

TRANSCRIPT

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE

Inquiry into the CFA training college at Fiskville

Melbourne — 15 June 2015

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

The CHAIR — I thank Adam Barnett and Andrew Ford from the CFA volunteers association for coming to provide evidence today. Before we get started I will just run through a few of the preliminaries. On behalf of the committee I welcome both of you to today's hearing.

All evidence taken at the 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 version of the transcript.

Following your presentation to us, the normal order is that we will then ask you questions. You have probably been told the presentation is normally about 10 minutes. A bit shorter or a bit longer is okay, but we like to allow as much time as we can for asking questions. I also apologise that we are running a little bit behind schedule, but hopefully we can get through all that is needed. Again, thank you for coming in. Please begin.

Mr FORD — Thank you. I would like to start by thanking the committee for giving us a chance to speak today. I commend the initiative of having the inquiry. Right from the beginning the issue for volunteers and others, but certainly from our perspective, has been to get to the bottom of the situation, get to the facts, get some transparency, hear from experts, and ensure that whatever decisions are being made are independent, objective and transparent. I think this inquiry is a key part of that.

If I could start, the safety of our members and support to any members who have been exposed in the past is of paramount interest here and should remain the primary concern. I know there is a tendency in today's society and many of these processes to look to be able to blame someone — and certainly if people have done the wrong thing, if people have withheld information, then they need to be held to account — but I encourage the committee as a leader in this whole debate and discussion to ensure that the focus remains on the safety of our members and the support to any members who have been exposed in the past during training or at fire incidents, and for that matter to use this as an initiative to ensure that any members who are exposed to any situation in the future are also protected.

Acknowledging the need for this focus on safety, there are another couple of key points that I do not think should be forgotten. That is that firefighters, both paid and volunteer alike, need access to the best possible training. Not being trained, not being exposed to real-to-life training, is as much a safety hazard as many of the other things that we deal with in an inherently dangerous role.

The other point I would like to make is that whatever problems might have existed in the past and whatever problems cannot or will not be fixed at the Fiskville facility, firefighters — again, both volunteer and paid — must have that access to training. And if for some reason the Fiskville operations are to be closed while rectification works happen, are scaled back or possibly ceased altogether, then the gap that is created in Victoria's training capability must be fixed. We cannot move forward without that capability being fixed. I have the words here in my notes 'fixed immediately'. What does that mean? You cannot pop up facilities overnight; you cannot rectify things overnight. While any work is happening and while any future solution is being developed, people need to be trained today, and we need to address that problem as well. Most importantly, this requires funding to rectify areas needing improvement, to put alternative training facilities in place or to establish new facilities. Then recommendations, hopefully from the committee, on not only on what works need to be undertaken but there needs to be funding put in place to address it. I think in the tours around some of the training facilities the committee has seen that problems can be fixed if there is money there to fix them. It would be futile to say, 'This can't be; this needs to be fixed, but by the way there's no money to do it'. So I am imploring the committee to take in both those aspects.

I guess the point I am making is that we know that safe training facilities can be established if there are the dollars. We know that there needs to be training. Too often in the past and too often in general people scrimp on allocating the funding required to do a job properly and then point the blame when it has not been done properly. I think that is something that by hook or by crook we need to address in the future.

As I said, just as being safe while training is paramount, there is also huge risk to firefighters when they are confronted with real-life situations, one of the key things amongst many others is that they have had appropriate access to that real-to-life training. When it comes to addressing safety controls, we cannot cut corners and we would implore you not to cut corners. I think that sadly in the past it looks like there have been at different times corners cut, certainly that is some of the proposition that has been put in this debate since 2011-12 and probably

in the past, as we hear today. No cutting corners on safety controls but at the same time in pursuit of that safe environment we need to balance to what extent we pursue a perfectly sterile environment or a perfectly safe environment and get to the point where you can achieve so few of them that people do not get access to the training. We cannot compromise safety and we cannot compromise access. We need to work out what is the sensible balance.

One of the other things we really are hoping to come out of the inquiry is that we can establish a level of confidence among firefighters, the community and the government — people like yourselves — who have been in this, so that we can move forward understanding the facts. I have had very close personal experience with illness and with cancer. I would hate to think how my family would be situated now if we were wondering what caused it, wondering whether we were exposed or not. I think there has been an enormous amount of conversation, there is an enormous amount of opinions, there are lots of people and, let us face it, there is a lot of media hype about the issue. We need to keep a level head through all that and make sure that what is not safe stops, what is safe is understood, what can be fixed is fixed, what cannot be fixed is understood and addressed and that our members know with confidence, through independent, expert, objective and transparent analysis, that we know where we stand in the future and that we are not wondering. I think that is one of the points I would like to make.

Certainly I think we have to use this process, and it is a perfect opportunity, to get past the tom-toms and past the speculation, if you like, to bring in the trusted experts and ensure the analysis and decisions are actually made by those experts, not by any interest group or by homegrown opinion. I am not an expert in any of these aspects. I hear stuff and I have seen stuff and I have opinions, but even if I thought something was safe or unsafe, do you know what I would really like now? I would like the experts, the Roger Drews of the world, to be saying to me that these are or are not the facts. I am hoping that the committee is talking to people such as those.

From the VFBV perspective, in speaking with senior volunteers from across all of Victoria, we believe it is of utmost importance that the committee unbundle the issues. What are the past issues versus the present issues? What were the problems in the past that have that been ceased or fixed? Sure there is going to be some discussion needed about how did they come to happen, who was accountable for those and whether there need to be measures taken to ensure that those accountability breaches are addressed or addressed in the future. But what was the problem then that has been ceased or fixed, what current problems still exist that can be fixed, what current problems require further solutions or warrant further investigation, and then what cannot be fixed? And on that basis move forward.

