

# Parliament of Victoria

## Triple Zero Victoria Bill 2023

Annie Wright

No. 8 | October, 2023

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Bill Brief

Parliamentary Library & Information Service

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## Bill information

**Introduced:** 30 August 2023

**House:** Legislative Assembly

**Second Reading:** 31 August 2023

**Commencement:** (1) Subject to subsection (2), this Act, other than Part 11, comes into operation on a day or days to be proclaimed. (2) If a provision of this Act, other than Part 11, does not come into operation before 28 August 2024, it comes into operation on that day. (3) Part 11 comes into operation on 28 August 2026.

Links to key documents including the Bill, Explanatory Memorandum, Statement of Compatibility and Second reading Speech can be found at the [Library’s Infolink page for this Bill](#).

For further information on the progress of this Bill, please visit the [Victorian Legislation and Parliamentary documents website](#).

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## Executive Summary

Founded in 2004, the Emergency Services Telecommunications Authority (ESTA) is responsible for connecting Victorians with emergency services organisations, such as Ambulance Victoria, Victoria Police, Fire Rescue Victoria, the Country Fire Authority and the State Emergency Service.

Since 2004 there has been criticism of ESTA's governance model, funding, staffing levels and inability to meet some of its call-taking and dispatching benchmarks. This criticism has come from ESTA itself, the Inspector-General for Emergency Management, multiple royal commissions, the public and politicians. While these concerns have been voiced for many years, these issues became acute during the COVID-19 pandemic when there was an increased number of calls to ESTA and high demand for ambulances.

Two recent reviews focused on these concerns and made recommendations as to how they could be rectified. In September 2022, the government announced that ESTA would be disbanded and replaced with a new statutory authority: Triple Zero Victoria. The new entity will be directly funded through the state budget and work closely with the government and the Department of Justice and Community Safety to meet its goals.

The Triple Zero Victoria Bill 2023 was introduced into Parliament on August 2023. This bill will repeal the *Emergency Services Telecommunications Authority Act 2004* and replace ESTA with Triple Zero Victoria.

# Introduction

The Emergency Services Telecommunications Authority (ESTA) was founded in 2004 as the agency responsible for managing the telecommunications of Victoria's emergency services. Unlike other states, Victoria has a centralised call-taking and dispatching service for Victoria Police, Ambulance Victoria, Fire Rescue Victoria, the State Emergency Service and the Country Fire Authority (often collectively referred to as emergency services organisations, or ESOs).

While concerns had previously been raised about ESTA's funding structure, staffing levels, governance model and ability to meet call-taking and dispatching benchmarks, criticisms intensified over the course of the COVID-19 pandemic. With repeated delays in dispatching ambulances to critically ill Victorians and subsequent reviews by ESTA and the Inspector-General for Emergency Management (IGEM), the government was prompted to instigate changes to the structure and governance of ESTA.

In September 2022, the Victorian Government committed to disbanding ESTA and replacing it with a new statutory body: Triple Zero Victoria (TZV). The Triple Zero Victoria Bill 2023 was introduced in August 2023. This Bill Brief outlines how ESTA is currently structured, highlights some of the key points from recent reviews, and explains how the proposed new agency, TZV, will work. This paper should not be considered a complete guide to the subject, but it examines a few key issues raised about the management of ESTA.

## 1 | What is ESTA?

When a triple-zero call is made anywhere in Australia, the caller is initially connected to Telstra 000, which then transfers the call to the applicable state or territory organisation.<sup>1</sup> For Victorians, this is ESTA.

ESTA was established in the aftermath of the 2001 Metropolitan Ambulance Service Royal Commission, which recommended reforming Victoria's emergency services telecommunications.<sup>2</sup> In response, Emergency Communications Victoria was initially formed in 2002 and followed by ESTA in 2004. In the second reading speech, then Attorney-General Rob Hulls said, 'The establishment of ESTA will ensure government provides a comprehensive, seamless and holistic network management approach to emergency services telecommunications'.<sup>3</sup>

ESTA was established as a statutory authority with a 'clear legal responsibility for managing and providing the state's emergency services telecommunications system'.<sup>4</sup> Under section 6A of the *Emergency Services and Telecommunications Act 2004* (the Act), ESTA's objectives were to:

- a. contribute to a whole of sector approach to emergency management;
- b. promote a culture within the emergency management sector of community focus, interoperability and public value.<sup>5</sup>

ESTA provides three key services:<sup>6</sup>

1. **Emergency Communication Services (ECS):** connecting triple-zero callers with relevant agencies. This includes non-emergency patient transfers.

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<sup>1</sup> Telstra (no date) '[How Telstra works with Emergency Call Services](#)', Telstra website.

<sup>2</sup> L. Lasry (2001) *Metropolitan Ambulance Service Royal Commission*, Summary Volume, Melbourne, Victorian Government Printer, November, pp. 86, 90.

<sup>3</sup> R. Hulls, Attorney-General (2004) '[Second reading speech: Emergency Services Telecommunications Authority Bill 2004](#)', *Debates*, Victoria, Legislative Assembly, 11 November, p. 1510.

<sup>4</sup> Hulls (2004) *op. cit.*, p. 1510.

<sup>5</sup> *Emergency Services Telecommunications Act 2004*, s 6A.

<sup>6</sup> Emergency Services Telecommunications Authority (2023) '[Our Services](#)', ESTA website.

2. **Emergency Communication Information Services (ECIS):** providing expertise and technology to maintain ESTA’s technology-based services and digital channels, including the statewide radio infrastructure.
3. **Emergency Management:** with Emergency Management Victoria (EMV) and private industry, providing communications capability, information, and data across federal, state and local governments. ESTA also provides emergency markers to assist call-takers in pinpointing a caller’s location in an emergency.

