



PARLIAMENT OF VICTORIA

Legislative Council

Fire Services Bill Select Committee

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Interim Report

Parliament of Victoria
Fire Services Bill Select Committee

Ordered to be published

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South-Eastern Metropolitan



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Eastern Victoria
21 June - 16 July, from 24 July



Ms Colleen Hartland MLC
Western Metropolitan



Mr Shaun Leane MLC
Eastern Metropolitan
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Hon Wendy Lovell MLC
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This report is available on the Committee's website.

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Committee establishing resolution

On 21 June 2017, the Legislative Council agreed to the following motion:

That —

- (1) a Select Committee of eight Members be appointed to inquire into, consider and report, no later than 8 August 2017, on the restructuring of Victoria's fire services as contemplated by the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017 and, in particular, the —
 - (a) impact on fire service delivery across Victoria;
 - (b) effect on volunteer engagement and participation in fire service delivery;
 - (c) short term and long term cost impact on fire service provision;
 - (d) underlying policy rationale;
- (2) the Committee will consist of three Members from the Government Party nominated by the Leader of the Government in the Council, three Members from the Opposition nominated by the Leader of the Opposition in the Council, one Member from the Greens nominated by the Leader of the Greens in the Council, and one Member from among the remaining Members in the Council nominated jointly by minority groups and independent Members;
- (3) the Members will be appointed by lodgement of the names with the President no later than 12.00 p.m. on the day following the day on which this resolution is agreed to by the Council;
- (4) the first meeting of the Committee must be held no later than fourteen days after the day on which this resolution is agreed to by the Council;
- (5) the Committee may proceed to the despatch of business notwithstanding that all Members have not been appointed and notwithstanding any vacancy;
- (6) five of the Members appointed pursuant to paragraph (3) will constitute a quorum of the Committee;
- (7) the Chair of the Committee will be a non-Government Member and the Deputy Chair will be a Government Member;
- (8) in addition to exercising a deliberative vote, when votes on a question are equally divided, the Chair, or the Deputy Chair when acting as chair, shall have a casting vote;
- (9) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;

Committee establishing resolution

- (10) the presentation of a report or interim report of the Committee will not be deemed to terminate the Committee's appointment, powers or functions;
and
- (11) the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and Sessional Orders or practices of the Council will have effect notwithstanding anything contained in the Standing or Sessional Orders or practices of the Council.

Interim report

Meetings of the Committee

The Committee met for the first time on 23 June 2017 and elected Hon Gordon Rich-Phillips MLC as Chairman and Daniel Mulino MLC as Deputy Chair. The Committee also resolved to issue a call for submissions, to close at 6.00 pm on 7 July 2017.

The Committee held a private briefing with the Emergency Management Commissioner, CFA and MFB. The Committee subsequently held seven days of public hearings in regional Victoria and in Melbourne.

Public hearings

The Committee undertook seven days of hearings in Melbourne and four regional centres and took evidence from 91 individual witnesses.

The Committee heard from the following stakeholders:

| Date and location | Witnesses | Organisation |
|----------------------------|--|--|
| 7 July 2017 Melbourne | <ul style="list-style-type: none">Chris Eccles, SecretaryTony Bates, Deputy Secretary, Governance Policy and CoordinationAndrew Minack, Director, Governance Branch | Department of Premier and Cabinet |
| | <ul style="list-style-type: none">Dwight Goodman, PresidentDianne English, Secretary | Victorian Volunteer Firefighters Association |
| | <ul style="list-style-type: none">Andrew Ford, Chief Executive OfficerAdam Barnett, Executive OfficerNev Jones, State President | Volunteer Fire Brigades Victoria |
| 10 July 2017 Wangaratta | <ul style="list-style-type: none">Pete Dedman, Officer in Charge, SheppartonBen Linnett, 1st Lieutenant, SheppartonTrevor Logan, Officer in Charge, WangarattaJason Allisey, 1st Lieutenant, WangarattaBrett Myers, Officer in Charge, WodongaGerard Peeters, 1st Lieutenant, Wodonga | CFA integrated station representatives |
| | <ul style="list-style-type: none">Garry Nash, Deputy Group Officer, Wangaratta GroupGeoff Rowe, Deputy Group Officer, Benalla Fire Brigade GroupLachie Gales, Chairman, District 23 Planning TeamJohn Seymour, District 23 State CouncillorDerek McPherson, Officer, Moyhu GroupSharron Jones, Secretary, Mansfield GroupAndrew Russell, District 24 Group Officer, Rutherglen Group | CFA volunteer representatives |
| | <ul style="list-style-type: none">Ross Sullivan, Acting Assistant Chief Officer, North East Region | Country Fire Authority |

| Date and location | Witnesses | Organisation | |
|---|---|---|--|
| 12 July 2017 Swan Hill | <ul style="list-style-type: none"> • Bryan Pickthall, Secretary, District 20 • Paul Nicoll, Executive, District 20 • Greg Murphy, President, District 20 • Keith Clough, Executive, District 20 | CFA volunteer representatives | |
| | <ul style="list-style-type: none"> • Mick Lavery, Acting Officer in Charge, Bendigo • Peter Polwarth, Brigade Chairman, Bendigo • Mick Sporton, Acting Officer in Charge, Mildura • Hayden Smith, 1st Lieutenant, Mildura | CFA integrated station representatives | |
| | <ul style="list-style-type: none"> • Dennis Turner, Captain, Swan Hill | CFA volunteer brigade representative | |
| | <ul style="list-style-type: none"> • John Deering, Acting Assistant Chief Officer, North West Region | Country Fire Authority | |
| 19 July 2017 Traralgon | <ul style="list-style-type: none"> • Paul Carrigg, Officer in Charge, Dandenong • Pat Hunter, 1st Lieutenant, Dandenong • Arthur Haynes, Officer in Charge, Hallam • Lee Austin, 1st Lieutenant, Hallam • Shane Mynard, Officer in Charge, Morwell • John Holland, 1st Lieutenant, Morwell • Chris Loeschenkohl, Officer in Charge, Traralgon • Ale Eenjes, 1st Lieutenant, Traralgon | CFA integrated station representatives | |
| | <ul style="list-style-type: none"> • Eric Collier, President, District 8 • William Watson, State Councillor, District 8 • Brian Brewer, President, District 9 • Robert Auchterlonie, State Councillor, District 9 | CFA volunteer representatives | |
| | <ul style="list-style-type: none"> • Aaron Lee, Captain, Bairnsdale • Michael Freshwater, Captain, Lindenow South • Brian Dalrymple, Captain, Warragul • Brendan King, 1st Lieutenant, Sale | CFA volunteer brigade representatives | |
| | <ul style="list-style-type: none"> • Trevor Owen, Assistant Chief Officer, South East Region | Country Fire Authority | |
| | 21 July 2017 Hamilton | <ul style="list-style-type: none"> • Grant Kidd, Officer in Charge, Portland • Ian Hamley, Executive Officer, Portland • Anthony Pearce, Officer in Charge, Ballarat • Nicole McGrath, Secretary and Treasurer, Ballarat • Paul Marshall, Officer in Charge, Warrnambool • Wayne Rooke, 1st Lieutenant, Warrnambool | CFA integrated station representatives |
| | | <ul style="list-style-type: none"> • David Blackburn, Ex-Group Officer, Westmere Fire Brigades Group • David Allen, Deputy Group Officer, Westmere Fire Brigades Group • Owen O'Keefe, State Councillor, District 5 | CFA volunteer representatives |
| <ul style="list-style-type: none"> • John St Clair, Captain, Horsham • Malcom Anderson, Captain, Hamilton | | CFA volunteer brigade representatives | |
| <ul style="list-style-type: none"> • Peter O'Keefe, Assistant Chief Officer West Region • Rohan Luke, Assistant Chief Officer South West Region | | Country Fire Authority | |

| Date and location | Witnesses | Organisation | |
|---|--|---|----------------------------------|
| 24 July 2017 Melbourne | • Peter Marshall, Secretary | United Firefighters Union of Australia (Victoria Branch) | |
| | • Patrick Geary, Officer in Charge, Corio • David Maxwell, Officer in Charge, Craigeburn • Mark Sinkinson, Officer in Charge, Belmont | CFA integrated station representatives | |
| | • Greg Mullins AFSM, Chair | Implementation Taskforce | |
| | • Robert Saitta, Captain, Epping • Rohan Stevens, First Lieutenant, Epping • Diana Ferguson, Captain, Bayswater • Kim Phillips, First Lieutenant, Bayswater | CFA volunteer representatives | |
| | • David Jochinke, President • Simon Arcus, Policy Director | Victorian Farmers Federation | |
| | 25 July 2017 Melbourne | • Andrew Ford, Chief Executive Officer • Nev Jones, State President • Adam Barnett, Executive Officer | Volunteer Fire Brigades Victoria |
| | | • Hon. Jack Rush QC | |
| • Jim Higgins ASM | | | |
| • Craig Lapsley, Emergency Management Commissioner | | Emergency Management Victoria | |
| • Paul Stacchino, Acting Chief Officer | | Metropolitan Fire Brigade | |
| • Steve Warrington, Chief Officer | | Country Fire Authority | |
| • David Martine, Secretary • Simon Hollingsworth, Deputy Secretary | | Department of Treasury and Finance | |

Submissions

The Committee called for public submissions on its website, social media and in the press, and wrote to a number of stakeholders inviting submissions. At the time this report was tabled, the Committee had accepted over 1800 submissions. The overwhelming majority of these were from career and volunteer firefighters. The Committee also received submissions from the following organisations:

- Victorian Government
- the United Firefighters Union of Australia, Victoria Branch
- Volunteer Fire Brigades Victoria
- United Firefighters Union, Spouse and Partners Support Group
- Ambulance Victoria
- Victorian Farmers Federation.

The Committee sincerely thanks all individuals and organisations who provided written submissions to the Inquiry.

Issues raised in evidence

The Committee received considerable evidence on a number of aspects of the Bill and related issues, including:

- the case for a fire service restructure
- linkage of 'presumptive rights' legislative provisions with fire services restructure legislative provisions
- proposed amendments to the metropolitan fire district
- changing demands on volunteers
- recruitment, retention and supporting of volunteers
- the need to improve interoperability between fire services, such as equipment, training and processes
- impact of industrial relations disputes on morale in the fire services
- government consultation on the reforms proposed in the Bill
- whether the proposed reforms will impact on surge capacity
- secondment arrangements proposed in the Bill
- impact on integrated brigades
- importance of response times.

These issues will be considered in preparing the Committee's final report.

Final report

The Committee intends to table a final report in mid-August 2017.

Appendix Transcripts

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 7 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Ms Wendy Lovell

Mr Cesar Melhem

Mr Luke O'Sullivan

Ms Harriet Shing

Mr Daniel Young

Substituted members

Mr Shaun Leane for Ms Harriet Shing

Witnesses

Mr Chris Eccles (affirmed), Secretary,

Mr Tony Bates (sworn), Deputy Secretary, Governance Policy and Coordination, and

Mr Andrew Minack (sworn), Director, Governance Branch, Department of Premier and Cabinet.

The CHAIR — I declare open the Legislative Council select committee on the fire services bill. Welcome to the public hearings.

The committee is hearing evidence today in relation to the inquiry into the Firefighters' Presumptive Rights Compensation and Fire Service Legislation Amendment (Reform) Bill 2017. All evidence is being recorded. Evidence taken at this hearing is protected by parliamentary privilege. Therefore you are protected against any action for what you say here today, but if you go outside and repeat the same things, those comments may not be protected by this privilege.

I would like to now welcome from the Department of Premier and Cabinet Mr Chris Eccles, the secretary; Mr Tony Bates, deputy secretary, governance policy and coordination; and Mr Andrew Minack, the director, governance branch. Mr Eccles, to you and your team, I appreciate your attendance here this morning. I know that the invitation was at short notice and has required some rescheduling on your part and that of your officers. Thank you very much; we appreciate you being here.

Mr ECCLES — Our pleasure.

The CHAIR — Before we start hearing evidence from you, I would like to put a matter on the record with respect to the proceedings of this inquiry. It came to the attention of the committee on Monday that there was an email on 30 June from the chief executive of the Metropolitan Fire Brigade, Mr Jim Higgins, to members and staff at the MFB in respect to their participation in this committee. The email from Mr Higgins to his staff spoke about those who were interested in making a submission to this inquiry and stated:

‘When making a comment in a private capacity, public sector employees [must] ensure their comments are not related to any government activity that they are involved in or connected with as a public sector employee ...’

It goes on to state:

This has been reinforced by a letter received from the Department of Premier and Cabinet today enclosing guidelines stressing that public sector employees ‘wishing to make a submission in a personal capacity must ensure compliance with the *Code of Conduct for Victorian Public Sector Employees*, particularly sections 3.4 and 3.5’.

Notwithstanding the code of conduct that may be in place for public sector employees, any person is entitled to make a submission to this inquiry, and that is something that the committee and the Parliament more generally protects very strongly.

Following the committee’s querying of this matter with Mr Higgins, further correspondence was provided by Mr Higgins, in particular a letter dated 3 July which was sent by you, Mr Eccles, to Mr Higgins around the process for making submissions. There are a couple of matters in that letter that I would like to refer to. The first is the third paragraph:

The government considers that the select committee’s deliberations, and the outcomes of its inquiry, would be better informed if public sector employees were provided with the opportunity to input into the whole-of-government submission and provide their views via DPC, directly to the select committee.

In order to provide for that the government invites MFB employees wishing to make written submissions to provide them to DPC, which will then lodge them with the select committee.

The letter goes on with some machinery issues:

DPC will provide you with the email address for staff to forward their submissions tomorrow morning. I would encourage you to advise staff of this arrangement as soon as possible. Submissions should be emailed to DPC no later than 5.00 p.m. Wednesday, 5 July 2017.

In relation to that correspondence, firstly I would make the point that the committee I am advised — 10 minutes ago — has no received no submissions forwarded by DPC to the committee. The only way in which submissions can be received by this committee is people can make submissions to this committee via the e-submissions portal on the Parliament of Victoria website; via the email address which is provided for the committee secretariat; or by way of hard copy posted to the committee. Contrary to the letter, the closing date for submissions is 5.00 p.m. today.

It has become apparent from contact that the committee secretariat had received that as a consequence of the communication from the MFB last week and subsequent communication, some people within the public sector

are concerned that there may be ramifications if they make submissions to this inquiry. I would like to reiterate that any person is entitled to make a submission to this inquiry, and any action that has the effect of deterring people from making a submission or leading them to believe that their submission will be vetted, in this case by their employer, is completely inappropriate. It is a longstanding principle of parliamentary proceedings, including committees, that it is in fact a contempt of the committee and the Parliament for any person to seek to deter or hinder anyone from making a submission or giving evidence or to improperly influence the making of a submission or giving of evidence.

This is a matter that the committee takes very seriously, and it is something the committee will need to give further consideration to.

Mr ECCLES — Chair, may I briefly respond?

The CHAIR — Thank you, Mr Eccles.

Mr ECCLES — The intention was always through the correspondence to facilitate the process of the committee and to provide comfort to public sector employees wishing to make a submission that in doing so they were not in breach of the code of conduct, so our motivation was entirely supportive of the process of the committee. I can confirm that those submitting via DPC will have their submissions passed directly to the committee without there being any change. That is consistent with our intent, which was to support and facilitate the work of the committee. We are in receipt of a number of submissions and we will, consistent with what I have just described, pass them through to the committee secretariat without delay.

The CHAIR — Can you advise we will receive those today?

Mr ECCLES — Certainly.

The CHAIR — Because to date my advice is we have received nothing forwarded from DPC. Obviously we are working on very tight time frames and would like to receive those as quickly as possible.

Mr ECCLES — We will do so.

The CHAIR — Obviously the committee notes your assurance that those submissions will be forwarded as they are received, but this is a matter the committee will give further consideration to.

Mr Eccles, I invite you to make an opening statement on the substance of the terms of reference. The committee has allocated 10 minutes for an opening statement, so if you are able to work within that time frame, that would be appreciated.

Mr ECCLES — I might be able to save the committee some time. I understand that Craig Lapsley, the emergency management commissioner, in a hearing earlier this week spoke to a presentation. That presentation is now a matter of record, and I have nothing to add by way of opening remarks to the submission presented — the PowerPoint slides and the presentation — made earlier in the week.

The CHAIR — That gives the committee slight difficulty because the presentation from Mr Lapsley was an in camera presentation. It was not public evidence.

Mr ECCLES — Would it help, Chair, if I were to table the presentation?

The CHAIR — Yes, it would.

Mr ECCLES — Then I am very happy to do so.

The CHAIR — If you do not wish to make any further opening statement beyond that which was received by the committee in a briefing on Monday, I would like to start — —

Mr LEANE — Chair, unfortunately because I was not present, I am wondering: if that presentation is going to be tabled, can it be distributed in house?

The CHAIR — Thank you, Mr Leane. We will get that to you as soon as possible.

Mr Eccles, I would like to start by asking you about the process leading to the development of this bill. There has been a strong suggestion the committee has received that the development of this proposal was quite narrow. It did not involve consultation with the fire services or third parties. Can you explain to the committee please the development process that led to this bill that is now in the Parliament?

Mr ECCLES — The DPC took leadership of the public service work in relation to the restructuring of the Victorian fire service, and we took that role because it is not uncommon where there are complex, sensitive and urgent matters that involve whole-of-government considerations, and in this case it goes to matters that fall within the area of the Department of Treasury and Finance, within Industrial Relations Victoria, within the Department of Justice and Regulation. So it is not uncommon for DPC to take a leadership role where matters such as this are before government. In the normal course we involved, at appropriate times in the development of the proposition for government, all of those who were relevant contributors throughout government.

The CHAIR — Are you able to outline the time frame for this piece of legislation being developed, when the development first started?

Mr ECCLES — I might turn to those who were a little bit more closely associated with the detail of the work if you do not mind, Chair.

Mr BATES — We really started detailed development work about January this year. It has basically been that. I probably will not go into the finer details of working with cabinet committees, but we were asked by the minister to start doing some development work and some options in this space, and it has pretty much gone pretty consistently since the start of January this year.

The CHAIR — Did that development work from January involve consulting with or engaging with the MFB and the CFA?

Mr BATES — Particularly with CFA we had a number of discussions, although we were asking lots of — I will call it questions of fact. Initially we were not explaining to them what we were doing, so we were asking questions about response times and call-out data and how that had evolved over 10, 20, 30 years time. So from their point of view they probably just felt they were getting a lot of questions from us, and we did not really brief them into the proposal until I would say late April.

The CHAIR — So just prior to the bill coming to Parliament. Is it normal that an agency such as CFA, which is in many respects a focus of this legislation along with MFB, would not be briefed into a proposal until it is effectively tabled in Parliament — I mean basically once it is a fait accompli?

Mr BATES — I think we briefed them starting around the weeks of 20 April — 25 April is where we probably put much more of the detail to the agencies. I think that was still about four weeks before the bill was introduced into Parliament. So we did give them a more detailed briefing and then incorporated some of the feedback from the key stakeholders in that time between those first detailed briefings and when the bill came to Parliament.

The CHAIR — Was there any difference with the engagement with MFB?

Mr BATES — We were a lot more focused on engagement with CFA because we thought in terms of initial operational impacts, particularly around the movement of the integrated stations and how we would ensure that volunteers and career staff could keep working together productively in the future. So a lot more of the engagement was being done with CFA rather than MFB.

The CHAIR — From that January time frame who outside of yourself, as a dep. sec. in DPC, and I presume Mr Eccles and Mr Minack, was involved in that development process?

Mr BATES — We established an expert advisory group, so that is Greg Mullins, who is the recently retired chief commissioner of the New South Wales fire and rescue service. We had Penny Armytage, who is a retired secretary of the justice department who had quite a familiarity with the area, and Ewan Waller, who had experience in both the CFA and I think DSE and their fire operations. We also had Simon Crean to help us with some advice on industrial issues and structural design.

The CHAIR — Why would you not have engaged current CFA and MFB personnel in that process?

Mr BATES — We did from the late April time onwards.

The CHAIR — Is it normal that in a policy development proposal like this you would not engage the affected agencies until the very last step, when you have engaged some of the expertise from New South Wales, a former secretary in the Victorian public service, Ewan Waller, formerly an officer in the fire services, and Simon Crean with a different perspective? Why would you not have engaged the chief executive of the CFA and the chief executive or board of the MFB in that process at the same time?

Mr BATES — My thinking at the time, Chair, was we were working — again I do not want to go into the details of the cabinet process — fairly regularly to a cabinet committee. And to be frank, my concern was that the fire services leak information very openly. So in terms of wanting to protect the confidentiality of cabinet considerations, I was quite guarded in how much consultation I did with the two fire agencies until we had the proposals very well developed.

Mr MINACK — The other element I would add is this space had been reviewed significantly. In terms of CFA and MFB positions on a number of these things, there has been a detailed amount of assessment done obviously over the last decade but more recently in the last couple of years. There had been a couple of key fire services reviews. So in terms of a policy development process, there is a very good understanding of their positions on a number of issues that were addressed through the fire services state in the bill.

The CHAIR — Just to go back to your comments, Mr Bates, around the fire services leak regularly. Does that suggest a lack of trust between the Department of Premier and Cabinet and the fire services?

Mr BATES — Look, through this process I was guarded in the information I was sharing at what time. Why? I was making sure that cabinet had appropriate time to consider the proposals and sort of finalise the policy directions.

The CHAIR — Was information about this proposal shared with anybody outside that expert advisory group and the cabinet subcommittee you referred to? Were any other stakeholders engaged?

Mr BATES — We briefed in the emergency management commissioner also in late April.

Mr ECCLES — And the Secretary of the Department of Justice and Regulation.

Mr BATES — There were also discussions with the United Firefighters Union, particularly focused on the presumptive elements of the bill. Similarly, we had some consultations that I characterise — the discussion was quite detailed around the presumptive part of the legislation. The broader reform things I would characterise as quite similar to the CFA-style discussions where we would be having some discussions. But they were not briefed in to the full detail until just before legislation was introduced into Parliament.

The CHAIR — When did the discussions with the UFU on presumptive or the substantive structural changes commence?

Mr BATES — On the presumptive stuff it probably would have been — I will have to check my diary to give you precise dates — but I would have thought that it was probably in early April that we had quite a number — —

That ran for several weeks. We had quite detailed discussions about the nature of the presumptive scheme and how it would compare to interstate models and the federal legislation. Again, as I said, through the period from January there were occasional contacts with both the CFA and UFU where — you know, we were not seeking information without briefing them in on the detail of the proposal.

The CHAIR — When was the proposal for structural changes first floated with the UFU?

Mr BATES — I would have to go back and check my notes. They got detailed briefings in the week or two before it went into Parliament.

The CHAIR — Had they been engaged before?

Mr BATES — I think they probably could understand what I was contemplating from the sort of questions I was asking, but we did not give any big, detailed briefings, as I say, until in the late April–May period before things went into Parliament.

The CHAIR — Mr Eccles indicated that the secretary of department of justice was also briefed at that late April stage.

Mr MINACK — Sorry, I will just say he has been involved since January — the secretary of the department of justice. He has been fully briefed from January.

The CHAIR — That is Mr Wilson, isn't it?

Mr MINACK — Yes.

The CHAIR — Mr Wilson was familiar with the proposal as it was developed.

Mr MINACK — Yes.

The CHAIR — I am just conscious of the time and the need to move to other committee members. Can I just ask in relation to the cabinet process, did the development of this legislation follow the normal cabinet process — policy development approval, approval at principle of cabinet, development of the bill at cabinet — as an ordinary bill would?

Mr ECCLES — I have been very conscious of the fact that Mr Bates has been very fulsome in his description of the decision-making process of government. I think that is appropriate. I think moving into a description of the deliberations within government associated with the cabinet process probably takes me a step too far.

The CHAIR — Just to be clear, Mr Eccles, I am not seeking to understand the deliberations of cabinet. I am merely seeking to understand if this bill followed the normal cabinet processes.

Mr ECCLES — To the extent there is such a thing as a normal cabinet process — cabinet is infinitely variable — it was — —

The CHAIR — Typically not with legislation development.

Mr ECCLES — It followed a precedented process.

The CHAIR — What was the precedent?

Mr ECCLES — Any number of opportunities for government to consider complex, sensitive and urgent matters.

Mr MULINO — I just had a couple of process questions, then I wanted to get on to some of the rationale for the reforms. Just in terms of process and consultation with stakeholders, I just wanted to return to a point that Mr Minack made. By some accounts there have been eight or more major reviews into fire services over the past decade. Is that fair to say?

Mr MINACK — Yes.

Mr MULINO — And some of the stakeholders that we have been talking about — the CFA, the MFB, fire experts but also volunteers in the VFBV and the UFU — they would have all fed into some or all those processes?

Mr MINACK — Yes, definitely. All the key stakeholders put in submissions to the majority of those inquiries.

Mr MULINO — With DPC and the other agencies involved in the process since January, did you consider those earlier reviews, the findings from those reviews and the input into those reviews in your deliberations?

Mr MINACK — Yes. Certainly they were a key input and given a number of them were only a couple of years old, highly relevant to the work we are doing.