Again, without compromising the safety, decisions about the future must represent a sensible use of dollars. There are going to be dollars needed to address any future training facilities. There are going to need to be dollars to address any remediation works at Fiskville. There may be dollar-based solutions that can create a confident and safe environment at Fiskville. Let us make sure that that becomes the issue. I do not think I need to keep going on about it, but I cannot understate the importance of training in an organisation like CFA, like MFB — in fact like all emergency service organisations. That real-to-life training and hot fire training is of critical importance. Not just the hot fire training but the range of state-level training that has been undertaken at Fiskville — specialist training such as incident management training, incident leadership training, operational tactical training and a whole raft of real-to-life operational exercising — has been discussed in the royal commission as paramount to being prepared for both the run-of-the-mill incidents and also those major disasters that are confronted.

Just like a military service or a defence force needs to be trained and drilled and practised to go into combat, that is what needs to happen in the emergency services. Right now, no matter what is the decision in the future, that critical element of state-level training and the local district network training that was undertaken on a hot fire basis at Fiskville is a gap in the training network. Thankfully, from recent discussions with the government there is progress and a recognition of the need to address the hot fire training facility gap no matter what the outcome around Ballan, and there is an acknowledgement of the importance of that state-level capability.

As I said earlier, that is going to take time, no matter what happens. Whether we are back at Fiskville one day, having done some remediation work or not, we have also got to look at what is happening in the interim. Right now as we speak there are brigades that once upon a time accessed that network capability that existed at Fiskville for hot fire training. There are reports — and several — of brigades that will need to travel 2 and

3 hours to do a 1½ or 2-hour training program and then 2 or 3 hours home. These are people — volunteers, self-employed people — who are being released by their employers to spend 8 hours to do 1½ or 2 hours essential training. We have got to address that in the short term. I think it is also relevant to note that the training demand for the state, both in the paid and the volunteer perspective, is not going to go away, ever. It is certainly not going to diminish, and in fact we know here and now that in the next 2, 3, 4, 10 years, the training demands are going to increase. If anything, even if there was a perfect bill of health for all the training facilities that existed last year, they probably would not be adequate for next year anyway.

I cannot stress enough the importance for our members of the need for expert and independent analysis. From the beginning, when we first heard that there were issues at Fiskville, the question became who do you believe, who do you trust, who can you count on, who knows? And we wrote then to CFA, we say the same thing again today and we are very hopeful that the committee presents an opportunity to drill into, review — peer review if you need to — that expert, independent analysis so that we come up with transparent and accountable decisions. Not decisions of anyone that could have any agenda to not face up to a problem but people who know what they are talking about — facts by experts. Independence and transparency is the key for us.

Our plea is that the inquiry satisfies yourselves, that you hear directly from the experts, not indirectly, and that their analysis is used to differentiate between what has happened in the past and been fixed, or is yet to be fixed, and to understand the extent of any exposure today and moving forward. That will give our members some clarity about where we are at. There has been a range of issues raised about PFCs and PFOS. You have all heard more about that than I have, and I probably learnt more about it again last week.

Some of the issues, I understand, are that there does not appear to be sufficient knowledge or criteria or guidelines or standards surrounding PFCs and actually what are the safe standards; what are the standards that we can work ahead with in terms of water quality? I think understanding that as part of the committee, and hearing from those experts as a committee, we would urge you to do that, because we can then use that information with confidence back to our members. Likewise, if there are gaps, then they can be worked on and we can understand, because those water quality standards — judged by experts, not by fire service managers or firefighters; people who are in that game — are going to give us the confidence that there is no exposure into the future. They will dictate the treatments required. That will dictate the dollars that are required, so let us get it right up-front.

I think we need to understand, and I am sure it has been raised already today, that there is a lot of work through this inquiry and through this committee's work on the issues around Fiskville, and I think that is very commendable, given the concern there has been and the people who have been exposed. We would just like to use this opportunity to reinforce that training — in this case hot fire training and exposure to the various things that are happening in that hot fire real-life training scenario — just a microcosm of what firefighters face in their day-to-day work.

I am overjoyed, if you like, that there is so much effort going into getting to the bottom of what has happened at Fiskville but alarmed at the lack of progress on the ongoing issue of presumptive legislation in Victoria. I could not miss the opportunity today to talk about the fact that we and the United Firefighters Union have been pursuing that issue since that legislation was introduced nationally many years ago now. We now find Victoria being one of only two states in the country that have not addressed that issue. I would have to say when there is so much attention to the safety of firefighters, so much attention to the exposure that firefighters face in their day-to-day work and in their hot fire training scenario, why is that issue still not progressing?

Moving forward, to sum up, there has been a lot of discussion about the past, and the committee has got more information on that than we can add to. What sort of things would help us in the future? Fact-based, independent assessments and assurances of safety I think is an important thing. Given the risks and those facts, what are the options and possibilities available? What are the options available for rehabilitation, options available to fix and options available to reopen? Part of that is about people being able to understand the journey. There is a lot of talk, and I think unfortunately, since the commencement of the hearings at least, Fiskville has been closed. I think it would be unfortunate to assume that that is the only option for Fiskville, that it is not opened again. Certainly if it cannot be made safe, no-one will want to go there. But if it can be made safe and it can build confidence in the people that would have to use it and there can be controls around any downstream implications, then that becomes an option, particularly given the money that has already been invested in it.

