

7 July 2017

Assistant Clerk Committees
Department of the Legislative Council
Fire Services Bill Select Committee
LCSC@parliament.vic.gov.au

To Whom It May Concern:

RE: The Firefighters Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

I am writing to you in relation to the above Bill because as a CFA Volunteer I am very concerned about the content of it and the effect it will have on the fire services in Victoria.

My Background and Brief Preamble

I have been a Volunteer for 17 years during which time I have served as a firefighter and as Secretary at both the _____ the _____. I am very aware of the growth of the local communities not just in the City of Casey but also in the Shire of Cardinia. The impact of this increased population has resulted in a higher number of calls for all brigades in these areas. The _____ in 2016 responded to over 700 calls, an increase of nearly 10% on 2015 which, in turn, had been an approximately 10% increase on 2014. With the continued urban sprawl, the large number of call-outs in urban fringe areas is only going to increase.

CFA has dealt with this added demand on the Volunteers in these areas by introducing Staff to Hallam, Cranbourne and Pakenham. As per the CFA Act (1958) the *Staff provide support to the Volunteers* which they have done for the most part in a professional manner. There are, of course, occasionally Staff who believe that the Volunteers are not good enough to wear the same uniform but, until recently, these members have been few and far between. The integrated model the CFA created has been recognised not only in the various enquiries that have been held in Victoria but also internationally as the most productive fire service in the world.

The fact that I have served and loved the CFA gives me a partisan position, but I will happily debate the merits of the CFA in its present form and standards over the flawed concept of FRV.

The underlying premise of these proposals seems to be that you can't be a competent firefighter unless it is your full-time career. However, the facts tell a different story. Volunteer firefighters have been called upon to support not only major events in Victoria, but elsewhere in Australia and even overseas on many occasions over many years. The reputation of Victoria's volunteer firefighters internationally is outstanding. Let me repeat that – the international reputation of Victoria's firefighters – career and volunteers – is outstanding. Many

Volunteer firefighters have experience in responding to major events and common call-outs which dwarfs the experience of career firefighters.

In fact, the reputation of our firefighters is so high and the history of success of the CFA is so long and distinguished that one can only be amazed that supposedly reforming Fire Services within Victoria is even a focus for this state government.

Absence of Consultation

That the CFA and the VFBV were not consulted before the Bill was announced is despicable. There is a Volunteer Charter that is supposed to protect the rights of the Volunteers and yet the State Government has blatantly ignored it.

Issues with the Proposed Legislation

There are many points that have not been covered in the Bill – such as the declaration of the FDP – that it is obvious this Bill has been written either hastily or ineptly. Let me explore a few of these issues:

- Fire District Review Panel
 - The authority and powers are not clearly defined in the Bill.
 - There is no requirement for representation of Volunteers or the CFA on this panel
 - How is a thorough review achieved without consultation with at least a representative portion of those parties who have the most informed position and years of operational experience to share?
 - What is to stop this panel from moving the FRV boundaries to cover the entire Metro area?
 - What will become of all the CFA brigades?
- Moving all CFA Staff to FRV
 - There are several areas that need to be further explained to us
 - How does it make sense to have the (previously) integrated brigades become FRV for the staff while maintaining the CFA Volunteers at the same location?
 - In every one of these locations the Volunteers were there first with the Staff only brought in to support them.
 - It is ridiculous that these CFA stations are expected to be handed over while the CFA Volunteers may be permitted to “co-locate” with FRV.
 - What protections will the CFA and the Volunteers at these locations have to stop FRV pushing them out now or in the future?
 - Under the proposed Bill all CFA Operational Staff will be transferred to FRV. These Staff would then be seconded back to CFA to fill the Operational management roles.
 - This creates a complete conflict of interest for the Staff affected and leaves open the very real probability that they will be subjected to pressure to make decisions which are not in the interests of the CFA or its Volunteer members.
 - By having to second our Operational management officers back from FRV, what is to stop FRV interfering in the operations of CFA?
 - There will be nothing to stop the FRV Staff from taking control of incidents and equipment, etc. purely because there will be no independent operational structure supporting the needs of the Volunteer organisation.
 - I honestly do not understand how this is going to work – is the government simply handing over the control that the UFU wanted in their EBA demands of the CFA?