Mr MULINO — And there was quite detailed consideration in some of those reviews, for example the royal commission, on some structural issues which would have informed your deliberations.

Mr MINACK — Yes, certainly a number of the key issues, policy questions that this bill has been grappling with were all touched on by the different reviews. So in terms of operational interoperability, the issue around the boundary-setting mechanism, the governance structure, different models in terms of volunteer support — all of those issues were picked up by the reviews. In addition, some of the underlying issues in terms of population growth and the inherent link between population growth and additional demand on both volunteer and career firefighters were all extensively reviewed in those reports, and that work has been fed into this process.

Mr MULINO — And some aspects of organisational reform from other jurisdictions were imported. In a sense, we were trying to cherry pick the best aspects of other jurisdictions' structures, and Greg Mullins in a sense was a direct conduit of expertise given his experience in New South Wales.

Mr MINACK — Yes. Greg is nationally and internationally renowned as an expert in terms of fire services. He was the head of New South Wales fire rescue. We obviously looked at other state models, and to be honest, the different states have got different models. One of the issues that we had to grapple with was in terms of Victoria both its current structure and in terms of its history — how you actually propose a reform that both acknowledges that history but looks around in terms of what works in other states. And Greg and others were key in terms of inputting in terms of the proposed model and the structure that we have got and reflected in the bill.

Mr MULINO — Just to reinforce one last point on process, during the course of January, February, March and the lead-up to April when some stakeholders were then briefed on the overall proposed reform, you were drawing on the expertise of entities like the CFA and others through direct questioning on particular operational and technical matters.

Mr MINACK — Yes. We were having regular meetings with the CFA and the expert advisory panel to get their input. As the policy development process evolved and we looked at different options they were inputting and reviewing that work as well.

Mr MULINO — Just a few questions on the policy context in which we find ourselves. The slide pack that you have now tabled starts off with some statistics in relation to the rapidly changing state of Victoria, regional centres and Melbourne in particular. Over the last 30 years we have seen a rapid expansion of the urban boundary well beyond the fire services boundary which was set some 50 years ago. We have also seen hundreds of per cent population growth over those decades in regional centres. Is that leading to a dramatic increase in call-outs at many stations in these areas?

Mr ECCLES — Yes.

Mr MINACK — Yes. Certainly in terms of an aggregate level, as that presentation alluded to, there has been significant growth. In terms of total call-outs for CFA in the last 10 years, that has increased by about 25 per cent, and for the integrated stations it has increased from 12 000 to 18 000, so again a significant growth. That is in that kind of aggregate level.

I think it is important just for the committee to note that for some key growth areas both in the regions and also in the outer metropolitan area this growth has been significant. In Doreen/Mernda the population growth has been about 500 per cent and there has been a similar increase in terms of incidents in those growth areas as well. That has created an inevitable level of challenges in terms of the CFA and the volunteers being able to respond to that increased demand.

Mr MULINO — In addition to the growth that you have outlined in the slides that you have tabled, one can also forecast expected rapid growth over the coming two or three decades, and while we cannot guarantee that is going to happen there is a certain momentum behind population growth, so part of what we are doing is trying to get ahead of the game. Is that fair to say — strengthening structures in advance of that?

Mr MINACK — Yes. Again, the policy work was both looking backwards in terms of what has occurred but also putting in place some of the key policy platforms in terms of responding to future growth, be that population growth, issues around climate change and other increased risk factors, being able to have a kind of structure in terms of the fire services that can respond to those external factors.

Mr MULINO — Two more questions. An additional rationale if you will would be around trying to separate the CFA from the new entity so as to strengthen the CFA's capacity to do what it does best. Could you talk a little bit about the rapid growth over the past decade in the number of paid employees within the CFA and how separating the two organisations will in a sense allow it to focus more on volunteerism and avoid the complexities of IR.

Mr MINACK — Obviously at the moment you have got the CFA which has got 1200 volunteer stations, you have got 35 integrated stations. The challenge that presents for CFA — and they have done a remarkable job — is that it has actually broadened the core business of the CFA. They have both got to deal with the 1200 CFA volunteer stations but they then also have to develop full-time career firefighters, and that is an inherent challenge in terms of that existing structure.

The opportunity around creating the FRV was actually having a single group of career firefighters and in a development sense you have actually broadened out. You have got a single pool of career firefighters and you have the opportunity to actually rotate those career firefighters throughout the state, obviously from metropolitan Melbourne into those key regional nodes where you have Fire Rescue Victoria crews operating. There is a lot of discussion about convergence. What we have converged is the career firefighters into a single organisation.

Mr MULINO — Last question on this point. In a sense one of the rationales for separation is to enable the CFA to focus more on what it has had as a long-term mission and to be less distracted by issues that have increasingly caused unnecessary ructions.

Mr MINACK — Yes. In many ways this proposed reform is actually reverting the CFA back to its origins in terms of a volunteer firefighting service. Again, there are no secrets in terms of the various reports that picked up this issue about within a single organisation having career and volunteer firefighters and some of the cultural challenges that creates in terms of having those two distinct workforces. What we propose to create through the bill is a single, volunteer-only firefighting service, and it removes that issue and that tension of having career stations within that organisation.

Mr MULINO — And that move is consistent with the way you would read the findings of the various reports that we mentioned earlier?

Mr MINACK — Yes. What I would say is that the various reports all consistently called out the issue of the current structures not working and the need to actually have significant reform. We have proposed a model here which we think actually addresses some existing challenges and puts in place a platform in terms of future growth for Melbourne and the key regional centres.

Mr YOUNG — Thank you, gentlemen, for coming in and providing us with your time today. I just want to firstly touch on something that Mr Mulino brought up about the number of reviews that have happened over the past years. Mr Mulino mentioned eight of them. There has actually been one more recently, which was the inquiry into bushfire preparedness conducted by a committee just recently. I have had the privilege of sitting on two of these inquiries and experiencing some of that.

What I took from those two in particular but from reading parts of those other inquiries, the context of what they were actually looking into and the context of the issue people are providing evidence about is certainly not a restructure of fire services; it has been about a whole raft of different issues, and that has guided the way in which people have presented their evidence to those hearings. Is it fair to say that what was presented since 2008 is a fair representation of what those organisations want to see in a restructure of fire services?

Mr MINACK — In terms of what we are proposing reflecting those reports?

Mr YOUNG — Yes.

Mr MINACK — Those reports have some consistent themes in terms of underlying issues around structure, leadership, the treatment of volunteers and career firefighters. Certainly there are a number of consistent issues. What I would make comment on is, in terms of the response to that, there is inevitably going to be a level of variability. In terms of this policy development process, it was actually picking the elements that we think best fit responding to the current environment and where Victoria is going into the future.

Again, there are different models. What we are proposing here is I think a model that best fits Victoria's unique circumstances. But I would say again, when you look at the different reports, one of the things I have looked at is the level of consistency. I mean, people keep coming back to the same issues. So that kind of begs the question — you know, another report that said, 'We need to tweak this'. The question we had to grapple with was, 'Well, is that the kind of set change that you need to address some of the underlying issues?'

Given that, again, everyone in this room would be aware of the set of circumstances over the last couple of years and beyond in terms of the organisations, there needed to be some significant change to reset both those fire services to give them the opportunity to address some of the underlying issues.

Mr YOUNG — Yes, I am sure that is why they have recognised that it has been very consistent that some change needs to be made, and when moving on with the management of these kinds of resources we do need to have progressive change when circumstances change, particularly with the way in which the growth in this state has happened, but none of these reports have actually identified what that change should be in terms of what we have got presented to us in this bill. They have mostly been a recognition that we need change, something needs to budge, but not a direction into what this has been presented as.

Mr BATES — Andrew, I might do this.

Mr MINACK — Yes.

Mr BATES — I think the O'Byrne fire services review did talk about a single service, and the government response at the time rejected the idea of a single service. I think when you read some of the detail of the bushfire royal commission, it talked about their initial focus being very much on improving interoperability, but our reading of the royal commission's report was talking about what — I will call it a journey of improvement, which immediately started with the establishment of the emergency management commission to give that coordinating space, then it moved a lot more to interoperability. But our reading of the royal commission's report talked about, I will say, an evolution journey. I think going back to the Lewis review, it again addressed that issue of interoperability. In at least three of those reports we were picking up what we thought was a theme.

I mean, you are right that there is not an explicit thing that exactly proposes the model we are talking about. We did particularly look at the O'Byrne review, and again without going into too much of the thing, you know, the government had already ruled out a single fire service, so there was a direction there, with some options the government had publicly ruled out, and we were just trying to find what we thought was the best way forward for the reform. So you are right, that is not explicitly where we have landed, but we took a number of those key reports to be pointing to a number of the big options that we have considered.

Mr YOUNG — At what time was the single service ruled out? When was that?

Mr BATES — The O'Byrne review was in 2015 and I think government released a public response — I do believe it would have been early 2016 — which ruled out the idea of a single service at that point. So that ruling out of that option was on the public record when we started this work.

Mr YOUNG — So you never considered any options that included a single service?

Mr BATES — Again, the government had publicly ruled it out not long before we started, so we did not put any effort into that.

Mr YOUNG — What other options were considered?

Mr BATES — I think we are probably getting a bit close to the cabinet process to go through all the different things that we did, but I will probably just try to answer your question there. We thought there was a theme.

The CHAIR — Perhaps we could ask the question another way. Were other options considered?

Mr BATES — Yes. There were a whole range of options in all sorts of different levels of what is now the final bill proposal that we have put forward and considered and discussed.

Mr YOUNG — In terms of the direction this has wanted to go, and there has obviously been a need to change, many people have presented evidence and we have talked about a change in culture as opposed to an operational change. That seems to be one thing that is screaming out from a lot of people, that we need to see a change in culture. Throughout the process of determining where we go with this bill and this restructure, what was the more important aspect: a change in culture within the CFA or an operational change that will allow them to provide the best service they can to Victorians?

Mr BATES — I would say, as you can see from some of the stuff that Commissioner Lapsley presented earlier in the week, the structures we have been in place for 50 or 60 years. We are actually trying to take a very long-term view in thinking about this. Again the O'Byrne review was very clear about the need for a cultural thing — I think it used phrases like 'toxic culture' and 'appalling morale' — in all of the services. So we are conscious of that, but we are very much trying to take the long-term view of what is a structure that would respond to the changing demographics and changing environment. I will say a very clear theme through this was also trying to support volunteerism and trying to make sure we can keep the CFA as healthy and as strong as we possibly can. So those were the really big things we were going at, understanding that the culture is a significant issue — culture and leadership in all of the organisations need work.

Mr MINACK — Perhaps just the other thing I would add is that the overarching objective obviously is around community safety, so about getting the fire services in the best possible position to respond to a whole raft of risks. So that is the overarching goal. Yes, operational response is a key element, but then we go into the other elements that we have just gone through, which underpin the ability of the fire services to deliver the service Victorians are looking for. But there was nothing that moved us away from community safety as a principal focus of this policy review.

Mr YOUNG — Interestingly Victoria is not the only place in this wide world we have that is looking at a complete restructure of their fire services. Recently we have had news coming out of New Zealand that they are going through a major change — what has been deemed the biggest change they have had in 40 years. Reading through some material coming out of what is happening there, from one of their regional managers quotes have been made along the lines of, 'It always made sense that urban and rural should always be under one umbrella and sharing resources', and the whole core of the change that they are making is that they are bringing together urban and regional resources under one organisation. What are your comments on that, and were those kinds of instances — I am assuming that process had been going on for a long time — considerations in the drafting of this bill?

Mr BATES — Again I would probably just refer to the government's response to the O'Byrne recommendations that took those sorts of options out of play for us very much at the start of the process. But I also say I think in the Victorian context the physical geography is quite different to the New Zealand situation. We have much more intense bushfires. But I will say, Mr Young, that the other thing we did take into account in a lot of the development process is the very substantial firefighting capability we have in DELWP and Parks Victoria. So the nature of the fire risk and threat in Victoria is very different to New Zealand — it is much more like New South Wales and South Australia. Although it does not feature in the bill that is before the Parliament, we did look at — there is a very substantial capability, as I said, in Parks Victoria and DELWP, which work very closely in partnership with CFA when we get into that campaign fire mode. A lot of the design elements are very, very different to New Zealand. So we quickly looked at that but did not feel there was a lot of applicable stuff for us.

Mr YOUNG — I can accept that fact — that geography makes it vastly different. But how can we be sure that that is not a better model to be applied here when it was not really considered — options for a single service?

Mr BATES — Again, I will keep going back to government considered the single model when it was doing its response to the O'Byrne inquiry, and that set the frame that we were working within.

Mr MINACK — The other comment I would make is the important element is the actual convergence on the fireground, and again there is nothing in what is being proposed that is going to distract from the actual fire services in terms of their response capability being completely integrated in terms of the response on the fireground. Yes, there are some structural changes above the fireground, but in a response sense, the career and volunteer firefighters are on the fireground completely integrated in a response.

Mr YOUNG — That is actually a really important aspect. I suppose some of the language that we have been hearing out of other organisations is around integration. Particularly when we are talking about integrated stations, though, the language is changing to ‘co-located’. That kind of culture change, from an integrated front to a co-located front, may in fact cause those tensions, and that is a lot of the evidence that we have been receiving in submissions and from the general public and particularly from volunteers. What are your thoughts on that?

Mr BATES — Integrated stations, co-located stations — again I just go back to the response, and there is nothing in what is being proposed that — —

When there is a fire, be it a career or a volunteer brigade, they will be responding through the same arrangements as existed, largely. So in terms of the response, you are still going to have the career crew or the volunteer crew being dispatched from those integrated stations.

Ms HARTLAND — I have a few questions. If I can take a step back, just so that I am absolutely clear in my mind about that consultation process with the various agencies, maybe if I do it by describing how I was consulted with. I became aware that this bill was likely to come on. I sought a meeting with the minister. I had a meeting with the minister, with Craig Lapsley and Steve Warrington. I was taken in detail through the process, but I was not given the bill. So I, along with everybody else, was not given the bill until it was actually publicly released. In the work you did it sounds like there were a lot of operational questions posed to the agencies so that you had an understanding about whether you were on the right track or not, but at no stage until it was actually publicly released did anybody actually have a copy of the bill, in the same way that I did not have a copy of the bill.

Mr BATES — For completeness we did share some of the clauses around the presumptive rights scheme with the UFU in the weeks before, but apart from that, no-one else had the bill before it was introduced into Parliament.

Chair, I might take that opportunity just to clarify. Where I just said earlier about the four weeks out, at around the four-week mark I started to talk to some people about, ‘We’re thinking of this sort of reform’, but really detailed briefings did not happen until the week before the legislation went into Parliament. So if I could just clarify that. I call it a continuum of consultation, if I can mangle up that term. So we were flagging that something was likely in late April, but it was not until, I would say, that mid-May where we started to really brief the stakeholders in detail on the proposals.

The CHAIR — Thank you, Mr Bates.

Ms HARTLAND — If I could also go back to the issue around the email that was sent out to MFB firefighters about not putting in submissions, looking at the rules under the public service act. When that came to my attention and I shared it with the committee, we were quite shocked that that had occurred. Can you explain a little bit more what the thinking was behind that, because it seems to have really confused what has happened over the last week even to the degree of an article in the *Herald Sun* today saying that the process has been rigged.

Mr ECCLES — I probably cannot help you with the thinking of the CEO in issuing the email; that is probably a matter to raise with the CEO. Our thinking was simply along the lines of equality of treatment, parity of access to the process, the potential constraints provided by the code of conduct and the mechanism to overcome that to enable public sector employees to provide their commentary into the process without it in any way being censored, filtered or intermediated by any agency of government.

Ms HARTLAND — Do you understand that, if it has got to come through you, there is a sense that it is going to the employer and that it makes it look like it could have been censored or not directed properly and,

considering we have not actually received those submissions yet, that it may not have been the best way to handle this situation?

Mr ECCLES — The motivation was entirely honourable in that we were trying to give comfort to those who may have felt constrained, including the constraint that was suggested by the CEO. All we were trying to do was facilitate a process, not try and circumvent the process and not try to censor the process. I have committed to the Chair that the submissions that we have received will be provided to the committee without delay. Most of them have been received in the last 24 hours, so there is not a material delay. We have not been holding things back to prevent the committee and the secretariat staff doing the analysis; they have been piling in in the last 24 hours.

Ms HARTLAND — Can I go back to some more operational issues. My electorate is in the western suburbs. I have six CFA integrated stations and, I think, one volunteer station. The growth is enormous, especially in the Wyndham Vale and Tarneit areas. In looking at this kind of reform to my mind part of it is also having to deal with growth and volunteers, in what are becoming dormitory communities, especially being able to respond during the day. I am not taking away from the work that volunteers do because it is quite phenomenal, but there is an inability for them to be able to respond, because they no longer work in that town or they have to travel some distance. Was that a factor in the way that this was looked at and in the way that the boundaries were looked at?

Mr MINACK — A key factor is those growth corridors and how you have a fire service that can actually respond to that growth, and also an acknowledgement — and I take your point that volunteers do a remarkable job, but they are volunteers at the end of the day — that effectively for some of them in those growth corridors it was farmland 10 or 15 years ago and now it is suburban, urban sprawl. So it kind of begs the question in a policy sense: what is the best way of then responding to that? That is crucial in terms of the integrated stations moving across, but the boundary setting mechanism is that tool that enables the government to adjust the boundary between the CFA and the FRV as that growth continues or there are other risk factors that need to be considered in terms of where you put a fully career crew and a volunteer crew.

The comment I would make, though, is that even in terms of that adjustment process this is not replacing the volunteer brigades; this is actually providing additional support in terms of new stations and additional career firefighters to support them in terms of responding to their local community.

Mr BATES — Ms Hartland, we did do quite a lot of demographic analysis on the CFA volunteer cohort, and to your point about the dormitory suburbs, over the 15 years from 2000, in 2000 about 12 per cent of CFA volunteers were over the age of 65; that number is now at 21.4 per cent. That is one of the things that was informing us. As you say, although the volunteer numbers are constant or growing, they are ageing a lot, and I think it is a broader community issue that we are not seeing young people joining in the same sorts of numbers. So there is an issue of — —

Ms HARTLAND — To make a distinction, though, in joining those brigades that are on the city fringe rather than the country brigades, because I would think that the recruitment of younger people in country brigades where people are still really very focused on those kinds of services would be different. Do you have any figures on that?

Mr BATES — I think we can provide figures. I will say that it varies. So there are some outer metropolitan volunteer brigades where they are really, really strong, and they have got lots of young members joining. But it is quite patchy. We are aware in looking at some of the data of where there are some more rural and regional brigades where the cohort is really old, and they often struggle to turn out when they get called, so it is very diverse across the state.

Ms HARTLAND — I have one more question, and I may have some more later around the issue of consultation on this legislation. It seems to me that one of the really major faults in this is the lack of engagement with volunteers. Everybody on this committee has had a huge number of emails, and I have extracted a lot of the questions out of those emails especially from volunteer brigades about really what I think are very basic things, like having raised the money for the pumper, do they get to keep it? What is going to happen to the station? What is going to be the support? Was there no engagement plan thought of for being able to answer all of those questions before the legislation went live?

Mr BATES — There has been I think a very detailed communication process after the announcement of the legislation. I can run through these pages if it is helpful for the committee, but we have done at least 50 consultation sessions.

Mr MINACK — There have been actually up to 700 in entirety in terms of the CFA managers with volunteers, and there were also an additional 67 from the minister, parliamentary secretary and other senior leaders from the CFA and MFB, so in its entirety we have given the opportunity to almost 35 000 volunteers and career firefighters to attend those forums to get a briefing on the proposed reforms, so it was very extensive once the statement was issued.

Mr BATES — And there are websites, so those questions we knew were entirely understandable. We had a whole lot of comms and stuff which was ready to go, but then again it was all around, ‘Do you do that before you bring the proposal to Parliament or do you try and explain it to people?’. So that is the sort of tension we worked through.

Ms HARTLAND — Would you be able to supply those meeting dates and who you met with to the committee?

Mr BATES — Yes, I think the submission that we will put in later today lists a whole lot of them with location dates and how many people were there.

Ms HARTLAND — Can I just say that I did see the website, but someone else had to point it out to me. Then I started sending it out to people who were sending me questions, so I am not sure that people actually knew that the resource existed either.

Mr O’SULLIVAN — Thank you, gentlemen, for appearing before the committee today. There are a couple of different areas that I want to go to. To start with I want to go down the avenue in terms of the two aspects of the legislation: the reform aspect of the fire services and also the other bit that is lumped on the end of this bill in terms of the presumptive legislation. It seems to me to be very peculiar that you would put the two of these issues together. Each of them seems to be quite significant in their own right. I fail to understand why the presumptive legislation was put into the reform of the fire services bill. While obviously in the emergency service firefighting area, I find it peculiar as to why they are both lumped into this one bill. Can you provide the committee with some information as to why that has actually occurred?

Mr MULINO — Chair, can I just check on whether it is really within the scope of the bureaucracy to be answering questions around that kind of strategic structuring of bills and whether that falls within the scope of the terms of reference?

The CHAIR — Thank you, Deputy Chair. I will leave it up to Mr Eccles if he wishes to address that. It may well be a policy decision of government, but Mr Eccles may be able to provide some insight into that, so I will allow Mr Eccles to answer the question as he sees fit.

Mr ECCLES — I take Mr Mulino’s point. The structure of the legislation and the content of the legislation were matters that were debated within government. The decision was taken that these matters were of such significance that they both warranted legislative form and that those be brought to the Parliament at the same time. It would not be appropriate to offer any further insight into the thinking of government in bringing those two matters together into the Parliament at the same time.

Mr O’SULLIVAN — So when this concept was thought up in terms of putting the two together, what was the advice of your department in relation to having both those elements in the one bill?

Mr ECCLES — I am not prepared to offer to the committee the internal advice that we provided to government about the appropriateness or otherwise of how the bill should be structured.

Mr O’SULLIVAN — Did you provide other options to government in relation to the way that they could best proceed with this to get it through the Parliament?

Mr ECCLES — In the normal course we would offer to government all possible options, and that is not remarkable. That is what we would normally do. I cannot take it any further and describe the preferred advice or

provide any further information around the deliberations of government in coming to a view about the legislation in the form that it has been presented to the Parliament.

Mr O'SULLIVAN — Obviously DPC, within the whole of government and the role that you play, would have had a whole range of advice in terms of what is the best way to proceed with such a significant piece of legislation — —

Mr MULINO — You are clearly labouring the same point.

Mr O'SULLIVAN — On a point of order, Chair, if you look at the terms of reference, point (d) talks about the underlying policy rationale — —

Mr MULINO — Of the restructure. It is in the heading.

Mr O'SULLIVAN — And what I am trying to get to is understanding the underlying element as to why these two pieces of the legislation were lumped together.

Mr MELHEM — Efficiency. It is actually efficiency. It is a horrible word, isn't it? How do we get productivity? Two for the price of one.

The CHAIR — Order! Mr Melhem! I will invite Mr Eccles to answer within the constraints that he is subject to around policy decisions of government.

Mr ECCLES — Yes, and I can only go back to what is a process point. I am constrained. The guidelines for our appearance before the committee constrain us in disclosing the detail of matters considered in relation to the decision-making process of government unless those details are public. Those details are not public, and I now cannot take the issue any further.

Mr O'SULLIVAN — Is it possible for these two elements of the legislation to be separated and considered in separate pieces of legislation before the Parliament?

Mr ECCLES — It is asking for a view from me on a technical matter about how legislation is best assembled, and I cannot bring that technical expertise to the discussion.

The CHAIR — It is a technical question, Mr Eccles. I guess what Mr O'Sullivan is getting at is: does the restructure part of the bill, which is part 3 onwards, depend upon part 2, which is the presumptive legislation? Are they inexorably linked? Can they be delinked? It is a technical question.

Mr ECCLES — And again I do not have the technical expertise to address the question.

The CHAIR — Mr Bates, you were heavily involved in drafting this legislation.

Mr BATES — I am not a lawyer, so we relied on parliamentary counsel.

Mr O'SULLIVAN — You guys are the head of DPC, and you cannot answer that simple question. You are the head of the government from an administrative point of view, and you cannot answer that question. Are you serious?

Mr LEANE — You can just stick to your conspiracy theory. It is a conspiracy theory now.

The CHAIR — Order! Mr Leane!

Mr O'SULLIVAN — Is that true? Is that what you are telling the committee?

The CHAIR — Would you like to add anything further?

Mr ECCLES — No, I would not.

Mr O'SULLIVAN — Well, I find that absolutely astounding that two of the most senior people in the whole bureaucracy of the state of Victoria cannot answer the question as to whether this piece of legislation could be split into two different elements.

Mr MULINO — You are veering off policy into drafting.

Mr O'SULLIVAN — Okay. I will move on if I may, Chair, but I am surprised that you do not have any information or the technical expertise to tell us whether the bill could be split to deal with each of those areas separately. But I will move on.

In terms of the consultation, we have heard in the committee this morning that there was consultation with the UFU in relation to the bill before anyone else was consulted about the bill, particularly that you consulted with the UFU prior to consulting with the MFB or CFA. Did I hear that correctly?