Building from the whole issue — and I hear the criticisms of CFA and other agencies. Certainly our organisation is often very critical of how things are addressed and how the voice of volunteers in particular are or are not heard. We would be the first to stand up and say that those areas need to be improved. You have a firefighting service or an emergency management service in Victoria that relies, amongst other things, on the contributions from a volunteer-based workforce. If that is the case, those people need to have a voice. All of the people — paid and volunteer alike — need to have the equipment they require to do their job. They need to have the training they require to do their job. Yet inquiry after inquiry, including the most recent inquiries, such as the Jones government inquiry, found that CFA's training resourcing and training programs are driven by the money they have to spend rather than the need. One of the things that I would say needs to come out of this is the CFA needs to be forced and empowered to develop their resource capability based on what they need to do, not do what they can do based on a limited bucket of money that they may or may not have.

I have said several times that I think there is confusion between the past versus the present, and there is confusion around what are safe and acceptable water standards versus other water standards. We would like some clarity about that moving forward, because that will help us remove the rumour, speculation and uncertainty. Certainly there was some audit work done, and July 2012, I think, is about the time that experts, as I say, such as Rodger Drew — and peer review of their work is needed to bring that to the committee so you understand what those results said. On the one hand we will hear people say that those findings found that there were not things that were not acceptable or could not be made safe, and on the other hand you will get messages that they are unsafe. Our members need to know that one way or the other.

Likewise, there is a further audit underway at Fiskville, and it may require a link to that full site audit that is currently under way. I understand that the results of that might be several years away. Any decisions about the long-term situation at Fiskville, particularly if it is a permanent closure, ought to look at and wait for the results of that audit. It does remind me of a bit of a scenario. I was with a friend of mine some years ago, and his dog was barking and barking and barking. There were a number of us at his farm. Someone said, 'Will someone go outside and shoot that bloody dog?'. One guy did go out and shoot the dog, and someone said, 'What on earth has happened there?'. 'You said, "shoot the dog"'. He said, 'I didn't mean, "shoot the dog"'. But the dog was dead. I guess my point to that story is let us make sure the decision we make, particularly if it is a permanent one, is robust.

The CHAIR — Thanks for that presentation. In terms of the volunteer fire services association, how do people become members? How many CFA volunteers are members of the organisation?

Mr FORD — If I just add a bit to that question, in the CFA act Volunteer Fire Brigades Victoria was created to — —

The CHAIR — Sorry, brigades — I said services.

Mr FORD — Volunteer Fire Brigades Victoria was created to represent the interest of all CFA volunteers, and so we do that regardless of whether their brigades are affiliated or not. The structure is then to be a voting member within the organisation. Brigades, who are our members, choose to pay a financial affiliation. All volunteers are able to come to us for support, and we will speak on behalf of all volunteers or on any issue. The door is never closed. But if you want to vote on issues inside the association, you need to be a financial member. There are 1200 CFA brigades. About 94 per cent of brigades, as at last year, were financial members of the association, and through that they can — through networks of district councils and individual brigades being able to raise issues — have issues raised through VFBV.

I hear the point today, and we hear it frequently, about whether the VFBV or the associations that preceded us have been able to make ground on a particular issue, and the reality is not on every issue. We also end up wearing the can for stuff that cannot be fixed, because people think that we have got some sort of magic wand to be able to fix things. If you have got a bag of influence or power that is going to help me get every issue we want addressed, I will grab a couple of bags on the way out. The reality is that has not always been the case. Certainly one issue that ought to be addressed, out of examples such as the Fiskville situation, is to make sure that the voice of the people, whether they be paid or volunteer — and in our case I talk for volunteers — has enough grunt to be able to cut through the layers if it is not being heard. That is probably something that is worth contemplating.

The CHAIR — Did many volunteers come to you and raise any issues about Fiskville, either earlier on in terms of the soil contamination, the chemicals used, the exposure to smoke and, at a later stage, the water issues? Why I am asking that is I noted in the Joy report Professor Joy actually talked about how he was surprised how reluctant volunteers were to speak and that there had to be very big assurances given that if they did speak, it would be anonymous and confidential. What is the problem there, or why is it like that?

Mr FORD — There are a couple of things, and I may add that surprisingly few, given the numbers, will come forward on a particular issue. We will get thousands of volunteers talking on some issues and on another issue not so many. In the scheme of things I would not call it a flood of issues coming in about Fiskville from volunteers. Certainly prior to 2011 or so it was not there — we were not aware of it.

We probably became fully aware around about the same time Brian Potter was raising the issue, and I worked very closely with Brian and Diane on a range of those issues, as did others. Even after that there was, I would call it, handfuls rather than the big mobs of numbers coming in. When the Joy review invited people to come forward, certainly there was an initial view that if I come forward, will that cause me any grief. We were at pains to say there needs to be an absolute safety net around that. As a general thing for CFA the invitation for people to raise a concern or raise a criticism about an unpopular issue should be an absolutely pursued element of the culture. It is human nature, and it is the nature of large organisations to work at containing that rather than inviting it.

Our organisation is in the business of inviting it, and often I will feel like a reasonably unwelcome guest at the dinner table because I have come with the stuff that no-one wants to hear. When you have got an organisation like CFA, which has 60 000 volunteers, \$1 billion a year worth of volunteer contribution and a service model that Victoria cannot do without and knowing the science tells us that one of the critical factors of continuing and sustaining motivated volunteerism is to ensure volunteers feel they have a voice in their future, then we should all be in the business of asking them to have a say even if we do not want to hear it, and that is a problem. It is an opportunity, I would say, that needs to be pursued.

