

**INQUIRY INTO THE FIREFIGHTERS' PRESUMPTIVE RIGHTS
COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT
(REFORM) BILL 2017**

6 July 2017

Submission by Mr Colin Fisher OAM [REDACTED]

My name is Colin Fisher and I write as an honorary life member and historian of the Mornington Fire Brigade. I am forwarding this submission as a concerned member of the public and close associate of the Mornington brigade. (I recently completed a 100-year history of the brigade and have worked closely with senior members, off and on, since writing the 90-year history 10 years ago). I have also had recent discussions with senior volunteers (Ex-Captains and long-term members) of the brigade who strongly oppose the proposed breakup of the CFA. Although the following comments are my own, parts have naturally been informed by those discussions. It is also of note that a recent all volunteer brigade meeting unanimously endorsed the senior volunteers' views.

To begin with, it is a matter of concern that the proposed Bill combines two totally separate issues. Surely Presumptive Rights Compensation cannot be said to go hand in glove with Restructuring of the Fire Services, so the notion of combining them can only be viewed with a degree of suspicion. Indeed, it engenders the perception that this may even be an attempt to muddy the waters. It might also be viewed as being constructed so that the natural desire to quickly resolve the compensation issue may influence decisions to hasten the restructuring aspect without the scrutiny it deserves. This would undoubtedly be detrimental to good policy. It is absolutely clear that there are two completely separate issues here and they should be dealt with in separate bills.

Looking at the Restructuring of the Fire Services aspect, the first point that comes to mind is that it is remarkable that such far reaching and important legislation should be presented in terms of changes to previous Acts relating to the Metropolitan Fire Brigade (MFB) and the CFA, dated nearly 60 years ago. It is not as though the proposed changes are small, they are not, they are very far reaching and deserve to be presented in the clearest and most transparent terms. This is yet another example of obfuscation associated with this document, leading to suspicion and distrust. The only way to correct this substantial failing is to re-issue the proposed Bill as a stand-alone document proposing a brand-new Act, superseding the 1958 Acts and spelling out the proposed new arrangements with clarity and transparency. There is far too much at stake in this matter for there to be slightest amount of confusion, misunderstanding or the perception of sleight of hand.

With regards to specifics, Mornington has been an integrated brigade for only nine years and therefore still has a number of members who have served under both all-volunteer and integrated arrangements. They have wide experience but do not seem to have been consulted about the proposed changes, despite the fact that they will undoubtedly have an adverse effect on volunteers in brigades such as Mornington's. Surely there should have been extensive CFA-wide discussions and consultations about these issues before progressing with this proposed Bill?

In reviewing the Bill, the volunteers have looked at it from the perspective of the effect it will have on Mornington. Their view is that although the current arrangements for integrated brigades may not be ideal, they would nevertheless prefer to retain them rather than adopt the proposals in the Bill for co-located brigades.

That it is intended that Mornington will become a co-located brigade as part of the Fire Rescue Victoria (FRV) Fire District is indicated by the requirement in Schedule 3 that the CFA transfer responsibility for 'Prevention and Suppression of Fires' in Mornington to the FRV. Further, Part 5 of the amendments relating to fire brigades in the FRV Districts notes that the CFA's authority relates to the country area of Victoria only. This prompts the question: *'Where will this leave Mornington's CFA volunteers when it comes to firefighting in the local area, an area over which the CFA has no authority?'* Whether intended or not, the most probable outcome will be that they are effectively excluded from local fires in all but the most exceptional circumstances. Queries also arise regarding adjacent all-volunteer brigades who also operate in what will become an FRV Fire District. Locally this includes Mt Eliza, Mt Martha and Moorooduc but similar circumstances will affect a large number of other all-volunteer brigades in the outer metropolitan boundary areas. It is imperative that this aspect of operations be addressed in the Bill.

In Mornington's case, reduced access to fires already happens to some extent because of integration. Career staff numbers are now so high they no longer have to rely on the volunteers for support, which is the opposite of the original intention stated when the brigade was first integrated. On that occasion, the Police and Emergency Services Minister, Bob Cameron, noted in his speech that "... *permanent firefighters were appointed to the brigade in February (2008) to support volunteers...*" The original arrangement with a total of 11 career staff worked well and was cost effective, but the large increase in staff in recent years has been not only unnecessarily expensive, but has negated this objective. The net result is that the volunteers' skills in dealing with local, mainly structural, fires are being progressively degraded through lack of hands on experience.

The fear is that this situation will be exacerbated under the proposed new arrangement, effectively neutering the volunteers on a local level and leaving them as a summertime bushfire brigade only. This would be an extreme blow to morale and would inevitably lead to a mass exodus. If repeated elsewhere, which seems very likely, this will have a major impact on CFA surge capacity for bushfires.

Another aspect of concern is the proposal in Schedule 3 to transfer the fire station to the FRV. Coupled with the transfer of responsibilities, this will mean that the volunteers will effectively be 'guests' in the fire station they helped to design and which they contributed brigade funds towards in payment for additional rooms, equipment and facilities, including the turn-out system. Volunteers also carried out the lion's share of the work in making improvements to the station and its surrounds. No matter how one looks at this, they will undoubtedly be the 'poor relations' in the proposed new arrangement. This would clearly be another demoralising issue and would probably lead to more people leaving the CFA or, alternatively, moving out of the station. At the meeting mentioned above, there was a unanimous vote to leave and set up elsewhere rather than be subjected to such an arrangement. It is understood that other brigades are considering similar action. If all 35 integrated stations end up doing the same, the cost of providing alternative accommodation

will be considerable. Nevertheless, it will have to be met if the volunteers are to stay. By the time this is budgeted for and additional vehicles costed in, the expense is going to be extremely high and will deny funds needed elsewhere in the state.

The ongoing cost of the proposals in the Bill is also of concern. There will only be a certain amount of money to spend on both the FRV and the CFA. The proposed arrangements will clearly lead to the employment of more career staff, thus increasing costs overall. As salaries take priority and must be paid, there is a fear that this will leave progressively less money for non-salary expenditure. It is felt that, no matter what governments of either hue might say, and no matter how good their intentions, there is a strong probability that future budgetary restraints will result in a reduction of expenditure needed to support the CFA and its volunteers as this will be the line of least resistance. This leads to a feeling among the volunteers that they do not have the full support of the government and to a suspicion that the ultimate outcome will see the gradual loss of volunteers altogether in the metropolitan and major population areas. Should this happen, the CFA's ability to meet state-wide commitments will be severely compromised.

Finally, as the Mornington brigade's historian, I look on these developments with great sadness. This brigade has a long and proud record of excellent service to the community and it is nothing short of criminal that the government is willing to consider legislation that may precipitate the demise of its volunteer element. Of even greater importance however, is that if this process progresses to its logical conclusion, then Victoria, with one of the highest fire risks in the world, will be in danger of losing the surge capacity so critical in keeping the wider community safe. And for what? A reduced capability at much higher cost! This defies logic and is clearly not in the interest of Victorians.

Colin Fisher

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