

Government Response to the Parliamentary Inquiry into Marine Rescue Services in Victoria

FEBRUARY 2016



Government Response to The Parliamentary Inquiry into Marine Rescue Services in Victoria

1. In September 2014, the Economic Development, Infrastructure, Outer Suburban/Interface Services Committee of Parliament handed down its report on marine rescue services in Victoria (the Inquiry Report).
2. The Minister for Emergency Services requested the Emergency Management Commissioner to convene an Inter-Departmental Committee into Marine Rescue Services to develop a whole-of-government response to the Inquiry Report.
3. To consult with the sector, the IDC established an Advisory Group comprising all marine search and rescue (MSAR) stakeholders and sought its expertise and views on the key themes identified in the Inquiry Report and reflected in its recommendations, namely:
 - governance
 - standards, accreditation and audit
 - training
 - funding
 - communications.
4. The Advisory Group provided its views and suggestions in writing and through a workshop on 16 May 2015. The workshop was especially significant in that it was the first time all of the MSAR organisations had come together to consider the needs of the sector as a whole.
5. The government's response to the Inquiry Report is also based on the above themes. Its scope is the same as that of the Inquiry Report, namely "blue water"¹ marine search and rescue. However, the governance model and arrangements adopted by government will be sufficiently flexible to extend to all MSAR environments, including white water and smaller inland waterways.
6. In framing its response, the government was guided by the view that Victoria's MSAR arrangements must:
 - be representative and involve all MSAR groups working together
 - help ensure the safety of those undertaking marine search and rescue
 - reflect an overarching strategy based on a risk assessment informed by local knowledge

¹ The Inquiry Report uses the definition of "blue water" as distinct from "white water". It defines "blue water" as including offshore, inshore and enclosed waters, as well as larger areas of inland water. "Offshore waters" are all open water more than two nautical miles seaward from the coastline. "Inshore waters" are any open stretch of water extending laterally along the coast up to and including two nautical miles offshore. It also includes bar entrances and tidal waters identified in each state as "partially smooth". "Enclosed waters" are any navigable tidal water such as a harbour, coastal bay, estuary, tidal creek or tidal river, excluding tidal waters identified in each state as partially "smooth". "White water" is defined as the surf, i.e. the area within which lifesaving vessels typically operate.

- be based on a clear understanding of current MSAR capability across the state, informed by common standards
 - be supported by adequate and reliable funding, with resources allocated based on risk.
7. The government particularly acknowledges that volunteers are essential to the successful delivery of MSAR services in Victoria.
 8. The government accepts there needs to be changes to Victoria's MSAR arrangements and how they are managed. The new arrangements will operate under a clear authorising environment and, to the extent possible, sit within existing arrangements to reduce the need for new structures and systems.
 9. The government is developing an MSAR reform implementation plan to give effect to its response and ensure that the reform momentum created by the Inquiry Report is maintained. The implementation plan will include:
 - undertaking a risk assessment for the state with respect to MSAR
 - developing a state-wide MSAR strategy
 - understanding the current and required MSAR capability
 - determining the funding implications of proposed reforms.
 10. The implementation plan will also address any necessary changes to the *Emergency Management Act 2013*, the *Marine Safety Act 2010* and other statutory and policy frameworks to ensure that volunteer MSAR organisations have the authority to undertake the MSAR activities they perform and have the necessary protections from liability when doing so.
 11. The government's response to the Parliamentary Inquiry sets out the measures it proposes to introduce to support the transition to more efficient and effective MSAR arrangements for Victoria. Some of these measures are subject to detailed costings being prepared and funding being identified.

Governance and the authorising environment

12. The government considered a number of options for the sector's governance arrangements, including the two alternatives formally recommended in the Inquiry Report: a new single state-wide volunteer MSAR organisation or a revised State Marine Search and Rescue Committee.
13. Feedback from volunteer MSAR organisations almost universally highlighted the importance of:
 - any governance model being representative of all the volunteer MSAR organisations
 - each volunteer organisation retaining its identity, independence and connection to its community.
14. Therefore, the government does not propose to establish a separate entity to manage marine rescue services in Victoria.