Mr BATES — On the presumptive legislation — on the presumptive rights scheme part of the bill.

Mr O'SULLIVAN — Why only the presumptive legislation part of the bill?

Mr BATES — Because there are similar schemes in several other Australian jurisdictions, so we were just trying to understand how the schemes were working in Queensland and Tasmania and using that to inform the design of the scheme for Victoria.

Mr O'SULLIVAN — And you had to go to the union to actually understand that element of the legislation?

Mr BATES — They had a lot of experience with the schemes in the other states. It was the most efficient way for us to get that information.

Mr O'SULLIVAN — Okay. Did you also go to the VFBV to consider the same information or to seek some of the same information or the same views in relation to the presumptive part of the legislation?

Mr BATES — No.

Mr O'SULLIVAN — Because obviously the presumptive part of the legislation applies to all firefighters, but you have just gone to the UFU. Is that correct?

Mr BATES — Yes.

Mr O'SULLIVAN — Why didn't you go to the VFBV?

Mr BATES — My view was that the VFBV did not seem to have the sort of expertise or experience in the design of presumptive legislation schemes. They had made a number of statements on the public record which we reviewed in the development of the presumptive part of the bill.

Mr O'SULLIVAN — So you made an assumption that they did not know, rather than actually going and asking them whether or not they knew or whether they had something to contribute.

Mr BATES — Correct, yes.

Mr O'SULLIVAN — I find that interesting. Do you think it is reasonable that you spoke to the UFU about the legislation prior to actually consulting with the CFA or the MFB, let alone the VFBV?

Mr BATES — The presumptive part of the legislation is very much an interaction with the WorkCover scheme, so really there was not a lot of value-add that we saw from CFA or MFB around the presumptive. As I say, it is about creating rights under the WorkCover system.

Mr O'SULLIVAN — But the UFU only represent professional firefighters who are actual members of the union, yet the presumptive element applies to all firefighters.

Mr BATES — Yes.

Mr O'SULLIVAN — It seems peculiar that you would go to one particular interest group to seek that information ahead of briefing the actual organisations that were impacted by the legislation.

Mr BATES — Again, Mr O'Sullivan, it is around WorkCover insurance compensation. With respect, the fire services have very limited understanding and policy capability in regard to those elements. In terms of how

we interact with the WorkCover scheme, what the common-law rights are, what the things about rebuttal are, how we do actuarial work on costing up the scheme, it is not their business and they do not really have any capability or understanding of those issues.

Mr O'SULLIVAN — Okay. In terms of those meetings with the UFU, did you have any discussions about any of the other broader aspects that might be within the bill at that time?

Mr BATES — I would say we had a fairly intensive sequence of meetings over the presumptive part of the bill where that was all that we talked about, where we worked through in a lot of detail how presumption would work, how rebuttal would work, how it compared to the other states. Again I think, consistent with what I said earlier, there were other discussions where I was asking for information. We were not going into details of what the proposals were, but again — —

Mr O'SULLIVAN — So you did have conversations broader than just the presumptive legislation in your discussions with the UFU?

Mr BATES — At various points over the time since January, yes.

Mr ECCLES — But that was also the case with — —

Mr O'SULLIVAN — Sorry, I will just finish here and then we can come to you, Mr Eccles, if you want to add something.

Mr ECCLES — It was a point of clarification.

Mr O'SULLIVAN — With the conversations that you had starting back in January with the UFU on broader elements, which obviously progressed in terms of that conversation, did you have similar conversations broadly with the VFBV or the CFA, or the MFB for that matter, back as early as January?

Mr BATES — Yes, with the CFA, but again we were asking questions around some of the things — —

Mr O'SULLIVAN — What about the VFBV? Did you start speaking to them back in January?

Mr BATES — No.

Mr O'SULLIVAN — Just so I have got it clear in my mind, you started speaking with the UFU broadly from January, right through until the legislation came to Parliament. When did you actually speak to the VFBV in terms of consulting with them?

Mr BATES — Personally I have only had two or three discussions with them, which I think would have been in May.

Mr O'SULLIVAN — Okay. How many meetings would you have had with the UFU?

The CHAIR — Mr O'Sullivan, we need to move on. Mr Eccles, did you wish to make a comment?

Mr ECCLES — Mr Bates reinforced the point that the CFA were also involved early in the process. The method was one of asking questions to inform the development of the proposition for government rather than the exposure of the thinking of government to particular parties. It was gathering information rather than distributing information.

The CHAIR — Thank you, Mr Eccles.

Mr LEANE — Just getting back to the Chair's questioning around how your department may assist in delivering government policy, whether it be legislation or through other means, has there been any period where you have been developing that for a country area, a rural area, and you have included locations — say, the first home buyers rural grant or something like that? Would you be including locations like Springvale, Dandenong, Craigieburn as country areas?

Mr ECCLES — In the normal process of developing policy?

Mr LEANE — Yes, so it is rural policy. Those suburbs, do they get included in rural policy — rural first home buyers grants?

Mr ECCLES — It depends on the circumstances, Mr Leane.

Mr LEANE — So you could deem them country areas?

Mr ECCLES — Yes.

Mr LEANE — Dandenong is a country area?

Mr ECCLES — I am not sure how we characterise Dandenong for the purpose of policy.

Mr LEANE — I think people that live in Dandenong would be a bit surprised if they were told they were living in the country. Why they would be surprised would probably be that in those locations there are many, many people living close together. There are a number of kindergartens. There are a number of schools. There are a number of aged-care facilities. There are a number of group disability homes, I imagine, in those areas. I think it would be pretty hard to deem them as the country.

Mr ECCLES — Even though I am reasonably new to Melbourne, I take the point that it would be hard to characterise Dandenong as being a country or rural area.

Mr LEANE — I suppose that gets around the reform. There was a highly publicised campaign by some organisations — some of it was political — and some news outlets around that the volunteers did not want the career firefighters through their collective having any say in how they would operate. They had concerns that there might be some veto from one group to their group about how they operate. With the reform, that actually takes away that opportunity. Is that correct?

Mr MINACK — Obviously you have taken out the operational firefighters from the CFA, so that issue about the CFA delivering services to volunteers and the juggle between volunteers and career firefighters has been removed because the career firefighters are proposed to be transferred across to Fire Rescue Victoria.

Mr LEANE — Whether the career firefighters want to or not have an influence then on how the volunteers operate, if this reform goes ahead, there is no vehicle for that?

Mr MINACK — Yes. Effectively you do not have that issue of on the ground career firefighters and volunteers; it is being removed. Again, this EBA can focus exclusively on supporting, recruiting and developing volunteer firefighters.

Mr LEANE — This campaign was publicised to the point that the federal government implemented legislation to determine what sort of EBA they could have. What does that legislation actually do?

Mr MINACK — The federal government did an amendment to the Fair Work Act, which effectively resulted in the issue of any clauses in an EB that would have an impact on volunteers being prohibited from the EB. Our reading of that legislation is under the current environment in the CFA it is virtually impossible to finalise an EB in the CFA with career and volunteers in the same organisation. Again, one of the issues that we had to look at was the CFA management, in terms of finalising an EB under the current environment, and they could not do it.

Mr LEANE — So virtually impossible, to the point where for men and women in this jurisdiction who make a living putting out fires and saving people's lives there is no opportunity for them to renew their employment contract under their EBA?

Mr MINACK — I will just be clear. Their employment is ongoing. The issue is in terms of their terms and conditions — putting in place a new EB. Being able to finalise that under the current legislative environment is virtually impossible.

Mr LEANE — That might make some of the people on this panel happy, but I am sure the general public would not think it is fair for people that put out fires and save lives that just because they make a living from it they cannot renew their employment contract ever. Let us get out of our jurisdiction. What does that mean for

other jurisdictions in Australia? Does that mean that anywhere there are volunteers and career people who work together in harmony, side by side, it is the same then — it is virtually impossible for that group to renew their employment contract for an EBA?

Mr MINACK — The Fair Work Act by definition applies nationally. The point I would make is a number of the states have got local IR functions. Victoria has effectively transferred its IR function to the federal government, so the application of that in Victoria is particularly acute because we actually do not have an IR function.

Mr LEANE — So particularly in this state that is the case?

Mr MINACK — In this state, yes.

Mr LEANE — I did want to go back to Springvale being the country. When was the last time the metropolitan fire service boundary was adjusted?

Mr MINACK — That is a good question. It is actually hard to find out the last time it was moved. Our understanding is it goes back to the 1950s — the current boundary setting.

Mr LEANE — So the 1950s?

Mr MINACK — Yes.

Mr LEANE — How many reviews and how many approaches have there been to see that it should be changed?

Mr MINACK — To be honest, over that time there have obviously been countless reviews. There have obviously been eight in the last decade. Again, looking at this from a policy perspective, one of the key things that jumps out at you, in terms of the existing structure of the fire services with the boundary as it is, is the inability to move it and have no mechanism in a legislative sense to move the boundary.

Mr LEANE — What is the mechanism in the legislation that is proposed?

Mr MINACK — What we are proposing to do is put in place a boundary setting mechanism. That would be reviewed by the secretary of the department of justice. Effectively we would have a panel of experts who would do a risk assessment in terms of whether the community needs a new brigade to be implemented, whether there is no change or whether there is actually a further review in 12 months time. The legislation is designed to specifically provide the opportunity that, if a volunteer brigade is struggling to meet service demand, you can put in some additional measures in terms of volunteer recruitment, new equipment and other support mechanisms to ensure that volunteer brigade can continue to serve their local community. There are three options in that process. That advice is then provided to the minister for a final decision, and that is then put on the public record. So there are a number of checks and balances in terms of a transparent process, and the criteria are articulated in the legislation.

Mr LEANE — So the process, the expert panel, gets taken out of the hands of politicians at that point, and that has been part of the problem or that has been the problem — that is, that there has not been a government that has wanted to move on this issue because it turns into some emotive, weird thing. So the expert panel, they make a decision on evidence, and then it goes to the minister at the time to tick off, but whether the minister ticks off or not it goes to the public.

Mr MINACK — That is right. So the decision is gazetted. The other comment I would make is that in that process — —

Mr BATES — Andrew, I think the recommendation is gazetted. So that is the point, Mr Leane. The independent panel uses the criteria about population growth, changing risk, changing call-out numbers, changing fire indexes. The legislation requires that the recommendation from the panel is publicly available, but the minister still makes the final call and that is obviously because there can be resource implications in some of those things. So we did not want a mechanism where an independent panel would be making rulings that would be then driving budget decisions outside the control of the executive government.

Mr LEANE — So my understanding is the last time the boundary was changed the borough — I said that word wrong; it is called a council now — of Croydon was moved into the metropolitan area in the early 1900s. I would imagine that jurisdiction, that borough, would actually have campaigned to get into the MFB. So in this future case, if we have got an area that believes it should be in the boundary, they campaign for it, the expert panel says, ‘Yes, you should be in the boundary’, and the minister does not tick off, that is all transparent. So that community knows exactly where the buck stops.

Mr BATES — Yes.

Ms LOVELL — Mr Bates, you talked about broad consultation, which included the UFU. Can you tell us how many meetings there were with the UFU between the start of January and the end of April?

Mr BATES — I would have to go back and review my diary, but in rough numbers it would be in the teens, so 12 to 15, possibly more. But it is that sort of number.

Ms LOVELL — If you could provide that to the committee, that would be great. You also stated that the UFU was shown some of the legislation in relation to the presumptive legislation. Was the UFU shown any aspects of the rest of the legislation during these meetings?

Mr BATES — No.

Ms LOVELL — And was the aspect of the new structure discussed with the UFU?

Mr BATES — Shortly before the legislation was introduced into Parliament, yes.

Ms LOVELL — So when were the UFU briefed on the legislation?

Mr BATES — As I say, in detail it would have been about the week before it went into Parliament. I did talk to the UFU about some of the structural design. The model, can I say, for the structure of Fire Rescue Victoria is very strongly based on Victoria Police, so I talked to them in those few weeks out about a model of a chief commissioner, a limited number of deputy commissioners. My advice to government was that the board structure was not working effectively, and also one of the issues was around — to use the economic term — diseconomies of small scale. So in terms of the sort of management capability we would need to have the services working effectively. You see it in things like the capital works capability. Having CFA and MFB running separate capital works programs, they are too small to be efficient at that scale. I talked a little bit about some of those sorts of things. They are broad concepts. The way I have just explained it to you was very much the form of the discussion I had in the weeks before we actually sat them down for the more detailed briefing.

Ms LOVELL — So you are saying that you did discuss with the UFU a broad concept of the change in the structure of the CFA and the MFB prior to the CFA and the MFB being briefed on that, which was basically the night before the legislation came to Parliament.

Mr BATES — No, that is not the correct construct of the timing. I gradually briefed CFA and UFU around the ideas of the broad reform, and then as we got closer to the thing and we were firming up the decision-making, I will say in my discussions I was pretty clear in explaining that a lot of the structural thing we were modelling on Victoria Police. So I might have shared that both with the CFA and UFU in that late-April time, but again I was sharing it in terms of these being some ideas we were considering. It was not that they were decided; they were not decisions at that point.

Ms LOVELL — You also told us this morning that there was the expert advisory group that was established and basically that was a consultation, yet the minister has said that there was extensive consultation. Can you outline any other consultation that happened outside of the expert advisory group?

Mr BATES — It is really what we talked about this morning. From that late-April point onward we were working fairly closely with the emergency management commissioner as well. The expert advisory group was meeting starting from late — —

Mr MINACK — February or March.

Mr BATES — Yes. We were meeting with them probably every fortnight, working through a lot of the policy proposals with that group. I would probably characterise it as a lot of consultation with a small group of very experienced people.

Ms LOVELL — So the extent of the consultation was the expert advisory group and the UFU, and that was it, because the MFB and the CFA were only asked for data to be input.

Mr BATES — Again there was a lot of information gathering that was happening with both UFU and CFA, and then the discussions of some possible ideas, which were not firm proposals, were both at about the same time with them. Then we went into the detailed briefings with them on the likely structure, which was in the days before the bill was introduced into Parliament.

Ms LOVELL — Were there any documents shared during these conversations and consultations?

Mr BATES — I said earlier that we did share some of the clauses around the presumptive parts of the legislation, but apart from that, no.

Ms LOVELL — Is the committee able to have a copy of any documents that were shared and any meetings or notes from the minutes?

Mr BATES — I am pretty sure I can get you copies of what we shared in terms of the presumptive legislation.

Mr ECCLES — We would just need to check that it does not attract any executive privilege before we pass it over, so we will get some legal advice.

Ms LOVELL — Mr Bates, what input have you had into the drafting of any EBA for FRV?

Mr BATES — None. The UFU have sent us a proposed FRV EBA. We have done no work on it, had no meetings on it and had no discussions on it.

Mr MELHEM — Gentlemen, thank you again for your time. I am not going to ask too much about how many meetings you have had with the UFU and various other people, because, to be frank, I am not interested. What I am more interested in is you taking me through what this legislation is aimed at achieving, and I think that is what we are here for. Can you take me through the expert group you talked about — for example, Ewan Waller? I mean you have got some quite impressive people there who have actually been in the industry for a long time. Greg Wilson, I think, used to be the secretary of the DSE or DELWP. So you had quite an interesting group. Why have you chosen this group? Can you take me through the logic and the work that they have undertaken since January?

Mr BATES — Greg Wilson is still the Secretary of the Department of Justice and Regulation, Mr Melhem, so he was party to what I will call the cabinet process. He has seen the documents and given feedback there. As I said, we went out to find a group. Greg Mullins is a retired chief fire officer or chief executive of Fire and Rescue New South Wales. He had actually been in that role I think for 15 years or so. He was the original chief when they implemented the model. So the model we are talking about is very much like the New South Wales model. He was actually the initial chief who saw all the transition from the old thing into the new one, so he had a great deal of experience in terms of governance structures. Similarly New South Wales have moved away from some of the boards. The path we were contemplating New South Wales had been through in great detail, so that was a great source of advice in terms of how the transition worked, what the crunchy points were and how you continue to make sure that volunteers can stay engaged.

Ms Armytage, former secretary of the justice department, was again quite familiar with the fire services. At the time she was also at KPMG as one of their lead public sector consulting partners. Ewan Waller, ex-CFA and DELWP, brought understanding of what I will call the broadscale regional landscape fire and particularly had a lot of experience in campaign fires. So when you get those things in the high country that run for months at a time, he had deep experience there. And then Mr Crean had a deep knowledge in terms of industrial relations. We were particularly working with him around trying to address the cultural issues within the organisation.

The group were meeting pretty much fortnightly. We tested lots of the ideas with that group. I might also say we recruited a former CFA assistant chief fire officer in the team who was working in DPC with us. We had someone who until a few years ago had been quite senior and quite operational, who I think left the CFA three

or four years back. So we had a full-time person in DPC who had a 25 or 30-year career in CFA. We had internal access to a very deep operational knowledge about the CFA, which is why we felt we could do a lot of the development work without necessarily having to loop all the other players in during the early stages.

Mr ECCLES — In a link between the past and the future, the strategic advisory committee that has been set up under the legislation to support the commissioner will be chaired by Greg Mullins, so we will have access to his expertise in an ongoing sense.

Mr MELHEM — Can you link that to recommendation 63 of the royal commission, which specifically talked about this particular issue? I think there was reference in relation to the expansion of the high-density population in Melbourne and reviewing the boundaries. I think the commission have spent a fair bit of time on that. Can you sort of take us through that?

Mr MINACK — That recommendation was the issue around the boundary setting mechanism and putting in place some mechanism to provide advice to government to adjust the boundary. That was obviously one of the key recommendations from the royal commission. What we are proposing here is in terms of the boundary setting mechanism response to that recommendation from the royal commission.

Mr MELHEM — Now, correct me if I have got the restructure right, to me it is two sorts of groups or stakeholders in Victoria. We are looking at the low-density population, traditionally country areas, and high-density, which is greater Melbourne, Dandenong and big cities. Basically the new proposition is that they would be serviced by two organisations, Fire Rescue Victoria and the CFA. But we forgot one other organisation which is a major player in the country area, DELWP, which looks after the real estate. Therefore you will have DELWP looking after the state assets, which is national parks, state parks et cetera; the CFA looking at private land, which is staffed by volunteers; and Fire Rescue Victoria looking at the heavy populated areas, which to me makes sense. Is that basically what the model is about?

Mr BATES — Exactly. There are different skills in firefighting, so structural fires and particularly industrial fires, which are a lot more risky. Again this was some of the very strong advice we got, particularly from Greg Mullins, from the journey in New South Wales. Similarly as they had rapid population growth on the edges of Sydney and some of their other centres and the spread of the industrial estates as well, they had situations that they talked about. I think the CFA, when we spoke to them in more detail, had similar issues here.

With that growth out in the Werribee sort of area — there are quite a lot of industrial developments going on out there — you can get a fire in an industrial site which could have all sorts of chemical stuff. Because we have not been moving the boundaries, you can end up with a volunteer brigade sort of being first on scene where they may or may not have breathing apparatus training, and they often do not have the full hazmat capability and training. So this was a very strong direction we took from NSW. Its urban industrial was very much to the point that we were trying to get to — the complexity of some of these fires and the danger associated with them.

And again Greg's experience in New South Wales was often about the first ones at the scene sometimes would be volunteer firefighters and you could potentially have stuff blowing up and all those sorts of things. It was about making sure that you were not putting people at risk, into situations where they did not have the background and the training. It is very much that sort of trying to align the risk with the response capability.

Mr MELHEM — It is no different than operating any business really. The business has changed since 1958. The CFA was established by landowners to protect their land and so forth. The MFB was put together to provide fire protection for Melbourne, and the reality is today that the 35 integrated stations are staffed largely — 90 per cent of responses and so forth — by career firefighters. Is that a fair assumption?

Secondly, I would like you, if you are able, to take me to response times in these 35 integrated stations in Melbourne versus if there was a purely volunteer organisation, how that would work.

Mr BATES — I might go to Mr Minack, who has done a lot more of the data analysis.

Mr MINACK — In terms of response times, again I think the point I would make is that as you get out obviously to the more rural and regional remote locations the response times will understandably extend. That is just the nature of the geography and the CFA volunteer locations. Obviously in terms of the integrated brigades, you have got career firefighters in the station ready to go. Inevitably that means the response will be quicker

because they are in the truck and they are out there. The reality is that with the volunteers, they need to get paged to come into the station or go directly to where the fire is. So again in a response time sense you are going to get a quicker response from a career crew who are in the station ready to go than a volunteer crew who actually often have to go into the station, kit up and then go out.

Mr MELHEM — I have a couple of questions. One is in relation to the Victorian volunteer brigade or association; let us call it the union. Have they approached you in the process of the legislation that has been put together about any proposed changes or amendments or ideas about the model or raised their concerns? Have they come up with any ideas or proposed changes to the legislation? Have you heard from them?

The CHAIR — Mr Melhem, can we just be clear as to which organisation you are referring to, because there are a couple of volunteer organisations.

Mr MELHEM — Well, any.

Mr BATES — I have been in a couple of meetings with the VFBV. They think the existing system is working well and their basic view was that we do not need to do the reform; they think we can just keep working with the system as it is currently structured.

Mr MELHEM — So basically no change. That is their view.

Mr BATES — I would summarise my understanding of their — —

Mr MELHEM — Let us be frank and up-front about it. The royal commission was one reason why the change and, two, the last 12 or 18 months of the current tension with the EBA in relation to the CFA-UFU EBA was another trigger to make the change happen. Is that a fair summary? It is one of the triggers. It is not the main trigger, but is that one of the triggers which has prompted getting the reform put in place?

Mr BATES — I would say the industrial thing is a fairly minor trigger. The bushfire royal commission recommended that we change the funding arrangements and so in the last Parliament the fire services property levy came in. Going back to some of Mr Leane's earlier points, the old fire levy arrangements — the stuff that is in the current legislation, if a council wants to come into the MFB zone, they have to apply to the MFB board. It is like a golf club membership; you have to apply. The way the old arrangements were structured was that the council would then pay a higher levy. Basically no rational council would apply to basically up the rates base, so no councils were applying. There was an old structural disincentive for the boundary to move.

One of the recommendations out of the bushfire royal commission implemented by the previous Parliament was they took that away and we got to a broader, more even fire services property levy which removed that issue. The fact that that impediment had been removed in the previous reforms was also one of the other things here. We had sort of partly already implemented the bushfire royal commission's recommendations about modernising the funding system and that removed one of the big disincentives before where local government would strongly resist any sort of movement of the boundary.

As I sort of tried to say earlier, we see a reform journey here very much coming out of the bushfire royal commission which we are still trying to run down, so I personally do not characterise the industrial actions issues as a major trigger. I think the IR issues are a symptom of the deeper cultural and other issues in the service which are, in my mind, much more the reason why we think this reform is needed.

Mr MELHEM — One last question from me. Would the CFA funding be impacted by the change? Would they be worse off or better off? Where I am coming from is: how would that ultimately affect community safety? I think unfortunately we are losing track of that politically and we need to go back to that. Are you able to shed any light on that?

Mr MINACK — Obviously part of this was a \$100 million package of additional support for the CFA, but in terms of ongoing funding, the integrated stations as they are moved across obviously the funding for those staff and additional costs and appliances will follow them across to the FRV. But very clearly there is no financial impact on the volunteer stations and in a financial sense life goes on. Certainly in terms of the issue of any equipment they have fundraised for and those types of assets and the concerns they have, there is nothing in the proposed model that would transfer any of those assets across to the new entity, Fire Rescue Victoria.

The CHAIR — Thank you, Mr Melhem. There is now 25 minutes remaining for this hearing so there is an opportunity for probably no more than about two questions from other members; a couple of members have indicated they have some additional questions. I will start with a couple.

Just to follow up on some matters that were raised. Mr Minack, you referred to a question from Mr Leane about the CFA EB not being able to be implemented under the current Fair Work structure. Would that EB be able to be implemented under this new legislative proposal within Fire Rescue Victoria?

Mr MINACK — If the bill goes through, you would have the FRV new entity and there would have to be a new EB established for that new entity which would not run foul of the restrictions under the Fair Work Act.

The CHAIR — If it included the same terms as the proposed CFA one, it would not run afoul of Fair Work.

Mr MINACK — Yes, it would not run afoul. There would have to be some minor adjustments because there would be some of those provisions which we think would relate exclusively to internal kinds of CFA matters which are no longer applicable because it is in a new entity.

The CHAIR — Thank you. Something we have not discussed today but was raised in the briefing are secondment arrangements from Fire Rescue Victoria to the CFA. Can you clarify, where staff are seconded under such an arrangement, if the chief officer of the CFA will have the same operational control as he currently has with staff who are in the CFA — employed by the CFA?

Mr BATES — Yes.

Mr MINACK — Yes.

The CHAIR — Can you comment in that regard on clause 38 of the bill, which provides that nothing in the bill or in the CFA act empowers the CFA to exercise power in respect of an officer that is seconded? Can you clarify how that will work then?

Mr MINACK — Sorry, can you say that again?