Figure 1 summarises ESTA’s key activities and call volumes for 2022–23.

**Figure 1: Key 2022–23 ESTA statistics<sup>7</sup>**

Triple-zero emergency calls	1,990,436
Non-triple-zero emergency calls	346,133
Non-emergency assistance calls, such as patient transport	178,776
Average number of calls per day	7,370
Average number of ambulance emergency calls per day	2,700
Number of messages relayed through the Emergency Alerting Service	1,650,708
Number of radio calls processed through the Metropolitan Mobile Radio (MMR) network	23,611,883
Number of radio calls process through the Regional Mobile (RMR) network	10,793,414
Police pursuits ESTA assisted with	301
Babies delivered	169
State-wide ‘lights and sirens’ emergency events	388,956

## Governance

ESTA is independent but may be subject to direction from the Minister for Emergency Services, with a board overseeing its strategic direction and a CEO overseeing daily management.<sup>8</sup> The board is responsible for financial management, monitoring performance and identifying business risk, and has overall responsibility for compliance and corporate governance.<sup>9</sup> The board is accountable for ESTA meeting its legislated functions.<sup>10</sup> The organisation is also subject to independent reviews—for example, from the IGEM and the Auditor-General (Figure 2).

Under the Act, ESTA must appoint an advisory committee whose members are representatives of other ESOs and related organisations such as relevant departments and

<sup>7</sup> Emergency Services Telecommunications Authority (2023) ‘[Facts and figures](#)’, ESTA website, 28 July.

<sup>8</sup> IGEM (2022a) op. cit., p. 115.

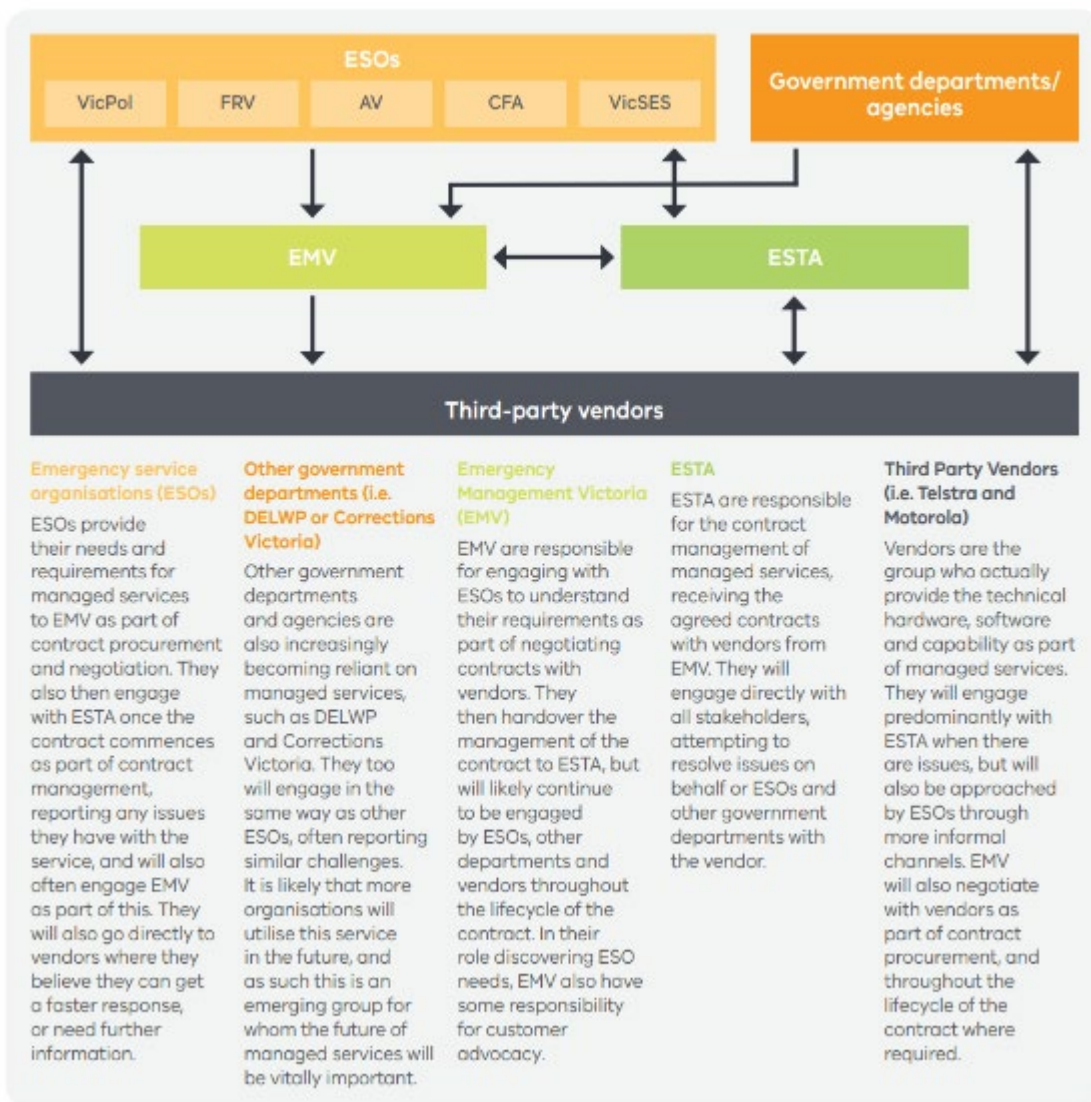
<sup>9</sup> Emergency Services Telecommunications Authority (2022) *Annual Report 2021-22*, Victoria, ESTA, p. 6.