Mr BARNETT — I think it is also important to understand that I have heard CFA spoken about today and in the previous weeks, and people assume that there is one CFA. In a volunteer's mind there are 1217 CFAs in the state of Victoria, because they see their brigade. They have an enormous amount of respect and trust for their brigade team and management, and, for most volunteers, their line of sight to CFA only goes as far as their brigade. When we talk about corporate CFA or the other aspect — that is why there is that reluctance because they built it, it is them and they see it as part of their community. That is very much about the culture of the organisation.

The CHAIR — Just going back to the Fiskville training centre, how many volunteers would go there? Does every volunteer go there, or how often do they go there? What is the average, I suppose, or is that a bit of a hard question? You can take it on notice.

Mr FORD — We would say not enough.

Mr BARNETT — We have been saying 'not enough' for a while.

Mr FORD — Yes, we have said 'not enough'. I do not know the exact numbers. In terms of the sort of issues people raise about Fiskville, in my whole time with CFA and with the association, is that it is cold and a number of other things but issues around the stuff that is on the inquiry's agenda, probably not.

One of the very common issues was around a volunteer's ability to get there for training, and I do not mean get there physically; I mean get access to a spot at training. One other thing that needs to come out of all of this inquiry, whether it be about Fiskville or anywhere else, is there ought to be maximum usage of any of these places. I would hate to think that we would continue a system where there is a role that people need to be trained for, there is a willingness to be trained, there is a spot at a training facility and, for want of access to instructors or a bed or whatever, someone is being denied that opportunity. That was probably more the common thrust. It was not bursting at the seams, but despite this there were people wondering why the hell they could not get there.

Mr McCURDY — Andrew, as you know we have not heard from the CFA yet. We have heard from many people at public hearings, but we have not heard from the CFA yet. Obviously many who have been through

here have apportioned their ill health to Fiskville, and most of them say they should shut it down. I must say it is very refreshing to hear you talking about the two issues. There is obviously the past — and the past is the past and still has to be worked on — and the future. You spoke about expert opinions and expert analysis on making sure that we see what can be done with the Fiskville site. Why is it, do you think, that overwhelmingly the volunteers, from what I read — whether it is in submissions or in letters to the editor — are the ones who continue to say we should keep Fiskville going?

Mr FORD — I would challenge you to explore that a bit deeper, because I certainly do not see a differentiation amongst paid personnel, at whatever layer, and volunteers about whether Fiskville should stay open or not. I do not think you will find any division amongst people who say whatever happened years ago about burning stuff that should not have been burnt or exposing people to toxins that could have been avoided or using water that is not clean, you might say fix that, get rid of it, make it safe, and if you can, then it would be absurd not to use it.

I think one of the reasons you hear more from volunteers in that regard is that volunteers are not beholden to contain their voice. They do not owe you anything but their honest opinion. It would be a concern for me, and that is why I would like to hear CFA be required to come to a hearing such as this and ask their view about whether, if Fiskville can be made safe, should it continue. I have a concern, when I sit at the dinner table and bore my children with life at CFA, that we have a collective responsibility to make sure that once we have passed the issues of understanding safety and understanding that we have controlled any exposure and eliminated any unsafe exposure, the public are going to want to know that we have made financially sound decisions.

The day after we make whatever decision is made — and I say ‘We’, but it will be yourselves and the government — if it is a financially irresponsible decision, there will be another inquiry and another group of people saying, ‘Why did you waste the money that had been invested in there in the past?’. If you are going to need to put in water treatment facilities anywhere, then could you have put them in at Fiskville? If you did put them in, and you did other works, would it be made safe? If it were to be made safe — sure we have got the issue of a whole combination of forces at the moment. A conversation that you and I hear a lot is that the decisions around Fiskville at the moment are not only being made in people’s minds — and I am talking about the layperson as well — based on the technical facts, but the mood of the place is bad. No-one wants to see another bad day reported on the front page of the paper. But we have got to rise above that and understand and get to the bottom of it with facts, so that if it is going to be closed forever or scaled back, that is defensible; if it is going to be rehabilitated and used into the future, that is defensible. Because at the end of the day we owe it to the firefighters for them to be safe, and we owe it to Victorians to not waste money.

Mr BARNETT — I would add two points. The first one is that there was a common theme in this morning’s testimony, and that was around the instructor pool and the pride that they take in instructing students. When you think about volunteers, the majority of people as participants at the training ground would have been having a pleasurable experience. They are going there with people they respect and trust, very well trained firefighters who they look up to, so from their perspective they are attending the cream of the crop.

The second part was around the spiritual, and I talked about the 1217 brigades. They need somewhere they can call home. They all have their own home brigade to talk about, but when you talk about a central place, and when you think about CFA, where do you think of? In our tour of Craigieburn you would have noticed the memorabilia, you would have noticed the banners, the flags, the great pride in the organisation. That is what Fiskville was to CFA volunteers. It was the place that they thought about. If they had to think about one place that was not their brigade, that is where they thought of.

Mr RICHARDSON — Thank you, Adam and Andrew, for coming in. My question goes to Fiskville and that bridge that we are talking about between past and present. We have heard today, and we have heard previously in report after report after report being put forward, about challenges on site going back to 1992. We had remediation works starting last year, but we have never had a full site assessment of Fiskville. We heard about levels of PFOS being 3000 per cent greater than what is the standard internationally. I am just wondering how the Volunteer Fire Brigades Victoria can have confidence in Fiskville with these levels being put forward and the concerns that have been raised previously, all the way through to the present day, by both career and volunteer firefighters.