Mr BATES — I will go, Mr Rich-Phillips. It is around, I will say, the other employment relationship type things. The intention is that operationally the CFA chief officer, he or she, will have full control through the seconded staff into the volunteer brigades — the captains and all that sort of stuff. That clause is basically I will call it around the employment arrangements. So it is sort of saying the CFA chief officer cannot sack someone who is — it is that. It is separating, I will say, terms and conditions of employment from operational command.

The CHAIR — The language is very broad, though, Mr Bates. It says:

Nothing in this section or the Country Fire Authority Act 1958—

(a) empowers the Country Fire Authority ... to exercise a power in respect of an officer or employee made available ...

on secondment. So it refers to a power, which presumably would include operational control.

Mr BATES — I will say as we have been re-reading the bill, that is one that we think we might need to be more precise in the language on. But the intention is as I described it to you. The CFA chief officer has full operational control. That clause is meant to separate, because the staff are actually employed by FRV, so promotion, discipline, anything like that, that is meant to be done at FRV.

The CHAIR — Given the committee has to make a recommendation to Parliament, are there any other things in the bill which need to be corrected or clarified?

Mr BATES — That is the main one that we have identified in our reading.

Mr MINACK — Yes, that clause only relates to employment powers, so that is specifically defined to pick that up. We will do some further review to confirm that, but that is the intent.

Mr ECCLES — We will provide advice to the committee, from our review of the legislation to date, whether there are any propositions for legislative amendment.

Mr MULINO — I just have one clarification question around process and then a policy question. Just around process, there has been a lot of discussion about who met with who where and when. But in terms of just clarifying the process, essentially from January through to April, the expert advisory group and DPC were engaging with a range of departments in a whole-of-government kind of manner, so that was the kind of longer term internal government process. Then in terms of some external expert agencies — whether it be CFA, MFB, UFU or others — is it fair to say that the engagement with those external entities was broadly similar across the board in that they were engaged with on particular technical questions but none of them were consulted with on the bill until very late in the process?

Mr ECCLES — That is a precise and accurate characterisation.

Mr MULINO — Great. Just in terms of the co-location model and some other aspects of the bill, there has been much engagement after the announcement of the bill with stations right across the state. In a sense some of that is to talk to people about what is in the bill, but is it also fair to say that some of that is around consultation around the detail of implementation and actually figuring out the details in a collaborative manner? Is it fair to say the bill is intended to provide a framework, but it does leave a lot of the operational detail to be worked out on the ground through this implementation process — for example, integrated/co-located stations will be able to figure out their own bespoke models?

Mr MINACK — Yes. Certainly where we are in a policy development sense is we have got a bill that proposes a model, but there is certainly a large amount of work that will need to be done. As Chris referred to, Greg Mullins is chairing that implementation group to provide that expertise. But in terms of the actual operational relationship between volunteers and FRV, there is an amount of work to be done in terms of that implementation.

Part of the engagement with the volunteer groups at integrated stations and elsewhere was also around the government's \$100 million fund in terms of getting the input about what is the best way of allocating out that funding as well. Then there are other different elements that will obviously need engagement in terms of the boundary-setting mechanism. We will have to run through implementation of that aspect. Again, ditto with presumptive rights. You have got a bill, but it needs to cascade down in an operational delivery sense. So that is a key element of that engagement that has been undertaken.

Mr MULINO — So this engagement is not just about explaining a *fait accompli*; in many respects it is about working together in a collaborative way to actually implement the detailed operational aspects?

Mr MINACK — Yes. There are a number of legitimate operational questions that both volunteers and career firefighters have. I mean, this is a major organisational change. There is a clear direction outlined in the bill, but in terms of any organisational change, that needs to be managed very carefully. It will take months, if the bill goes through, to run through the implementation of that.

Again, what we are proposing is a memorandum of understanding between both organisations to oversee that implementation, to both pick up and reassure us around the operational side and any other issues in terms of the nuts and bolts of this type of major change.

The CHAIR — Ms Hartland had a couple of questions.

Ms HARTLAND — Mine are very specifically on presumptive. As the person who actually did a private members bill on presumptive I feel like this is the bit of the legislation I know in and out. What I found interesting is that Volunteer Fire Brigades Victoria have come to me and said that it is unfair to volunteers. In a number of these conversations they have not actually been able to pinpoint what the problem is except for the panel. In my reading of it, Volunteer Fire Brigades Victoria says that there are 60 000 volunteers, but the CFA — and I am reading off their figures from 1 April 2017 — says that they have 35 595 operational firefighters and they have 18 935 non-operational volunteers, which is a total membership of just on 54 500 volunteers all up. The need for the panel, in my mind — and I am just trying to confirm this — is because a number of CFA volunteers are non-operational there needs to be a mechanism to make sure that in fact they as volunteers have actually been engaged in firefighting. But as I understand it from my discussions with the minister's office and other people, it will be a fairly simple process. It will be very much a tick-box process; it will not be an adversarial process. Can you speak to that?

Mr BATES — Yes, that is exactly the intention. The panel idea we got very much from the Queensland model. Our understanding of the Queensland volunteer fire service is, can I say, that their record keeping has been terrible to no good, so volunteer firefighters who have been exposed to all sorts of carcinogenic substances, when they go back to the Queensland fire service, they cannot confirm whether or not they were members of brigades and where they went on call-outs. This is one of the things I was talking a lot about with both CFA and others during the process. CFA are of the view that they have very good records and they think that they have very good turnout records going back at least 25 years, but we had picked up through comments that the volunteers association had made that they did not agree that they were confident that the CFA had comprehensive records for everyone.

So that is the point of the panel — to try and find a pathway through. If you did have that situation where a volunteer could say, ‘I was at these fires in the early 90s’, and if the CFA records did not show that, we did not want that to be the end point of the presumptive path for the volunteer. So the point of the panel is as simple as, ‘Which brigade were you in?’, and they would just check the brigade, and, ‘Can you tell us where it was and what sort of truck it had?’, or something like that. So it is meant to be a very low-bar test just to confirm that the person was operational when they said they were if the CFA records are incomplete.

Ms HARTLAND — One of the other points that has been raised with me as an example would be Hazelwood. It would be marked as one event, yet people will have gone in there on several occasions and be highly exposed. How would you deal with a major event like that? Would it be multiple — —

Mr BATES — There is also design in the legislation — I will call it a special consideration path — where you do not have to have met the other things, so it is particularly designed for Fiskville or Hazelwood or those sorts of things. People who might not meet other thresholds, both volunteers and career, can just go to that panel with the idea that the panel can sort of say, ‘Which incident are you talking about?’, and they can make a judgement on was it a major incident which ran for a long time or were people exposed to or there a danger they were exposed to high levels of carcinogens and other things. Again the idea is that that panel can, I would say, issue an exemption from the normal other criteria and move people straight into the presumptive scheme.

Ms Hartland, there is a CFA volunteer compensation scheme in place already as well, so that is still there as well, and the bill also, I think, creates another, I will call it a further safety net of an ex gratia thing. If people cannot get through any of the three available paths, there is still another ex gratia thing at the minister’s discretion that they can try and help people who contracted illness and it looks like it could be related.

Ms HARTLAND — Can I ask one quick — —

The CHAIR — On that subject?

Ms HARTLAND — Yes, the same subject.

The CHAIR — I am just conscious, Ms Hartland, that our terms of reference are actually about the restructure rather than the presumptive model. I appreciate your interest in presumptive, but our terms of reference are on the restructure.

Ms HARTLAND — Yes, but it is a question being raised constantly with me about how it is going to work.

The CHAIR — If it is a quick one.

Ms HARTLAND — Yes. It has been raised with me someone who goes through the compensation model for a bad back but then it is discovered that they have one of the 12 cancers, will there be a quick pathway for those people to not have to go through a whole new process, that it will just be quickly linked to presumptive?

Mr BATES — In my understanding, if they meet the criteria for presumptive — as I said, it is rebuttable, so if they were a chain smoker for 30 years or something like that — —

But no, the idea is that it flips the onus, so they can quickly then move into the WorkCover arrangements.

Ms HARTLAND — Thank you.

Ms LOVELL — Can you tell me if the expert advisory committee are being remunerated and, if so, how much.

Mr ECCLES — This is the — —

Mr BATES — Yes, they are, but I will have to take that one on notice.

Ms LOVELL — The \$100 million package that has been announced for the CFA, is that completely dependent on the legislation being passed, or will that be forthcoming to the CFA regardless of the legislation?

Mr BATES — That is one we might have to check with the minister, Ms Lovell.

Ms LOVELL — Also, Mr Minack, you talked about the ‘toxic culture’ and the ‘appalling morale’ within the fire services at the moment. Given that at the moment we have integrated brigades that are one brigade and this is going to create two very separate groups with equipment that belongs to one or the other, and given that New Zealand are currently going through the process of actually reversing this and going from separate groups to actually an integrated model, can you explain how you think that this model will improve morale?

Mr MINACK — A couple of comments I would make. One of the underlying issues is the relationship between volunteers and career firefighters in the same organisation. That has been identified through numerous reports. What this model has actually done is separate those two groups in an organisational sense.

Ms LOVELL — Created more division.

Mr MINACK — It has created two separate organisations to manage support to both the volunteers and the careers, so that for the CFA in terms of delivering training and other support, they do not have this issue — and I think often it is a perception issue — that they are giving preferential treatment to career firefighters as opposed to volunteers, because in this proposed approach you are only going to have volunteer firefighters in the CFA.

The other comment I would make in terms of resetting the culture is in terms of FRV having a chief fire commissioner. That is a new governance model which streamlines decision-making. Again I think that is the opportunity to reset the leadership and the governance structure at FRV.

The final comment I would make is that there are a series of support programs and packages in terms of cultural change, providing training both to the senior leaders and middle managers in terms of improving how they manage staff and addressing some of the underlying issues.

The final comment I would make is that in terms of issues of diversity, obviously we have outlined some targets for both organisations to improve the gender balance of both the CFA and those other organisations.

Ms LOVELL — So why have those packages that you talked about — you spoke about packages for the training of CFA staff to manage culture change — not been offered before if it has been acknowledged that there has been so much problem with morale and culture?

Mr MINACK — I do not work in those organisations. The comment I would make though is that they have been grappling with these issues over many, many years. Again, I think you need to look at this in its entirety. The bill effectively resets the governance structure of the organisations. That is the best time in terms of major cultural change to come in behind that with support in terms of retraining and developing your leadership teams in both organisations. So there is a kind of obvious link between the bill in terms of the new governance structures and the other elements it contains and providing that support to both organisations.

Ms LOVELL — Also you talked about this being a major organisational change, and yes, it is a major organisational change, and the best way to get good outcomes out of that is to take people with you. So what was the rationale for just setting up an expert advisory panel to design this legislation rather than actually consulting with the people who are affected by it, the career and volunteer firefighters, the CFA, the MFB, and the communities where the CFA provide their services? If you take people with you, you get a better outcome, and certainly this has created division not just between career and volunteer firefighters but it has created division within career firefighters, division within volunteer firefighters and division within communities.

Mr MINACK — Again I just go back to the level of engagement that has been undertaken post the bill being provided to Parliament. Those 700 visits obviously reflect the clear commitment from both organisations in terms of engaging with stakeholders, be it volunteers or career staff.

Mr YOUNG — I did want to talk about funding, but it has been covered a bit so I will move on. I have got some questions around training and the availability of training. Given we are moving to this model where the full-time employees of the CFA are going to be taken out, a lot of who are used for training, the CFA is going to have to rely more heavily on another organisation to provide their training. We could have issues arise from a new EBA, as we talked about, that might put restrictions around times when those employees are available or penalty rates or any such thing around what the costs are going to be associated with having those employees provide training to the CFA. Have you done any modelling on how the training is going to operate for the CFA and whether there is anything that might become cost prohibitive, maybe not through malicious intent but just quite simply a cost impost that the CFA might not be able to keep up with?

Mr BATES — Mr Young, part of the \$100 million package is to provide more training to the CFA. So our expectation is that there will be a funding injection there which means that we can keep those PAD drill areas open longer and at times that are more suitable for volunteers. So we are assuming that there will be no increase in the cost structures from what there are now, but the package puts in extra funding to try to make the training sites more available for volunteer training.

Probably the other one I would mention is we have deliberately put into the bill a legislative requirement for FRV to assist CFA with training and operational staff. So we are trying to reinforce the obligation. The reform bill creates a legal obligation to assist coupled with some additional funding to try and make the training more available.

Mr YOUNG — Just one other really quick question. You mentioned the gender imbalance when you were talking about culture change. Is there an operational deficiency that has been identified as a result of a gender imbalance that is going to be somehow fixed by tackling this issue?

Mr MINACK — I would not describe it as an operational deficiency. What I would say is that if you go out to a regional community and you are trying to attract volunteers, which is increasingly a challenge, if you do not have an organisation that is attractive to members of the community, that reflects those members of the community, it makes it much more difficult to get those people to volunteer. So again, I think that is the underlying issue that we are trying to address through that issue around gender equity.

The CHAIR — We will have to move on, Mr Young.

Mr O'SULLIVAN — A couple of quick ones from me. With such a significant reform package, has there been a regulatory impact statement done in relation to the changes?

Mr BATES — No, there has not, on the basis that it is all within government.

Mr O'SULLIVAN — Is the influence of the UFU one of the underlying problems in relation to the culture that we have within the fire services?

Mr ECCLES — That is not a question where we can offer a meaningful comment.

Mr LEANE — Just a follow-up on Ms Hartland's question in her first tranche of questions around assets, going forward what is the process for asset allocation with the new two entities?

Mr MINACK — So there will be a — —

Mr BATES — Andrew, I might answer. So at the moment there is only one legal entity, which is CFA, so all the assets are owned by CFA. The process at integrated stations will be that particular assets which are related to the career staff will be identified. So it will be, 'Right, this truck is a career one', and those assets will be transferred to FRV. By default everything stays at CFA apart from the things that are identified as being transferred to FRV.

Mr LEANE — Taking up Ms Hartland's example around a sum that has been fundraised by a volunteer brigade — that will not be taken across?

Mr BATES — No. The default is: everything that is CFA stays at CFA, apart from particular things. So it will be probably the buildings of those 35 stations and the truck; everything else stays as it is.

Mr LEANE — So to be absolutely clear, the reform does not give the opportunity for assets that have been fundraised by volunteer brigades to be taken away from those brigades.

Mr BATES — Absolutely not.

Mr LEANE — Okay, thank you.

The CHAIR — Gentlemen, that concludes our hearing this morning. There are a number of matters that were taken on notice over the course of the hearing.

Mr Bates took on notice a request for information around dates of meetings and consultation which he undertook in reference to providing consultation documents to the committee. Ms Hartland had a question regarding recruitment of volunteers by age demographics and wondered if you could provide some information on notice. There was a question around remuneration of the advisory panel, and also any clarifications or corrections that are required in the text of the bill. So if that material can be provided on notice as quickly as possible, that would be appreciated.

That concludes the hearing. Obviously you will be provided with a proof version of the transcript in the next couple of days for any corrections. The committee very much appreciates your attendance this morning and also the fact that you have had to reschedule other commitments to be here. So thank you very much for your time.

Witnesses withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 7 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Ms Wendy Lovell

Mr Cesar Melhem

Mr Luke O'Sullivan

Ms Harriet Shing

Mr Daniel Young

Substituted members

Mr Shaun Leane for Ms Harriet Shing

Witnesses

Mr Dwight Goodman (sworn), President, and

Ms Dianne English (sworn), Secretary, Victorian Volunteer Firefighters Association.

The CHAIR — We declare open the hearing of the Legislative Council select committee into the fire services restructure. I welcome Mr Dwight Goodman, the president of the Victorian Volunteer Firefighters Association, and Ms Dianne English, the secretary of the Victorian Volunteer Firefighters Association. All evidence given today is protected by parliamentary privilege. However, any comments made outside the proceedings of the hearing are not so protected.

Thank you for making yourselves available for this hearing this afternoon. As you are probably aware, the committee has been asked to review the proposed restructure of fire services in Victoria as laid out in the subject bill. It is a fairly tight time frame to complete the inquiry by early August, so we appreciate you being available this afternoon. I invite you to make an opening statement of no more than about 10 minutes if you wish, and then the committee will proceed to questions. We have allocated 1 hour for this hearing.

Mr GOODMAN — Thank you for seeing us here today. We have had, as you said, little time to prepare our submission and even less time for the hearing. Having said that, on behalf of the Victorian Volunteer Firefighters Association and many other volunteers, I thank the committee for the opportunity to hear from us today.

I will start off with a little bit about the VVFA. The VVFA is an independent representative association for CFA volunteers established in 2016 by CFA volunteers that were dissatisfied with public commentary and actions of Volunteer Fire Brigades Victoria — VFBV — purporting to represent a united voice of CFA volunteers. Very many CFA brigades only affiliate with VFBV to enable access to the volunteer welfare funds. CFA brigades in effect are forced to affiliate with VFBV to be entitled to access the funds for volunteer brigade members.

VFBV have done some good work in supporting volunteers, and so they should with their substantial government funding, declaring \$1.4 million in grants and other reimbursements alone in the 2016 financial calendar year. They employ a CEO, an executive officer, a media spokesperson and numerous support and admin staff. These privileges are not shared by the VVFA. In fact the VVFA do not have funds for a postage stamp, let alone 1200 stamps to send letters to CFA brigades introducing who we are and the purposes of our association.

In recent years there has been growing disapproval between VFBV and rank and file volunteers. VFBV have thrust themselves into the political and industrial environments, and in doing so they have alienated themselves from many CFA volunteers. Every time the CFA career staff's EBA is negotiated, VFBV drag volunteers into the fray. Every EBA is met with outrage and rhetoric that spell the end of volunteerism. However, nothing eventuates and volunteerism continues. These claims are repeated every negotiating period, and volunteers are tired of it.

Regrettably the VFBV have been central to the politicisation of firefighting, and last year's action by the VFBV to engage in partisan politics at the federal election stepped over the boundaries of CFA volunteer representation. To make matters worse, perhaps the last straw that promoted the establishment of the VVFA was VFBV taking the CFA to the Supreme Court.

It is necessary for the committee to understand that VFBV do not speak for every CFA volunteer and very many volunteers object to being dragged into industrial and political public debates. Our association is not affiliated with any political party. You may hear from critics of our association that we are just a front for other parties and organisations because we have dissenting views from the partisan views of VFBV. We are not, and we have our own independent voice.

Our members are CFA volunteers that are representative of the diverse communities we serve. We have members of different ethnic and religious backgrounds and also gender diverse members. We have members from rural communities, regional cities and outer metropolitan suburbs. We have members that are union members from varying trades. We have non-union members, small business owners and farmers, employed, self-employed and unemployed, all with one thing in common — to serve our community as CFA volunteers.

CFA volunteers are sick of being used as political footballs. All firefighters, particularly volunteers, have been used to promote political beliefs and agendas. However, the vast majority of volunteers are much less concerned with empire building and the politics of fire services than we are with ensuring our ability to protect the community. We want the CFA to be restored to its foundations of being volunteer based, free from the political and industrial issues associated with career firefighters. This reform delivers just that.

The Country Fire Authority has always been a volunteer-based organisation. Population growth and urban expansion have placed the CFA under increased pressure to achieve such service delivery demands. With this the CFA has seen increases in the amount of career firefighters. In 2007 there were 494 career firefighters. Ten years on, that has doubled to almost 1000. At this rate, in another 10 years there would be 2000 career staff.

The CFA have for some time struggled to maintain the CFA as a volunteer-based organisation. The consequence of the increase in career firefighters within the CFA has been an increase in industrial and other issues affecting the organisation as a whole. The VVFA agrees with some aspects of VFBV's October 2009 submission to the 2009 Victorian Bushfires Royal Commission by Mr Alan Monti in which he stated that:

... any proposal to combine the Metropolitan Fire Brigade and the CFA will fail on cultural and practical grounds as volunteer firefighters will not work within an operating environment that is heavily industrialised with an associated propensity to unduly influence organisational decision-making to the disadvantage of volunteers.

This bill ensures that volunteer firefighters will not work in what the CFA is fast progressing to be: a heavily industrialised environment. A volunteer firefighting service has different needs and requirements than that of a career firefighting service. An ongoing increase in career firefighting numbers in the CFA would likely lead to a further dilution of the volunteer-based objectives of the CFA and an increase in the influence of industrial factors in organisational decision-making. The bill will combine CFA and MFB firefighters into a new organisation called Fire Rescue Victoria, or FRV. This will finally allow the CFA to focus on supporting volunteers to deliver quality services to our communities without the barriers identified in many of the inquiries and reviews.

The VVFA also see a significant benefit in the provision of training as a result of the proposed reform. Structural reform will provide greater access to training for CFA volunteers. Volunteer access to CFA instructors has been an issue for some time. The challenges faced by the CFA in filling instructor vacancies was expressly noted in the 2011 Jones inquiry report. The number of FRV instructors would increase greatly as it would include not only CFA but MFB instructors, or what once were MFB instructors.

The CHAIR — Mr Goodman, I would just remind you that you have 2 minutes left.

Mr GOODMAN — Yes, thank you. Providing CFA volunteers with access to the greater FRV pool of instructors would go a substantial way to addressing this problem.

There is a need for structural reform to fire service delivery across Victoria, and we accept that the government and CFA are entitled to implement such reform. The VVFA supports the proposed restructure contained in the bill. The bill also enjoys strong support from our members.

We will not participate in the outrage regarding lack of consultation. Fire service reform is not unexpected and has been the subject of many reviews in recent times. CFA volunteers have review fatigue from the numerous commissions and reviews into fire services. In recent years we have seen the 2009 Victorian Bushfires Royal Commission, the 2011 Jones inquiry, the Fiskville inquiry, the Hazelwood mine fire inquiry, the 2015 fire services review, the inquiry into fire season preparedness and the Senate inquiry into the Fair Work amendment bill in 2016. We do not need another review to tell us that the delivery of fire services could be improved.

The most critical aspect of the implementation of the proposed reform will be what happens at the existing 35 integrated stations. Volunteers are in the best position to make decisions about the future of volunteer brigades. As such, the VVFA has welcomed the consultation about the future of brigades that exist in integrated stations. Our members have been directly involved in discussions with the senior management of the CFA and with government about the future of individual brigades at those integrated stations. These consultations have been occurring at local level with the individual brigades and the individual volunteers affected. From those consultations we understand that the CFA and the government are committed to finding the best individual outcome for each affected brigade and volunteer. There is no one-size-fits-all way for dealing with this change. Local solutions will be needed to meet local needs. Some of these brigades will want to remain in the existing station and become co-located with FRV. For others they will want to relocate to new premises.

The CHAIR — Mr Goodman, I will have to ask you to end the statement there, just because of limited time we have available. I note you have got a number of pages.

Mr GOODMAN — I have just one more page left, if that is all right.

The CHAIR — You are welcome to table the document if that assists the committee having a copy of it, but we do need to proceed to questions.

Mr GOODMAN — Okay.

The CHAIR — But you are welcome to table it if you would like to.

I will move to questions now. Mr Goodman, you highlighted the background to the VVFA. You said it was established in 2016. When in 2016?

Mr GOODMAN — October.

Ms LOVELL — Your website says it was established on 11 September.

Mr GOODMAN — It was incorporated in October.

The CHAIR — Thank you. Just in terms of representation, how many members does — —

Mr GOODMAN — We currently have 140 individual members.

The CHAIR — Those members are obviously volunteer members of the CFA.

Mr GOODMAN — They are all volunteers, yes.

The CHAIR — Are any of them paid firefighters as well?

Mr GOODMAN — We have a couple of employees of the CFA at this current time.

The CHAIR — Do you have a rough idea of how many of your 140 members — —

Mr GOODMAN — I could not give you an exact number.

The CHAIR — Ten? Fifty?

Mr GOODMAN — It would be less than 10.

The CHAIR — Thank you. One of the things that has been a fairly strong theme through the submissions the committee has received to date — you may have had an opportunity to look at some of the ones that have been published on the committee's website — is that there is a fairly broad spread of criticism by volunteer firefighters of the proposed reforms. I guess, to ask you as a volunteer representative organisation: what do you see as the problems in this legislation?

Mr GOODMAN — As the VVFA, our opinion is that there are no real issues with the current proposed bill as it stands.

The CHAIR — You indicated you do not have any concerns about the consultation that was undertaken.

Mr GOODMAN — No.

The CHAIR — Since the release of the bill on 24 May has the government consulted with the VVFA?

Ms ENGLISH — Yes. I had a meeting with Frances Diver about six weeks ago — no, it was actually just after the announcement. She sent an email to see if we would like to meet with her to talk about the changes in the CFA, so we went and spoke with her. One of the panel on the VVFA came along as well. We have nothing to say about it because we do not think it is going to affect anybody — the change in it.

Mr GOODMAN — I have been in attendance personally at visits by Mr Merlino, the fire services commissioner and also Frances at a brigade level as well.

The CHAIR — I presume you mean Mr Merlino, the minister, rather than Mr Mulino, our Deputy Chair.

Mr GOODMAN — Yes, that is correct. So there has been ample opportunity on our side of things to get any messages across.

The CHAIR — Going back to your membership base, is it widely distributed geographically or does it tend to be from one particular area?