<sup>10</sup> IGEM (2022a) op. cit., p. 115.

EMV.<sup>11</sup> The Department of Health is not a member of this committee.<sup>12</sup> ESTA is required to submit an operational plan to the minister at least annually, developed in consultation with the advisory committee.<sup>13</sup>

This governance model has been criticised. In one such review in 2022, the former Chief Commissioner of Victoria Police Graham Ashton found in his report *Emergency Services Telecommunications Review Capability and service review: final report* (the Ashton review) that ESTA ‘operated more as a corporate entity than an organisation delivering a critical management service’.<sup>14</sup> He was critical of its partnership model with the ESOs and the lack of integration with other government departments.

**Figure 2: Current operational structure of managed services<sup>15</sup>**



<sup>11</sup> IGEM (2022a) op. cit., p. 115.

<sup>12</sup> ibid.

<sup>13</sup> ibid., p. 116.

<sup>14</sup> G. Ashton (2022) *Emergency Services Telecommunications Review Capability and service review: final report*, Melbourne, ESTA, p. 15.

<sup>15</sup> ibid., p. 46.

## Funding

ESTA was designed to be funded directly by ESOs, as the government believed this would bring ‘stability’ and cost savings.<sup>16</sup> It argued ‘emergency services organisations will be encouraged to effectively prioritise their needs’ and that direct funding would ‘help contain the costs of emergency services telecommunications, by imposing discipline on the sector in relation to further expansions in service demand and cost’.<sup>17</sup> The IGEM argued that the increasing budget deficit resulted from an increase in demand for emergency services and in salary costs.<sup>18</sup>

However, more recently this funding model has been criticised for being ‘unsustainable’.<sup>19</sup> Each ESO has a unique contract with ESTA, which the Ashton review saw as creating a ‘customer and service provider dynamic’ between ESTA and the ESOs.<sup>20</sup>

This funding model has not been updated since 2004. ESOs continue to fund ESTA according to their initial commitments at an annual indexation of 2.5 per cent, despite a clear increase in demand for services.<sup>21</sup>

The resulting challenges have long been apparent. The 2009 Victorian Bushfires Royal Commission interim report noted that ESTA had asked to move from a fixed-fee funding arrangement to an activity-based funding arrangement.<sup>22</sup> A Department of Justice and Regulation review of ESTA’s funding model, first mentioned in ESTA’s 2012–13 annual report, was completed in December 2015.<sup>23</sup> The then-CEO, Ken Shymanski, stated in his report that ‘Achieving the necessary funding to meet service demand is an ever-present challenge’.<sup>24</sup> A 2015 report produced by the Victorian Auditor-General’s Office (VAGO), also raised concerns about ESTA’s finances.<sup>25</sup> It gave ESTA a ‘red light’ in the ‘Overall financial stability risk assessment’, which was given to organisations with ‘High risk or short-term and immediate sustainability concerns’.<sup>26</sup>

Reports on ESTA’s funding model were requested as part of the Victorian state budget process in both 2017–18 and 2021–22.<sup>27</sup> In March 2022, the Minister for Emergency Services was expected to provide the government with a recommendation for ESTA’s funding.<sup>28</sup>

While governments have provided ‘ad hoc’ ‘yearly top-ups’ through the state budgets, ESTA, VAGO and the IGEM recognised that a more sustainable funding model was needed.<sup>29</sup> Table 1, from the IGEM review on ambulance call answer performance, outlines the supplementary funding provided to ESTA since 2014–15.<sup>30</sup>

<sup>16</sup> Hulls (2004) op. cit., p. 1513.

<sup>17</sup> *ibid.*

<sup>18</sup> IGEM (2022a) op. cit., p. 100.

<sup>19</sup> Inspector-General for Emergency Management (2022a) *Review of Victoria's emergency ambulance call answer performance: COVID-19 pandemic-related 000 demand surge*, Melbourne, IGEM, p. 100.

<sup>20</sup> Ashton (2022) op. cit., p. 15.

<sup>21</sup> IGEM (2022a) op. cit., p. 99.

<sup>22</sup> 2009 Victorian Bushfires Royal Commission (2009) *Emergency calls*, interim report, Melbourne, 2009 Victorian Bushfires Royal Commission, p. 289.

<sup>23</sup> Emergency Services Telecommunications Authority (2016) *Annual Report 2015-16*, Melbourne, ESTA, p. 26; Emergency Services Telecommunications Authority (2013) *Annual Report 2012-13*, Melbourne, ESTA, p. 3.

<sup>24</sup> ESTA (2013) op. cit., p. 3.

<sup>25</sup> Victorian Auditor-General (2015) *Portfolio Departments and Associated Entities: Results of the 2013–14 Audits*, Melbourne, VAGO, p. 91.

<sup>26</sup> VAGO (2015) op. cit., p. 90.

<sup>27</sup> IGEM (2022a) op. cit., p. 101.

<sup>28</sup> *ibid.*

<sup>29</sup> *ibid.*, pp. 100–101.

<sup>30</sup> *ibid.*, p. 100.