Mr FORD — To go to your question, Tim, about how can we have confidence, the only way there will be confidence, I think, in any decision, any cessation of use or any future use, is that it is independent, expert, fact-based, peer-reviewed advice. That gives confidence. If Charlie Farley comes in tomorrow and says, ‘I think it’s safe’, that will make no difference. If the eminent experts come in and say, ‘I think it’s safe’, or, ‘I think it’s unsafe’, then we will listen to those people. That is what we would like. That is why I am assuming, and I would be encouraging and I would be recommending, that it is a very powerful component of the inquiry’s work to get those experts in front of yourselves.

Mr RICHARDSON — We have heard today that the MFB from June 2012 forbade their members, their team, from being at Fiskville, yet career CFA and volunteer firefighters continued. That differentiation causes a lot of problems from a standpoint of — where does the volunteer association sit on that?

Mr FORD — I thought I was answering that. That is why we asked the CFA when this first came up — we said, ‘We want EPA, we want WorkSafe, we want independent experts to tell us. We want you to publish the results and publish them in such a way that we understand what they mean’. Quite frankly there will be groups of volunteers, there will be groups of paid firefighters, there will be groups of whoever, who will make up their own minds about whether something is safe or not. Unfortunately in the emergency sector, and particularly in CFA, people can influence the cessation of a practice, whether it is training or use of a truck or use of a bit of equipment, based on their opinion, without it necessarily being tested. Likewise people can be subjected to needing to do something based on someone’s opinion rather than it being tested. Given the spotlight that has been put on this, given the questions that have been raised about water quality, somebody ought to know. Whatever level is safe enough, and well and truly safe enough, someone should be able to tell us that, and then let us work to that.

Mr RICHARDSON — Based on that framework does the association still maintain confidence in the CFA board?

Mr FORD — I need to think very carefully about — which aspect? So you are asking the question around the —

Mr RICHARDSON — The reports we have heard.

Mr FORD — judgements of Fiskville or in general?

Mr RICHARDSON — Fiskville.

Mr FORD — I would not like to think the CFA board made the technical analysis of whether Fiskville is safe or not, or any other place. What I would hope the board would do is ensure that technical expertise was engaged and that it was independent from them; that the more sensitive, the more risky the issue, the more peer reviewed it was and the more transparent it was; and that they worked with whoever, in this case an inquiry or a government of the day, for that to be the decision point. I think the mistake that was made years ago was potentially that people became their own experts and did not go and seek that advice. It exists; it can be done and there would be other places where it has been done.

That would give me confidence in the CFA board doing something about it. It is way more than closing something down or setting something up. I would be heartbroken if the CFA board made a decision to close something without thinking through absolutely, in fine detail, what the technical facts were and then said, ‘We can’t afford to open something else’. That would be equally incompetent.

As I understand it, the CFA propositions were an inability to absolutely guarantee safety. We need to understand what that means compared with statements about unsafe practice. It is one thing to go to your doctor and say, ‘Can you guarantee I’m never going to get sick?’, and another to say, ‘Can you guarantee an unsafe practice?’. They are different things.

I do not think this issue has been handled well, more so from the perspective of transparency, more so from the perspective of the diligence of process of water testing and particularly in the sense of maintaining confidence and transparency for people. I mean people, our members; I mean people, the neighbours of Fiskville; and I mean people, the general public. That is not a governance issue. That issue has not been handled well. Let us

learn from that and work out how to do it next time. It is not about propaganda, and it is not about cooking the books with stats; it is about being on the front foot and being very open and up-front.

Mr YOUNG — In a perfect world, and given that all the experts gave the okay and the all-clear and there was enough money to clean the place up and get it 100 per cent going, do you think the history of Fiskville would impair someone's decision to undertake firefighting training there?

Mr FORD — That is a good question. I think you will see the focus of a lot of our public commentary has been around making sure there is independent and expert analysis of the facts, but at the same time, whatever the outcome, making sure that the gap that would be created if Fiskville were not to exist is plugged. That means a local network regional hot fire training capability, that being a hot fire facility within an hour and a half or so of the catchment of brigades and a statewide accommodation-capable facility for specialist training. I think at the end of the day it is going to have to be weighed up. If those sorts of facilities fell out of the sky tomorrow, would that be an easier journey than trying to rebuild confidence in Fiskville? I think that is a judgement call, and that would be a tricky one. There would be a group of people saying, 'Move on with a clean slate', and there would be another group of people saying, 'Hold on to what we have'. Some of those things will take time.

Mr BARNETT — The absence of a facility right now colours that opinion because they do not have anything else to look to. At the moment it is Fiskville because there is nothing else there. If something else were to be put on the table, I think the opinion would change.

Mr RAMSAY — Thank you, Andrew. I just want to get this straight, because a couple of your commentaries perhaps made me a bit more confused than I was when I first started in these hearings. My understanding was that the CFA board recommended the government close Fiskville. As I understand it then the Andrews government decided to close it permanently. As I understand it there is currently an EPA audit being done in relation to contamination of that site, and as I understand it your organisation is saying, 'We need another training facility now. We have all these brigades going into a fire season in another five months that require some training'.

We have been to Craigieburn, and we have been to a couple of other training sites. You indicated that there is probably a restriction on funding in relation to providing the sort of training that your membership is seeking or should have in relation to firefighting. It is an interesting mix we have here now. In the past, as we have talked about, obviously there has been some poor practice and poor governance. The blame has been slated to the CFA board, and obviously we are trying to work through the references that require justice, compensation and strangely enough a decision about Fiskville, which seems to have been taken out of the hands of the committee. Could you provide some commentary in relation to what would be the perfect storm to get over some of these hurdles that are presented to us now?

