

TRANSCRIPT

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE

Inquiry into the CFA training college at Fiskville

Melbourne — 14 December 2015

Members

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Mr Tim McCurdy — Deputy Chair

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Witness

Mr Raymon Greenwood, former chairman, Country Fire Authority.

The CHAIR — Just before we start, Mr Greenwood, I will go through the formalities. First of all, I welcome you to this public hearing and thank you for making yourself available and for your submission that you sent to us in the early stages of this investigation.

In accordance with the guidelines that have been provided to you by the secretariat, all evidence at this hearing is taken by the committee under the provisions of the Parliamentary Committees Act 2003 and other relevant legislation and attracts parliamentary privilege. Any comments you make outside the hearing will not be afforded such privilege. It is an act of contempt of Parliament to provide false or misleading evidence to the inquiry, and the committee may ask you to return at a later date or provide some further information if you are unable to provide it today. All evidence today is being recorded, and you will be given copies of the proofs to make sure that it is accurate before it is provided publicly.

Before we get started, Mr Greenwood, I will perhaps confirm that you were the chairman of the CFA board from 1 November 1984 to 14 July 1989.

Mr GREENWOOD — Yes.

The CHAIR — I think we got that out of your submission. You were seconded from the State Electricity Commission of Victoria to act as chairman for a period of two years, then remained in the secondment until 1987 and continued from 1987 to 1989 as a direct appointment to the CFA board.

Mr GREENWOOD — Yes.

The CHAIR — You are the first former CFA chairperson we have spoken to. Could you give us a little bit of an explanation of the way the CFA was organised during the time of your chairmanship and who was responsible for what? Bearing in mind we are talking about the Fiskville training college, what was the chain of command and who was responsible for the training college?

Mr GREENWOOD — Are you speaking about the time when I was full time or subsequently when I became part time?

The CHAIR — Did it change in your experience?

Mr GREENWOOD — Yes, a little.

The CHAIR — It did? Then perhaps what it was like and what it changed to.

Mr GREENWOOD — Briefly, the CFA was organised very formally between the manager, finance and administration and the chief officer. I was attempting to move most of the responsibility for the non-operational aspects under the deputy chairman as part of the process of improving the organisation. We were in the process of that. I might comment that during my time completely the CFA was a work in progress. We had a lot of things to do and we were working between those. After I became the part-time chairman, the responsibilities of the deputy chairman and the chief officer were increased to take over part of those more directly than I had and they received higher duty allowances in respect of that responsibility. Is that sufficient or do you want me to — —

The CHAIR — Yes. So in terms of the Fiskville training college, was there reporting to the board? Who was responsible for the training college?

Mr GREENWOOD — Under the fire authority act, as I recall it, the chief officer was responsible for the conduct and behaviour of all the volunteers, the brigades, the stations, the officers, and that included Fiskville of course. It was a responsibility directly from under the act.

The CHAIR — In terms of reporting to the board, having ultimate responsibility, would the chief fire officer provide a report on, say, the training colleges in their report to the board or in particular circumstances or not at all?

Mr GREENWOOD — No, the chief fire officer, from day-to-day activities, would report through me, but he would always present a report to the board. He had certain specific responsibilities — as I said, broadly the control and discipline of all of the brigades and stations, including Fiskville. However, he would do that in a

cooperative manner with myself and the rest of the authority and use the administrative and personnel services —and the services of the works that built the trucks, the works and services department.

The CHAIR — Did he regularly report to you? Would it be just a phone call or would he meet you once a week, or how would it work out?

Mr GREENWOOD — Broadly, only on matters that required probably authority approval or that he felt he should keep me advised of in the normal course of managing of a rather complex organisation.

The CHAIR — I guess the next question you would probably expect then is: did you ever receive advice from the chief fire officer regarding health and safety issues at the Fiskville site?

Mr GREENWOOD — Not specifically, unless he felt there was some issue that might require authority approval — perhaps extra funding, appointments or whatever. It was my intention early in the piece — I came in and felt that the personnel area, human resources, needed to be upgraded. It was spread throughout the organisation, and there were different practices and different parts of the department. As I said in my submission, early in 85 I arranged with the public service office to have one of their staff come and, under secondment, work with us and set up what was required for a personnel department. That would have included occupational health and safety. The role of the personnel department would be to advise the chief officer and make sure that the procedures, for instance, for personnel selection, for personnel management, appointments and all those sorts of things would be in accord with a general overall policy of the authority.

The CHAIR — So the personnel department was to the chief health officer in how to manage staff in a sort of professional manner?

Mr GREENWOOD — The selections would still be the responsibility of the chief officer. The manner in which they were selected, the interview procedures, maybe their qualifications and hopefully their personal training would all have been under advice from the personnel department. It was not always like that, and we were working towards that end.

The CHAIR — In terms of, say, meetings that you might have had with the chief fire officer, personnel or whatever, were records and notes taken of these meetings? Were they noted and filed away or were they more informal?

Mr GREENWOOD — I am sorry, I did not follow your question there.

The CHAIR — With the chief fire officer reporting to you, reporting to the board and seeking advice from the personnel department, were those conversations and meetings documented?