**Table 1: Supplemental funding since 2015–15 that the government has provided to ESTA (Source: ESTA)<sup>31</sup>**

	2014–15	2015–16	2016–17	2018–19	2019–20	2020–21
Structural deficit funding via the Victorian Budget	\$10m	\$25m	\$31.2m	\$31.6m	\$32.4m	\$33.3m

## Staffing

At June 2022, ESTA had 961 operational and 243 support staff.<sup>32</sup> These staff are trained as call-takers, dispatchers or both. In 2016, unions representing paramedics, firefighters and emergency call-takers wrote to then Minister for Emergency Services, James Merlino, stating that members were ‘extremely concerned that the lack of staffing was impacting their ability to best serve the public’.<sup>33</sup> In 2022, *The Age* reported that staff were concerned over staffing levels impacting on the length of time it was taking to answer emergency calls.<sup>34</sup> During the pandemic, there were also concerns over a decreased workforce due to people being furloughed because of quarantine requirements and people on stress leave.<sup>35</sup> The Ashton review also found that there has been high turnover of staff, particularly at the leadership level, as well as issues with recruiting and retaining staff—which in turn has seen a decrease in employee skill sets.<sup>36</sup>

ESTA’s rostering system is mostly a 12-hour standard roster, which doesn’t allow the flexibility to ‘roster to demand’ during surge events.<sup>37</sup> Implementing changes to roster design would require changes to the enterprise agreement of call-taking staff. In December 2021, in response to the impact of COVID-19 on staffing numbers, a memorandum of understanding was signed with the following unions to allow for staff to voluntarily move to a demand-based roster: United Workers Union (Ambulance Employees Australia—Victorian Division); the United Firefighters Union of Australia—Victoria Branch; the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (Communications Division)—Victoria Branch; and the Victorian Ambulance Union.<sup>38</sup> The IGEM noted that although some existing and newly recruited staff did opt to move to the new system, there was not widespread uptake.<sup>39</sup> The Ashton review concluded, ‘Transitioning away from the majority of CTD [call-taking and dispatch] staff working a 12-hour standard roster will also have a significant impact on staff health and wellbeing, and their families’.<sup>40</sup>

Concerns have been raised over the number of staff with expertise across multiple roles and the ability of staff to attend training to upskill. The Ashton review found that the number of staff with expertise in radio technologies had declined.<sup>41</sup> Both recent reviews also noted that ESTA has a policy of only recruiting dispatchers from current call-takers.<sup>42</sup> This reduces the

<sup>31</sup> *ibid.*

<sup>32</sup> ESTA (2022) *op. cit.*, p. 33.

<sup>33</sup> A. Dow (2022) ‘Government warned of triple-0 problems years before deaths’, *The Age*, 15 March; M. Clarke, J. Campbell & S. Deery (2022) *Former Emergency Services Minister warned about serious staff shortages in ESTA in 2016*, *Herald Sun*, 15 March.

<sup>34</sup> Dow (2022) *op. cit.*

<sup>35</sup> S. Fox Koob, N. McKenzie & R. Eddie (2021) ‘Victorians exposed as stretched triple-zero agency faces probes’, *The Age*, 9 December; IGEM (2022) *op. cit.*, p. 24.

<sup>36</sup> Ashton (2022) *op. cit.*, pp. 14, 33.

<sup>37</sup> *ibid.*, pp. 35, 42.

<sup>38</sup> ESTA & Unions (2021) *Memorandum of Understanding – Pandemic Demand Response Initiatives*, AEA Victoria website.

<sup>39</sup> IGEM (2022a) *op. cit.*, p. 111.

<sup>40</sup> Ashton (2022) *op. cit.*, p. 42.

<sup>41</sup> *ibid.*, p. 47.

<sup>42</sup> *ibid.*, p. 34; IGEM (2022a) *op. cit.*, p. 25.

number of people who could fill these positions. In a 2022 opinion piece published in *The Age*, the Victorian Ambulance Union state secretary Danny Hill reiterated the union’s wish for the inclusion of ‘safe minimum staffing’ in the ESTA enterprise agreement.<sup>43</sup> He stated that ESTA has rejected this inclusion. Due to the six-month training needed to become a call-taker, he called on ESTA to ‘consistently increase and maintain call-taker numbers as soon as the slightest delays begin’ and stated that the introduction of ‘safe minimum staffing’ would ensure that waiting times were reduced.<sup>44</sup>

In response to these calls, the government allocated extra funding for new full-time staff. In March 2022, the Minister for Emergency Services announced \$115.6 million for 120 extra ongoing positions at ESTA, which included more than 50 staff to work as ambulance call-takers and dispatchers. The 2021-22 state budget included funding for 43 positions and the 2022–23 State Budget included \$333 million for ESTA to assist with employing nearly 400 new staff in call-taking and dispatching roles.<sup>45</sup>

## Call-taking and dispatching benchmarks

ESTA has several call-taking and dispatching benchmarks. Benchmarks are set based on the purpose of the call, which ESO a caller is requesting and how urgently the assistance is needed (Table 2). Although ESTA and the government have stated that, apart from during the height of the COVID-19 pandemic, ESTA has consistently met its call-taking benchmarks, media reports indicate that staff have been concerned for a number of years about how long it takes for calls to be answered.<sup>46</sup> Most of the concerns have related to callers wanting assistance from Ambulance Victoria. The 2014 VAGO review found that although ESTA was meeting the dispatch standards for police and fire services when all the ICT systems were working as required, it had failed to meet the ambulance emergency dispatch standards over the three previous years.<sup>47</sup>

**Table 2: Call-taking performance 2021–22<sup>48</sup>**

Organisation	Call type	Benchmark	Achieved %
Ambulance Victoria	Emergency	90% within 5 sec	64
	Non-emergency	90% within 30 sec	91
Victoria Police		80% within 5 sec	84
Metropolitan Fire Brigade/ Fire Rescue Victoria	Emergency	90% within 5 sec	95
	Non-emergency	90% within benchmark	97
Country Fire Authority	Emergency	90% within 5 sec	95
	Non-emergency	90% within benchmark	96

<sup>43</sup> D. Hill (2022) ‘Ambulance delays both predictable and preventable’, *The Age*, 8 March.

<sup>44</sup> Hill (2022) op. cit.

