

# TRANSCRIPT

## ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE

### Inquiry into the CFA training college at Fiskville

Melbourne — 25 May 2015

Ms Bronwyn Halfpenny — Chair

Mr Tim Richardson

Mr Tim McCurdy — Deputy Chair

Ms Vicki Ward

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#### Witness

Mr Tony Ford.

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

**The CHAIR** — I thank Tony Ford for providing evidence for us today. The arrangement is that you will give a brief presentation, and then we will follow up with questions. Before we get started, I will go through the formalities. All evidence taken at this 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 hearing 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 this afternoon, as I said, we will ask you questions, which we hope you can answer. Thank you. And begin.

**Mr FORD** — Thank you for the opportunity to appear today and provide my comments to this inquiry. My involvement with the CFA began many years ago as a young boy growing up on the family dairy farm in north-east Victoria. Some of my earliest memories as a three-year-old and four-year-old boy are of Dad heading off to a fire brigade meeting or to a fire call. Many hours were spent sitting in the car while Dad was inside the regional office discussing how things could be improved in the local fire brigades. For as long as I can remember, he had a fire radio in his farm ute, and it needed to be tested every Saturday morning. I was a very excited boy when Dad finally let me do the weekly check for him. I guess I was hooked at a young age.

As most farm boys did, I joined the junior brigade at the age of 11 and competed in running competitions around the state. We would train after school in the front paddock of our neighbour. At the age of 16 I was made a senior member of the brigade, and I have remained a senior member of the CFA for the past 28 years. During my time I have had various positions at various stations, including a short stint as captain of the Upper Ferntree Gully fire brigade just prior to my appointment as a career firefighter in 2000. I am currently stationed at Cranbourne and hold the rank of station officer.

My exposure to Fiskville includes my 14-week recruit course in 2000, numerous training courses and promotional assessments and as a guest instructor in 2008 for a recruit course of 16 weeks duration.

I do not recall ever meeting the late Brian Potter, despite the fact that he was also an ex-captain of Upper Ferntree Gully, but when he first raised concerns about the possible links between his ill health and the health of many other CFA personnel past and present, I started to reflect on my own potential exposure. As we all know, the concerns raised by Mr Potter were looked into through an independent investigation, referred to as the Joy report. This investigation looked into materials used for hot fire training and found that materials of major concern were the materials of combustion products such as solvents, paint thinners, extinguishing foams and wastewater, but only up until 1999. I acknowledge that burning of chemicals had ceased prior to my recruit course and that I had not directly exposed to the burning of chemicals, but the use of foam continued for many years, and the water continued to be contaminated up until the day Fiskville closed.

I was exposed to contaminated water that contained this chemical run-off and other impurities during my 2000 recruit course and at the other times I have mentioned. During recruitment one source of contamination occurred when every student was required to swim through a dam as part of physical education sessions. This dam was designed to store water and chemical run-off from the Flam PAD. In the CFA submission to this inquiry the map on page 49 has this dam labelled as dam 3. Swimming the dams was not optional. It was not done for fun. It was compulsory. One recruit had been off sick for a week and returned with a doctors certificate stating he could not do physical education for the coming week. Despite this he was told that, if he did not swim the dam, he would be sacked. He reluctantly swam the dam, still suffering the effects of glandular fever.

The practice of swimming the dams was stopped during my recruit course, with the United Firefighters stepping in to ban it. However, the actual water quality we were swimming in will never be known. I am not aware of any treatment or replacement of the water occurring before 1999. I believe it would have had high levels of chemical contamination, but I have no proof.

Another exposure was the water we used for drills. It was sourced from dams 1 and 2. It would have had higher levels of contaminants than the dam we swam in. It was smelly, dirty and used liberally. We would do drills where we lay in it, had it running down our backs or had it sprayed in our faces during hose drills and on many other occasions. Firefighters who have been in the job a lot longer than me can recall the days when the surface of these dams was set on fire to burn off the remaining fuels and chemicals. They could actually set the dams on fire, which came as a surprise to me.