Mr GREENWOOD — I hope I can answer it this way: the chief officer and other departmental heads would make a report to the authority at each meeting. There would be no surprises in what the chief officer was reporting to me. He would have either consulted me or through the course of our mutual interactions between meetings I would have been aware of it.

The CHAIR — Do you think that the record keeping of the CFA is very good — the way they have kept records from the past?

Mr GREENWOOD — Again I am sorry — there is an echo that I cannot handle.

The CHAIR — Is that better?

Mr GREENWOOD — A little, yes.

The CHAIR — I might be getting too close to the microphone. I was just asking: the records of the CFA, were they well kept and well maintained?

Mr GREENWOOD — To the best of my knowledge they were. If I reflect on it, I do not think I ever had any trouble getting back information. I would not like to say that that was always the case in some of the regions or, for that matter, at Fiskville, as I have come to understand now. They were conducted generally in the organisation in the manner in which my experience with the State Electricity Commission was. They were kept

in a proper fashion, and you could usually get the information you wanted. I said before that I do not think I could say that for every part of the organisation.

The CHAIR — What you are saying, I guess, is confirmed by Dr White, who wrote the history of the CFA. She said that she found the records to be fairly well maintained and organised.

Mr GREENWOOD — I would have expected that they would have been maintained satisfactorily. I had no reason to question it.

The CHAIR — Just one final question from me: I think in your submission you said that you would visit the Fiskville training site so that you could see what was going on. Did you ever see anything untoward or unusual when you visited the Fiskville training centre?

Mr GREENWOOD — My visits to the training centre would generally be on some formal occasion. By saying ‘formal’, it might be a passing-out parade.

The CHAIR — Or a ceremony of some sort, yes.

Mr GREENWOOD — Obviously when the memorial wall was dedicated. I would also attend the joint meetings of the rural and urban fire brigades, which tended to use Fiskville for their meetings. At some of the passing-out parades there would be demonstrations of fire suppression. They all seem to be conducted in a proper and safe fashion, to myself. There may have been other times. There were certainly meetings with other authorities — with the fire authorities association, interstate people. They would have conferences there, and I would usually attend for the start of those.

Mr RICHARDSON — Thanks for coming in, Mr Greenwood. My initial questions go to general occupational health and safety discussions with the board. I will just take you to your submission where you talk about not recalling any adverse health impacts during the time you spent at Fiskville, and then on page 5 it talks about expecting that any health concerns would have been addressed if they came to light. Were there any occupational health and safety issues discussed at board level while you were the chairman, regarding Fiskville?

Mr GREENWOOD — Fiskville would often get mentioned in the course of the chief officer’s report. I cannot recall any times when the other members of the board raised issues about Fiskville. But it would get mentioned, particularly if there was extra financing required or if there were reports. The chief officer would report about matters to do with training, particularly training to external organisations. I do not recall any comments from the board, if that is your suggestion.

Mr RICHARDSON — Were there any specific instances that you recall at all that were discussed at board level or with the chief officer about occupational health and safety issues at Fiskville?

Mr GREENWOOD — No, certainly no issues about the contamination. I did try, Madam Chair, to make some notes when I knew of the issues that you were dealing with. I did make one on how that might have been treated. I think you asked me whether there was any information on the board of the day discussing things relevant to the terms of reference of yours. I have to say, I do not believe any, but I could read — if I can find it — my comments to that particular question, if you wanted it, if you would give me a moment. Would you like that?

The CHAIR — Is that related to what Tim has asked you? Perhaps at the end you might want to. Would that be best? We can give you a bit of time, and then you can — —

Mr GREENWOOD — Briefly, on that issue I can say — my notes are getting a little mixed — I cannot recall any specific discussion at the board meetings that I attended that would have been directly relevant to your terms of reference, other than the occasional mentions of Fiskville for other reasons. Is that adequate?

The CHAIR — That is fine. We understand that it was a long time ago, but as you would understand, we also need to ask the questions of the terms of reference. We have a job to do as well.

Mr RICHARDSON — Mr Greenwood, acknowledging that there were a number of board meetings, obviously — there would have been quite a few overlaps with information and it might be a bit tricky to take you to a specific date, but there might be an overarching reference here that we can draw on — at a meeting in

December of 1984 the acting manager of works and services was granted approval to undertake negotiations with the appropriate industrial bodies for the purpose of formulating an occupational health and safety agreement for the implementation at the CFA. Do you recall the context of that discussion at the time?

Mr GREENWOOD — No, I do not recall it. In my very few records that I have, I believe in one of the annual reports, or the only annual report I have, there is a comment that there was a successful agreement negotiated with the unions on those matters. During my time industrial relations was under the auspices of the manager, works and services. He conducted all of those. That was another one of the issues that I would have liked to have seen move to a human resources department, which would handle them better.

Mr RICHARDSON — Do you recall, during that chairmanship, any discussions of that role or how it might be implemented over time?

Mr GREENWOOD — No, sir.

Mr RICHARDSON — Okay. Just taking you to — I think you might have been provided with a bit of correspondence during your time as chairman, particularly with regard to Mr Alan Bennett.