Mr GOODMAN — No, it is very widely distributed. We have members from rural communities right through to the busy urban stations, which I am also a member of myself, so a very vast spectrum of representation from within the membership, yes.

The CHAIR — One of the issues that the committee has received some evidence on and briefing on is a view that there needs to be a change in culture within the fire services but also in interactions between career firefighters and volunteer firefighters. Does your association have a view on that?

Mr GOODMAN — As it stands now, we work very closely with our career staff on station and at incidents.

Ms ENGLISH — I have been a member of Craigieburn for 17 years. We have had staff there for just over 11 years now. We have no problem working with the staff. Even if we have someone that is taken sick and another staff member from another integrated brigade has to come, we have no problem working with them. They have no problem working with us. We all do the same training. If there is a position on the pumper for one person, a volunteer, to go out to a job with them, they will ask them to jump on that truck and go. If we go to an area where there is, say, a bin fire and it is the area where they are not integrated — it is just a volunteer brigade — they have no trouble with the staff coming into their area to help them.

Mr GOODMAN — On station the volunteers, as it stands, work closely together, and if there was co-location, we do not see any change to that arrangement.

Mr MULINO — Thanks very much for coming in to give evidence today. You have got around 140 members at the moment.

Ms ENGLISH — Yes.

Mr MULINO — And as you flagged, when you are a new organisation without established income streams it can be hard to communicate with volunteers that are far-flung and in many different locations. You have got 140 to date. I am wondering: what is the growth rate you are experiencing? Are new people joining still?

Ms ENGLISH — Yes.

Mr GOODMAN — We get applications for membership every week. I think it has been less than 12 months that we have been established, and we have managed to have 140 members at the moment, and it is continuing as we go along. We have our social media section which seems to have a far-reaching audience, which is good — it is probably the way everyone communicates these days — and we have our website as well. At the moment it is all very much on us to do a lot of the groundwork. It is slowly, slowly, but the vision is there to increase and grow.

Mr MULINO — I want to touch on a couple of policy questions, and you flagged a few of them in your opening statement. One of the issues that was discussed this morning was the fact that the number of career people within the organisation has been growing dramatically over the last decade and that this arguably enmeshes the CFA in the whole industrial relations world. So from what I am hearing from you it would be beneficial to the CFA in completing its mission for it to be able to avoid that distraction and get back to just volunteerism.

Mr GOODMAN — Correct.

Ms ENGLISH — Yes.

Mr MULINO — I want to also touch on something that is on your website, that the association will ‘advocate for best practice service delivery strategies’. Going back to the concept of community safety, which is underpinning really all that we are looking at here, is it fair to say that you are confident that the reforms that are

being looked to try to separate the two organisations and strengthen the CFA will help community safety objectives?

Mr GOODMAN — I believe so. It will give the CFA the ability to 100 per cent focus on those volunteer brigades, specifically in the outer metropolitan area as well, so that they can build themselves up, get the resources required to serve the communities as they are now. I will speak from personal experience. It takes organisation and hard work to maintain service delivery, but it is possible. The restructure would assist the CFA in better providing those services to volunteers so that they can continue what they are doing now and even improve their service.

Mr MULINO — Just one last question. I think something you referred to amongst many of your members was this idea of I think it was reform fatigue or review fatigue — that there had been many reviews, endless reviews, over the last decade and, by the sounds of it, people just want to get on with serving the community. There is a feeling amongst many people that we do need some kind of structural reform. Is it fair to say that your sense of your membership is that they probably would not want to go back to square one and just revisit the whole issue again and reinvent the wheel?

Mr GOODMAN — Reinventing the wheel is possibly the most frustrating thing that volunteers face as members of the CFA, so we are not looking to reinvent the wheel and we do not want that to happen. We just want to improve and build on what we have.

Mr YOUNG — Thank you very much for coming in and presenting evidence today. You were asked your thoughts on the bill and expressed pretty clearly your organisation's position, but I just want to ask about the feedback you get from volunteers and what the number one issue is that volunteers are bringing up in regard to this bill.

Mr GOODMAN — Our members to us have not specifically raised any issues, but they just are more wanting to be sure that they are going to be consulted, which they have been. We are here today to represent the views and thoughts of our members, which is included in my document here. So it is not really issues per se, but more just an assurance that the impact on volunteers is non-existent or minimal and that the government and CFA will be willing to — and they are going to — assist volunteers 100 per cent to deliver their services to their communities, whether that be from country Dunkeld or Beaufort to Hampton Park or Werribee in the city.

Mr YOUNG — What has your organisation done or what actions have you taken to try to gain those assurances?

Mr GOODMAN — We have had an opportunity to speak with James Merlino and also the fire services commissioner and Frances Diver, the CEO, both to get an understanding and to get those assurances that nothing is going to change for volunteers. We still have purpose, and it is ever so important that we are provided the support by the authority and by the government.

Mr YOUNG — How has that been provided — in written responses to you or just in general discussion with the minister that this is going to happen — or have they taken you through the detailed path of the bill and how it will work?

Mr GOODMAN — Most of it has just been discussions held with those people. We like to think their word is good.

Mr YOUNG — Being a politician I know that it is not always.

Mr LEANE — You are speaking on behalf of yourself.

Mr YOUNG — So it is very important to make sure you absolutely know — when you are talking about assurances — that it cannot be just some off-the-cuff remarks or anything like that. It has to be something that really, really guarantees what you have got to take back to your members.

Mr GOODMAN — The majority of our members have read the proposed bill, and those members cannot foresee any impacts on their ability to serve their communities.

Mr YOUNG — You have got 140 members. Surely they have quite a wide geographical spread over the state, and I would imagine they have a lot of involvement with other CFA volunteers. Issues that have been

brought up that everyone on this committee has heard through submissions and everyone throughout the whole process of this surely have been discussed at some point by your 140 members — issues that other CFA volunteers might have. Have they been fed up to your organisation?

Mr GOODMAN — We are aware of some issues that have been brought up by volunteers of the CFA, and as we have communicated with our members, we communicate with those people as well.

Mr YOUNG — Can you give me some examples of those issues?

Mr GOODMAN — I believe one issue is that volunteers think they will be made redundant at integrated stations when they become co-located, if that were to be the case, but it is definitely not going to be the case. The CFA and the government cannot afford to lose those members. They do provide a service in those stations and are very much relied upon when the time comes. What we communicate with our members, we communicate with anyone.

Mr YOUNG — You are a relatively new organisation, and I am sure you have got prospects of a bright future and are looking to grow, and in the interests of doing that I would imagine that you would want a lot more involvement in what the government is doing and how the CFA management is going. Would you expect that in future you would be consulted about major changes to the CFA structure?

Mr GOODMAN — It is our intention to be involved in those discussions. Anything that relates to volunteers should be of concern to volunteers, and therefore if we were being a representative body, it is our duty of care to make sure they are consulted properly, thoroughly, in a timely manner, and that that information is fed back where it needs to go to government and the CFA.

Ms HARTLAND — Dwight, which station are you a volunteer at?

Mr GOODMAN — I am a volunteer at Narre Warren.

Ms HARTLAND — And how long have you been a CFA volunteer?

Mr GOODMAN — I have been a volunteer for 15 years. Before I was at Narre Warren I was at Boronia, which is an integrated station. Narre Warren is fully volunteer operated, and I am led to believe it is actually the busiest fully volunteer brigade in the CFA.

Ms HARTLAND — Between the two of you, you have a lot of experience volunteering.

Mr GOODMAN — Thirty years.

Ms HARTLAND — I think you have been very clear that you actually think the bill is good and it is necessary. If there were three things that you would want to see out of this bill to improve the lot of volunteers, what do you think they would be?

Mr GOODMAN — I think a guarantee of constant support for volunteers in terms of funding allocation so that the CFA can allocate safe and proper equipment, training and offer the best welfare services to our members. That is probably the biggest thing we would like to see — assurity into the future that we are going to be offered the best and most assistance possible.

Ms ENGLISH — I think that is the thing — to make sure that there is funding out there so they can do their training and buy the things they need for their stations instead of having to do community fundraising all the time. The government should just be able to hand it to them and say, ‘Okay, you need a new truck? Here is your new truck’.

Ms HARTLAND — How many volunteers are at Craigieburn?

Ms ENGLISH — We have 42.

Ms HARTLAND — And how many volunteers at your station?

Mr GOODMAN — We have 122 members on the books, and 62 of those are operational.

Ms HARTLAND — So quite large groups?

Ms ENGLISH — Yes.

Ms LOVELL — Thank you very much. I am a country member of Parliament, and I have had a lot of association with my local CFA and a lot of association with the VFBV because they are always in contact with us. I know that you said you did not have the money to buy a postage stamp, but I am just wondering, because we all have email addresses that are very readily available on the Parliament website, particularly if you formed to be a voice for volunteers, and given the discussions that have been going on over the last 12 months, why haven't you contacted members of Parliament to introduce yourself as an organisation and to lobby on behalf of your members?

Mr GOODMAN — We actually have done that, and we met with a staffer from Mr James Merlino's office. We were given an opportunity to explain our association and what we are here to do. But unfortunately everyone leads busy lives these days, and sometimes it can get us a little behind. Something that we are looking to do in the near future is to lobby for a project officer so that we can actually complete those targets and offer effective communication with our members and also external key stakeholders.

Ms LOVELL — So there are 128 members of Parliament who all have a vote on this bill, and 88 of them have already voted in the lower house. There are 40 of them in the upper house still to vote on the bill, yet you have only introduced yourself to the minister. If you are representing as a voice of volunteers, I would have thought at least an email that can go out — one email in bulk — would have been appropriate from your organisation.

Mr GOODMAN — I believe we have done that too.

Ms ENGLISH — We send out emails, and some bounce back.

Mr GOODMAN — We have utilised that avenue.

Ms LOVELL — I have not received anything from you at all.

Ms HARTLAND — That is how I found out about you.

Ms ENGLISH — I did send emails out, and some did bounce back. And I know some bounce back because their inbox is full. I spent a whole day sending out emails.

Ms LOVELL — That does not happen with Parliament. So you established yourself in September last year. Do you actually have a constitution?

Mr GOODMAN — Yes.

Ms LOVELL — Could we have a copy of the constitution just to help us understand the organisation better?

Mr GOODMAN — We can forward that to the committee.

Ms LOVELL — And you said you had an inaugural AGM in September last year. How many general meetings have you had of the organisation since that inaugural AGM?

Mr GOODMAN — We have committee meetings at this stage, and we have had at least one a month at this stage. We are due to have an AGM towards the end of the year.

Ms LOVELL — Have you had a general meeting to discuss the legislation with your membership?

Mr GOODMAN — No, we have not.

Ms LOVELL — So are the views that you are putting forward then the views of the committee?

Mr GOODMAN — No, we emailed our members and also gave them a survey to participate in, which they have replied to. We had a good range of responses there, and we were able to form our discussion here today from that survey.

Ms LOVELL — I was wondering if we could have a copy then of the minutes of your inaugural AGM and the general committee meetings that you have held since.

Mr GOODMAN — Yes, we can forward that to the committee.

Ms LOVELL — Can we also get a breakdown from you of your 142 members — broken down to brigade or even to regions — so we can understand the distribution of your membership across the state?

Mr GOODMAN — Yes, no problems.

Ms LOVELL — That would be really good.

Mr MELHEM — What about their privacy, Chair?

Ms LOVELL — We are not asking for names; we are just asking for numbers.

Mr GOODMAN — Just a geographical spread, I guess.

Ms LOVELL — With funding, you obviously indicated that you do not have any money to buy a postage stamp. I noticed on your website you do not actually charge for membership. So have you been getting donations? How have you been running the organisation?

Mr GOODMAN — Our primary means of income will be — I say ‘will be’ because we are yet to receive any income at the moment, but we do not believe in charging our members, who are all volunteers, so some are not as well off as others — through fundraising or grants applied for by the association.

Ms LOVELL — You said that there had been concerns about assets. I do not know if you said it, but there have been concerns about assets of brigades in general with this legislation being taken by FRV because of a clause in the act that says there has to be a register of all assets put forward. I think it was Dianne who raised that one of the reasons you are supporting that legislation is because you want to see the volunteers resourced adequately without them having to go and fundraise.

One of the major concerns that has been coming to me from my local brigades is that they have significant funding in their accounts that they have raised by selling show bags, manning the show gates or whatever and working very hard in the community, and they are very concerned that those assets are going to be seized as part of the transfer of assets to FRV. Are you concerned about that at all?

Ms ENGLISH — No, I think volunteer-only brigade funds will stay with them.

Ms LOVELL — Yes, but this is integrated brigades as well.

Ms ENGLISH — Integrated brigades, our funds should stay with us, the volunteers. FRV will have their own budget for the staff to deal with. What we fundraise for as volunteers for our station with our community will stay with us. That is the understanding of what I have been told.

Ms LOVELL — The legislation is not as explicit as that, so there is quite an explosion of concern.

Mr MULINO — The DPC said that.

Ms HARTLAND — I thought it was pretty explicit this morning.

Mr LEANE — The bottom line I have taken from your submission is that when it comes to the firefighters of Victoria, whether they are career or volunteer, your main objective is to protect the community to the best of your abilities. On that theme and talking around the reform, there is a senior CFA station officer in Rowville and there was an article recently, I think it was in the local paper, where Tim Van Den Driest — he is in the Rowville district — says that volunteers have been asked to contribute. He is talking about highly built-up areas. People who live in Rowville would not believe they live in the country, because there are a lot of houses near each other, there are kindergartens et cetera. He is saying that:

Volunteers are being asked to contribute more and more, putting added strain on their families, and their own mental health.

This is an instance where the metropolitan boundary has not moved. It is debatable, but let us go the minimum, 60 years. In your own personal experience, is this officer reflecting what you find yourselves — that the efforts of all firefighters are fantastic but the responsibility of the state and the Parliament is to actually supply you and the community with a standard level of support in built-up areas and that has been put back on you? Is that true what this fire officer is saying — that it is unfair and it is actually affecting volunteers?

Mr GOODMAN — As it stands now, when it comes to a lot of the work to ensure that we are responding to the community effectively I can probably only best talk on what I know, and that is in my brigade. We actually run a rostering system, so we know who is around and at what time and we can make decisions based on that. All that work that we have done to make sure that we are responding is on our terms, our energy and our time, and we are happy to do that because we all live in that community. I live in that community; that is why I volunteer. I am sure that is going to be the same for any volunteer. They all live in the communities that their fire station protects. But you are right, as you get closer to the city the workload increases, but unfortunately sometimes the support does not follow that increase.

Ms ENGLISH — Where I come from we have staff and we have volunteers, so we are finding it hard to turn out during the day. We have got probably two volunteers around during the day that can turn out to back the staff up, so that is why we have three different brigades paged to come to help each other if it is a house fire or something like that. Years ago the pager would go off, everybody in their cars down the station, turn out — grassfire, house fire, we are all there. Times have changed now. Family comes first, work and then volunteering, so if the bells go off in Craigieburn we have Greendale paged and the MFB — station 9, I think it is — gets paged to come to Craigieburn. We do not know if it is an actual fire; someone could have just broken the fire glass to say that there is a fire there, so we have the whole three of them paged. If any of us are around, we will attend. So, yes, it is very busy in our area. I think we had 798 calls for 12 months.

Mr LEANE — Seven hundred and ninety-eight calls?

Ms ENGLISH — Yes, this financial year for us in Craigieburn alone.

Mr LEANE — And Craigieburn I would expect is only going to grow.

Ms ENGLISH — It is expanding very quickly. It is so big now.

Mr LEANE — Getting back to the responsibility to ensure that that growth is handled, it is the state and the Parliament.

Ms ENGLISH — Yes, that is correct.

Mr LEANE — As you said, you put your hand up because you want to support your community. As you said, Narre Warren and Boronia you had before.

Mr GOODMAN — Correct.

Mr LEANE — If you lived in Toorak or Malvern, you would never have to have done that. We do not ask those communities to do that, I do not believe.

Ms ENGLISH — No.

Mr GOODMAN — There are still emergency service volunteers in those communities. The SES do a lot of work as well in those communities. Hopefully they are offered the same support.

Mr LEANE — Yes, I think you are 100 per cent correct on that. Your angst against the VFBV is that they have moved into politics and IR and that that is not for all volunteers. That is one of the issues you are coming from.

Ms ENGLISH — Yes.

Mr LEANE — Dianne, in regard to the career firefighters that you work with and the volunteer colleagues you work with, you said that if they need someone for the pump, they will ask a volunteer.

Ms ENGLISH — Yes. There are normally four on the pump at the moment, because we are getting five permanent staff per shift, so four at the moment if we do not have a five, like if we have two leadings on as they step up or come in from another station. So if we have four on the pump, if one of us is down there, ‘Do you want to jump on the pump with us?’.

Mr LEANE — Right.

Ms ENGLISH — And we are allowed to go on the pump with them.

Mr LEANE — I do not understand ‘the pump’.

Ms ENGLISH — The pump is the pumper tanker.

Ms LOVELL — The pumper.

Ms ENGLISH — The pumper — the fire truck.

Mr LEANE — Okay.

Ms ENGLISH — It is normally the first out the door. So we have 90 seconds to get the first truck out the door.

Mr LEANE — So getting back to your — —

The CHAIR — We are going to have to move on.

Mr LEANE — I just want a final question in relation to this. Getting back to your angst around the political, when Malcolm Turnbull and Andrew Ford stand and say that volunteer firefighters cannot even get on a truck — —

Ms ENGLISH — It is a lie.

Mr LEANE — It is a lie.

Ms ENGLISH — Because we can.

Mr LEANE — And I can understand your angst about that.

Mr GOODMAN — We would like to see a specific — —

Ms ENGLISH — It depends on what station they are at, though, but most of the staff that we have had at our station — —

Mr LEANE — In your experience, it was a lie?

Ms ENGLISH — Yes.

Mr O’SULLIVAN — Thanks for coming in and presenting evidence to us today. In terms of the legislation, as we have all seen and understood, there have been different views in terms of whether the legislation will be split into two separate parts, being the presumptive legislation element and then the reform of the actual fire services themselves. Do you have a view that this could proceed if the two pieces were actually separated and dealt with individually and not together, which seems to be one of the sticking points that we have been dealing with over the last number of months?

Mr GOODMAN — I think we will take that question on notice. We have not really discussed that portion. But I do not think there should be any difference. They are both fire service legislation reforms.

Mr O’SULLIVAN — Okay. I will move onto a different area. In terms of yourselves, obviously you have had extensive experience in the CFA as volunteers. Have either of you actually been involved in terms of being a career firefighter with the CFA?

Ms ENGLISH — If I wanted to be one?

Mr O'SULLIVAN — No, have you been in the past?

Ms ENGLISH — No.

Mr GOODMAN — No, we have never been employed by the CFA.

Mr O'SULLIVAN — In terms of the set-up of your organisation, whose idea was it? Where did the view come from that this organisation needed to be set up as it was last year? I must say that I do not know a lot about your organisation.

Ms ENGLISH — Our VVFA association?

Mr O'SULLIVAN — Yes.

Ms ENGLISH — Because people were told there were 60 000 members with the VFBV. They actually represent brigades, not the individuals, so there are 1200, okay?

Ms LOVELL — Brigades.

Ms ENGLISH — Twelve hundred brigades. They represent the brigades. We wanted to represent the individuals, because even though the brigades were with VFBV, there were individuals who did not want to be a part of that; they wanted to speak themselves. That is why we put the association together, so that if they wanted to have a say, they could as an individual. We will go out and see them and see if we can help them.

Mr O'SULLIVAN — When you say 'they' — —

Ms ENGLISH — The volunteers, sorry. Individual volunteers.

Mr O'SULLIVAN — I have been around for a little while, but I have not noticed any outpouring of a need to set up a separate organisation, so that is why I am a bit curious as to where that push has come from.

Mr GOODMAN — I can tell you that it has been a discussion point at least in circles I have been around since I have been a member, and I think probably the catalyst for this happening was the EBA negotiations. CFA is one big family, as you might know, so word gets around pretty quickly. There were a few, a handful, of like-minded people that thought, 'I think now is the time that we look at doing this', and we had those members who were committed to establishing this.

Mr O'SULLIVAN — With your organisation, what connections, if at all, does it have with the UFU? Are there any connections whatsoever with your executive or the association themselves at all?

Ms ENGLISH — No.

Mr GOODMAN — The VVFA is not connected with any political party or other representative body. It is no secret that we have some members who are employed by the CFA, and they are entitled to their rights at work, just like I am at my workplace.

Ms ENGLISH — So they are volunteers. They wanted to be part of our association.

Mr GOODMAN — At the end of the day they are still operational volunteer members, so just like on the other hand they are entitled to their representation with their paid employment, they are also entitled to representation as a volunteer. So it is their choice as to which representative body they choose to represent their views.

Mr MELHEM — Thank you both for your time, and I commend you on your efforts to try to represent volunteers. I know you do it in your own time, so that is another voluntary job you are doing in addition to your other jobs. You mentioned something about the new legislation. I think you have addressed that, but I would not mind listening to it again and maybe expanding on it. The proposed legislation is looking at servicing, let us say, of the greater metro and high-density populations in Victoria by the FRV, and the country will be serviced by the CFA volunteers and DELWP basically.

Ms ENGLISH — Yes.

Mr MELHEM — And you said that system could work. Why do you believe that? Why have you formed that view that the change is not going to impact on servicing communities in both areas, from your experience, your background as a firefighter?

Mr GOODMAN — The CFA and what will probably be FRV will have their SOPs and their standing orders, and the act — legislation, regulation — to be responsible for their districts, just like DELWP have responsibility on Crown land, and then the country area of Victoria, which will be any fully volunteer brigade and the volunteers at integrated stations. They will be part of the CFA, so the CFA will have their standing orders and standard operating procedures to perform their roles. It is outlined already by those things, so first on the scene — it is not agency specific; whoever is first on the scene is the incident controller.

Mr MELHEM — The proposed legislation, some people are talking about that could reduce the number of volunteers in this state, so what have you got to say about that?

Mr GOODMAN — We cannot see a logical reason as to why that would occur. As we said before, the volunteers that are here now provide a service and they have a role, whichever brigade they are in, and that is not going to change for them — it will change actually, because now those volunteers — —

Mr MELHEM — I was going to say it is a good change.

Mr GOODMAN — Those volunteers will now be responsible for their brigade or their unit, whether it is a fully volunteer station. They are already responsible for that, and volunteers do a good job, and now volunteers at integrated brigades will have their identity as volunteers and they will be responsible for administrating their brigades, just like they do now, only they do that with the career staff at that station.

Mr MELHEM — The UFU will not have any role to play within the CFA going forward if that legislation goes through, so the volunteers will have control of their own destiny going forward. Is that a fair assessment?

Mr GOODMAN — Yes, that is the impression.

Mr MELHEM — Nothing further. Thank you again.

The CHAIR — We have roughly 6 minutes so probably enough for three more questions. Mr Mulino has already grabbed one.

Mr MULINO — Just a quick one. Just following up I guess from a point Mr Melhem made and a point you made earlier in your opening statement, every time the EBAs come around it seems as though there is drama — the sky is going to fall in — and then we get through it, and then life for fully volunteer stations continues on and volunteerism continues on. One of the concerns I get the sense from volunteers is that we have all this unnecessary drama and fear every time these EBA rounds come. I get the impression that is one of the reasons you want to separate the IR from the CFA, so that we do not go through all this unnecessary drama every time.

Mr GOODMAN — Daniel, it is really concerning. Every time this happens and these sky-falling things happen, it is actually causing mental health issues with members — not only volunteers, but career firefighters as well — at stations. I will go back to my Boronia service history, where it was much like Craigieburn, and I am sure it still is. It is one team, everyone knows their roles, their responsibilities and then you have a disruption like that come in. It causes angst, it is going to cause problems between members, and it is affecting the mental wellbeing of members at the moment. For us, our safety and welfare is one of the highest priorities — up there with providing a service to the community. These things do not help that situation.

Ms LOVELL — The UFU website ‘Fire doesn’t wait’ actually notes that Craigieburn and Narre Warren are both areas where the CFA is failing to protect families. Do you know if you meet your actual turnout performance targets at those two stations, and do you agree with that statement on the UFU’s website?

Mr GOODMAN — I will start off by saying I am not really familiar with that website. I have not really looked into it too much. I cannot speak for Craigieburn, but I can tell you that my community is well protected and definitely meets the service delivery standards as set by the government, which is the — —

Ms LOVELL — So you disagree with the statement on the UFU’s website?

Mr MULINO — He has not seen it.

Mr GOODMAN — I am not relating it to that because I am not fully aware of it, but what I am saying is factually that the area I reside in is covered to the standard by both CFA career firefighters and the volunteers.

Ms ENGLISH — The same as Craigieburn, yes.

Ms LOVELL — I was just wondering if we could actually have a copy of the survey that you sent out to your members and perhaps an aggregate of what the responses were to that survey — —

Mr GOODMAN — We can give you an aggregate response, yes.

The CHAIR — That brings us to the end of this hearing. A number of matters were taken on notice to provide, particularly, documentary information. You took on notice a willingness to provide your constitution, the minutes of your meetings to date, a breakdown of your membership by geography and the survey that Ms Lovell just referred to, and you also said you would take notice views on the splitting of the bill into the presumptive legislation and the structure part. If you are able to provide those responses to the committee as quickly as possible, that would be very much appreciated.