You can imagine my feelings when I first heard there were concerns with water quality at Fiskville, knowing that I had not only trained in this water but had actually swum in it. Despite many assurances from the CFA over a number of years that the water was safe, they switched to town water in June 2012 as a precaution, so was it safe or wasn't it? I have not been involved in any medical testing or monitoring during my employment at the CFA, and at this point I consider myself to be healthy, touch wood. I cannot raise any direct links to my exposure at Fiskville with any health issues, but I only hope that this is the case in 5, 10, 15 and 20 years time.

I welcome the support of the current government for the introduction of presumptive legislation. I see it as a positive step to ensure all firefighters have some financial protections in the future if we are unlucky enough to suffer health issues. My hope is that this legislation will never be used to compensate one single firefighter. However, with the number of CFA people I personally know that have had some form of cancer already, I worry we may need it way too often.

I provided my submission with two main hopes. One, that all employees, volunteers, visitors who have been exposed to Fiskville are recorded for their own protection in the years to come. I strongly believe that any person who suffers an illness as a result of exposure to Fiskville should be eligible for compensation regardless of when they attended. Two, to request that the inquiry look into all areas of contamination at Fiskville, not just those investigated by Professor Joy. This would need to include an assessment of all crops, buildings, water storages, groundwater, soil, classrooms, accommodation and offices to ensure that they are not continuing to contaminate employees, students, volunteers or visitors. With the closure of the facility, I now see the second reason as less of a priority, but hope that all steps will be taken to rehabilitate the site to a very high standard.

Finally, I am hopeful that any dangers I may have already been exposed to are minimal. I feel very sorry for those who were required to train in thick black smoke with little more than the ability to hold their breath as their only protection. I feel for those who lived in the area or near the site during the 80s and 90s and, as we have heard today, who continue to live in that area. I feel sorry for those who have lost loved ones and believe it is linked to their dedicated service at Fiskville. The stresses and concerns they must live with can only be imagined. Thanks again for the opportunity to allow me to raise my concerns in this forum.

**The CHAIR** — Thanks, Tony. We really appreciate you coming in to give evidence and your submission. One thing I want to clear in my mind. Are you a firefighter now?

**Mr FORD** — Some would say not. I am a station officer; I am in charge of a shift.

**The CHAIR** — Okay. I was not sure. Even though you did your recruit training in 2000, you would still know from the contacts you have from 2000 to the present day in terms of what was to be going on a bit at Fiskville, I presume?

**Mr FORD** — That is correct.

**The CHAIR** — One of the first questions that comes to mind is that we have heard from people who have been exposed to chemicals during the 80s, the 90s. Professor Joy's report was all about how up to 1999 things were terrible but since then everything is okay. I note that you were actually swimming in one of the contaminated dams in 2000.

**Mr FORD** — Yes.

**The CHAIR** — Do you have any thoughts or any understanding why Professor Joy might have come to the view that there was no need to make inquiries after 1999?

**Mr FORD** — I have thought about that quite often. I must admit when the report was first delivered and the CEO of the CFA responded and almost made it beyond doubt that 1999 was definitely the cut-off date, I did ask myself, 'I wonder how they arrived at that date and why?', so a similar question to your own.

There is a number of reasons. Whether it was a suitable time after the burning of chemicals had ended that they thought that was a big enough buffer zone to look into; the year 2000 was the start of a huge number of recruits starting to go through Fiskville, maybe that was a factor, that they wanted to reassure all of us who have been recruited and trained there since 2000 that it was safe — I can only throw those same sort of questions around in my mind and come up with my own answers. I have not found out anything directly.

**The CHAIR** — At the moment you do not have any health problems or illnesses. What can be done in terms of this constant and ongoing worry about what could happen into the future? Are there any ideas? One of the things the committee is to do is to look at recommendations to try to mitigate some of these adverse effects. Have you got any ideas?

**Mr FORD** — Definitely voluntary health monitoring, where the employee — the volunteer or any staff member — would be able to get that without any question or needing to elaborate as to what they believe their concerns are.