The CHAIR — Have you received three letters the secretary has provided? Sorry, Tim.

Mr GREENWOOD — Yes. Are these the documents I was asked to look at?

Mr RICHARDSON — I believe so.

Mr GREENWOOD — Okay, thank you. Thank you for the opportunity to see them a little earlier. Half an hour would have been a little too short, and I must say the request to look at these documents before the meeting, as you might understand, was a little disconcerting. I have looked at them — and thank you — fairly thoroughly. I have no recollection of seeing any of these three documents before. I could comment on each one of them, if you like, and perhaps give some reasons for that.

Mr RICHARDSON — Yes, that might be helpful.

Mr GREENWOOD — Alright. The first one was from the letter from Mr Alan Bennett, dated 16 September, although I think in some other documents it is 18 September that is referred to. However, Mr Bennett outlined his illnesses and sought some response. I have no recollection of seeing that document before.

Mr RICHARDSON — Just to clarify, what was the process? Where letters or documentation were signed off on your behalf, what was the process, in terms of the board process, that it went through? Could you elaborate a little bit more on that?

Mr GREENWOOD — Yes, I can. I will probably do that in reference to the other letters, if you care me to.

The CHAIR — Sure.

Mr GREENWOOD — Just to put it in the time frame, Mr Bennett's letter came just after I started my part-time duties, and almost certainly under those circumstances it would have been referred to the deputy chairman or to the manager, finance and administration, who had responsibility for those things. Discussion on it, of course, would have involved the chief officer entirely.

The second one I would like to comment on is dated 9 November 1987, which was a response to Mr Bennett. It was signed on behalf of myself per John Thurlow, whose title was, I think, supervisor of personnel services at that time. It was not uncommon practice that even very routine and mundane letters that were addressed to the chairman would be responded to by the chairman or on the chairman's behalf, and I believe that is what happened on this occasion. There are two comments I can make about it: (a) I am quite sure I never signed it, and in fact Mr Thurlow said that the signature is per him, and it does not look like my signature, to myself; nor did I see any draft of it because, with respect, there is a grammatical error on one of the paragraphs which refers to 'the normal course of advents', which means 'the normal course of events', and I am sure I would have picked that up long before, so I can honestly say I am quite sure that I have never seen this letter before it was shown to me today.

The third letter is a response to the United Firefighters Union, again which has been signed by myself, but it is very similar to a facsimile signature which was used in my office. It was used for copies of correspondence; it was also used for routine matters as well. I still have no recollection of seeing that document.

Mr RICHARDSON — So the second letter is 9 November 1987? Have you got that as well, the one to regional officer Alan Bennett? That is a two-page letter.

Mr GREENWOOD — No. The only letters shown to me are the ones on the — —

The CHAIR — Sorry. For the record, there is 9 November 1987 letter that is to Alan Bennett with Ray Greenwood, but per John Thurlow. That is the 9 November letter. Then there is the 10 February 1988 letter, which is to a Mr F. Churchill, state secretary of the United Firefighters Union. That is signed by Mr Greenwood, who is saying that it may have been a facsimile signature.

Mr RICHARDSON — Just going to the 9 November 1987 letter, the final sentence talks about:

... the deputy chief officer operations to have the incidents fully investigated and to report in due course.

Was a report every provided to the board subsequent to that assurance?

Mr GREENWOOD — Not to my knowledge.

Mr RICHARDSON — Just to clarify, the responsibility to deal with the concerns raised by Mr Bennett, who would have been responsible primarily given that you were in a part-time function as the chairman?

Mr GREENWOOD — I am not sure that it implies that the report would not necessarily have gone to the authority. The report on the issue would have gone to the chief officer and to Mr Thurlow if he was in his capacity. My expectation would be that the issue would not have come to the authority unless there was some authority decision that was needed on it, perhaps on the basis of complaint or if it raised an issue of great concern that the authority ought to be aware of. I do not recall any circumstances for either of those cases.

Mr RICHARDSON — So with the fullness of the information provided now, do you recall any discussion or any reference to Mr Alan Bennett during your tenure as chairman?

Mr GREENWOOD — Discussions with me? No, I have no recollection of it.

Mr RICHARDSON — And what about the board generally?

Mr GREENWOOD — No, they would not have. While I would have been involved, it could have been at the board if they were board meetings that I attended. I cannot recall them, but I do not also have any recollection of being involved in discussions on Mr Bennett's case.

Ms WARD — Do you think in the chief officer giving his report, though, regularly to the board that this issue would have been canvassed, or would you expect it had to be canvassed?

Mr GREENWOOD — I am sorry. I did not quite — —

Ms WARD — You mentioned the chief officer regularly giving reports to the board where sometimes Fiskville is mentioned.

Mr GREENWOOD — Yes.

Ms WARD — You do not recall, but do you think it would have been likely that the chief officer would have given a report on what was happening with Mr Bennett?

Mr GREENWOOD — As I indicated before, I think it would only have happened had the examination revealed some pressing problem that needed some further action or had it resulted in recommendations regarding Mr Bennett himself that maybe he was due for some compensation, whatever, that the board had to approve. Is that sufficient?