Mr Goodman, Ms English, thank you very much for your attendance this afternoon. We appreciate that it has been at short notice. You have made yourself available, and the committee is very much appreciative of that. Thank you.

Mr GOODMAN — Thank you.

Ms ENGLISH — Thank you.

Witnesses withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 7 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Ms Wendy Lovell

Mr Cesar Melhem

Mr Luke O'Sullivan

Ms Harriet Shing

Mr Daniel Young

Substituted members

Mr Shaun Leane for Ms Harriet Shing

Witnesses

Mr Andrew Ford (sworn), Chief Executive Officer,

Mr Adam Barnett (sworn), Executive Officer, and

Mr Nev Jones (sworn), State President, Volunteer Fire Brigades Victoria.

The CHAIR — I declare open the Legislative Council select committee on fire service restructure public hearing, and I welcome representatives from Volunteer Fire Brigades Victoria, Nev Jones, the state president; Andrew Ford, the chief executive officer; and Adam Barnett, the executive officer for the association. All evidence given today is protected by parliamentary privilege. However, any comments made outside the precincts of the hearing are not protected by parliamentary privilege. The committee has allowed 90 minutes for this hearing, so I invite you to make an opening statement of no more than 10 minutes duration if you wish. The committee will then proceed to questions.

Mr FORD — Firstly, VFBV — I make a point: we are not here to rubbish any other organisations, but I think it is very important for us to be able to provide a submission to the committee, and we thank you for the opportunity to do so.

Our submission is provided in good faith and in response to the committee's invitation. The time frame for the submission has been extremely tight, and I am hopeful that if you require any supplementary information, you will give us the opportunity to provide that. We are very, very happy to provide that if we are not able to answer questions today.

In making this submission we have reflected on the many previous reviews of recent years and the recurring concerns of volunteers that they are being heard but not listened to. In the lead-up to this proposed legislation those concerns were amplified because there was not even an opportunity to be heard. There was no consultation prior to the tabling of the proposed legislation in Parliament despite the government's claims to the contrary. Now less than four weeks on volunteers still feel that despite a series of field briefings by officials and government representatives to tell them what the proposed legislation is there has still not been a real or genuine effort or process to take on board what they have said, listen to or consider their concerns and treat them with the respect they deserve. Just because volunteers are not paid and just because their goodwill is likely to see them continue to help people in need, these are by no means reasons to disrespect, disempower or denigrate their views and input. I am very sad to say that many volunteers do think that their views have been too readily dismissed and ignored.

There are also many who feel the effect of unfair, reactive castigation and sometimes vilification just for having their say. We believe this behaviour is not reasonable and should stop, and the way to stop it is to lead by example from the top. We are hopeful that the tensions associated with this review and the past year or so or more can become a lesson to everyone about how not to do things. Apart from the consideration of the proposals covered in the proposed legislation it would be good in our view if we could put this bad process to some good use and use it as a catalyst to rethink behaviours and lead by personal example — a better way of behaving in the future.

VFBV and individuals within VFBV have felt the effect of MPs abusing the privilege of Parliament to spread known mistruths about us, about what we have said, and about we stand for. This is totally inappropriate and is not the way to treat anyone.

I ask the committee to contemplate a very important question: if people can be so brazen as to defame someone in the public eye and under the protection of Parliament, what threat and retribution is happening behind the scenes to people at the ground level and even those experts and officials who need to be able to speak independently? What is happening to those people who dare to speak out in any way that contradicts the directions driven from the secret places that developed this legislation? We are not alone in this. Sadly, we have observed other key players in the sector being treated with similar disdain simply for having the integrity to speak up. The issue of fair process and mischief is not covered in our submission as it falls outside the terms of reference, but it does warrant serious, independent investigation, and I state this formally today in the hope that it can happen before this legislation is decided on.

It is important, on a better note, to note that the government's commitment to provide additional funding and support to CFA is not enshrined nor delivered through the proposed legislation and nor does it need to be. These initiatives and the funding are welcome initiatives and can be delivered regardless of the outcome of the proposed legislation. The VFBV welcomes and appreciates these initiatives. However, we do not believe these critically deserved offers of core support and funding should be somehow tied to the dismantling of the CFA and the proposed legislation that has real potential to destroy the very thing the funding is designed to support.

The need for increased funding for CFA capital works, for CFA fleet replacement, firefighting equipment and volunteer support and training has been extensively covered by VFBV submissions in previous years and has been well and truly established by previous reviews as recently as the Department of Treasury and Finance's base funding review conducted only a few years ago. We welcome those aspects of the review.

This issue that we are talking about today and in this review impacts on all community service by CFA in every part of Victoria, and it will impact for decades to come. Like yourselves, our interest is in ensuring that we get this right and that our views and the views and the construct of the legislation are driven by a desire for an outcome that is in the best interests of the community, is transparent and is workable. We believe that any modernisation of the fire and emergency services must be based on a consideration of how best to systematically meet local needs plus how to function as an intrinsically connected regional and statewide whole, ensuring that flexibility and resources are available for local demands and also for the severe, multiple, often concurrent, large and sometimes long duration emergencies, while simultaneously being able to continue the service delivery back at the local level.

Experience and reviews have shown us time and time again that the best approach to public safety is to embed public safety ethos and practice in local communities, and the CFA community-based model is recognised as best practice in this regard. The model where paid staff and volunteers work in a fully integrated manner, where volunteers are empowered, responsible and valued based on their training and experience regardless of pay status, and are regarded for both local service delivery and major incident management roles. This is best practice, and to us it is ludicrous to contemplate breaking it up.

We are concerned that the CFA model is being dismantled and dismantled for the wrong reasons — a model recognised, as I said, as best practice. VFBV submits that it is totally inappropriate to enshrine a changed fire service structure that will have direct cost impacts without the proposed model being adequately costed or properly funded, not just for the next two years but with assurances moving forward. We do wish today and in our submission to make a number of key points, and I will just touch on these.

We think the legislation should not be supported. We think that the firefighters' presumptive rights aspect of the legislation should not have been joined with the restructure of Victoria's fire services. Combining these two issues — these two separate issues — one as a ransom for the other, is morally wrong. The firefighter presumptive rights legislation proposed for Victoria is not the same as the Queensland model. It is fundamentally different and it does not treat paid staff and volunteers equally. It is great at last to see that somebody is progressing this important initiative, and we commend the government for at least starting this, but the legislation needs to be right and needs to be amended to fix some real problems that may or may not have been intended.

We think the restructure of the fire service is fundamentally flawed and driving this change because of a motivation to push ahead with an EBA deal is wrong. Volunteers have expressed their disappointment with the lack of consultation. We are also disappointed with the lack of transparent impact analysis, cost analysis or analysis of flow-on implications and the lack of expert input from fire services-appointed experts. We are concerned with a fundamental flaw in the legislation: it disempowers volunteers, it dismantles the integrated model, it strips away CFA control of key middle management resources and it will impact way beyond the 35 brigade areas proposed to be excised to the new FRV. It will impact on every CFA brigade across the state.

We are concerned about misleading comments inferring that this change has somehow been recommended by previous reviews. It has not. None of these reviews recommended splitting up the CFA integrated model. None of these reviews recommended carving out the middle management of CFA. None of these reviews recommended further fragmenting the state's fire service. None of the reviews recommended finding ways to enable EBAs to be able to avoid the scrutiny and testing to ensure that they do not restrict or limit how CFA provides support to volunteers, provides equipment to those volunteers and recognises, respects, empowers or values those volunteers. This is all the Fair Work amendment does. None of those reviews recommended finding ways to enable EBAs to avoid the scrutiny and testing to ensure they do not restrict or limit how CFA consults with volunteers or makes decisions as a result of that consultation.

In fact there were strong themes through all of those reviews suggesting much the opposite of what has been proposed in this bill. There have been strong themes that the integrated model is very important to Victoria. It is fundamental to the provision of a flexible model to adapt to growing service needs in urban areas and an ability to provide surge capacity for major incidents. None of the reviews suggested dismantling the integrated model.

None of them suggested killing it off. All of the reviews suggested the importance of sustaining volunteer capacity in urban areas and the ability for the CFA to be able to have the power to make decisions on what, where, when and how they supplement that volunteer capacity with paid resources when required.

The CHAIR — Thank you, Mr Ford. The committee appreciates your opening statement. Can I start by asking you for a bit of background about your organisation, the VFBV? Can you outline your representative basis? I understand your representative base is brigades. Can you outline how many brigades you represent and what sort of membership is behind those brigades, please?

Mr FORD — I have that number written down somewhere. So VFBV is established in the CFA act and membership is via brigades. Through a membership with CFA, volunteer brigades have a say and an ability to input to VFBV. Our role in the act is appropriate to bring to the attention of the authority and others all matters impacting on the welfare and efficiency of volunteers. We advocate on behalf of volunteers. We support volunteers whether their brigades are affiliated or not.

Ninety-five per cent of CFA brigades are financially affiliated members with VFBV as at last count. I think that is 1134 of the 1220. A number of smaller brigades who do not have the ability to pay the affiliation fee and see that they can be adequately represented through the CFA group structure are happy to be represented by their group. If you contemplate the brigades that belong to groups that are affiliated with CFA, 1194 brigades of the 1220 are represented.

Mr BARNETT — Chair, if I could just describe our structure just so you have got a feeling for how those members then participate in processes. We run 21 district councils across the state. Each brigade is able to elect two delegates to attend those district councils. They occur throughout the entire year. Each district council then on average sends two state delegates through to a state council. Again that meets throughout the year. Then the state council reports and works with our board. So that is our structure — to ensure that all members from across the state participate.

The CHAIR — Thank you, Mr Barnett. That is very helpful. Mr Ford and Mr Barnett, you said you have got 95 per cent coverage — approximately 1134 brigades — so you do not cover all brigades. Brigades obviously have a choice as to whether they affiliate with your organisation, and presumably those 1134 see value in being affiliated.

Mr FORD — I think, just for context, the affiliation rates have been each year for the last five years at record level and progressively a record the next year and the year after. As we collect affiliations now for the year ahead we are ahead of the trends for this time last year, so we would expect we will be even more than 95 per cent at the end of this year. The feedback we get from brigades through our welfare and efficiency survey also suggests a growing awareness and appreciation across volunteers and brigades of the work we do, and we have statistics to show that there is a marked increase in the participation in VFBV, the awareness of what we do and the satisfaction with what we do.

The CHAIR — Are you able to give the committee an idea of how many members you have coverage of with the 1134 brigades you are affiliated with?

Mr FORD — I would be guessing, but I think if you look at the 95 per cent of survey total volunteer population you are going to have to be around 50 000 or so, but we do not contemplate it on those terms. I have not got a number for you.

The CHAIR — It is fair to say it is quite broad.

Mr FORD — It is immensely broad. That membership base obviously covers the entire state. You only need to get a brigade or two here or there in one of the 21 districts to not have 100 per cent membership, but all districts, I think you will find, from memory would have about 90 per cent and above — many with 100 per cent membership.

The CHAIR — Choosing to be members?

Mr FORD — Choosing and determining to pay a financial contribution for the joy of being affiliated with the VFBV.

The CHAIR — Thank you. Can I ask you about the proposal that is before the committee. One of the issues you spoke of in your opening statement was the cost impacts, which is not something the committee has heard a lot about yet. Can you outline your concerns around the cost impacts of the legislation?

Mr FORD — I think at the base level the cost impacts have either not been done or not been transparently available. I do not think we know what the cost will be. There is no doubt in our mind that the flow-on cost implications are unknown because the flow-on implications of the model have not been contemplated. There has been no risk assessment of the flow-on of potential further FRV boundary changes and the impact on volunteers and the demand for additional paid firefighter resources. The impacts on the quantum and the collection and distribution of the fire service levy, to our knowledge, have not been done.

Therefore, if there is going to be an increased cost burden to the state, to every ratepayer and to the fire services, that money is going to have to come from somewhere. If that money is drained to funding an expensive paid firefighter-based model — and there is nothing wrong with paid firefighters; they are absolutely important to what we do — where they are needed they need to be deployed. Where they are not needed we can focus our energy on building volunteer capacity, sustaining volunteer capacity, fire prevention, community education and a whole range of other programs that are often more effective and generally more cost-effective than a simple suppression solution to increasing activity demand.

So we are setting ourselves up in this legislation for a never-ending bill of increased cost of fire suppression when all of the literature and all of the thinking worldwide for several decades has been that that is the wrong answer, and if we are going to set up a process that drives that it will cost more money, it will put pressure on the finite budget that is there in the CFA and that is going to come from somewhere. We are concerned that could drain volunteer support programs.

Mr BARNETT — Andrew has covered the quantum and the unknowns, and the other unknown is the redistribution. The fire services levy is a per capita type thing of each person paying a contribution. Once you move to a model which starts cherrypicking highly dense, highly urbanised areas that are the population centres of Victoria — if you think about the current mix of ratepayers who currently contribute to the current CFA funding — once you start redistributing and moving to a different model which is now going to move into provincial cities, large urban centres, those high-density populations actually get taken out of the current contribution to CFA. One of the unknowns is: during that distribution what is going to actually happen with ratepayers? Will it be less people contributing to CFA, or are they somehow going to mix it out again?

Mr FORD — To go back to where I started, our concern is that we ought to know that, and you ought to know it and everyone ought to know it before a decision is made.

The CHAIR — Can I ask, just to get a sense of the views you are putting to the committee today, whether they are representative of your member brigades' views. We heard earlier evidence from one of the other representative bodies that their members have not raised any concerns with the bill. Is that the experience of your membership base?

Mr FORD — I think this has probably been one of the issues of highest concern across the state in my 10 years with the VFBV. It is widespread, it is deep and it is consistent. I think you will see that in our submission. We have had extensive conversations with our members and our network of delegates across the state since the announcement was made. We have been overwhelmed with phone calls and input, including at various functions and various meetings around the state, with that concern. It is very consistent.

Mr BARNETT — In my time with the association I have probably only witnessed several meetings of state council where discussions have been unanimous, and on this issue alone the support and emotions or the concerns that have been raised by the field have been unanimous. When we asked the districts, 'Could you go back and check with your members what they are feeling?', it was unanimous, every delegate saying they are hearing concerns.

Mr FORD — Chair, just one thing I might add there: there is very strong concern, as Adam has reinforced. In amongst that there will also be brigades and members and individuals wondering about the gaps in detail. There are some people saying, 'We are still waiting to understand how this works'. Some of those people are concerned by the lack of detail. Some of them are expecting that the detail will come and that there will be assurances about it before the legislation is delivered. One of the issues, I guess, is that we urge the committee

not to leave that detail to chance, because certainly if any volunteer is out there at the moment patiently waiting and wondering and hoping about the detail, I think they will be very disappointed if that detail does not go in the way of giving them the assurances that they are currently being told to assume.

The CHAIR — Thank you, Mr Ford. Before I hand over to the Deputy Chair for questions, there is just one matter I would like to clarify with you. You spoke briefly about consultation in your introductory comments. You would be familiar with the volunteer charter, which was signed in February 2011 and is referenced in the act, and also the emergency management volunteer statement that was signed more recently, both of which have call-out consultation requirements. Have those consultation requirements been met in relation to this legislation?

Mr FORD — No, they have not.

Mr MULINO — Mr Ford, I wanted to start with the statement that you made in May, and I think it is consistent with your comments today. It is that change ‘must not be driven by anything other than the interests of the community’. So community safety, I imagine, would be paramount in your view in terms of what we should be trying to achieve here.

Mr FORD — Correct.

Mr MULINO — We have got a context, and we discussed this at length this morning, as you may or may not be aware, with DPC when talking about the policy rationale for these changes. There is a lot of change going on in this state. We obviously have rapid population growth. We have a metropolitan fire boundary that has not changed for decades. We have changing expectations in the community around services that they want from fire departments, whether it be MFB or CFA, in terms of roadside response, for example. We have a pretty widespread acknowledgment that there are leadership and cultural issues we need to deal with. With community safety as the key issue, do you acknowledge that we need reform?

Mr FORD — We do acknowledge it, and in fact in our submission we encourage continual improvement and modernisation of the fire services. What we also propose very strongly in our submission is that the proposed legislation does not provide that sort of reform, does not provide any additional improvements to the model that exists today and does not provide any additional improvements to the ability for the existing arrangements in the CFA to respond to urban service growth or other community safety demands, and in fact weakens the flexibility and weakens the capacity of the fire service. That is one of the core drivers of our concern with this proposed legislation.

Mr MULINO — Do you acknowledge that we need any structural reform?

Mr FORD — By that you mean?

Mr MULINO — The structure of the organisations that are currently in place and the way they interoperate.

Mr FORD — If you are asking — I am not sure what your question is about — do we see there needs to be boundary change to achieve the improvements you are asking, you do not need this structural reform, you do not need boundary change and you do not need to separate paid staff from volunteers to address urban growth.

Mr MULINO — Okay. So you say we do not need separation and we do not need boundary changes.

Mr FORD — To address the urban growth. You can address that with the existing model. You had some hearings preceding us. The Narre Warren volunteer fire brigade is the busiest volunteer fire brigade in the state, servicing a densely populated high-activity urban community with a volunteer brigade, supported by a network of brigades around it, both volunteer and CFA integrated brigades. That model is evolving and growing and being supplemented as the population grows, as service demand grows and as volunteer capacity does or does not cope with that demand. Likewise, there is Craigieburn integrated brigade.

The CFA system currently has the ability to add and supplement paid firefighters to a volunteer brigade when the demands of that community exceed the CFA capacity. That is a very sensible model; it is a very simple model. It does not rely on this structural reform to occur. What we are saying is this structural reform will not only make the ability to evolve to that increasing service demand more rigid; it runs the risk of disenfranchising, disempowering the volunteers that are also servicing those communities by taking away their primary

suppression and prevention roles in those brigade areas. You will lose capacity and not gain it. It will be a deficient system to that which exists today.

Mr MULINO — I would agree with you that suppression should not be the only focus. You seem to be saying that you think the current boundaries are okay even though they are 50 years old, the current structure is all okay. It does not seem to be consistent with, for example, DPC and other departments' reading of all the reviews we have seen. It does not seem to be consistent with what we are hearing from senior officers across a range of organisations. You seem to be much more comfortable with the status quo than other experts, other organisations, in terms of structure.

Mr FORD — I think you are putting words into my mouth that I am not saying. What I am saying to you is you do not need boundary change to evolve and adapt to service growth. This issue was extensively covered by the bushfires royal commission, a world expert, Professor 't Hart, was involved in the deliberations on this issue. The findings, I think if you go and read that review, were that you could spend a lot of time on structural reform, you could spend a lot of time changing boundaries. In Victoria you have got the capacity to meet the growth. You need to get your cultures right. You need to get your service capacity right. You need to have the flexibility and agility and a chief officer's decision-making power to respond to growth. You do not need this structural reform to do that. If the folk in DPC know more about the way to address fire service capacity than everyone else, then good on them.

Mr MULINO — Incidentally, I was referring to senior officers. One of the key things I want to talk about in terms of the CFA — I am hearing this from members, I am also hearing it from senior officers — is that the distraction of this endless round of EBA disputes is causing ructions within your organisation and that for fire service interrelationships across the state separating IR issues out of your organisation would actually be massively beneficial. Now, at the start you said one of your key problems was you see this legislation as disempowering. My understanding of one of the rationales is it is actually meant to be helping your organisation focus on volunteerism and strengthening volunteerism by getting rid of that distraction.

Mr FORD — I think we are in pretty fierce agreement that, if we could separate out the industrial restrictions and the industrial tensions that impact on the fire services from the fire services, that would be a good thing.

I just want to point something out to you and to the committee that is very important. Do not just think about this in the context of what is happening in CFA. You had a CFA board, as you know — previous board — previous CEO, previous chief executive and previous minister all raising concerns about industrial interference in CFA, and we have seen how that has played out. You have also had the very same concerns raised by a paid-staff-only model in the MFB. There are no volunteers there that are creating that tension, and in that organisation the chiefs, CEOs and boards have said that the EBA conditions similar to some of the provisions that were concerning CFA would make their statutory roles unworkable. So I think it would be great to get the industrial interference out of CFA.

We propose two things: one, that is not the reason to carve up a good model and, secondly, the proposed change actually will not remove the industrial problems from CFA. You would be aware in amongst the proposal, and setting the FRV boundary change aside for a second, the entire middle management of CFA — the operational field management and operational support to brigades, the training instructors, the community safety managers and other staff covered by the operational EBA, the same operational EBA that has caused concern over the last year — will be split out of CFA, employed by FRV, have their EBA negotiated by FRV without CFA input. They will work under the terms and conditions of that EBA and then be seconded back into CFA, so you will not have the EBA influence, interference and frustrations out of CFA; you will in fact further embed them. All you will achieve is you will gag CFA from being able to have any input and influence into the construct of that EBA.

Mr MULINO — Finally, just on that point, you seem to be wanting an ongoing role in the EBA, which I must say surprises me.

Mr FORD — Sorry, I missed you. What did you say?

Mr MULINO — You just said it is going to exclude you from any ongoing role in the EBA as if that was some kind of complaint.

Mr BARNETT — He said CFA.

Mr FORD — It is excluding CFA from that role.

Mr MULINO — The point I want to finish on is this idea of the staff coming back on secondment. Would you acknowledge that the chain of command in terms of operational matters remains the same, as it currently is, in the new model?

Mr FORD — Our assessment of the legislation is that the authority, autonomy and control of those middle management positions will change. The CFA chief officer will not have the same power to manage performance, manage discipline, manage the hiring and firing of those people — will not have the same ability.

If you read CFA's own submissions to the fire services review — I think I have got the right reference; excuse me if I have not — they make special mention in those submissions about the special culture of running, managing, supporting and empowering a community-embedded and volunteer-based organisation and that it is not just about having any old person working in CFA. They need to develop special relationships with their local communities and relationships with volunteers, and the nurturing of that culture, the ability to control the selection, the recruitment, the promotion, the performance development, the cultural development of those people are core to the success of CFA. That will be diminished by what seems an incredibly arbitrary decision to split those staff out of CFA into FRV just to avoid an industrial test that is only about ensuring the EBA does not restrict or limit CFA's ability to support, equip, recognise and value its volunteers. It makes no sense.

Mr YOUNG — Thank you, gentlemen, very much for coming in and presenting today. Mr Ford, you talked about the culture. Can you just explain to me what you mean by the culture. We have heard all this talk about culture over the years even with all these fire services reviews. It is very hard to get a grasp on what is actually meant by this culture, and it is talked about in a really negative way. People say 'the toxic culture of the CFA'. Can you explain to me what that is?

Mr FORD — I will start and see whether I can do it in a summary sense. It is a big issue obviously. First, I would say this notion that there is a toxic culture in CFA, this notion that there is a breakdown in the integrated model, this notion that things are broken beyond repair we actually believe is an invented crisis suiting the agenda of people who want to drive a different agenda than fixing the culture. We do not think the culture is broken. You have heard for yourselves today a volunteer from the VVFA at an integrated brigade saying it works well, that volunteers and paid staff work well at integrated stations. You will hear that time and time again.

The culture that we talk about is a culture that recognises, values and empowers in this case volunteers, or paid people, based on their training, based on their experience, based on their proficiency regardless of their pay status. That is number one — to treat people equally based on what they can do, not their pay status. The other important cultural aspect in CFA is one of empowering and supporting people to do their work, not just dictating, controlling and monitoring. The other important part of CFA's culture is it is not an agency that simply delivers services to the community; it is an agency embedded in the community, working with the community, building community capability to share responsibility for their own safety. That is a big description of the culture, but it is important.

That culture is founded on respect. That culture is founded on genuine engagement, inclusion and goodwill, and recognising people for what they do, empowering them to do it, giving them the responsibility to do it and — talking recently to some people — empowering volunteers. Empowering them gives them responsibility. Giving them responsibility will motivate them to achieve high standards. Take that empowerment away, take that responsibility away, and you break down the whole system, and that is the culture that is at stake here.

Mr JONES — If I could just add to that, I think it is really important to understand the culture has grown over lifetimes for many people, but it is not only the brigade membership that is part of that culture. It grows through their families, through all their interconnections in the community, and that is core to how most CFA brigades operate. I think that is sometimes missed — that it is not just the initial membership of a brigade; it is a much bigger family than that. That word is used a lot, and that is critical in how the development of CFA has evolved.

Mr YOUNG — In my mind, the way I see it is the CFA and all of our fire services have a job to do. They have a role. It is a very important role. It is a role that supports our community safety. It is very important, and the culture that surrounds that is something that enables them to do it well. It helps it flourish, particularly when we are talking about a volunteer service. We have got to this bill, and it seems that this bill is simply a way to restructure things to fix a cultural issue, rather than specifically to fix something that is operational or lacking in the way in which we actually do that job. That is what we are there to do in the first place.

That becomes more and more evident to me every time we talk about the way in which this structure was thought up and simply the lack of options that were put when getting to this bill. Is this something that we should be moving forward with just to fix a cultural change, or should we be looking at this right from the start, way back to the drawing board, and say: what is the best way? If we want to have a big structural change in our fire services, let us dismantle it completely. We are doing that anyway. But let us dismantle it completely, and go ahead with something that is going to give us the best service delivery and cultural change.