Mr FORD — There are a lot of questions in that, Simon, but can I just clarify what you are asking me. First up, I do not know that we have come to the inquiry process with an assumption that you are not contemplating the viable future of Fiskville. That is our position. The inquiry ought to be seeking the facts, understanding what was safe and what was unsafe, finding out whether those things have been stopped, addressing any issues that caused them, addressing any support that is required for them and addressing any accountability breaches for that. What is the situation today? Is it safe enough? If it is not, can it be fixed? If it is, can we fix it and move forward?

In the perfect storm, given that you asked me about the perfect storm, if somebody has already made a decision, for example, for it to be permanently closed and a robust, independent expert analysis and inquiry found that that was a flawed decision, then at what point do we stand up and say, 'We should rethink that'? Then you load it up against the question around public confidence, user confidence and everything else and do a feasibility test on it. In the perfect storm if it was proven to be viable and it was proven to be feasible, then you would pursue it. If it was not, given that we have acknowledged that the need for the training resource is not debatable, if you could not move ahead on that path, the perfect storm would be for the additional funding to be provided and to start building or acquiring the new facility with the right protections. That will take time.

You would then rally the resources to do whatever we could to take the existing mobile training props — and build additional ones if we can — close to brigades to bridge the gap in the meantime. You cannot afford a one, two or three-year training hiatus and the implications that will have for skill levels and people's willingness to continue to volunteer. The Craigieburn facility has been mooted as a fantastic backstop for the Fiskville gap. It

is a terrific facility — you have seen it yourselves — but it is full to the brim. In a perfect storm it would not be full to the brim, and you would transfer some of the load there.

We have got a number of problems at this time. I think solving any one of them is plausible provided there is the will and the commitment to do it.

Mr RAMSAY — You have also got 70 staff hanging out there, waiting for a decision.

Mr FORD — Again, we are not CFA, so we do not have any ability to even have an input into what happens to them. I think the implications for and the impact on those staff is a real concern. What are they doing? How are they being looked after? They are human beings. They are people with families. They have incomes and careers that are on hold. If someone gives us the airplay to go and have a think about what we do for those people, I would love to do it. But at the moment you have got to assume that CFA is looking after their interests.

There is another aspect to this, and that is while there is a whole lot of focus on Fiskville we have got to be sure that we do not starve future investment in the other existing training facilities. You have got a magnificent facility at Bangholme. It is in a very major catchment area in terms of workload and CFA member pool. Has it been developed to its potential? What else could be done there to shore it up as a state-of-the-art safe training facility into the future? Whilst we are over here wondering where someone is going to find \$100 million to build another Craigieburn or \$30 million to build another regional hot fire training facility, we must not take our eyes off the ball in regard to the need for \$4 million, \$5 million or whatever it might be — \$1 million — to continue to invest in the other facilities. That becomes a real trap in situations like this — taking our eye off the whole game to focus on one part.

Ms WARD — Good to see you both again. Thank you for coming along. We have spoken a bit about the board today, and that is what I would like to focus on. I have got a couple of layers to my question, so bear with me. I will ask it bit by bit. How is your relationship with the board, and have you discussed any of the concerns that have been raised since 2011 regarding the safety of your members?

Mr FORD — I do not think it is any secret that our relationship with anyone of the day, but in the case of your question, the CFA board, changes at different points in time. It was not that many years ago when volunteers expressed a deep dissatisfaction in their view about how the board were handling some issues. In particular those issues were about how well they were listening to and giving real attention in that case to the volunteer charter — a question that was raised before — beyond lip-service. Their view was that there was not enough being done.

Where is the relationship at today? I think hard times bring changes to people, bodies and boards. I think the CFA board today is more responsive to people who are saying, 'I need you to listen to me'. In that case I think they are more responsive to being listened to at the moment.

In terms of the Fiskville issue, if I go back — my dates might be a little bit hazy — to around December 2011 or early 2012, we were encouraging the board to let us know what was happening and to tell us what it knew. Looking back then, did we have a high degree of confidence that we were being told everything? Probably not, but not because we thought it was being hidden. We were concerned that it was not known. At the end of the day, despite what people said earlier today about whether you can have an independent voice and also have a large part of your funding stream come from CFA, which I am happy to talk about in a minute, our organisation said, 'We don't want to just hear it from you, CFA board; we want to hear it from people other than you — the EPA, WorkSafe and independent experts'. I think that is who we would want to hear from tomorrow as well, and not just the CFA board.

Ms WARD — It is interesting that you mentioned WorkSafe and the EPA. I understand that past or present board members have also been on WorkSafe and EPA boards. Is that right?

Mr FORD — The CFA board? I do not know. I know that the CFA CEO had a previous role with the EPA.

Ms WARD — Yes. I understand that.

Mr FORD — I guess I come from a hope that those statutory authorities that are there to uphold standards and integrity do so. We work on that assumption. We actually had the conversation at the time that if you could

not trust EPA, WorkSafe or a technical expert of note and peer review, then you are probably not going to go out the front door tomorrow, because who can you trust? That is a dilemma for us, and that is part of the reason I say it is important that the inquiry hear from those experts themselves. This is when I talk about it being direct. I do not want the CFA board telling you what the technical expert said. I would like a technical expert telling you what they said, so you know you have got it from them.

Ms WARD — There has also been a bit of chatter about the UFU, and I think this stems from last year as well about the UFU having two members on the board. What is your position on that? Do you support it?