Mr RICHARDSON — In terms of not recalling the correspondence, the committee has evidence suggesting that Mr Bennett requested information in September 1987. The CFA got a report in July 1988 containing relevant information about the chemicals in buried drums, that Mr Bennett was not provided with any details of the contents of the A. S. James report until 24 August 1990, which was more than two years later. Mr Bennett was only provided with a copy of sections, so he was not provided the full report. Are you able to comment about whether this response was typical of how the CFA handled information about the health of employees, if you got any further comments to make?

Mr GREENWOOD — I attempted to make some notes about each of the issues that I was advised you would like to hear about. Would it be convenient for me to read what I wrote for my response to Mr Bennett's evidence?

The CHAIR — Does it answer the question?

Mr GREENWOOD — I think it will lead directly to your question. I attended the hearing at which Mr Bennett spoke, and I have read the transcript forwarded to me — you sent me a copy with your invitation to be here. I first became aware of his requests and correspondence when I read the report by Mr Joy, although it did not refer to Mr Bennett by name. I subsequently became aware that Mr Bennett was the officer concerned when I read his submission. In his evidence Mr Bennett eloquently described the happy social life at Fiskville and the emotional attachment so many who have worked there have for the college and described in submissions. For many of them this is despite the fact the activities have had on their health and lives.

Hearing Mr Bennett's evidence further increased my disappointment at the delay which subsequently occurred in dealing with his request, which I referred to in my submission. After his appearance as a witness, I offered him an apology for the delay in dealing with the matters that he had raised.

I have no recollection of seeing or of being involved with the correspondence with Mr Bennett during 87, 88 and 89. My present understanding of the related events is based solely on what I had read in Mr Bennett's evidence and submission, Mr Joy's report, evidence and submission and the transcript of Mr Potter's discussion with Mr Joy, which forms part of Mrs Potter's submission. Mr Bennett's letter of 18 September — which I think is 16 September — would have been received after I commenced duties as part-time chairman, and the arrangements for my part-time appointment were for a notional 50 per cent full-time by myself, with the deputy chairman and the chief officer receiving a higher duty allowance for their extra responsibilities. I have no duty statements explaining the extra roles; however, they can best be described as the chief officer having a full delegated responsibility for all of the operations, training, fire protection, fire safety, fire prevention, while the deputy chairman had delegated responsibility for finance and administration works and services, and all other related activities.

Consequently Mr Bennett's letter seeking information on the contents of the drums involved in his accident in December 1982 would certainly have been dealt with by the deputy chairman and the chief officer or their staff. Apparently separate research and inquiries were made, firstly, regarding the incident causing his injury and, secondly, for his possible employment. I think this possibly delayed the replies.

On 12 November the manager of personnel resources replied to the 18 September letter explaining what was known of the contents of the drums — solvents, thinners and other named substances believed to be acetone — and that it may be fruitless to dig up the drums. At this time Mr Bennett was informed of all that was known of the contents and all that was likely to be known.

In January 1988 the UFU wrote on behalf of Mr Bennett seeking further information and questioned the burial of the drums. In response, the CFA undertook to further examine all the data. These inquiries were made over the next six months and included recovering some of the drums and a report by A.S. James, which included an analysis of the contents and considered that they presented an environmental problem. I have no recollection of seeing this report at the time or of who tasked it or who received it. In fact in Brian Potter's discussion with Mr Joy he comments that he was also not aware of the report or who commissioned it.

In September 1988, and apparently acting on EPA advice, the decision was made to keep the drums buried. At this stage I consider in retrospect that the actions taken were appropriate; however, I would have preferred more prompt action being taken on the receipt of the James report, including seeking a medical opinion on the

dangers posed by the drum contents and a response prepared for Mr Bennett. If the contents were considered to have implications to the other staff, then they too should have been informed.

I have no recollection of seeing any of the documents involved, at that time. I cannot explain why no further consideration was given to the issue until nearly a year later. I can only surmise that the considerations of Mr Bennett's future employment, or whether he would receive a disability pension, diverted attention from other matters. At his hearing Mr Bennett lightheartedly described himself as a petulant child who did not fit the mould. They are sentiments I have no way of endorsing but which may explain why it was difficult to find him a suitable position. But I do believe the other matter should have been pursued. Does that help to answer your question?

Mr RICHARDSON — It does. I appreciate that.

The CHAIR — I know you talk about how things went to the board if they were big issues, matters of concern. Do you not think that this should have gone to the board? Are you concerned that you were not told about it?

Mr GREENWOOD — No, I do not. I would have expected that the whole matter would have been processed and discussed and then the final result possibly conveyed to the board. But to do it through the course of the inquiry would not have achieved much, I do not think. There was no necessity to inform the board. It is quite possible — —

The CHAIR — But I think there were practices occurring at the training centre at Fiskville that seemed to be causing people ill health. You do not think that that was important to go to the board or to yourself as the chairperson?

Mr GREENWOOD — I do not believe I was thinking that at the time.

The CHAIR — But you say you did not know at the time.

