

To Whom It May Concern,

Re: Proposed Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

I wish to express the following thoughts regarding the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. I make this submission to the Parliamentary Committee as a officer of my local volunteer fire brigade with over 35 years' active (and ongoing) CFA service.

1. Presumptive Legislation Provisions

The Presumptive Legislation components of this bill should not have been included in with provisions proposing fundamental reform to the structure and delivery of firefighting services in our state. The two subjects are totally unconnected and should never have been tied together. The inclusion of these presumptive legislation provisions in this bill is a cynical political tactic designed to distract attention from the major changes being driven through in terms of the organisation of our firefighting services.

The merits of presumptive legislation should be clear as has been recognised by other jurisdictions around the nation. If there is any debate remaining regarding justification for or the terms of presumptive legislation, these should be dealt with in their own right and not bundled up as a sweetener and distraction from other unrelated legislation.

In addition, the proposed terms as drafted in this Bill are unsatisfactory in many important regards. They discriminate between professional and volunteer firefighters who deliver the same service and perform the same tasks, and do not give any certainty regarding process or outcomes for volunteer firefighters.

In summary, the Presumptive Legislation provisions of this Bill for firefighters contracting cancer are totally unsatisfactory. A compassionate government that genuinely believed in the objectives of the presumptive legislation would not seek to use this important initiative to gain leverage in a totally unrelated and highly contentious political exercise. The inclusion of these provisions in the Bill simply exposes the government's true views and agenda in relation to this whole exercise and is a slap in the face to the state's volunteer firefighting force.

2. Structural Concerns

Many fundamental deficiencies in the proposed new arrangements have been noted by VFBV and volunteer firefighters. I would like to call out another issue that I believe has not been adequately recognised in public – possibly due to concerns regarding causing offence or distress to existing CFA staff currently holding operational management positions with CFA today. It is understood that following the introduction of the proposed Bill, employment of all paid operational CFA staff will be transferred to FRV and these individuals will subsequently be seconded back to their senior operational positions with CFA. This means that every volunteer firefighter in the state will be

subject to the operational command of members of FRV, presumably who will also be largely, if not exclusively, members of the UFU industrial organisation. The potential for conflict of interest inherent in this arrangement should be obvious to anyone who considers this situation even briefly. Where volunteer members wish to raise a concern regarding any aspect of their organisation or service, including for example issues which cross the FRV / CFA boundary, they will be forced to direct these concerns via members of the same organisation(s) which may be the subject or cause of their concerns.

For example, should volunteers feel that they are being unfairly treated in comparison to paid firefighters in relation to an issue, they will be reliant on their paid CFA management team who are members of FRV and UFU to firstly accept their position and then to champion their cause with the government. The deficiencies in this arrangement from both a governance and a practical perspective are immediately apparent. The divisions between volunteers and senior CFA management that may result from this arrangement will without doubt lead to an increase sense of disengagement and resignation across volunteer ranks which can only have negative consequences in terms of morale, effectiveness and, ultimately, participation of volunteer firefighters in Victoria.

3. Process, Consultation and Governance

Throughout the entire process of their attempts to drive through the controversial package of proposed award and legislative changes for Victorian firefighters over the last 2 years, the current government has consistently demonstrated a total disregard for their legal obligations and established protocols regarding engaging with the largest key stakeholder group potentially impacted by the proposed legislation – the volunteer firefighters of the state of Victoria. Under the terms of the CFA Act and Volunteer Charter, the Government is obliged to consult with its volunteer firefighting body. The government's failure to engage in genuine and meaningful dialogue with VFBV is well noted by volunteers and is clear sign of the current government's true attitude towards this group. It is hardly surprising in this light to note a tangible increase in the level of disenfranchisement with the government, and indirectly also with the recently appointed CFA senior management corps, resulting from the manner in which this Bill has been drafted and promoted by the government.

Further to the point raised above, the disgraceful manner in which Government forced the replacement of the previous CFA Board, CEO and Chief Officer and the responsible Minister in an effort to remove any voices of opposition or caution in relation to their proposed agenda will forever be recognised as a stain on the record of public governance in Victoria. The CFA's position as an independent statutory authority was fatally compromised by this course of action and is widely seen as a complete sell out of volunteer firefighters in this state.

The government has failed to establish any clear justification or evidence in support of their proposed reforms and is using every available tactic it can to rush through its agenda and avoid proper consultation and scrutiny in relation to this Bill. Through these actions, it is evident that the government is sacrificing the good of the community for the purpose of making political capital and currying industrial support. The inevitable end result arising from this course of action will regrettably be an irretrievable decrease in the level of engagement and participation in the ranks of volunteer firefighters and a consequent reduction of fire service delivery capacity across the state of Victoria.

I thank the committee for the opportunity to present my views on these important matters and request that they be duly considered in the committee's deliberations.

Yours faithfully,

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