There are different people on health monitoring. I know they have approached the CFA to get on that, and some of the people I have spoken to said it was quite an involved process to even get the ball rolling. I think if we make that a lot easier, so that if tomorrow I wanted to go to a doctor and start the process of being health monitored, I think that would make it a lot easier in that sense. It would put a lot of people at ease.

**Mr McCURDY** — Tony, I note in your submission you suggested you did have some concerns about the water quality when you were there?

**Mr FORD** — Yes.

**Mr McCURDY** — It is not something that has just dawned on you in the last four or five years. Did you at any stage approach anyone higher up in the CFA? If so, how was that treated?

**Mr FORD** — In 2000 — I will speak on that first — there were definitely concerns. At the time I guess you were a recruit firefighter — for a lot of us it was a dream job that many had tried to get into for a number of years, and the last thing they wanted to do was be kicked off the course because they questioned the instructors. Obviously the mere fact that the practice got banned, I would say someone went out — —

We did. We were standing on the edge of this dam saying, ‘Do you really want us to go through that?’. That is when these type of threats were made, as in, ‘If you don’t, you’ll be sacked, regardless of a doctor’s certificate or not’. Obviously those were raised directly, and then also someone has gone to the trouble — and I do not know who — but to contact the union to get their opinion on, ‘Can we be forced to do this sort of thing? It just doesn’t seem right’. That was not just swimming through the dams; that was other things that we were doing. Often we would get the support of the UFU. They would either talk to the instructor and say, ‘No more of that’, or it would be an actual directive that we do not partake in that sort of activity.

**Mr McCURDY** — What years were they?

**Mr FORD** — That was in 2000. Then in 2008 I was an instructor up there. I recently had one of the recruits off that course come up to me and thank me, because he said, ‘I remember you telling us to avoid the water at all cost’. It was just a personal concern I had — the smell, the colour, the everything. I issued a personal warning to the recruits on that course not to get involved in water fights, not to get unnecessarily wet — ‘We’ll try and do drills where we do not expose you to unnecessary water contamination’ — but I was not thinking at that time along the lines that I would be today. It was just a genuine — —

If they had cleaned out the septic tank at home and filled it with fresh water and said, ‘There’s your swimming pool, son’, I would have said, ‘I don’t think so, Dad’. That is sort of what it was like for us. It was just a common-sense thing to say.

**Mr McCURDY** — So even in the 2000s you still felt there was not significant change going on at Fiskville to improve what was seen to be pretty ordinary water?

**Mr FORD** — I did not know what had happened prior to attending Fiskville in 2000. It is a long way to Dederang from Fiskville. I guess we just got up there, and we put our faith and trust in the organisation that they would be doing the right thing, and if they said the water was good enough to train with, we trusted them.

When recycled water came into the suburbs during the drought, the SOP came out from the organisation — standard operating procedure — to indicate the use of that water and what we needed to do if we were to tap into a hydrant in the street that contained this recycled water, yet it was much cleaner and in better condition than anything we trained with at Fiskville. There was no directive at Fiskville at that time to compare to.

**Mr RICHARDSON** — Thanks, Tony, for coming in and providing your insight. I think you are in that bracket of post 99 grouping that we really need to hear from as well. Going to that point, thankfully, touch wood, there are no issues at the moment with health, but in your thinking and your thoughts about presumptive legislation and how we should be better informed, what are some of your thoughts around the management of that, the management of individuals and what needs to be in place to protect people now serving?

**Mr FORD** — Like I said, one of the first things is we need to record everyone that has been exposed at Fiskville to any standard, any level. There are different models for presumptive legislation, and I know that needs to be worked through and that is a work in progress. To pick any one particular model to say that this is exactly what it needs to be is very difficult for me — I am not an expert in that area — but I would say the overall concept of presumptive legislation with known cancers that have a higher incidence in firefighting personnel than other cancers, I think that would be the sort of thing. To ensure that medical expenses — —

I feel for Di Potter and the amount of time and effort that she and her late husband put in to try and get it recognised. They were constantly told that there is no link. It is just mind-boggling to think that an organisation would treat an ex-chief that badly, so what hope I have I got of being treated well? It concerns me.