Mr GREENWOOD — Sorry?

The CHAIR — You did not know at the time. Looking back now, I am asking you, do you think that at that time you should have been told? You have just found out these things happened.

Mr GREENWOOD — He was told all that we knew. He should have been told more promptly.

The CHAIR — No, do you think you should have been told?

Mr GREENWOOD — I should have been told?

The CHAIR — Yes. About the Alan Bennett situation.

Mr GREENWOOD — No, not necessarily, under the part-time arrangements I think there was an increased responsibility for the other officers. I find it strange that the — —

The CHAIR — Should the board have been told? Should it have been something to go to the board?

Mr GREENWOOD — I do not believe it was necessary to inform the board at that time.

The CHAIR — Even though there was a person that due to practices at Fiskville may have been in ill health, due to training practices.

Mr GREENWOOD — I think we needed to get more information after the James report, as I have said. I would have liked to have had a full medical opinion of what they had found and what the consequences were for the people working there. The James report was a geotechnical report, as I now understand, and I would have liked to have had a proper medical assessment of what the effect of those contents might have been.

The CHAIR — So are you doubting that there were any problems in the 1980s in terms of chemical contamination and exposure of chemicals to firefighters?

Mr GREENWOOD — There were no other indications of similar accidents. There was nothing in the accident reports. Mr Joy reported that he has no record, or he found no records, of similar sorts of accidents. Had there been a history of similar injuries, I am sure we would have immediately jumped on it. The people in the chief officer's department would have handled it. Virtually all of them had time at Fiskville and knew the activities at Fiskville and would have been aware of similar accidents. There were no supporting reports that would have made one think, 'Look, we have a problem here'. In fact the real issue never appeared to be a problem until almost a decade later.

The CHAIR — But it sounds like you would not have been told even if there was a problem. Because that is the whole point, is it not?

Mr GREENWOOD — Oh, no. If there had have been — —

The CHAIR — So are you saying that if there had been more than one, you would have been told? Or more than 10 you would have been told?

Mr GREENWOOD — If there had been similar accidents or other people had said, 'Yes, I remember that; I was injured as well', we would have immediately taken a wider action.

The CHAIR — Thank you.

Ms WARD — Were you here during the EPA's evidence?

Mr GREENWOOD — I beg your pardon?

Ms WARD — Were you here during the EPA's evidence? The EPA was just here. Were you here as well listening to them?

The CHAIR — The Environmental Protection Authority.

Mr GREENWOOD — No, I cannot recall any contact with the EPA.

Ms WARD — No, sorry; you have misunderstood. I will get to my question.

Mr GREENWOOD — Sorry, was I here for the discussion? No, I was in and out. I was reading the documents that were provided to me.

Ms WARD — We have heard from the EPA, who said that the CFA broke the law in the 1980s by not having a licence to dispose of hazardous waste. And we have a meeting by the board in 1986 where a discussion comes about as a result of a recent *7.30 Report* story on hazardous materials. The question is raised at this meeting about what was being done by the authority to ensure that stored chemicals and other hazardous materials are properly labelled. Do you recall that conversation? Do you recall what action the CFA was advised to take and what action they considered to take in relation to the storage of hazardous materials?

Mr GREENWOOD — I cannot recall the discussion.

Ms WARD — Okay. And are you then able to speak to me more generally about how hazardous material was handled or discussed at all in your period as chairman?

Mr GREENWOOD — No, I have no recollection of that.

Ms WARD — That is quite interesting that something so serious as hazardous waste material being transported in trucks across the state, being stored at Fiskville, being used for fire contaminants, that it does not seem to be discussed at all on any level. It is never in the chief fire officer's report.

Mr GREENWOOD — I am not sure that I have got your question particularly, but those sort of discussions would have been with the chief officer and his people. I certainly have no recollection of being involved in that.

Ms WARD — So every year when you would go through the financial reports, when you would go through a financial review of costs and how things were being spent across the CFA, and I am sure you would have done that as — —

Mr GREENWOOD — If that had been the result, of course, yes, it would have been necessary to seek further funds. Is that what you are saying?

Ms WARD — No, it is not. What I am talking about is item lines, and in the discussion at board level I am sure that there would have been conversation around item lines within your annual financial report. You do not recall any conversation around money that was spent on hazardous materials or how it was being used?

Mr GREENWOOD — I cannot see that it would necessarily have gone to the authority. Is that your question?

Ms WARD — No, I am just trying to work out how this issue, to your memory, does not appear to have ever been discussed in your period as chair.

Mr GREENWOOD — It is not my recollection of the way in which it would have operated, as I said. The discussions would have been with the chief officer or his staff; I am not sure that the chief would necessarily have been there himself. Any consequential changes out of that or any recommendations if they received funding or whatever certainly would have gone to the authority. If they were criticisms or if they indicated action that was to be taken, they may have been adopted by the chief officer and set in train.

Ms WARD — So you do not recall any conversation either around the buried drums at Fiskville and what had to be the response around that?

Mr GREENWOOD — No, I cannot recall that.

Ms WARD — Do you think a serious problem like that would be unusual not to be discussed at board level?