15. Based on consultation with the sector and the needs of the state, the government will adopt the governance model outlined below, pending available funding.
16. In accordance with the Inter-Governmental Agreement on National Search and Rescue Response Arrangements, Victoria Police is currently and will remain the MSAR control agency.
17. The government, through Emergency Management Victoria (EMV), will establish a small office, provisionally titled the Marine Search and Rescue Office, to coordinate the development of common MSAR strategy, policies and programs in line with the MSAR reform implementation plan and drive their implementation. The Head of the MSAR Office will be an ongoing paid position, with clear accountability to foster and build MSAR capability and support volunteers. The role will consult with the volunteer MSAR organisations and independently represent them, similar to models adopted in South Australia and Queensland.
18. The current State Marine Search and Rescue Committee will be replaced with a truly representative Marine Search and Rescue Working Group, reporting to the State Crisis and Resilience Council's Capability and Response Sub-Committee. The MSAR Working Group will comprise a representative of each of the following:
 - Head of the MSAR Office
 - MSAR organisations
 - Victoria Police (control agency)
 - Apollo Bay Marine Rescue
 - Australian Volunteer Coast Guard Association
 - Ocean Grove Coast Watch
 - Port Fairy Marine Rescue Service
 - Southern Peninsula Rescue Squad
 - Torquay Marine Rescue
 - Volunteer Marine Rescue Mornington & Hastings
 - Country Fire Authority
 - Life Saving Victoria
 - Metropolitan Fire and Emergency Services Board
 - Victoria State Emergency Service
 - Ambulance Victoria
 - Supporting agencies
 - Emergency Services Telecommunications Authority
 - Parks Victoria
 - Relevant government departments/agencies
 - EMV
 - Department of Economic Development, Jobs, Transport and Resources
 - Transport Safety Victoria.
19. The MSAR Working Group will help to develop the overarching strategy for the sector, as well as have an operational focus on the strategy's delivery.

20. The government will also establish a small, short-term, strategic decision-making body to oversee initial implementation of the proposed reforms. The MSAR Reform Implementation Board will be guided by the advice of the MSAR Working Group and will help find the balance between recognising the voluntary nature of the sector and ensuring appropriate regulation. Bringing together the control agency, the safety regulator, the organisation responsible for leading emergency management and the department responsible for maritime safety legislation and funding, as well as ensuring representation of volunteers, the Reform Implementation Board will comprise:
- EMV (Chair)
 - Victoria Police
 - Transport Safety Victoria
 - Department of Economic Development, Jobs, Transport and Resources
 - Head of the MSAR Office. (In this forum, the Head of the MSAR Office will be supported by an elected/nominated representative of the volunteer MSAR organisations, acting in an advisory capacity.)
21. The proposed governance reforms will utilise the committee structure already established under the *Emergency Management Act 2013* and require a minimal number of dedicated resources, located within existing organisations, to effect change to the MSAR sector – change that can begin almost immediately.
22. The government considers this is a much more cost-effective and efficient model to implement reform than establishing a new entity with new executive and leadership structures. To the extent possible, it utilises existing structures and introduces the minimum of new measures to address gaps. It is an inclusive model that aligns with the approach of increased cohesion and integration of emergency management structures. Significantly, as noted above, the proposed model reflects the clear preference of volunteer MSAR organisations to operate within a system that respects and preserves their individual identities.
23. During the transitional reform period, the MSAR Working Group will report directly to the MSAR Reform Implementation Board regarding the reforms rather than to the State Capability and Response Committee. This is to avoid duplication of effort and ensure a clear focus on the reform program as provided by a dedicated Board. The Board will provide updates to the State Capability and Response Committee as required.
24. During the transitional reform period, it is proposed to co-locate the MSAR Office with Transport Safety Victoria as common standards, accreditation and audit processes are developed. In the longer term, in the interests of ensuring strong collaboration with the control agency, the MSAR Office may co-locate with the Victorian Water Police.
25. The attached diagram represents the proposed MSAR authorising environment for the transitional reform period. Ongoing arrangements are likely to be similar to the transitional arrangements (for example, the government envisages the

continued operation of the MSAR Office), and will be refined during the transitional reform implementation period.