**Mr RICHARDSON** — The point you made about the burning off of dams is very relevant. In the Joy report there is a photo sequence in 1996 where for 4 hours dams were burning — dam 1 in particular. Was that practice still ongoing at the time?

**Mr FORD** — No, I heard about that. At the time you are just amazed. But even though the foam run-off was stopped in about — I have not got the date in front of me — 2008 or 2009, where they stopped foam on the PAD, as we called it, it might have even been a bit later, it was raised here earlier today that there are other things. There were mattresses, there were car bodies, there were all sorts of contaminants that continued to go into the water, and that water was then still used. So even though the chemical had been taken out of the equation, the foam had been taken out of the equation, we are still dealing with unknown products of combustion being washed into these dams and then pumped back around after a couple of days of settling and aeration, if you like. I am not surprised there are no ducks up there. I would not live there if I was a duck.

**Mr RAMSAY** — Tony, thank you for your submission. I am going to give you the luxury of doing something that I am sure many in the gallery here would love to do. You are going to trade places with me in a hypothetical, given we have got the opportunity to have the CFA on the other side at later hearings. I am wondering if you would proffer a couple of questions you would like to ask of the CFA through this committee legitimately. This goes across all governments. It is not political. It is about CFA culture in the past. We want to be able to make amends in a range of ways. It is useful for us to make sure we ask the right questions of the CFA and the EPA when they both sit where you are sitting in a few weeks.

**Mr FORD** — Thanks for that opportunity. If I had been prepared, I might have come with some better type questions, but obviously we may never know what we were exposed to at Fiskville. I would like to find out of the CFA if they genuinely believe they have done everything in their power to identify the level of contamination on the site, the sources of that contamination, and if they have done everything to provide a safe workplace for all their employees, visitors and the like, and the neighbours.

I have got genuine concerns that they will say that they have, but whether that is true or not, it is not for me to say, but I doubt that they would have done that to this day, all the way through the process. At certain times you have a bit more faith injected into you that they are doing everything right, and then you find out. For years we were told, 'The water is safe. There's nothing to worry about with the water', and yet what finally closed Fiskville is the contaminated water. So what else is? So that question of 'Have you done everything in your power to identify where the contamination lies? How far does it extend?' would be one.

And what they believe needs to happen before they can genuinely say, 'We believe there's a link between what happened at Fiskville and the likes of the late Brian Potter'. People who are getting sick, as I said in my opening statement, I know far too many personally. I have got relatives who worked for the CFA who have got prostate cancer. He was a staff member for a number of years. I had a meeting this morning with our regional manager, who has just come back from having cancer. He is back at work now. It just goes on and on. So what would it take for the CFA to admit that there may be a link between Fiskville and the health issues of their employees? Thanks for the opportunity for those questions. Did anyone text me better ones?

**The CHAIR** — If you can come up with some other ones later on, that is fine.

**Ms WARD** — Thanks for sharing your story with us, Tony. My questions focus on the workplace culture at Fiskville. Firstly, the Joy report mentions a culture of firefighters encouraged to be uncomplaining, brave and to follow orders. You hinted around this when you were talking about your stories of your own training in 2000 and your experiences around the dam. You also mentioned that there were other practices that were engaged in at Fiskville that you were concerned about or that there were concerns about whether UFU intervened. Can you remember any of those other circumstances other than being encouraged, if you like, to swim in the dam?

**Mr FORD** — Firstly, you are correct about the ‘Be brave, be quiet and we’ll be right’ sort of an attitude. I can give you another example of that if you want it. But the second part of your question: in my submission I also raised concerns about some of the props that we were using, where to be honest today I would not put my crew at Cranbourne into the same environment without suitable breathing protection. There were buildings that had structurally become unsound and could not sustain a hot fire anymore, but we continued to use them without fire in them, either full of fake smoke or just with breathing apparatus masks on and shower caps over our heads so we could not see where we were going. But the air quality that we would have been breathing in, you could not even walk through those buildings up there today without coming out with black soot over you. That is all a known risk to us. It continues to be a risk, and nothing seems to have been done about it.