Mr GREENWOOD — As I understand it, it happened after I assumed the part-time arrangements, which did not mean I was not in the office but really meant that I was spending time on a lot of other issues. The chief officer had an increased delegated responsibility. I am not saying he ignored it. I am trying to follow your train of thought, and I can only keep commenting — —

Ms WARD — My train of thought is to try to find out what was being discussed in the 1980s and what awareness there was at the highest level within the CFA, at which you had that role.

Mr GREENWOOD — The chief officer may well have reported on a meeting with the EPA. If they had made specific recommendations and they needed the board approval, he would have been seeking that. I do not recall that that happened.

Ms WARD — Now that you look backwards and you are aware of the way that hazardous materials were stored at Fiskville, are you concerned about how that was managed during the 1980s?

Mr GREENWOOD — What was made? I am sorry.

Ms WARD — Now that you are aware of what happened at Fiskville and you are aware of how hazardous — —

Mr GREENWOOD — What happened to Mr Bennett?

Ms WARD — No, you will understand the context when I finish my question. You are now aware of the use of drums at Fiskville and how hazardous materials were stored. Does it concern you that that was the practice in the 1980s and early 1990s around how to store hazardous waste?

Mr GREENWOOD — Yes, of course. I find it a tragedy that some of the activities at Fiskville were allowed to continue, with the best of intentions, by the people who were there. They were unaware of the hazards that they were producing. Of course I am concerned about them.

Ms WARD — I understand that there was another letter that you wrote in 1980. You wrote a letter on 10 February 1988, writing to the UFU about action that would be taken in relation to the buried drums. Do you recall that letter?

Mr GREENWOOD — Is that a letter to Mr Bennett?

Ms WARD — No, that was a letter to the United Firefighters Union.

Mr GREENWOOD — I do not recall the letter.

The CHAIR — That is one of the letters you have been given. The third letter.

Ms WARD — The third letter.

The CHAIR — Yes, to Mr F. Churchill.

Ms WARD — He does not recall; that is okay. Sorry, we have already covered that.

The CHAIR — Have you got that letter? Yes.

Ms WARD — It may have been a facsimile signature and he is not aware of it.

The CHAIR — Yes, that is right. Can I just ask, as chairperson or part-time chairperson, what was your responsibility? What did you do?

Mr GREENWOOD — What did I do?

The CHAIR — What was your area of responsibility?

Mr GREENWOOD — I was still, I suppose, like a de facto CEO. The responsibilities for most of the authority's activities, excluding those that were under — —

The CHAIR — With a lot of things you say the chief officer was responsible for that because you were only working part time, so what area were you directly responsible for and did you know about? What area of the CFA?

Mr GREENWOOD — The chief officer's responsibilities are under the act for the control of the brigades.

The CHAIR — So what was your role? What did you do?

Mr GREENWOOD — I was responsible for all of those — all of the other activities that came under the heading. The works, services, management, finance, administration and the reactions to various issues of the authority. If I can give you an instance, the chief officer for instance among his responsibilities was to declare total fire ban days. He did that under his own authority. He would let me know of course what was happening, and we usually had that kind of mutual respect that blurred the lines. There were certain responsibilities that were his and his to practice, and that was included. I am not trying to put any blame onto the chief officers that worked with me. They were both excellent men and wonderful people, but they did have their own roles.

Like any other organisation, the CEO then has the responsibility for any other actions by the authority and has to report to the authority if necessary about them.

The CHAIR — I suppose I find it really hard to understand why you did not think it was necessary and important for you to know about the health and safety issues at the training site.

Mr GREENWOOD — I did not know fully. I had not experienced fully the work at Fiskville. The others — and I keep coming back to the chief officer and his staff — ran Fiskville as they ran other parts of the organisation too in the regions and zones. They had a long history at Fiskville. And if I can say again, nobody was aware of the problem with the polluted materials that were being used there.

The CHAIR — Except for the chief officer. Somebody knew, obviously, because there were letters being signed, Mr Bennett was writing to people and someone read that and replied. Somebody knew, but not the chairperson.

Mr GREENWOOD — Certainly not me, and I am not sure how far the chief officer would have known in detail, except that there was a long — —

The CHAIR — Who was writing the letters under your signature if the chief officer did not know and you did not know about the buried drums and about Mr Bennett's health concerns?

Mr GREENWOOD — I am not sure of your question. He could have arranged for a letter to go out.

The CHAIR — If you did not write the three letters that we gave you, who would have known about those issues, because somebody wrote and sent a letter under your name?

Mr GREENWOOD — Depending on the letter, it would be either somebody from the personnel department of the financial administration group or of the chief officer's section.

The CHAIR — You allowed anybody to sign your name?

Mr GREENWOOD — I cannot recall all the letters that went out over my signature. There would have been some I may have seen, but anything that I saw and signed myself I would have asked for detail about them. I do not recollect that happening.

Mr RICHARDSON — Mr Greenwood, taking you to the comment about the board's finance and administration and that responsibility, was there any discussion that you recall during that time about the costs and the outlay for fuels at Fiskville and other training sites across Victoria?