<sup>45</sup> J. Symes (2022) *Largest ever boost to emergency call-taker workforce*, media release, 7 March; J. Symes, Minister for Emergency Services (2022) *Backing Our Emergency Services To Keep Victorians Safe*, media release, 3 May.

<sup>46</sup> IGEM (2022a) op. cit., p. 11; Dow (2022) op. cit.

<sup>47</sup> Victorian Attorney-General (2014) *Emergency Response ICT Systems*, Melbourne, VAGO, p. ix.

<sup>48</sup> ESTA (2022) op. cit., p. 16.

Victoria SES	Emergency	90% within 20 sec	61
	Non-emergency	80% within 20 sec	93

ESTA has a 90 per cent benchmark for dispatching ambulances for Code One events within 150 seconds (for metropolitan ambulances) and a call answer performance benchmark on answering 90 per cent of ambulance calls within 5 seconds. Table A contains statistics taken from ESTA's annual reports showing that while they have consistently met ambulance call-taking benchmarks, they have not met the Code One dispatching benchmarks.

**Table 3: Ambulance (statewide) emergency events response times: call-taking and dispatch<sup>49</sup>**

	% of Ambulance Code One events dispatched within 150 seconds Benchmark: 90 per cent	% of Ambulance calls answered within 5 seconds Benchmark: within 5 seconds
2013-14*	77%	91.3%
2014-15*	78.4%	92.6%
2015-16*	78.3%	92.2%
2016-17*	83%	93.0%
2017-18	85.4%	93.1%
2018-19	85.7%	92.8%
2019-20	85.8%	93.6%
2020-21	86.2%	87.7%
2021-22	82.7%	64.2%
* Standard applied to metropolitan service delivery only		

ESTA continually failed to meet its ambulance call answer speed benchmark over the COVID-19 pandemic.<sup>50</sup> The IGEM report notes that from December 2020 ESTA was consistently under the 90 per cent benchmark for emergency ambulance calls.

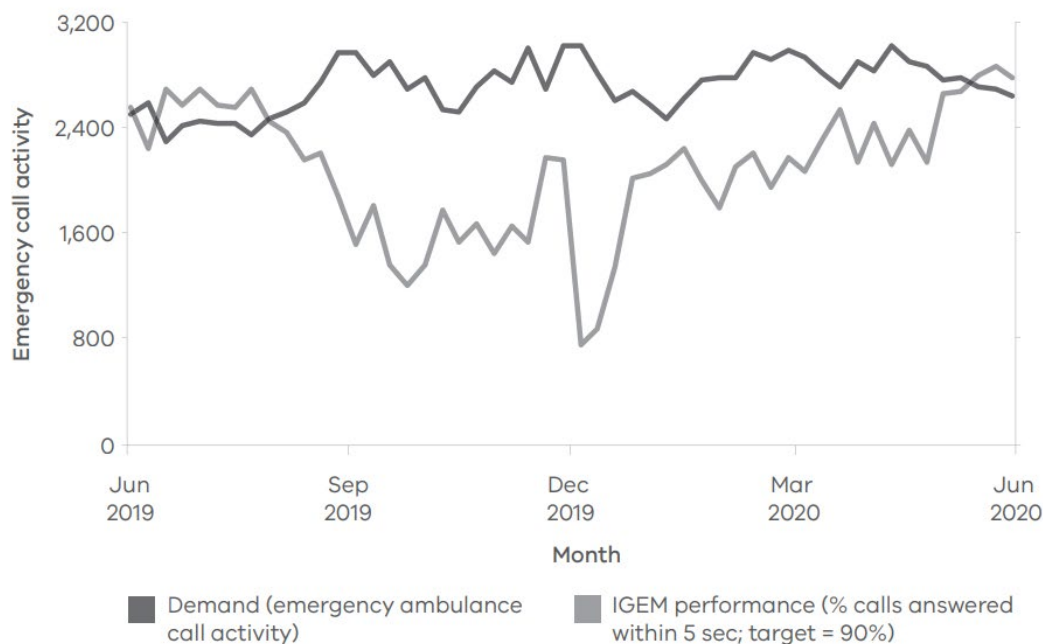
<sup>49</sup> Emergency Services Telecommunications Authority (2014) *Annual Report 2013-14*, Melbourne, ESTA, p. 80; Emergency Services Telecommunications Authority (2015) *Annual Report 2014-15*, Melbourne, ESTA, p. 86; ESTA (2016) op. cit., p. 81; Emergency Services Telecommunications Authority (2017) *Annual Report 2016-17*, Melbourne, ESTA, p. 98; Emergency Services Telecommunications Authority (2018) *Annual Report 2017-18*, Melbourne, ESTA, p. 104; Emergency Services Telecommunications Authority (2019) *Annual Report 2018-19*, Melbourne, ESTA, p. 108; Emergency Services Telecommunications Authority (2020) *Annual Report 2019-20*, Melbourne, ESTA, p. 112; Emergency Services Telecommunications Authority (2021) *Annual Report 2020-21*, Melbourne, ESTA, p. 116; ESTA (2022) op. cit., p. 116.

<sup>50</sup> IGEM (2022a) op. cit., p. 11.

In September 2021, the statewide call answer speed had declined to 67.8 per cent of calls meeting the benchmark of being answered at or within five seconds, dropping further to 39 per cent in January 2022.<sup>51</sup> January 2022 coincided with the arrival of the COVID-19 Omicron variant in Victoria. On 14 January 2022, ESTA received 2501 calls, with 139 calls waiting more than 10 minutes and one waiting over 76 minutes. It reported at the end of the 2020–21 financial year that staff had answered 884,962 emergency ambulance calls, 53,201 more than the previous year.