Mr FORD — One of the basic questions we ask ourselves is: what problem is this legislation trying to fix? Not only that, but even the notion that it is supposedly trying to fix the EBA problem — it will not fix that problem. It is not the problem that needs to be fixed, and you do not need a structural reform such as this to fix it. I think it is a very good question, and we ought to go back to have a look at what problem is trying to be fixed. As we have said, if the problem is being able to grow service capacity to meet Victoria's community safety needs, that capacity exists within the CFA model. The CFA model provides benefits by virtue of its volunteer base and the integrated nature of it. That is a model that ought to be looked at being applied right across Victoria. We would promote that. That is a fantastic opportunity to grow volunteerism and integrate a model throughout the metropolitan fire district. Why aren't we looking at that? We say in our submission that there are other opportunities that ought to be looked at in a future reform.

One of the key drivers that has been stated for this model is that supposedly the government has legal advice that suggests the Fair Work amendments — and they are Fair Work amendments that only emulate the requirements that already exist in the CFA act — will make it impossible for any EBAs to be finalised. We find that a remarkable statement. We disagree with it and believe it is quite strange to have been made when the EBA has not even been put to the Fair Work Commission to be tested. If that is the problem that is trying to be fixed, put the EBA to the Fair Work Commission. Identify those areas that come up against a barrier in that they might be restricting the CFA's ability to support, equip, utilise or police volunteers, and address that barrier. Do not carve up the CFA just to find a way to drive a problematic EBA through and circumvent the requirements of the Fair Work Act.

Mr BARNETT — Mr Young, you spoke about culture, and I wanted to go back to something that was said earlier. That was around review fatigue. One of the reasons there is review fatigue is that volunteers are never accepted as a partner. All these reviews, all these changes and all these reforms have been done to them instead of with them. Part of the culture is that if you want people on the ground — the CFA is a decentralised organisation — by its requirement you must engage and collaborate with the actual people delivering the service so they have buy-in to a service that they are volunteering to. They have no other incentive. They want to do what is right by their community. They want to provide a fantastic service to the community. One of the real deep shames from all these kinds of processes is that Victoria has had a fantastic fire service to be very proud of. It has been world's best. It has been Australia's best at times in different measurements. And for all this focus to be on just the negative hurts volunteers. If we want to change the service, if we want to reform it, bring us along with it.

Mr YOUNG — Thank you. You have narrowed in on why we are heading for these changes. And Mr Ford, you summed it up earlier. I guess one of the questions on everyone's mind is: would we be having this conversation if there was not an EBA dispute going on?

Mr FORD — Well, first up, is there an EBA dispute going on? Before this proposal was announced in the last few months, was there a dispute? Was there tension, or were people getting on with their jobs? I think what you will find is this tension is there because of this announcement, not because of the EBA yet to be tested in the Fair Work Commission.

Mr YOUNG — I will put it to you this way: before any aspect of the EBA dispute came up, was there a burning desire to have major reform in our fire services?

Mr FORD — Not on our part.

Mr YOUNG — The previous witness made a statement in their opening remarks that volunteers are in the best position to make decisions on what is best for them. Do you guys feel that volunteers have been involved in that decision — quite a serious decision — and is it best for them?

Mr FORD — No, volunteers have not been adequately involved in the decision. That is deficient on a number of accounts. One, it means you have missed the wisdom, experience and practical knowledge of volunteers knowing what will work for them. Two, you have missed an enormous requirement of any change, and that is to bring people along the journey with you. That has been missed. There was, as I said before, no consultation with volunteers before the tabling of this legislation. There have been a series of briefings from the government and CFA officials since — briefings about what the legislation will do, not consultation about what needs to be improved and how to do it.

Ms HARTLAND — I have got several questions. When you say that there is absolutely no need to change the fire service at all, do you not recognise the massive growth? In my electorate of Western Metropolitan Region, Werribee to Craigieburn is having massive growth. I have five CFA stations. In your estimate you are saying that there is no need to change anything and that the current boundaries — I do not want to put words in your mouth, but that is what I heard you say — do not need to be changed.

Mr FORD — I have to get back, Colleen, to the transcript, but I am not sure I would have said there is no need for any change at all. There is always a need for change. What I have said is you do not need to change the boundary to address the service growth. Absolutely you do not need to change the CFA and MFB boundary to improve the capacity of CFA brigades to meet growth.

Over recent years, as demands have exceeded the capacity of volunteer brigades, the CFA has a range of options including the addition of paid firefighter support to supplement and grow that capacity. A far more effective, nimble and responsive approach to any service growth in any of those urban areas is to utilise the existing capacity of the CFA and to be able to supplement those volunteers with paid firefighters. What change is needed is an ability for there to be far more flexibility and less industrial interference in how the CFA chief officer decides to provide that supplementation.

The system at the moment is incredibly restrictive and does not give the chief and CFA sufficient flexibility to provide a transitional additional firefighting capability. It might be day manning only; it might be a temporary manning to work through a capability issue; it could be seasonal; it could be what have you — to readjust to continually deploy that resource where it is needed. That capacity does not exist in reality — it probably does exist technically, but they have not been able to use it — and I think that reform would be very useful.

Ms HARTLAND — The thing that has quite confused me during all of this is that with the ‘Hands off the CFA’ campaign, all of the political campaigning over the last two years, it would seem to me that you would have actually wanted a totally separate CFA that was totally volunteer. So I am a little bit confused now by the fact that you are saying that you do not see any need for change.

Mr FORD — If you go back to all of our messaging from the beginning, VFBV and volunteer messaging, we have never said that there should not be paid firefighters and volunteers working together. Our campaigning has always been a volunteer-based and fully integrated model with the flexibility for the CFA to decide where and when and how resources are deployed to supplement brigades. We have never, ever argued for a separation of CFA.

I need to correct it for the record because it troubles me that people say we embarked on political campaigning. The campaigning of VFBV has been about removing industrial restriction on the CFA’s decision-making powers. We have never campaigned for no more paid firefighters. What we have campaigned for is that the decisions about how many, where, when and how they are deployed should be made by the CFA chief officer in consultation with all concerned and after best endeavours have been made to look at any other options that are needed for that service capacity. We have never asked for this model, and I am not sure where that message comes from.

What I could suggest is that some people have tried to verbal our messaging because it suits an agenda to paint a picture now that somehow volunteers wanted staff out of CFA. You know what? We want paid staff in CFA

working with us as equals. They are one of the most valuable resources you can provide to a brigade, and what we need is for that to be done in a way that meets service needs, maintains volunteer capacity and is done in a way so that they work as a cohesive integrated team with mutual respect. That is what we have campaigned for always and only.

Ms HARTLAND — All right, so if we have a hypothetical situation where the current EBA, the existing EBA, goes to Fair Work, would you challenge that EBA?

Mr FORD — We have raised concerns with the existing EBA, and I think I need to take time to cover this if I could. The Fair Work amendment does not block EBAs full stop. The Fair Work amendment provides — and we have included this in our submission; we urge you to have a very close look at it — for a test to ensure that provisions do not restrict or limit the CFA's, or an organisation like CFA but CFA in this case, ability, and I paraphrase, to equip or support, recognise, utilise, deploy its volunteers and consult with its volunteers.

We say there are elements in the EBA that do do those things. For example, there are elements that direct and require agreement of the union before decisions can be made, including about resources that are not even resources covered by that operational EBA but are resources there to support volunteers. The UFU are on record in the Senate committee hearing that they do not believe any EBAs, and do not believe this EBA, have any provisions that restrict or limit the provision of support or equipment to volunteers and should not be.

Minister Merlino, the Premier and the CFA newly appointed board and newly appointed chief officer have said there are no volunteer impacts in the EBA. Our concern is that without clarity about the intent and the detailed application of clauses in the EBA they are open to interpretation, have been open to interpretation in the past and could be used in a way that they will have detrimental impact. What we say is that there is a fair umpire test that now exists in the Fair Work Commission around provisions that it would seem everybody agrees with and that are entirely consistent with the CFA act. Put the issues to that test, and let us have the discussion. If they are not intended to have a negative impact, then we will be able to rough off the rough edges and everyone will be able to move on.

There are issues around the provision and work arrangements of brigade admin support officers, around the volunteer support officers, around the recognition of what volunteers do and around how volunteers and staff work together, and we do think those issues are problematic.

Mr BARNETT — Ms Hartland, Andrew touched on it. He said there were some ambiguities and things could be open to interpretation — to the EB. You do not need to go very far into it to see some very clear overreaches, and our concern has always been the overreach. If an EB was solely about the pay and conditions of the staff — and we have said from day one 'Pay them whatever they want, go through your normal government channels, but we're never going to stand up and criticise the pay', and we have not and we have been disciplined on that — go to clauses 14, 15 and 16. You do not have to get very far into them. Those are classifications dealing with community safety facilitators, BASOs and volunteer support officers. None of those are members of the union. None of those are covered by the enterprise agreement, so for what purpose to reach outside of an EB of your members, to go directly into some programs at the heart of volunteer support and wonder why we might be upset about it.

Ms HARTLAND — Can you supply those clauses?

Mr BARNETT — Yes.

Ms HARTLAND — This has always been a really big problem because people keep talking about the EBA. My understanding when I was a union delegate was that the EBA was between the employer and the employee rather than other outside organisations. I would also like to know that it was the current EBA. As we know, iterations of EBAs go on and on.

Mr FORD — We will provide that to you, and we would agree that the EBAs ought to be about the relationship between the employer and the employee and had they not reached out beyond that relationship to impact on volunteer issues we would not be having this discussion today.

Ms HARTLAND — I know that we have said that presumptive is not within scope, but it has been raised, so I would like to ask a question — —

The CHAIR — We are almost out of time, Ms Hartland, so just one question.

Ms HARTLAND — Just one question. Obviously we worked together on presumptive. What I am struggling with is when you say the presumptive is not good and that it does need the panel, that it is not the same as Queensland, and yet Queensland has a panel. You talk about there being 60 000 volunteers. The CFA tells me that there are 35 595 operational volunteers and 18 935 non-operational volunteers. Do you not see that there is a need for some process? I have been told by both government and in the evidence that was heard this morning that it will be a simple tick-box process. What do you see as the barrier to making sure that volunteers have access to presumptive?

Mr FORD — Firstly, with respect to the advice you have received this morning, it is wrong. If you read the legislation, it does not go to that simple issue of whether somebody was in a firefighting role versus a support role. If someone is a member of the CFA in a fundraising role, for example, or an administrative role and does not ever get exposed to fire, they are not exposed to fire and therefore they ought to not be covered by the presumptive legislation. If that were all that the provisions of the presumptive legislation did, there would be no argument.

That is why we went and sought expert legal opinion and got the opinion of Jack Rush, QC, which is included in our submission, and I think we have sent it around to you already. It does say that the provisions outlined in the legislation will ultimately be interpreted by insurers, lawyers and WorkCover, and the way they are constructed will not have the outcome and the limited intent that you quite rightly pointed out. And if it were that simple, we would be delighted.

The next issue is that the legislation does treat volunteers and paid firefighters differently. We are glad the paid firefighters get the level of presumptive legislation protection as outlined in the bill. That they get it is good for them. The UFU and VFBV campaigned together on this issue, and it has been a long process and a very frustrating process. If the legislation is so similar, transpose the words ‘volunteer’ and ‘paid firefighter’ in it and see what people think about it, and you will realise the level of difference.

The panel discussed in the Victorian legislation I think you will find is not in the Queensland legislation. It is a side process and it is in recognition that their membership records are not as good. The panel in Queensland plays no part in assessing the eligibility of a person and, I guess, their case for a claim, whereas the construct of the Victorian legislation places the panel in a different position.

If I can go back, the legislation that we worked on very closely with you would be a far better proposition than the one that is on the table now.

Mr BARNETT — The actual clause, Ms Hartland, from the legislation that is of most contention is:

... and the volunteer firefighter attended fires to the extent reasonably necessary to fulfil the purpose of their service ...

That is not just a tick process. That is very subjective: ‘to the extent reasonably necessary’. There is no definition of what is reasonable. Is it five, is it 10, is it 100? None of that. So you are asking a panel to provide really a subjective opinion of something that is not dealt with in the legislation to a panel that are not necessarily fire experts either. So it is that subjective part which we think is quite cruel and unusual in the legislation because it is not actually providing volunteers with any surety as to whether they qualify or not. I think the one thing we have all agreed on is that the whole purpose of presumptive legislation is to give people confidence that if they get sick they are going to be taken care of.

Ms LOVELL — Andrew, I did not bring my copy of the EBA with me, but I think it is section 19 of the EBA that deals with memorandums of understanding and gives the union some control over the memorandums of understanding. Given that the staff will be seconded back from FRV under a memorandum of understanding, how do you see that impacting on the CFA?

Mr FORD — I think it is an issue we would need to look at more closely, but I can give you a layman’s opinion of it now and I would encourage the committee to look at that issue in depth. If that MOU requires agreement between the UFU and the CFA, which from memory I think clause 19 might, then what does that mean for the ability of the CFA to strike an MOU with FRV in this case, even albeit an inefficient model of seconding the employees back, and what provision and protection is there for the CFA to be able to ensure that those arrangements do not restrict how those people are seconded back to work at the CFA?

If that is reliant on an MOU that has to be agreed with the UFU, we are back to square one and you have got all the tensions that everybody on this committee has rightly pointed out — they are just under a different name and under a different guise — and with the CFA even less in control of its own destiny.

Ms LOVELL — Right, thank you. How many of the 35 integrated brigades are actually members of the VFBV? Do you know that?

Mr FORD — From memory, 34.

Ms LOVELL — The United Firefighters Union's 'Fire does not wait' website and their TV ads openly claim that brigades servicing the integrated areas are failing to service their communities according to the performance data. Is that your assessment of those brigades?

Mr FORD — I would encourage the committee to get the performance data from the CFA, and I would encourage the committee to drill in to find out what performance data the UFU is basing those claims on, because I would have thought it would have to be information that would be able to be accessed only under authority from the CFA. So whether it is real data or not, I do not know. If it is real data, where did it come from? That is one point. The second is: does it match the CFA's service standards? That is another point.

Regarding their claims around communities that are underprotected or at risk, the committee ought to check those claims against the CFA's statutory process — section 29 in the act — which is their process to assess and report and give feedback to the brigades on their levels of preparedness now and into the future. If you find a disconnect between the performance statistics and section 29, you have got a problem on the one hand.

The final point I make is that if there are gaps — let us imagine there are gaps in some of those areas, and from time to time there have been and there will be — then it is actually the job of the CFA and the personnel employed by the CFA, along with the volunteers, to bridge those gaps. If it is beyond the capacity of the volunteers to bridge those gaps, then provide additional resources, and if that is paid firefighters you can do that today. There is nothing stopping those gaps being addressed today. The proposed legislation will do nothing, as I said before, that exists in addition to today, to be able to fix those gaps, and in fact it will slow it down.

Ms LOVELL — Just on the gaps and the response with an integrated brigade — in my home town of Shepparton we have an integrated brigade. The integrated brigade are called out as the first response, and the B response is a call-out from Mooroopna, so Mooroopna actually covers around 300 B responses. My understanding of the new system is that the A response will be the FRV career firefighters and the B response will now be the Shepparton volunteers, who were once forming the A response together, and that Mooroopna will not be called. So in actual fact does that not make it less likely that those areas are going to be adequately covered, because you have only got what was originally the first response turning out?

Mr FORD — There are a lot of issues in amongst it. Going back to the basics, you have got paid firefighters in that Shepparton scenario and volunteers. By the design of CFA legislation they ought to be working as an integrated team. It does not delineate who gets on what truck and who does what and whether crews work together or not. The CFA act says they ought to work together, based on, again, their competence, their proficiency and their availability. Sure, if the volunteers are not there, add more paid firefighters or recruit more volunteers.

Who provides the A and the B response? You know, the community wants somebody there looking after them. They do not ask when you get there, 'Are you paid or are you a volunteer?'. They do not ask if you are from Shepparton or Mooroopna. They want someone there doing the right thing. Again those things exist today. How it will work in the future, I think, is one of the things that will play out. But what will happen, as we understand it — currently those volunteers in the Shepparton brigade, who are part of the Shepparton brigade, have a primary role in the prevention and suppression of fires. They have a primary role. They are recognised, responsible and empowered for that role. In the future model the Shepparton area will be an FRV area. Yes, the volunteers are being told and encouraged, 'You can stay there, co-located as a support backup under an administrative arrangement, but you don't have a primary prevention and suppression role'.

I would ask the committee to contemplate: what does that do to the ideology and motivation of volunteers moving forward? What is it saying to the community about the value of the work a trained, available and proficient volunteer does? If we are setting up a paradigm in Victoria that says that just because you are not

paid, you are somehow a second-rate service provider, I think you have got a disastrous paradigm unfolding on your hands, and we need to address that. We urge the committee to safeguard against that. That is not something that can be tested in a half-hour committee hearing. That is something that needs really sensible, really objective, really transparent analysis, because I am sure nobody wants to set forward with that notion.

What it will see, if that paradigm takes hold, and as you referred to earlier in the discussion, if the notion is that all urban areas and regional centres will be serviced — and Minister Merlino has been quoted in the media as saying that they deserve a fully paid 24-hour service. No, they deserve a good service. They do not care whether it is paid or volunteer. Again we raised it in our submission: this legislation introduces a dangerous paradigm that disrespects, disempowers and devalues the contribution of highly trained, highly professional volunteers. It has nothing to do with the issue of whether they are available or not. If they are not available, either try and recruit more or add paid firefighter resources. If they are available, do not treat them as second rate just because they are not paid.

Ms LOVELL — Just finally, on culture, we have heard a lot about the culture both within the MFB and the CFA being toxic. How do you see the bringing together of the MFB and CFA to FRV as fixing a toxic culture? Do you see it as perhaps embedding it even worse?

Mr FORD — I do not see that it fixes anything. I guess that is the first thing. I do not think putting a change of this magnitude on the table without the prep-grade recipe of sensible change management — being inclusion, consultation and engagement — does anything to improve the culture. I do not see how introducing a legislated paradigm that devalues volunteers does anything to improve the culture. What we need to do is put this proposal on hold, take a step back, as pointed out before, work out what problem it is we are trying to fix and work together to fix that. A legislative carve-up or boundary change does not do anything to fix the culture.

Mr BARNETT — Ms Lovell, could I just make the point that we have been talking about culture a lot, and people use a really broad brushstroke when they talk about culture. I think if anyone is going to ascribe ‘toxic culture’, it would be elements of the culture that are toxic. I have met as many MFB firefighters as CFA firefighters who are proud to put on that uniform. They spent years trying to get into the service. They are supported by their families. They want to help communities, just as volunteers do. For everyone to be talking about how there is this toxic culture, it is elements of it, and it is the IR space that is the most toxic. I do not want there to be this broad brushstroke that the entire culture of fire services is toxic; it is not. It is good people there to try and do a good thing.

Ms LOVELL — That is generally my experience of it as well.

Mr JONES — I think it is important to note that over its history CFA’s structures have allowed for it to have great internal comment, discussion and process, and often we are our own worst enemies within the service, but that has been able to build to a very strong outcome. If you have a very open process within CFA where things are discussed openly and encouraged to be so — it has always been my understanding and experience in the volunteer ranks that we do discuss everything, and openly — that does not mean that if you disagree with someone, all of a sudden the culture is wrong. You are putting your view forward, and in most cases we come to a good outcome.

Ms LOVELL — Full agreement, yes.

Mr FORD — I think there is need for and benefit in working on improving the culture, and there is need for and benefit in working on improving relationships right throughout the fire service. There is no question about that. We are keen to be involved with that — we are up for it — and would be delighted to have spent the same energy we have in the last month on sitting down with all sides of the debate and working out how we can all work forward together.

Mr LEANE — As an individual volunteer I become a member because I join a brigade that is joined to your organisation, so it is like compulsory unionism. So if I join a brigade as an individual, I do not have an opt-out or anything like that; I am a member of your organisation?

Mr FORD — When you say ‘opt-out’, there is no requirement for you to do anything or behave in a certain way, so you do not need to opt out. It is a bit like —

Mr LEANE — No, that has answered my question. Do you get elected to your position? Do the volunteers, do individuals elect you?

Mr FORD — No. Let me just explain. Like most employment arrangements the VFBV is an organisation which has a board, of which Nev Jones is a member. As with any other normal organisation that employs staff and a CEO, the board appoints the CEO. It is an advertised and committee of selection appointment. I am a hired employee of the VFBV, just like it is with any organisation that employs a CEO.

Mr LEANE — I know you said that you did not go on a political campaign and you do not go on political campaigns. Rubbing shoulders with Malcolm Turnbull during a federal election time and standing up and grandstanding might be seen as being a political campaign. But if you are going to go on a campaign, whether it be a political or a public campaign, whatever it is — and you said there are 50 000 members — how do you get a mandate? How do you get 25 000-plus of them to say, ‘We’re happy for you to go and do that?’.

Mr FORD — It is a little bit like how we got the 3500 there on the day we had the gathering in Melbourne — —

Mr LEANE — But 3500 is not 50 000.

Mr FORD — No, no.

Mr LEANE — So you are saying that that gives you a mandate. That gives you the 50 per cent plus one.

Mr FORD — Do you want me to answer your first question or your last one?

The CHAIR — Let Mr Ford answer the question.

Mr LEANE — Just keep going.

Mr FORD — Okay. What happens is, as Adam explained to you before, that all of those member brigades elect from volunteers two delegates to their district councils. All of the district councils elect from their volunteer delegates representatives to the VFBV state council, and decisions are made through a consultative process that involves both the district councils and state council. Issues of the magnitude that we talked about over the last year that might manifest in an activity require an enormous amount of network discussion to develop a position. If you are asking, ‘Did 100 per cent of survey volunteers vote for that to happen?’, then no.

Mr LEANE — Not even 50 per cent?

Mr FORD — That is a pipedream, so no, that did not happen. But certainly the majority of the volunteers did. You will find that for issues like this we have got probably the strongest alignment of views. I am not sure that I could ever demonstrate to you, Mr Leane, that 100 per cent of people were asked and 100 per cent of people voted for it, but the deliberative processes of the VFBV that are quite structured and quite extensive were worked through to get to those decisions.

Mr LEANE — It was quite a large public campaign supported by different media outlets. When, in 2012, \$66 million was cut from the fire services, including the CFA, why did you not run a similar public campaign against those cuts at the time?

Mr FORD — I take you back to 2012. I do not know whether you researched it much, but we were quite concerned about those cuts at the time. We ran a campaign. I cannot remember whether we wrote to him, but we certainly did meet with the minister at the time, who was Minister Peter Ryan. We met with the CFA board, and as a result of that work and as a result of the fuss we caused about it, there were guarantees that those cuts would not affect the provision of support to volunteers, they would not impact on front-line service delivery and they would not impact on the training or equipment provided to volunteers.

Mr LEANE — And you just took that minister’s word for it?

Mr FORD — No. I will go on if you want. We then embarked on a process. We had assurances from the CFA board and the CEO at the time, and we embarked on a process to monitor the impact of those cuts, and in

fact we were invited to raise issues as local practice strayed from that intent, and I think you will find that we were at various times quite unhappy with it.

Mr BARNETT — We asked each brigade who experienced any cut to write in, and we had regular meetings with the CFA's CEO.

Mr LEANE — So you took it that \$66 million would get cut from the fire services, and because people who are probably affiliated to you politically said to you, 'No, \$66 million will not affect any services', you took that and you did not go on a political or a public campaign.

Mr FORD — It is interesting, and it is an example of what we talked about before. You can sit there and say that we did nothing and then create a story out of that when I do not think, to be fair to you, that you actually know whether we did or did not. Let us retrace the steps and see what happened. Just as you can sit in Parliament and say that I am running for preselection for a political party, which is a complete lie —

Mr LEANE — It probably is now. You are probably not now.

Mr FORD — and get away with it, and now even sit there and still maintain the lie, the issue that gripes us is that volunteers have a right to raise concerns about issues that concern them, and if people can make up that sort of rubbish and feed it back and then be told it is rubbish and continue to feed it back, where do you get off?

Mr LEANE — I think you need to toughen up a bit if you are going to enter the political realm.

The CHAIR — Mr Leane, do you have a question?

Mr LEANE — Yes, I have got a question. You are saying that you went out and campaigned. You do not want career firefighters to have any — —

Mr FORD — No, you are saying that we went out and campaigned.

Mr LEANE — No, you did. You went out and ran a campaign. You did not want the career firefighters to have an adverse effect on the volunteers via their EBA. You went out and did that. So now we have this situation where this reform will actually deliver that, but now you are saying the problem is that there are middle managers and there are trainers that will be interacting with the volunteers that may be covered or will be covered by the EBA. So you are saying that it will not work, the reform?

Mr FORD — We are saying the reform will not work.

Mr LEANE — Yes, and therefore do you question the integrity of that middle management and those trainers to do what they are supposed to do and support the volunteers? So what you are saying is that those trainers and that middle management — because this evil union will tell them to do something that is adverse to what they are committed to, they will do that.