Mr GREENWOOD — No. I cannot recall any discussion on that.

Mr RICHARDSON — I am taking that you are familiar with the Joy report. There is a suggestion that the cost of fuel at the time led to some of the practices with the muck truck that we have heard about. We heard today from the EPA that those practices of using the muck truck — for want of a better term — and some of the practices of burying the drums would have been illegal and not allowed on site. I touch on one of your previous comments about that being potentially the advice of the EPA at the time. Can you elaborate a little bit more on that information?

Mr GREENWOOD — I cannot elaborate other than what I have read in some of the submissions since. I was unaware of the practice. In fact most of it happened before I was there, I think, of buying cheap fuels to save costs. I can only say that I would be very confident the people that did that did not realise the hazards that they were undertaking. I think the understanding generally about the risk of cancer from burning and fuels of that kind was not well appreciated. They probably operated with the best of intentions, but sadly with bad results. There was another part to your question, I think. It has just escaped me.

Mr RICHARDSON — No, that covers off fine on that. On the point that you made about the EPA's advice being to leave the drums buried, today the representatives of the EPA flagged concern about that and that it would potentially be illegal under the act previously. I just wanted to see if that was advice that you can recall the EPA putting forward as to remain in the ground effectively — the buried drums?

Mr GREENWOOD — I am not able to comment on that. I am surprised and disappointed when I read some of the comments about the failure to meet the various acts — health and safety and the Dangerous Goods Act. I would have thought that if any organisation was up to date in it, it would have been the CFA. I am surprised that the number of outside organisations that were involved, the number of people who visited Fiskville, did not remark on them and draw them to the attention of the staff, and if they did, I am disappointed that they were ignored. Mr Joy comments that within the industry generally it was a slow appreciation of those needs. Fiskville, of all places, would have been one of the places I would have thought would be right up to date with it. They took pride in the reputation Fiskville had, and I think they would have acted immediately had they known.

Mr RICHARDSON — Going to the signatures and particularly accountability, obviously you as chairman and even as part-time chairman, and then the range of representatives as duly appointed or employed representatives of the CFA, the statutory authority and the authority generally, the CFA, have a duty-of-care responsibility to its employees. Going to the point about the signatures, where practices might have fallen down, who is then responsible? Who then should we be talking to in terms of how practices were addressed at the time and then what learnings were undertaken leading into the 1990s as we led towards environmental reports in the mid-1990s. Who should we be talking to? Who is responsible then if people were signing on your behalf?

Mr GREENWOOD — I am not sure that I can nominate who the people would be. I have mentioned one letter by Mr Thurlow, who signed on my behalf, and that was not an unusual practice. He would have been confident, I would think, that what he was saying was correct. It was not discussed with me to the best of my knowledge, and that would have been similar with other uses of my signature if they happened.

Mr RICHARDSON — Where there is a link from the 1982 incident with Mr Bennett that states that there could have been a duty-of-care issue — there was compensation later on — where does the buck stop then? Who is responsible for dealing with that matter, because if it is going out under your signature as a duly appointed officer or the chairperson, under the legislation it stops with you. What was the relationship or nature of that?

Mr GREENWOOD — As I mentioned before, part of the delay was probably caused by the fact that there was a lot of discussion about Mr Bennett's future employment and his health — of that kind. As to the letters that went out, if it was over my signature, they would have been with my authority, and they would have come back to the authority as a corporate organisation.

Mr RICHARDSON — Extrapolating that out, does it give an officer in the CFA who is using your signature to send things out a nice veil, removing accountability? Because effectively that puts the onus on you rather than it being their decisions that they are taking. It would seem that then your name was put forward as the person responsible, and purporting to be responsible, yet multiple decisions were made by others, but they did not have that accountability.

Mr GREENWOOD — They would have had the delegated responsibility and it would have been on them to make sure the information was correct that they sent out, whether it was over my signature or whether they even used their own signature or we needed to sign something. They still would carry the responsibility. They may do it in good faith. They may have been quite confident that what they were sending was correct, in which case the responsibility ultimately comes back to the authority itself.

Mr RICHARDSON — But do you think that that practice could have potentially exposed you to liability as the chairperson when they were making decisions and you were not aware of any of the decisions being made?

Mr GREENWOOD — The liability would be with the authority. If there was good intention, if there was no attempt to do something incorrectly or wrong, if they did it out of the good results, my understanding is that the responsibility comes back to the authority, who at the end of the day are responsible for the actions of their employees.

I can only imagine that part of the difficulty that you are having and that I am having is because there was a conscious move to move the responsibility down the line, the temporary responsibility, and down the line to give people more authority, both financially and in other matters. When I first got there I thought the authority was quite monolithic. It was very solid. Everything went up and down in the line with quite a lot of repetition, and we wanted to get a structure in there where people could make decisions and stand by them.