- How does this make sense? If the CFA is to be a fully Volunteer organisation does that mean we will no longer have any staff to support us? Or do we have staff but they must be employed by FRV?
- Equipment and Appliances
 - CFA owns a considerable amount of capital equipment, including appliances
 - For FRV to be effectively equipped to do the job, they will require additional appliances to those currently assigned to either MFESB or CFA stations manned by Career firefighters
 - There is a major risk that all specialised appliances currently housed at integrated brigades will be lost as they will be claimed by FRV when they take the staff and re-brand the stations.
 - Who will have control at incidents if these appliances are required?
 - With whatever equipment may be left to CFA after existing assets are taken over by FRV, there is a considerable risk that any remaining Volunteer brigades will find themselves inadequately equipped to undertake any emergency call-outs they will need to make.
- Training
 - There will be an impact on Volunteer training if all the operational training staff from CFA move to FRV.
 - Will these staff members be “seconded” back to CFA or will the training for volunteers be outsourced to FRV?
 - Will this be an income stream for FRV?
 - Will CFA Volunteers even have access to training?
 - Or will CFA Volunteers’ access to training be de-prioritised by FRV with a focus on career firefighters and Volunteers being second best?
- Presumptive Legislation
 - In drafting the legislation as they have, the government has demonstrated a large degree of underhandedness bordering on Machiavellian machinations. Through including the presumptive cancer legislation that we have been trying to get for the volunteers for years with a Bill which essentially dismantles the organisation the volunteers have served is nothing more than political opportunism. Frankly, I find this a disgusting betrayal of the volunteers. It virtually forces people to vote in favour of the Bill even if they don’t agree with the reforms just so the presumptive part goes through.
- Inequity of Presumptive Legislation Cover
 - Why is the health of Volunteers being held to ransom this way and why are the presumptive standards different for Staff and Volunteers? We attend the same fires with the same risks as the Staff and yet we are not accorded the same protections, how is this fair? And how is it not, in effect, another form of discrimination?

Operational Factors

There has been a lot of discussion about the “surge capacity” of the CFA and that this Bill will not have any effect on the ability of the CFA to provide this at large campaign fires. The reality is that a significant proportion of this “surge capacity” is provided by the existing volunteer urban brigades. If this Bill were to go through in its present form, these brigades will cease to be of relevance other than as support for an expansion of FRV operations. Volunteers who have developed skills and experience over many years will find their skills and experience no longer welcome at any turn-outs at which FRV also attends. My fear is that a significant proportion of these volunteers will be lost to the CFA and to the Victorian public.

When people feel devalued and that they are not respected, they will leave the service. Without a strong volunteer fire service, the pathways from which a large proportion of career

firefighters are recruited will simply cease to exist. If any or all of these things happen, there will be **no** surge capacity.

Despite the messages being put out into the community by the political players in this mess, the state cannot afford to have enough FRV staff employed to take the place of the volunteers who will be lost, so there will never be enough staff for FRV to be able to provide cover at peak times in place of the CFA.

I am not only concerned about this as a CFA Volunteer but also as a citizen. What right does the government have to destroy an organisation that has served Victorians both honourably and effectively for so many years.

There is nothing in the Bill that will improve the service to the people of Victoria no matter how many times the Premier tries to convince us.

Political Campaigning and Impugning of Volunteers

The behaviour of the Premier over the past 18-months has been disappointing to say the least. His collusion with the UFU is inappropriate and he should be ashamed. First, he fired the CFA Board when they didn't agree with him, then the CEO who was followed by the Chief and then he forced his own minister out – none of these people would sign off on an EBA that was unfair. Now he is pushing through a Bill that is firstly unwarranted and secondly, poorly drafted and very likely to break what was hitherto an unbreakable organisation.

How anybody can support the creation of a new organisation that will be staffed and influenced by the UFU when their behaviour since the Bill was announced has been so derogatory towards the CFA and the Volunteers is incomprehensible. It is just plain wrong.

The UFU has run a media campaign that told Victorians that unless a paid firefighter responded to them in an emergency they would not receive a competent fire service. This assertion was an insult not just to the Volunteers and the CFA but also to the Staff who work out of the areas that were specifically mentioned in these ads. How can the safety of Victorians be entrusted to people who will throw their own members under the bus because they wear a different uniform?

Aside from this, the blatant lies that were disseminated to the community via their website www.firedoesntwait.com.au deserve condemnation. Firstly, the website was rigged to show any address outside of the MFESB response area did not have adequate coverage, even the CFA integrated brigades which obviously have Career staff in attendance 24/7. These lies need stop and the people that have been promoting them should not be rewarded with a new fire service to control.

Financial Impacts

The state of Victoria cannot afford this Bill. Even if the Volunteer service were to remain effectively intact for the moment – which I do not believe will be the case – the deployment of Career firefighters to cover the Greater Melbourne metropolitan area will have to increase. In the not too far distant future, as the number of Volunteers diminishes, it will mean thousands of extra Career firefighters will need to be employed, trained, clothed and paid ridiculous penalty rates to cover the expanded response area that is inevitable. This is without the rebranding that will be required if FRV is created which will not simply be a change of decals on appliances and equipment or logos on uniforms but the replacement of many items because the UFU will expect brand new things for their members.

Conclusion

I look forward to receiving answers to these questions from your committee. You have a difficult job and I sincerely hope that after your enquiries are complete that we will all have a clearer understanding of this Bill and the impacts it will have on not only the CFA and MFESB but also the state of Victoria. The saying "You can't fix what isn't broken" comes to mind when reflecting on this matter – the only recommendation that I know of that has come out of any inquiry was to form one organisation covering both CFA and MFESB not to do what has been proposed in this bill and that is why it must be stopped. The only thing that is "broken" is the UFU attempting to gain operational control of the CFA and it would be disrespectful to the people who have already become casualties of this to allow that to happen.

Thank you for taking my submission into consideration.

Kind regards,