At the coronial inquest into the death of Nick Panagiotopoulos in 2021, the Coroner heard from Associate Professor and cardiologist Nicholas Cox that delays in reaching a triple-zero call-taker ‘were contributory to Nick’s death.’<sup>52</sup> There were 16 minutes and 5 seconds between the first call for assistance and when a call was answered. The Age has reported several other cases where people waited far longer than 5 seconds to have their call answered. Another case involved a two-year-old boy who was found face down a public pool. Calls to ESTA took six minutes to be answered. The child was resuscitated at the scene by paramedics but later died in hospital.<sup>53</sup>

**Table 4: Impacts on ESTA’s performance due to spikes in emergency ambulance call activity<sup>54</sup>**



<sup>51</sup> IGEM (2022a) op. cit., pp. 7, 11.

<sup>52</sup> A. Dow (2023) ‘The 16 minutes and five seconds that probably cost Nick his life’, *The Age*, 8 September..

<sup>53</sup> A. Dow, N. McKenzie & J. Tozer (2022) ‘Twelve Victorians die, including four children, after waiting for triple-zero to pick up’, *The Age*, 6 March.

<sup>54</sup> *ibid.*, p. 17.

**Table 5: Ambulance Victoria primary monthly statewide emergency call answer performance, 2021-22<sup>55</sup>**

AV EMERGENCY	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Call answer primary monthly performance (%)	<b>77.2</b>	<b>81.2</b>	<b>67.8</b>	<b>47.4</b>	<b>47.8</b>	<b>57.5</b>	<b>39.0</b>	<b>66.0</b>	<b>63.9</b>	<b>69.1</b>	<b>71.8</b>	<b>86.2</b>
Performance benchmark (%)	90.0	90.0	90.0	90.0	90.0	90.0	90.0	90.0	90.0	90.0	90.0	90.0
2021-22 call activity	76,176	74,670	79,894	88,350	78,833	88,085	87,006	73,095	89,304	84,924	89,406	81,403

\* Bold text indicates call answer performance did not meet IGEM performance standards.

## IT systems

Concerns have also been expressed about ESTA's IT systems, especially the legacy computer aided dispatch (CAD) system. As reported in *The Age*, a 2018 review found that an extended outage of this system could lead to the death of up to 18 people per day.<sup>56</sup> The CAD system has had many reported issues, with call-takers having to reboot their computers often and sometimes resorting to using pen and paper to log incidents.<sup>57</sup> Upgrades were made to the CAD system in 2020-2021, however glitches, including screens freezing which required staff to reboot their computers, are still being reported.<sup>58</sup>

The Ashton review stated that 'ESTA have found it challenging over time to adapt [the CAD] system to allow for the growing needs of the organisation as well as the bespoke needs of each ESO it provides CTD services to'.<sup>59</sup> The review found that the CAD system will not meet future demands and that there is little focus on ICT investments, in part due to high workload and a lack of strategic direction.<sup>60</sup> Ashton called for government investment to work towards a solution for these problems.<sup>61</sup>

<sup>55</sup> *ibid.*, p. 18.

<sup>56</sup> S. Ilanbey & P. Sakkal (2021) 'Triple-zero call system failures pose deadly risk', *The Age*, 24 June.

<sup>57</sup> *ibid.*

<sup>58</sup> *ibid.*, ESTA (2021) *op. cit.*, p. 16; ESTA (2022) *op. cit.*, p. 8, 29; IGEM (2022) *op. cit.*, p. 78-81; Ashton (2022) *op. cit.*, p. 51.

<sup>59</sup> Ashton (2022) *op. cit.*, p. 51.

<sup>60</sup> *ibid.*, p. 53.

<sup>61</sup> *ibid.*, p. 53, 62.

## 2 | Recent reviews

Since 2004, ESTA has been the subject of or mentioned in several reviews of Victoria’s ESOs and emergency management infrastructure:

- [Review of the April 08 Windstorm Melbourne Victoria](#), Emergency Services Commissioner (2008)
- [Victorian Bushfires Royal Commission](#) (2009)
- [Access to ambulance services](#), VAGO (2010)
- [Victorian Floods Review](#) (2011)
- [Victorian emergency management reform: white paper](#), Victorian Government (2012)
- [Emergency response ICT systems](#), VAGO (2014)
- [Organisational capability review—Ambulance Victoria](#), Victorian Public Sector Commission (2016)

## Emergency Services Telecommunications Authority Capability and Service Review 2022

The Emergency Services Telecommunications Authority Capability and Service Review’s (the Ashton Review) final report was released in May 2022. The Minister for Emergency Services had announced the review in October 2021, tasking Graham Ashton to ‘look at ESTA’s current functions and provide advice to the Government on how to improve ESTA’s capability across several areas’.<sup>62</sup> The review looked at ESTA’s current functions and provided advice on how the organisation could be reformed. It made 20 recommendations and identified the following as key challenges:

- operating in partnership;
- lack of agility in responding to emergencies;
- call-taking and dispatch staff welfare being reflective of organisational difficulties;
- meeting community expectations; and
- performance standards not being fit for purpose.<sup>63</sup>

The review found that the current governance model was impacting on ESTA’s ability to reform and develop, and proposed a new governance model where ESTA would become part of the Department of Justice and Community Safety and rebranded as Triple Zero Victoria.<sup>64</sup>

In response, the government accepted in principle all 20 recommendations and established three taskforces: a government taskforce jointly chaired by the Department of Justice and Community Safety and ESTA, an operational taskforce and a workforce taskforce to work on implementing the recommendations.<sup>65</sup>

<sup>62</sup> J. Symes, Minister for Emergency Services (2021) [Former police chief to head up review of ESTA capabilities](#), media release, 8 October.