Mr FORD — I do not have an opinion about who the UFU should or should not have on the CFA board, and I would hope the UFU did not have an opinion about what volunteer skills, knowledge and expertise is on the board. I think there are a number of things being confused here. The VFBV does not have representatives on the CFA board. The VFBV in the CFA Act are part of a process to nominate a skills-based board, and we nominate four of the nine positions on the basis of — —

Ms WARD — So there are four volunteers on the board at the moment?

Mr FORD — That is right.

Mr BARNETT — We put up a panel of names for the minister to choose from.

Mr FORD — This issue was reviewed several years ago by Ernst & Young, and there was a recognition that the CFA needed to go to a skills-based board but also a recognition that in a predominantly volunteer-based organisation one of the many core skills sets is a knowledge of volunteerism and volunteer culture. For that reason there needed to be a strong volunteer knowledge and expertise cohort on the board. The nominees that we put up also need to possess and demonstrate our core corporate governance skill sets. They are nominated through the process that we support through the CFA Act. They are appointed by the minister, and once a board member is appointed to the CFA board, they comply with fiduciary responsibilities and rules and code.

I think people misunderstand the notion of representation. Certainly your question about the UFU's proposition was around not being at the table for various consultation forums, and I would have to agree with that because one of our bugbears is where we are not consulted. There are a number of forums for consultation, and on those forums the more we work together with the United Firefighters Union, the better.

Ms WARD — How is your organisation financed? Is it just through the dues you get from the fire brigades?

Mr FORD — No. The VFBV is funded in part from a grant that is administered by the CFA, in part from financial contributions from members who choose to affiliate and in part from whatever project monies or donations we might be able to attract. The question of the funding of VFBV and the adequate resourcing of VFBV has been an issue of debate in recent times, particularly on the back of the Jones inquiry.

On the issue of can volunteers truly have an independent voice if their funding is coming from one of the people it is to have a voice about — or two — I would say: certainly if the funding was tied to personalities, was tied to whether we were behaving well or not and could come and go in any given year, that would be a very flawed system. There were commitments from both sides of government four or so years ago to ensure that the VFBV was adequately resourced and independent from, if you like, a personality-driven decision base in CFA. But the mechanism for that was still to be funded through CFA, and the funding amount was set.

It is always going to be an issue. If people wanted to review the resourcing of VFBV, I would be glad to look at that opportunity. Certainly the proposition we have put in the past is that if you work on the assumption that one of the core elements to thriving volunteerism is for volunteers to have a strong voice on matters that affect them. If you look at the issue that Victoria benefits from \$1 billion worth of volunteer contributions in the CFA alone every year and you look at the reality that you cannot be without the volunteer workforce in the CFA alongside the highly trained paid staff, then you would invest as much money as it takes for that voice to be strong. You would harness that voice, because it is a core part of the leadership and management of a volunteer-based organisation. The fact that we feel like we need to go cap in hand asking for money to give volunteers that voice is not right.

Ms WARD — Does the CFA appoint you to your positions?

Mr FORD — No.

Ms WARD — Who appoints you?

Mr FORD — The VFBV is an incorporated association run by volunteers — an appointed volunteer-based board. For example, I was an employee of the CFA for some years. When I applied for the job with the association I resigned from the CFA employment and my past public service history was wiped. All entitlements were wiped et cetera. It is a fully independent organisation.

Mr BARNETT — So the 10 board members are volunteers.

The CHAIR — I know we are taking up your time, but just one quick question from Tim.

Mr FORD — I am hoping there is money at the end of this!

Mr RICHARDSON — You touched on investment at Fiskville and resources up on site. I have a two-pronged question: what is your understanding of the investment that has been made, and was your association consulted with regard to the investment that went in post-2011?

Mr FORD — Tim, there are so many issues we are consulted on through our network. The actual quantum of money — I would have known it at some point in time. I do not know if it was \$29 million or thereabouts. There is a number that is in my head. Were we consulted about that amount of money? This is how consultation generally works on that sort of thing. ‘What do you think we’re going to need?’. ‘We think you’re going to need X, Y and Z’. ‘What do we think that’s going to cost?’. ‘About 50, 60’ — whatever the figure. ‘We’re not going to be able to get that money from government. Here’s what we have got. What can we do with it?’. Again, the extent to which we are consulted on things versus the extent to which we get what we want are two vastly different things.

Then what CFA actually did with that money: as I understand it, it was allocated for the purpose of remediation works. We would have been consulted to the extent of making sure they did something, but exactly what they did and what their priorities were would have been outside the scope of our expertise. I do not know whether there was a specific lot of consultation with one of our respective joint committees on the actual works. We may well have been kept informed on some of them. Adam is saying no. That is pretty par for the course. We may be consulted about the need for a particular facility somewhere, for example, and the general design and construct of that, but then beyond that the CFA has got to be able to manage.

Mr BARNETT — We were consulted with by the independent implementation monitor, so Kieran Walshe, about keeping what was planned to be done through the three phases and whether that was on track, whether they were actually doing what they said they were going to do, so that was their level of expertise there.

Mr RICHARDSON — Going to that point is that when we visited Fiskville there were significant resources put into accommodation, yet we still lacked a total site assessment at that point in time. So with the nature of the remediation works I guess we are trying to tease out to what level were you consulted on quantum invested, given the significant investment on the structure there?

Mr BARNETT — I think to be fair — and I will start — you have not had a presentation from CFA as to what was actually done or what they planned to do. That is one of our key points: it would be great to actually hear from them about what they planned to do because I do not think that has actually been tabled.

Mr RICHARDSON — They did not consult with you about the specifics of that investment?