Standards, accreditation and audit

26. The government will introduce a common set of standards for MSAR in Victoria, which are critical for consistent and safe service delivery. The pending national Scheme R regulations for MSAR will provide the base for these standards. The introduction of Scheme R presents an opportunity to develop additional standards covering other aspects of the MSAR system in Victoria, such as with respect to vessel design, certain equipment on vessels, joint training and interoperability between organisations. Any additional qualifications developed during this process will be relevant to the particular operating environment and need in Victoria. There will be a transitional period and appropriate support for volunteer MSAR organisations to meet the new standards. This is to minimise the burden imposed on volunteer groups.
27. The government will undertake a baseline state-wide MSAR capability assessment covering vessels, equipment, crew and training. This will be linked to the operating environment and an assessment of risk. The capability assessment will be used to update the register of the state's current capability. It will also identify gaps and duplication in that capability and help to determine future funding and training needs.
28. The government will introduce a common framework and process for ongoing capability assessments, based on a model of regular self-assessment against agreed standards and independent audits and spot checks. The development and timely implementation of treatment plans will be a key part of this process.

Training

29. The government will introduce a common MSAR training and exercising program, delivered in a range of formats through a decentralised model, to ensure it is accessible and flexible for volunteers. In addition to boating skills, the training will cover technical expertise associated with MSAR, relevant first aid skills, and emergency management knowledge.

Funding

30. The government notes the Inquiry Report's finding that it is vital that Victoria's MSAR sector receive adequate and predictable funding for capital and operational expenses. The government will consider the mechanisms by which more reliable funding could be allocated to the MSAR sector, once ongoing capital, operational and training needs have been identified and costed. Changes to funding arrangements will be accompanied by a centralised, collaborative approach to procurement, with the purchase and allocation of resources to be in line with a state-wide, risk-based strategy.
31. Alternative funding sources such as community fundraising will remain a feature of the sector. This is to maintain the connection that the volunteer MSAR

organisations have with their communities and afford some flexibility in their operations, while remaining aligned with common strategy and policy and the principle of resources being allocated based on need.

Communications

32. The government acknowledges the importance of marine distress channel monitoring 24 hours, seven days a week and is expediting the introduction of the Marine Distress Emergency Monitoring System.
33. The government will consider potential improvements to operational communications to allow MSAR organisations to communicate better with each other, particularly with Water Police, as well as with air and land-based units, such as Ambulance Victoria. This includes processes for initiating a rescue and notifying relevant organisations. This issue requires further discussion to scope the problem and identify possible solutions.
34. The government will also consider introducing mandatory vessel tracking.

Conclusion

35. This response reflects the acceptance or the acceptance in principle or part of the majority of the Inquiry Report's recommendations, pending available funding. The Inquiry Report's recommendations offered two alternative governance models. Where the government has accepted a recommendation in part, this is generally because the government has opted to implement the substance of the recommendation through a different governance model to the one associated with the recommendation. Similarly, those recommendations that have not been accepted are generally only relevant to the governance model that was not adopted, e.g. the recommendation to agree a new name, livery and uniforms for a new organisation.
36. The response represents a collaborative effort on the part of the departments and organisations involved to contribute to an effective and sustainable MSAR system for Victoria. It is also provided in the broader context of emergency management reform and reflects the emergency management sector's values of leadership, accountability, integration and agility, as well as the importance of volunteers.
37. The proposed changes will be developed and introduced over a transitional period. They will address some of the key gaps in the current system and introduce a more holistic approach to MSAR in the state, with a focus on better outcomes for the community.

Proposed Governance Arrangements for MSAR Reform in Victoria