<sup>63</sup> Ashton (2022) op. cit., pp. 15-16.

<sup>64</sup> *ibid.*, pp. 2, 30, 60-62.

<sup>65</sup> S. Ilanbey, M. Cunningham & T. Jacks (2022) [“They knew the system was failing”: Grieving mum welcomes ESTA overhaul](#), *The Age*, 19 May; Victorian Government (2022) [Victorian Government response to the recommendations of the Emergency Services Telecommunications Authority Capability and Service Review](#), Melbourne, Victorian Government.

## Review of Victoria’s emergency ambulance call answer performance: COVID-19 pandemic-related 000 demand surge 2022

The IGEM completed two reviews of the emergency services in 2022 in response to the strain experienced during the COVID-19 pandemic. In the *Review of Victoria’s emergency ambulance call answer performance: COVID-19 pandemic-related 000 demand surge*, it found that:

Despite careful planning and best endeavours ESTA’s call answer speed performance for emergency ambulance via 000 has fallen below community and government expectations and performance benchmarks during the pandemic.<sup>66</sup>

The review identified 40 potentially adverse patient events during the period between 1 December 2020 and 31 May 2022 (inclusive). These adverse events were associated with call answer delays, agency command and control decisions and/or ambulance resourcing constraints. Thirty-three of these patients did not survive their emergencies, although Inspector-General Tony Pearce does not make any ‘any findings about whether the associated performance issues may have contributed to the passing of these patients, or whether faster intervention may have prevented deaths’.<sup>67</sup> The Victorian Coroner has declined to investigate triple-zero-related cases as a group; rather, it will examine each case independently.<sup>68</sup>

The review was also critical of ESTA’s funding model and its staffing levels. It found that the funding model led to ‘shortcomings in its ability to rapidly scale-up its response’ and found that ESTA’s inability to develop its workforce was a result of financial issues.<sup>69</sup> The review made eight recommendations, 42 findings and nine observations. The government accepted the findings of the review.<sup>70</sup>

### 3 | Calls for change

There have been calls for reforms to ESTA from many stakeholders. The opposition has been critical of the government’s management of ESTA. In 2022, after the CAD system experienced a state-wide outage, then Shadow Minister for Emergency Services Brad Battin said ‘triple-zero had failed yet again, with the backup system still at risk of total collapse’.<sup>71</sup> He told *The Age* in 2022 that ‘we’ve known since 2016 that there are flaws in the triple-zero system, and the Andrews government had report after report to say “fix it”’.<sup>72</sup> Shadow Minister for Health Georgie Crozier introduced a motion into the Legislative Council in February 2022. When speaking on the motion she said ‘we know that ESTA has been plagued with problems’.<sup>73</sup> She was critical of the long history of problems at ESTA and the lack of planning and preparation

<sup>66</sup> IGEM (2022a) op. cit., p. 5.

<sup>67</sup> *ibid.*, p. 6.

<sup>68</sup> A. Dow (2023) op. cit.

<sup>69</sup> IGEM (2022a) op cit., pp. 6, 15.

<sup>70</sup> Victorian Government (2022) *Victorian Government Response to the Inspector-General for Emergency Management’s Review into Preparedness for Major Public Health Emergencies including Pandemics and Review of Victoria’s Emergency Ambulance Call Answer Performance*, Melbourne, DJCS, August; J. Symes, Minister for Emergency Services (2022) *Building A Strong And Resilient Triple Zero System*, media release, 3 September.

<sup>71</sup> B. Battin (2022) *Déjà vu for triple-zero failures*, media release, 19 October.

<sup>72</sup> A. Dow & R. Eddie (2022) ‘It shouldn’t have taken a crisis to fix triple zero, says union’, *The Age*, 16 August 2022.

<sup>73</sup> G. Crozier (2022) ‘Motion: Emergency Services Telecommunications Authority’, *Debates*, Legislative Council, p. 103.

for increased call numbers.<sup>74</sup> In response to the IGEM report, the Nationals member for Ovens Valley Tim McCurdy said that he was “appalled” at the neglect of triple-zero.<sup>75</sup>

The Ambulance Union and Firefighters Union have also called for changes to ESTA. In 2022, Peter Marshall, secretary of the Firefighters Union, discussed ESTA’s funding model with Neil Mitchell on 3AW. He stated that when each ESO had their own telecommunications services, the funding of the telecommunications was an ‘integral... part of the funding arrangement’ and that ‘it is actually time to have a look at this issue, so there is a sustainable funding base’.<sup>76</sup>

The Ambulance Union has been critical of ESTA’s funding and staffing levels. Danny Hill, the Victorian Ambulance Union secretary, said in 2021 that:

We needed more staffing six months ago when the system started to show signs of distress, that’s when the work they’re doing now should’ve started...ESTA call takers do an incredible job but it’s the understaffing of them that’s led to this issue, not the workers themselves.<sup>77</sup>

Although Mr Hill welcomed the extra funding for staff in 2022, he was critical of the need to hire so many staff at short notice. He told *The Age* ‘funding for emergency services staff shouldn’t be made after there’s a crisis or when there is a crisis’.<sup>78</sup>

## 4 | Second reading speech

The Triple Zero Victoria Bill 2023 was introduced into the Legislative Assembly on 30 August 2023. The second-reading speech was delivered by the Minister for Police, the Hon Anthony Carbines on 31 August 2023.<sup>79</sup> Minister Carbines stated that these reforms are part of the government’s response to the reviews of ESTA.