**Ms WARD** — And that was in 2000?

**Mr FORD** — That started back in 2000, and I would say it was still going to the end of the day.

**Ms WARD** — And with mentioning your fellow recruit who was forced to swim in the dam despite having glandular fever, do you know of other instances where medical advice was ignored or recruits were subjected to unsafe behaviours, other than the buildings?

**Mr FORD** — It is more a cultural thing. An example I can give you occurred on my recruit course, but it was outside of the facility of Fiskville. It involve myself, where we were doing a BA training drill at what was the old Metropolitan Fire Brigade training college. It was a hot day; it was a day of total fire bans. It was in the 40s, and we were subjected to BA drills. I had worn two cylinders. I was fitter then, so it took about an hour and a half to get through two cylinders of searching in a blackened environment. When I got out of that I was given a glass of water and I started to feel a little bit fatigued. I had some personal issues that I needed to deal with, and I had prearranged with the instructors that at lunchtime I needed to get to a bank to settle an important matter. So they said to me, ‘This is your lunch break; off you go’. So I went off and had lunch, and I did not know where to find a bank. I did not stop for lunch; I did not get a drink. I rushed, found the bank, rushed back to the training college, thinking that that would be my opportunity to get a bit of a break. But I was told, ‘No, you need to go back and do another cylinder’.

I started to do that third cylinder, and I was overcome with heat exhaustion. I pleaded with the instructor of the day to let me stop, and he would not let me stop. I ended up in hospital at St Vincent’s that night. They tested for everything, so there would probably be a good baseline of my medical history — numerous needles and blood tests and everything. The next day at about 11 o’clock I was told by the doctors that it was safe to go home — ‘You’ve been discharged’. There was not a single person from the CFA present during any of that time.

I walked out of St Vincent’s, being a country boy in a big city, going ‘I don’t know which way I’ve got to go to even get home. I don’t even know where I’m located’. I saw a tram that said ‘City’. I thought, ‘Well, if I catch the tram to the city, I can get home from there’, because I was living in Upper Ferntree Gully at the time. It was that culture of ‘Toughen up’.

I fronted work on the Monday, and that is the first the CFA would have ever heard that I was okay, as far as I know. A few weeks later — or it could have been a month later — I got a letter through the district office at district 13, because somehow it linked back to my volunteer — and they thought that a volunteer had been sent to hospital so they cared about that, but as a staff member I was left on my own.

**Ms WARD** — Are you aware of OHS officers or staff procedures, committees, that were being set up at Fiskville at the time you were there?

**Mr FORD** — I do not know when it would have formally happened, but I do know of individuals who have served that role.

**Ms WARD** — So in 2000, when you were there, there was no OHS officer there?

**Mr FORD** — I do not recall.

**Ms WARD** — You do not recall one being there?

**Mr FORD** — No. And my course in 2000 was the first course in a long while that the CFA had been recruiting, so a lot of things were ad hoc. I think I applied in mid-November, and I started on 10 January. It was a rush to get people in. A lot of the things at Fiskville, in the sense of our training course, were happening at the time. A lot of that sort of stuff, I do not know whether they had OHS reps or things at that time.

**Ms WARD** — You did not have an OHS induction yourself?

**Mr FORD** — Not at Fiskville as a recruit, I would not have. Before, when I went up in 2008, we had to do an OHS induction to work out on the Flam PAD, so definitely did one then.

**Ms WARD** — That was in 2008?

**Mr FORD** — 2008 as an instructor, yes, guest instructor.

**The CHAIR** — It looks like you have answered everything, all our questions.

**Mr FORD** — I am going to get you back on track.

**The CHAIR** — Thank you very much for coming in.

**Mr FORD** — Thank you very much for the opportunity.

**Committee adjourned.**