Mr FORD — I would say with the remediation works — not to any great extent. What I would say — and we have raised this before, Tim — is that we can take our influence and our consultation so far. Many people would have seen us consult at a local level on an issue, escalate that to a state management level on an issue and, if need be, raise it, for example, with the CFA board as an organisation, raise it with government, raise it with anyone whose attention we can get to it.

Often we end up getting to the end of that line not getting a satisfactory outcome, and we have raised the issue in the past — where do we go from there? If you go back to our submission to the independent Jones inquiry, that was one of the points we actually made. What is the mechanism for volunteers? There are quite clear

mechanisms for the paid workforce, whether it is the CFA or another, to be able to escalate an issue to a point where there is quite a high ‘little c’ court, if you like, to actually arbitrate, determine, decide on that decision.

Where do volunteers — through the best association that we could establish and the best volunteer charters that we could establish and despite the recognition of the volunteer charter and the backing of it in law in the CFA act — take that issue? Failing going to court on an issue, there is no such thing as a commissioner of emergency management volunteerism in Victoria or a volunteer ombudsman, for example, who can say, ‘Look, we’ve failed all those other steps to get a satisfactory resolution to an issue. We’re escalating it to the highest point’. Maybe that is one of the things that comes out of these sorts of inquiries. It is certainly an issue we have raised for people to consider in the past.

Mr RICHARDSON — It sounds like maybe the specifics of that have not been discussed or worked through with the volunteers?

Mr BARNETT — One of the difficult things we face — and it is probably more common in this day and age — is around cabinet in confidence, so through the CFA’s processes they will put together a proposal. They do not have the money to actually do it, so they have to take it up to government. There is a bit of a grey area as to when they are actually discussing with government several options about what they can share and what they cannot, and we are not privy to anything that has been discussed with government. That is cabinet in confidence for obvious reasons. So there is always that sort of balancing act as to what they can share and what they cannot.

Mr FORD — I think if your point, Tim, is getting to was the extent of that consultation as much as we would like, was the availability of information as much as we would like, like many other key issues, no. Is that an issue of CFA’s own making or is it a factor of the overall system? I would say a bit of both, and it depends on the issue of the day. The notion of, ‘Well, we can’t tell you that because it is cabinet in confidence’, those issues do come up from time to time. You have asked the question. Certainly that was not what we came to talk about today. I would spend any amount of time you like working through that issue because time and time again one of the absolute frustrations of volunteers — and I am sure it is for other people as well; I am talking about our members — is how do we cut through the red tape, how we cut through the bureaucracy and the constraints on people to be able to make sure that they genuinely consult with us, make sure that they demonstrate that the consultation with volunteers has been factored into the decisions beyond doubt and answerable not just to volunteers but to the public. I have to say, along with issues around firefighter safety, that unfair treatment of volunteers in the consultative process keeps me awake at night.

Mr RAMSAY — Something that is bothering me, in relation specifically to the accommodation area, where I think Tim wanted to focus his question, is that given that water contamination was an issue and has been for a number of years, why were the alarm bells not ringing in relation to preparedness to spend \$30 million or \$60 million on accommodation and yet reluctance to spend \$750 000 on water reticulation, like they have done at Craigieburn? Why was your membership not seeing that as a priority more so than accommodation?

Mr FORD — Simon, the question you are asking is around how people choose to spend the scarce resources that are available to CFA. I think if you go back through our various internal correspondence to our members, our correspondence to CFA, our correspondence with the government — this government and previous governments — and our messages in the media, too often money is being spent on not the right thing. It does not mean those things are not needed, but it is not the next right thing. The notion of spending money on accommodation versus fixing reticulation issues, some of that is because of time and sequence issues about which you should do next, but it is a fair point.

I could fill this room with the issues that we have suggested: rather than spend money on that, why do you not invest money in this; rather than make that decision, why do you not invest in volunteer capability here? Whether it is to do with emergency management response or other training capability support to brigades, really there is a more embedded structural problem in the system that needs to be addressed.

I got out of bed this morning thinking I was not going to get onto that sermon with the inquiry because I reckon I would become an unpopular person at 5.30 at night, but the fact is that if we want a viable volunteer-based service in Victoria in a decade or two decades time, then some of those issues about the lip-service to consultation with volunteers and some of those issues about the transparency of how decisions are made about what money is spent on what issues, need to be addressed, because we will get to a point in time when the loudest voice wins or the loudest proposition wins, rather than the right proposition. That is not a new issue to

us as volunteers, and it is not a new issue to yourselves. That is a systemic issue with the way decisions are made at government level. I think it is worth debate. It is certainly a big topic, it is beyond the scope of this inquiry but I think it is worth looking at.

The CHAIR — Today does not have to be the end of the discussion from our point of view or yours. If there is anything else you would like to provide to us around that sort of recommendation area — not too big, but within the scope of the terms of reference — I am sure that we could still look at that. From our point of view, if you do not mind, we might have further questions we did not ask today that we would like to talk to you about. We could perhaps write to you or call you in again.

Mr FORD — Ring us. We would be delighted to do whatever we can to help. We would be delighted to do whatever we can to help you access whatever information we do not have in our own heads now, and we would be particularly delighted to engage in a conversation about how we all work together to encourage and maintain the strength and capacity of volunteers in Victoria for the future, because at the end of the day that is what we have to be focused on. In our sense, volunteers, but naturally the paid and volunteer workforce of the emergency sector alike.

The CHAIR — Thank you, Adam and Andrew. That concludes our hearing for today. At the moment the next public hearing is scheduled for late July.

Committee adjourned.