Ms WARD — I note in your submission that you commented on page 4 that when you went to Fiskville and saw the training and demonstrations:

To the best of my recollection, when I attended Fiskville and witnessed live fire incidents, the participants wore protective clothing including breathing apparatus when necessary and exercises were conducted in a disciplined and professional manner ...

et cetera. We have heard a lot of evidence that says that a breathing apparatus was very rarely worn at Fiskville because it did not give firefighters the training they needed in a real-life situation, where many of them would not have access to a breathing apparatus. Is that something that would concern you as someone who has spent so much time involved in the CFA, that when firefighters are in training they are not regularly wearing breathing apparatus?

Mr GREENWOOD — I am terribly sorry. I cannot quite understand — it is probably my hearing.

Ms WARD — I noted your comment in your submission to us on page 4.

Mr GREENWOOD — Can I look at that?

The CHAIR — We have got one here. It is page 4 of your submission.

Ms WARD — If you look at the paragraph just above ‘Reference 2’, you note that when you saw the parades they were wearing:

... protective clothing including breathing apparatus when necessary ...

We have heard from many testimonials given to us that breathing apparatus during training was rarely worn at Fiskville, in a way to try to give firefighters real-life firefighting experience where they would not always have breathing apparatus available to them. In retrospect does it concern you that many firefighters were conducting firefighting training in a range of materials without breathing apparatus?

Mr GREENWOOD — I can only accept that there were statements to that effect.

Ms WARD — There have been.

Mr GREENWOOD — As I said before, it was progressive. I noticed that there was an indication that in some cases it might have been deliberate because they felt that the remote brigades and some of the rural brigades would not have the breathing apparatus anyway and yet would be required to fight fires. I would have to say I think that is a poor excuse for it and if there was any risk at all, any perceived risk, that people would be injured, they should have been protected properly.

Ms WARD — Based on your experience and extensive knowledge in this area, you would think that for all training activities firefighters should have breathing apparatus?

Mr GREENWOOD — I would have wished that they had, yes.

The CHAIR — Just one final question regarding Alan Bennett. As you subsequently know, he was exposed to chemicals at Fiskville and there was a particular incident. He was ill. He was dismissed by the CFA at age 44, and his doctors very clearly say that his illness and inability to work in his old job was due to the exposure to chemicals at Fiskville. Do you find that a terrible situation that the CFA allowed this to happen and does not seem to have taken any responsibility for it at the time?

Mr GREENWOOD — The difficulty in finding Mr Bennett employment was a similar experience as I have had with the SEC. The difficulty arises because the organisation feels that the people are unfit to carry out specific duties whereas the emergency services, insurance trust and their medicals would say, ‘No, he should be able to get satisfactory employment’. It was not unusual for people to find that very difficult, and in an organisation like the CFA there was not a great range of part-time, non-operational types of jobs. Beyond that it would have meant that there was considerable discussion. I cannot comment any further.

The CHAIR — But do you think because of the circumstances that Mr Bennett was exposed to a dangerous work environment that could have been avoided, that there should have been extra responsibility or care toward Mr Bennett?

Mr GREENWOOD — Without doubt. That was part of the slow process of dealing with an emerging organisation. We did institute some counselling services to try to help welfare, and certainly the opportunity to do better by people like Mr Bennett would have been eventually one of my aims.

The CHAIR — Thank you, Mr Greenwood.

Mr GREENWOOD — In anticipation of this discussion I prepared some comments about my submission, which I would like to make, if I could.

The CHAIR — Are there many? It is just that we are running way over time.

Mr GREENWOOD — Okay. Would you rather I did not?

The CHAIR — We are happy if you want to provide them to us, you can provide them.

Mr GREENWOOD — No more than a minute.

The CHAIR — Just provide them to us, because we have not really got the time.

Mr GREENWOOD — They relate to my submission, both of them.

The CHAIR — Yes, and just as you have not read out your submission, we can add that to your submission.

Mr GREENWOOD — One is a correction. I would like to get this on the record, although it is not significant.

The CHAIR — But can I say, your submission is on the record and we can put that on the record. No-one will know what the correction was unless they have read your submission.

Mr GREENWOOD — Yes, I see.

The CHAIR — We are happy to accept it.

Mr GREENWOOD — I understand. I would like to correct my submission on 25 March. It is not terribly relevant. On the fourth page in the third paragraph it reads:

Subsequently, when reading Professor Joy's report, I became aware of some documents relating to the incident at Fiskville in 1982 which Professor Joy's report indicated that I may have seen while in office. However I cannot recall the documents and still do not have any memory of them. I have not sought them out as I am concerned that my memory of past events may be confused by later information.

I made that statement in my submission of 25 March this year. I have since found correspondence that indicates I did sight the 1988 technical report, that is the James report, when I downloaded it from a CFA update on Fiskville. I have not been able to find a copy since, and I have no clear memory of its contents other than those included in Mr Joy's report. This was in February of 2011, just before Mr Joy started his inquiries. That would have been 2012, sorry. I was convinced at the time that I had no recollection of previously seeing the report or having it referred to me as chairman of the CFA, and I am still of that view. I apologise to the committee for this oversight.

The CHAIR — Thank you.

Mr GREENWOOD — Another very quick comment, if I may.

The CHAIR — I am sorry; we are running out of time. Thanks very much. If you would like, we can take that document and table it. Thank you very much for your time.

Witness withdrew.