoria's rural fire service requires substantial revision of these provisions so that the rewriting of future boundaries is not at risk of being largely at the discretion of a Minister. This must remain a matter for the Victorian Parliament.
5. I am concerned that those parts of the draft legislation that deal with the Presumptive Rights(Cancer) appear to treat paid fire fighters and volunteer fire fighters differentially, with the latter only having the right to have their claims 'considered' by a review panel as opposed to automatic acceptance of claim. This is inequitable and unwarranted.
6. I am deeply concerned at the apparent haste with which the Government sought to secure passage of this legislation and the lack of opportunity for proper consultation with relevant stakeholders. The linking of the fire services reforms to the Presumptive Rights Cancer legislation seems to have been a cynically introduced measure designed to sugar coat the rest of the legislation in order to secure expeditious passage through the Parliament. The fact that the Legislative Council has decided to undertake its own review before considering whether to pass the legislation is the first time some meaningful consultative action has taken place.
7. The manner in which the Victorian Government has sought to deal with issues in the fire services area over the past 18 months has generated a disturbing lack of trust on the part of volunteer fire fighters and regional communities. This has been accentuated by the approach taken with this legislation. It is about time that the Government and the Parliament sought to de-politicise this whole matter. In the past week the Government established a bipartisan panel comprising John Thwaites and Ted Baillieu to review and report of safety of high rise apartments. Surely the future of Victoria's fire services is similarly sufficiently vital to allow for some similar bipartisan and consultative approach to getting the answers right for the longer term?
8. Finally, I would urge members of the Select Committee to ponder the core issues that are at stake here. The Victorian community is underpinned by a varied, diverse and often invisible volunteer base. Volunteerism largely makes our community what it is. The emergency services in regional and rural Victoria are at the heart of this fabric. The manner in which CFA volunteers and their representatives have been treated over the past 18 months as these issues and their antecedents have been dealt with by the Victorian Government is nothing

short of abominable. The impact this treatment has had on the morale of volunteers in my own Brigade and Group has been palpable. Unless there is a change in approach, greater consultation and a commitment to a more equitable and inclusive process, a very large pillar of Victorian volunteerism will be destroyed. I urge the Select Committee to ensure it keeps this existential issue front of mind in its deliberations. The stakes here are extremely high.

9. Given this I would also urge the Select Committee to meet for some of its time in regional Victoria and meet face to face with CFA volunteer brigades or their leadership.

I can be contacted by email [REDACTED] if desired.

I am willing to have this submission publicly listed.

Thanks in anticipation for considering this submission.

[REDACTED]

Ian Marshman AM

CFA Volunteer Firefighter

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