The speech outlined how the *Emergency Services Telecommunications Authority Act 2004* would be repealed and ESTA would be replaced with a new statutory body: Triple Zero Victoria. The minister stated that the new body will have stronger governance arrangements and increased accountability and oversight. The Minister expressed a desire for TZV, the government and the public service to have a ‘genuine partnership’ with clear roles and responsibilities.<sup>80</sup> He stated that ‘a direct appropriation model will also create financial certainty for the emergency services organisations’.<sup>81</sup>

<sup>74</sup> *ibid.*, p. 104-105.

<sup>75</sup> T. McCurdy (2022) *Andrews Labor government fails regional Victorians once again*, media release, 13 September.

<sup>76</sup> (2022) *ESTA crisis: Union calls for overhaul of funding model*, 3AW, 6 September.

<sup>77</sup> S. Delibasic (2021) ‘Victoria’s ambulance union calls for plan to fix triple-zero crisis’, *Herald Sun*, 9 December.

<sup>78</sup>

<sup>79</sup> A. Carbines, Minister for Police (2023) ‘Second reading speech: Triple Zero Victoria Bill 2023’, *Debates*, Victoria, Legislative Assembly, 31 August, p. 3335.

<sup>80</sup> *ibid.*

<sup>81</sup> *ibid.*, p. 3337.



## 5 | The Bill

The Triple Zero Victoria Bill 2023 seeks to repeal and replace the *Emergency Services Telecommunications Authority Act 2004*. ESTA will be replaced with TZV, which will support other emergency services organisations and seek to meet agreed performance standards.<sup>82</sup> The Bill, other than Part 11, will come into operation on a day or days to be proclaimed, or on the 28 August 2024. Part 11, which relates to the repeal of interim board provisions, will come into operation on 28 August 2026.<sup>83</sup>

Clause 10 sets out the function of TZV to ‘provide high quality, efficient and resilient emergency and non-emergency services’. The functions of the new TZV include:

- timely and effective call-taking and dispatch services, including managing times of peak demand;
- timely and effective operational communication services to emergency services when operational communication services are not provided by the organisation;
- recognition that emergency service organisations can assess and vary their own operational standards and manage their own resources; and
- facilitation of communication between the services.

Clause 18 establishes a board to oversee the organisation.<sup>84</sup> The new board will have a legislated focus on setting the strategic direction for TZV and for managing under-performance. The board will be composed of people with experience in emergency services, financial services and information technology. A new ‘operational committee’ with representatives from ESOs will provide advice to the board.<sup>85</sup> The board will report to the Minister for Emergency Services and the Justice Secretary (currently the Secretary of the Department of Justice and Community Safety). These reports will contain matters impacting the service, including the possible impact on community safety and TZV’s ability to deliver services. The CEO will also be required to consult with the Minister for Emergency Services and the justice secretary, when necessary.

The justice secretary will have legislative accountabilities and will be required to endorse TZV’s budget prior to approval from the board.<sup>86</sup> The funding model will be altered to secure TZV’s financial future and provide more stability for the organisation. TZV will no longer receive annual revenue under a fee-for-service model, but will instead be directly appropriated to ‘create financial certainty for the emergency service organisations’.<sup>87</sup>

Performance standards will be set by the Emergency Management Commissioner and endorsed by the Minister for Emergency Services.<sup>88</sup> TZV will be required to publish performance standards data annually.

## 6 | Stakeholder responses

Those who had family members die due to delays in ambulance service arrivals linked to ESTA had mixed feelings about the proposed new authority. Jasmin Hussein, whose daughter died from asthma in 2021 after waiting more than 15 minutes to be linked to an emergency operator, told *The Age*, ‘I do get happy when there are changes for the better ... At the same

<sup>82</sup> Triple Zero Victoria Bill 2023, cl 6.

<sup>83</sup> *ibid.*, cl 2.

<sup>84</sup> *ibid.*, cl 18.

<sup>85</sup> *ibid.*, Part 4.

<sup>86</sup> *ibid.*, cl 76.

<sup>87</sup> Carbines (2023) *op. cit.*, p. 3337.

<sup>88</sup> Triple Zero Victoria Bill, cl 79-83.

time I get angry that innocent people, including my daughter, had to die to implement these changes'.<sup>89</sup>

The Ambulance Union welcomed the introduction of the Bill.<sup>90</sup> They were pleased that there will not be workforce changes that will impact on their members and welcomed the decision to establish an Operational Committee and that the Emergency Management Commissioner will be able to set performance standards. They stated that they had started to lobby the government for 'specific performance targets that improve the quality of the call-taking and dispatch process'.<sup>91</sup>

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<sup>89</sup> B. Carmody & H. Cook (2023) "Innocent people had to die": Mixed feelings over triple-zero overhaul', *The Age*, 31 August.

<sup>90</sup> Victorian Ambulance Union (2023) *Triple Zero Victoria*, media release, 31 August.

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## Suggested citation

Wright, A (2023), *Triple Zero Victoria Bill 2023*, Parliamentary Library & Information Service, Melbourne, Parliament of Victoria.

## Acknowledgements

The Parliament of Victoria Library acknowledges the Traditional Owners of the lands on which we work and live. We pay our respects to Aboriginal and Torres Strait Islander Elders past and present, and we value Aboriginal and Torres Strait Islander history, culture and knowledge.

The author would like to thank Marianne Aroozoo, Ellie Florance, Caley Otter, Ben Reid, Debra Reeves, Angus Tonkin and Caleb Triscari for their assistance in the preparation of this paper.

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## Enquiries

Victorian Parliamentary Library & Information Service  
Parliament House, Spring Street  
Melbourne VIC 3002  
Telephone: (03) 9651 8640  
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Parliamentary Library & Information Service

ISSN: 2204-4779 (Print) 2204-4787 (Online)