Mr FORD — So I think this is where we disagree. Those are your propositions that it is an evil union. It is your proposition that they are going to somehow not do their job.

Mr LEANE — You have been running it in the *Herald Sun* for the last 18 months.

Mr FORD — That is not our proposition. Our proposition is that the arrangements that are being put forward will diminish the authority and autonomy of the CFA to manage and lead the culture of that middle management. If you need to colour that up with all of your own descriptions — but that is not our position.

Mr LEANE — So you are not questioning the integrity of those people?

Mr FORD — No.

Mr BARNETT — Mr Leane, when you travel through a 60-kilometre speed zone, you travel at 60 kilometres in the speed zone because that is what the sign says. An employee works the hours that their EB sets for them. To put integrity in it, they are not choosing to break their EB. We are simply saying, provide people available at times that volunteers are available. That has got nothing — —

Mr LEANE — So you are saying they will not go the extra yard — —

Mr BARNETT — Excuse me, may I finish my sentence? It has nothing to do with integrity.

Mr LEANE — So you are saying — —

The CHAIR — Order, Mr Leane!

Mr FORD — No, you asked the question. I would like to — —

Mr LEANE — No, this is an important question. What you are saying is that these reforms — —

The CHAIR — Order, Mr Leane! Just a minute. Mr Leane, you have asked a question. The witnesses are responding. Allow them to respond. Mr Barnett, did you have more to say?

Mr BARNETT — No, I am finished. Thank you, Chair.

Mr LEANE — So you are saying — —

Mr FORD — No, I would like to just go back to the question. You asked — —

Mr LEANE — You are saying these reforms will not deliver the public safety improvements that they are meant to, but there are a number of other experts and a number of other identities and organisations that are saying through reviews and through royal commissions that these reforms should happen. You are saying they should not. What if you are wrong? You might represent volunteers. I represent people in outer suburbs where there are kindergartens, factories and lots of people living together. I would actually like to see a reform that standardises the highly populated areas. I think that is not an unreasonable thing to expect. So you are saying, ‘Don’t move the boundary. The boundary hasn’t moved since the early 1900s’. You are saying that you know. Lapsley does not know, Warrington does not know — all these people, they do not know. You know. But what if you are wrong?

Mr FORD — So you have asked a fair few questions there. I will go back to a couple of them. You want a standardised service. We would say you can achieve that and do that. You say you want to have the best possible service for the community. We would say you should strive for that and do that. Bear in mind that I understand the process is that there may be different opinions. The beauty of your committee is that you can contemplate those different opinions and come up with a decision.

What we are saying to you is we do not think you need to make this change to achieve those objectives. We are saying of the changes you are making that they are certainly not anything in addition to what we have today and they are worse. We are saying that the transparent, detailed and careful impact analysis of what you are setting out to achieve and what you are achieving would appear to be deficient. That is our view. The beauty of the world for you and I is that you will be able to listen to our opinion and make your own mind up, but we are entitled to an opinion.

Mr LEANE — So going back to culture and people being vilified, there has obviously been a media campaign or a political campaign — whatever you want to call it — which has demonised career firefighters to the point where they are being abused in public just because they get paid. A lot of the articles, you have contributed quotes to. So have you come out publicly in your role and told people to stop doing that? Have you recently come out, or not recently — but have you come out and said to the public that they should stop doing that?

Mr FORD — I am flattered that you think we have got that much power, but — —

Mr LEANE — Well, you have contributed to *Herald Sun* articles and a number of articles.

Mr FORD — In fairness, I think you know how the media works as well as we do. We do not have that much power. But let us go back to your question. I think you will find that repeatedly throughout our internal and public communications we talk about the value of our paid firefighter colleagues, and certainly that is our intent. Have I or have VFBV gone out and said, ‘Stop demonising paid firefighters’? I do not know whether we have or have not. If you think that is valuable, then probably that is not a bad thing to do.

Mr LEANE — I think you should.

Mr FORD — Yes, I think we ought to. I will use my opening remarks: the demonising, mischief-making and mistruthful types of comments, including the type of comments that I was talking about before, are not helpful, and it is incumbent on the leaders to start. We all ought to make a commitment. I make a commitment to you, Mr Leane, that I will certainly do what we can to lead by example, and I would love for that commitment to be mutual.

Mr MELHEM — Mr Ford, how many integrated stations have you visited in the last couple of months to consult or come up with a position in response to the proposed legislation?

Mr FORD — So if you are asking me personally, that is not a role that I could ever hope to perform, as I think you would appreciate. Again as we have explained, VFBV is the network of our delegates. So we have delegates in each of the integrated brigades and we have a network of state council delegates at district level. There have been phone calls. There have been visits to the majority but I would not say to all of those integrated brigades. Some have not wanted to be involved in those conversations. An approach has been made to every one of them. Some of them have taken that conversation up with either their local district delegate or other members of our team. Our organisation does not work on one person alone needing to get around to all of those regions. It would be impossible, as you can imagine.

Mr MELHEM — The reason I am asking this question is that surely you will recognise there are different views about whether the structure is actually a good way to go or it is a bad way to go. You have got a view that it is not the right approach, but there are many, many CFA volunteers and brigades who think it is a good idea. Without going into the numbers — 50-50 or 70-30, I am not going to put a number on it — there is a divided view in relation to that approach.

Mr FORD — Just from our perspective and what we get, I would say there is a very, very small number who have fed into our extensive network across the state that think this is a good idea. I will not go so far as to say none, because there would be some, but there are next to none. There are some that have an interpretation of how the legislation will unfold, based on what they are being told and words to the extent that ‘This is how we hope it will work’ or ‘This is how we think it will work’ or ‘This is how it might work’, and some of those are saying, ‘Well, let’s give it a go’. Others are saying, ‘There’s too much “hope” and “think” and “like” in that. Let’s make sure we understand the detail before we make a decision’. There are a huge number that say one of the big problems with this proposed legislation is in fact the lack of detail and that that ought to be known.

That is one of the reasons we have raised the concern around the lack of consultation and briefings around how a chief officer or whoever else might hope it will work. It will satisfy some people; it will not satisfy others. But I have to say to you that we know there is always a difference of view. If you get 60 000, 50 000, 35 000, whatever number of people, there will always be differences of views, and so, yes, there are some that would be of your — —

Mr MELHEM — It is fair to say most people are sick and tired of the events of the last two years and of all the players in the game — the way it has played out the last couple of years, including from your organisation. You have not been that helpful, I might add, and neither have others. I am not exclusively blaming you; I will not. But is that a fair assessment — that the people of Victoria are sick and tired of the political games being played by everyone and they just want to get it over and done with? Is that a fair assessment?

Mr FORD — Let us imagine this proposed legislation had not ever been put on the table. We would all be happier people today. So a lot of people are sick and tired of it. I do not think there would be many people who would be sad if you put it in a box and closed the lid on the box. They are sick and tired of this sort of thing. But being sick and tired of something, which is a very common conversation amongst volunteers, does not mean you accept a very bad solution just because you are sick and tired of it.

Mr MELHEM — On that point, section 63 of the bushfires royal commission did actually talk about changing the boundaries and expanding the boundaries, so that is the starting point. The second point is: people like the CFA board, the CEO of the CFA, the chief officer, the Emergency Management Victoria commissioner, Ewan Waller, the government, the minister — all these serious players — are saying it is a good thing, yet you guys have not arrived. Wouldn’t it be time to sort of give it a go and have a constructive dialogue with the government and try to find a solution to move forward?

Mr FORD — I think this is one of the dilemmas of a pretty truncated process. Submissions are due today, and certainly our submission — —

Mr MELHEM — Looking forward to reading it.

Mr FORD — Yes. So our submission we will be submitting hopefully while we are sitting here and not miss the cut-off. We have got hard copies for you. Many other people will be making submissions. I put to you that if ours is the only submission that expresses concern, then get us back in here because we will be at odds with the rest of the world. But I would be very surprised if it is that way. I guess the value again of this process of inquiry is that you will get to hear the different concerns. You will objectively listen to them and assess them. And if there are either gaps in the proposal, unintended flaws in the proposal, good ideas coming out of the feedback — ours and others — or clarity that comes from the conversation that can be enshrined in the proposal, then we will have made good progress.

Mr MELHEM — I hope you will have in your submission some suggestions on how we can make this work, because for the last hour and a half, nearly 2 hours, I have not heard a single suggestion about how we can make the change work, apart from what is wrong with it. There is no solution. Have you got a solution? Have you got any ideas how the restructure can work, because my understanding is that 1200 stations, or brigades, will not be affected, or thereabouts. So we are only talking of any real change that is going to impact on the 35 integrated stations. To me, I think you have been given a victory to basically have the UFU and the industrial relations removed from the equation and have your organisation given a free reign to work with the CFA for the betterment of the volunteers and the betterment of the community. I think you should celebrate that. I think it is a win, not a loss. I am surprised you are not embracing that.

Mr FORD — A couple of things. I do not think any of us should be talking about this as a win or loss, because it is not about win or loss; it is not a competition. It is not about a victory of one over the other; it is about a sensible structure and framework for Victoria, and that is what is at stake.

You will be, I think, quite pleased to read our submission. It does have some suggestions and some ways forward. One of the reasons you might not have heard a lot of that is we have been answering your questions rather than taking you through the submission. We have not told you how the proposed legislation would work, other than to say to you we think it has got some fundamental flaws. That is a pretty hard starting point to then say: how would fundamentally flawed legislation work? We are saying: take it off the table and focus on what you can do to make the CFA work better, what you can do to make the relationship between volunteers and paid staff work better, what you can do to make the ability for CFA to be able to flexibly respond to demands in service growth. Those are the sorts of things that we should all be focused on.

Mr BARNETT — I am going to walk on a slightly long plank here; he is not close enough to kick me. On this notion that somehow if we get rid of the IR problem, as you say, and volunteers will therefore be free of interference and will be happier, at their heart they are putting their communities first. I do not know a single volunteer that would say, 'I am willing to sell out the safety of Victoria or move the problems of the fire service just over to the metropolitan area so they can deal with this mess'. I do not know a volunteer in the state that would say, 'Well, I'm willing to sell that out for a little bit of happiness'. They want to do what is right by their community.

Mr MELHEM — Okay. I do not think anyone will accuse any volunteer or any paid firefighter. All firefighters in this state, volunteer or paid, are great people, and they always have and will put people first, so I do not think that is up for discussion.

But coming back to Mr Ford's last comment, you are basically saying, 'Put that on ice, don't do anything'. You are exercising a right of veto, which you accuse the UFU of exercising in the EBA. Basically you are saying your way or the highway. I do not think you are genuine in wanting to sit down to look for a solution. I think it is time to stop talking. Let us sit down and find a solution. If you have got suggestions for how this legislation could work better, put them forward and let us get on with it.

Mr FORD — Fantastic. I do not want to put words in your mouth, but what you said was, 'Let's sit down, work together, find a solution and move forward'. That would have been a marvellous way to start this journey, rather than the proposition that is on the table. We do not have, and we are not suggesting, a right of veto. We think the legislation is flawed in its motivation. We think it has been poorly designed through lack of

consultation, lack of impact analysis and lack of input from the experts. We think it creates an ideological framework that is not good for the sustainability of volunteerism in Victoria, and we think it does not provide you with any additional benefits for addressing service growth to what you have today.

We are in good faith mapping out why we think that, asking you to stop and take a breath and have a look at what problem you are trying to fix so that you do not create an even worse problem, and we are not for the life of us thinking that we have got the ability to veto it. You will make a decision. The Parliament will make a decision, and we will be grateful that we have had an input — an input that we did not have the opportunity to make, despite a moral and a legal obligation to be consulted before the legislation was put on the table. If that had happened, we could have had this conversation in a far more constructive manner.

The CHAIR — Thank you, Mr Ford. That concludes our hearing this afternoon. There was one matter taken on notice, which was in response to Ms Hartland's question to provide a copy of the EBA document. If that could be provided as soon as possible, that would be — —

Mr BARNETT — We also have our submission for each of you if you would like to take that with you.

The CHAIR — Thank you. If the secretariat could take that, that would be very much appreciated. Thank you for your time this afternoon. Mr Ford, did you want to add something?

Mr FORD — We did bring some pictures of the demonstration of where Victoria's surge capacity comes from. We wanted to take you through that, but we have not had the opportunity to. Either we can — —

The CHAIR — I am happy for that to be provided to the secretariat. We cannot really extend the hearing, but I am happy for that to be provided.

Mr FORD — What we might need to do is just give you a quick note about what it is so you understand what you are looking at. We are not attempting to make another submission with it, but just so that you can see in a picture what we are talking about when we say surge capacity, mobilising resources from right across Victoria and the outer metro area to other parts of the state.

The CHAIR — So you could provide it with a cover note?

Mr FORD — If we could provide it with a cover note, that would be great. We will follow up with that.

The CHAIR — Gentlemen, thank you for your time this afternoon. We appreciate you making yourselves available at short notice for this hearing.

Committee adjourned.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Wangaratta — 10 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Ms Wendy Lovell

Mr Cesar Melhem

Mr Luke O'Sullivan

Ms Harriet Shing

Mr Daniel Young

Substituted members

Mr Shaun Leane for Ms Harriet Shing

Witnesses

Mr Pete Dedman (affirmed), Officer in Charge, and

Mr Ben Linnett (affirmed), First Lieutenant, Shepparton CFA Integrated Station;

Mr Trevor Logan (affirmed), Officer in Charge, and

Mr Jason Allisey (affirmed), First Lieutenant, Wangaratta CFA Integrated Station; and

Mr Brett Myers (affirmed), Officer in Charge, and

Mr Gerard Peeters (sworn), First Lieutenant, Wodonga CFA Integrated Station.

The CHAIR — I declare open the Legislative Council select committee inquiry into fire services restructure. I welcome this morning representatives from CFA integrated stations in the local region: Mr Pete Dedman, Ben Linnett, Trevor Logan, Jason Allisey, Brett Myers and Gerard Peeters, in turn representing the Shepparton station, the Wangaratta station and the Wodonga station. All evidence given at the inquiry today is protected by parliamentary privilege and is being recorded by Hansard. However, any comments made outside the precincts of the hearing are not protected by parliamentary privilege.

Thank you, gentlemen, for your appearance here this morning. Obviously this has been organised at short notice, and the committee is operating on a tight time frame. We appreciate you making yourselves available to the committee. I now invite you to make an opening statement, if you wish, of no more than 10 minutes, and the committee will then proceed to questions.

Mr MYERS — We will. Thank you very much for the opportunity for us to be present here today to inform you of our view in relation to the fire service reform and how it affects the likes of Shepparton, Wangaratta and Wodonga. The last 12 to 18 months has been a very challenging period for all of us as officers in charge of those locations and as volunteer leaders. The period has been nothing short of an emotional ride. We are all in support of fire service reform, but we are all different in how that affects each of our three locations, which makes a presentation very, very difficult.

For me, I joined the CFA as a volunteer, as a junior, and I have progressed through the volunteer ranks to become a full-time firefighter and have risen through the ranks to have now become the officer in charge of Wodonga fire brigade. Deep in my heart I do not want this change to happen, but I know that it has to. We have to change, we have to modernise the fire services in Victoria, and that is a reality. That is why we are all supportive of that direction.

Traditionally the CFA has been very reactive to inquiries for significant change. Ash Wednesday brought the injection of new fire trucks; at Linton the unfortunate deaths of firefighters in 1998 brought the introduction of training reform; and Black Saturday brought in additional community information and warnings, but never before have we had the opportunity for an organisation-wide shake-up, and this is obviously a timely opportunity for that to happen.

The reason that we are so different in what this reform means to us is that a lot of the detail is still unknown, and as to how that will lead into affecting Shepparton, Wangaratta and Wodonga, it will have different impacts. Hopefully during the question opportunity we will be able to give you a bit more information as to why that is.

One of the great positives for the CFA will be greater autonomy for the CFA. A lot of the CFA's time and energy is focused on the service that we provide to urban areas and regional centres, and hopefully this reform will provide the CFA with a greater opportunity to focus on protecting and providing a service to country areas of Victoria. This reform will trigger a positive approach and an opportunity to shape the future.

I think that we need to lead into the question opportunity. Again we have got differing views on this, and I think that hopefully some questioning from yourselves will provide you with a bit more detail on what it means to each of the three locations.

The CHAIR — Thank you, Mr Myers.

Mr LOGAN — Sorry, Mr Chairman, I would just like to table — —

The CHAIR — Yes, Mr Logan. Would you like to formally table your statement?

Mr LOGAN — It is actually a briefing note, not a submission, which contains a lot of information pertinent to Wangaratta.

The CHAIR — Thank you very much. Members of the committee have a copy of your briefing note, so thank you. The committee now has around 70 minutes for questions. I note that, unusually for parliamentary inquiries, this particular hearing has a number of members of the committee who are also local members of Parliament for this area: Ms Lovell, Mr O'Sullivan, Mr Young and Ms Symes at the other end of the table. So from the coalition's perspective I would invite Ms Lovell as one of our local members to open the batting.

Ms LOVELL — Brett, you said that deep in your heart you do not want this change to happen, but that you know we have to have reform. I do not think any of us disagree with you that there needs to be reform. The question is: is this the right reform? Do you think that this model is the perfect model going forward or do you think, had there been consultation with the CFA and the MFB, that perhaps there could have been a better model put forward that took people along with the government for the journey?

Mr MYERS — Thank you, Ms Lovell. That is a very good question. Given I have devoted almost my whole life to the CFA, I think the reform is the right model, but I think that there still needs to be a lot more consideration to the detail of that and what that means to each location. I think it is very difficult to apply a Metropolitan Fire Brigade model to country areas of Victoria. I just do not think it is a straight cut-and-paste of that model and how that would apply to here. I think the framework will provide a lot of benefit to the community of Victoria, but how that looks in the detail — I do not have it, so I do not know what that detail is — needs to be very well thought out and worked out right down to the nitty-gritty.

Ms LOVELL — And that is part of the problem with this model, that there is no detail, and everyone who went to the meetings with the chief officer has been telling us there are more questions than answers still.

Mr MYERS — That is right. I can speak on behalf of Wodonga. We have had a lot of discussion about the three options that the government have presented in their policy to what are now integrated stations as far as the future of co-locating, standing alone and disband and disperse. We have had lots of formal discussions with both staff members and volunteer members at Wodonga to discuss those three options and what they mean to us, and the amount of questions that came out of that was great.

Ms LOVELL — My other question I would like probably each of the brigades to answer is: at the moment we have an integrated model — at Shepparton it is working particularly well; do you feel that the integrated model is broken and that we need to go to this co-located model, and how will co-location actually improve on the integrated brigade model?

Mr LOGAN — Can I start, Ms Lovell? In Wangaratta the integrated model works well because of the people involved, and that is both career staff and volunteer firefighters. The integrated model needs reform because the Wangaratta volunteer component of the fire brigade are not accountable for any of the response. What I mean by that is as soon as the career staff turn out the door — the 90-second response model — the brigade gets a tick for their response. I believe one of the benefits of a separation — I do not want to say ‘a split’ — is that the brigade will now be, under the reform, accountable for service delivery, which then makes the CFA put more funds, priority, time and effort into lifting that brigade in the future.

At the moment, because the Wangaratta fire brigade meets its standards of fire coverage, there is no effort put into the volunteer side of the brigade at all by the CFA. Sorry, there is little effort, because there are a lot more important issues with other brigades that are fully volunteered meeting that standard of fire coverage. That is why I see it as a positive.

I would also like to say that I see it as a positive that the framework for reform has not been provided by the CFA or the MFB, because from my 32 years in the CFA, I know that the CFA and the MFB are very different organisations, and I believe that if the framework was brought up by the CFA and the MFB, we would be consulting for the next 10 years, because nothing would ever happen. Yes, we need the CFA and the MFB to be part of filling in the detail to make it work properly, but I am actually refreshed that the framework comes from an external provider.

Ms LOVELL — You said integration is working well because of the people involved. How do you think co-location will go once those people have moved on and there are perhaps different personalities where there might be friction?

Mr LOGAN — Ms Lovell, that is a very good question. It is the unknown. You can put as many policies, procedures and rationale around this as you like, but it will depend on the people. It is as simple as that.

Ms LOVELL — So the other two brigades?

Mr MYERS — Do you want to talk about this on behalf of Wodonga?

Mr PEETERS — I agree mostly with what Trevor has said there. I believe that in Wodonga we do work well as an integrated station. Again it is largely due to the people. The Wodonga volunteers work well with the paid staff. A change of people might change that. That is one aspect that may change in the future with a different stream of people coming up via MFB ranks.

Mr DEDMAN — From my perspective, having spent the last 18 years at Shepparton fire station, integration has been the best it has ever been in the last couple of years. Primarily that is based around the personalities of both the staff and the volunteers within the leadership groups. We are a family. Like all families we will have a few minor hiccups along the way which we generally work through. How we go with co-location, as Trevor has said, is pretty much out there. We do not know, because personalities will change. That will change a whole lot of things for people. The Shepparton fire station has had a significant amount of funds injected into it by the local brigade. What happens with that in the future, we do not know. They have ownership of the local building, and the community, and so do the staff. As to what happens there, nobody can really tell what is going to happen and where we go from here. That is part of the unknown. But if it is set up, established and people remember why we are here in the fire service — and that is to provide a service to the community — we should be able to work through the majority of issues.

Ms LOVELL — Just to the three brigades or the volunteer members, there is some concern that brigade assets could be passed over to Fire Rescue Victoria, FRV. I know Shepparton particularly has significant cash assets. Are the brigades concerned about that?

Mr ALLISEY — Ms Lovell, I think there is a concern there, but speaking from a Wangaratta perspective, I think we have a fairly healthy relationship with staff and volunteers. The way we go about looking at the cash assets and assets that we have as a brigade I think needs to be looked at in future. I think most important at this time is the reform and the way we go about business for the service to the community.

Mr MYERS — I will echo Jason and Peter's words. If the focus is still on the service we provide to the community, nothing should change. Whether it is called integrated or co-located, it is just a name. It is how we work together. Whether it is the leadership we provide or the line management structure, I do not think anything should change.

Mr LINNETT — From a volunteer's perspective, I know I have had members asking at meetings about what is going to happen with the funds that they have raised through the community. We are wanting to know: are those funds going to be staying with the CFA? Some members are looking at ways to make sure that the CFA can keep the funds. With regard to equipment, we have still got concerns about what is going to happen with bush firefighting appliances and things like that — how it is going to be managed, how we can have access to them and how the staff can have access to them. For integration or co-location to work, that is probably one of the key points that is troubling to volunteers I guess.

Mr MULINO — I just wanted to go to the issue of some of the details. One of the pieces of evidence we received last week from the Department of Premier and Cabinet was that the legislation is intended to give a framework that leaves a little bit of flexibility at each integrated or co-located station in the future as to how career and volunteer firefighters want to work together. Do you think it is important that there be a bit of flexibility at each station?

Mr LOGAN — Certainly. If I can start, Mr Mulino, Wangaratta is very different to Shepparton and Wodonga. Wangaratta is an isolated urban area. Our nearest support for structure is the Benalla fire brigade. So if we press the button now for the Benalla volunteer fire brigade, it is 40 minutes before they make it to Wangaratta. So we need a flexible model that best suits the community's needs in Wangaratta. For bush firefighting and for surge capacity, nothing will change. But surely we are out on a limb here a bit in regard to structural response. As I stated before, I think it is great that the framework is set but the detail can have input from local people, whether that be volunteers or career staff.

Mr DEDMAN — I would like to echo those thoughts. We need to make sure that we have that flexibility, because the regional locations need to have a different model to some degree to the metro-centric. Trevor talks about structural-oriented firefighting and their support. We are lucky at Shepparton — we have a neighbouring brigade 4½ kilometres away that is an urbanised brigade that provides support to us and support to our volunteer members. We at Shepparton also provide a significant amount of support to our neighbouring, urban and ruralised brigades.

In particular one of the things that does concern me is that over the summer period we need to be able to have that flexibility to crew a tanker to go out to do grass and scrub fires, to attend areas of our urbanised township that have low water pressure and also to provide support to the Shepparton Airport, because the urbanised appliances are predominately restricted to hard surfaces to drive on. We need that. We have a 90-second turnout where we can respond in 90 seconds to support the community and neighbouring brigades. Through no fault of the volunteers — because of time constraints, work pressures, family, the whole lot — the location of the Shepparton fire station to allow for volunteers to attend to get a tanker to support is about 6 minutes to 8 minutes. That is realistic. It is not their fault; it is the circumstances of the area. To have that lack of flexibility would make some significant risk to the community in my view.

Mr MYERS — I concur with the Department of Premier and Cabinet spokesperson's comment that there needs to be that flexibility in the detail. As I indicated in my opening address, you cannot have an MFB model applied in Wodonga. That is not a simple cut and paste. Wodonga is a rapidly growing location, and it is highly likely that there will need to be an injection of a specialist-type resource — what I would call an aerial-type vehicle, so a cherry picker-type truck. With that, due to its specialist nature, it would bring additional staff members to Wodonga. But what does that mean to the volunteers of Wodonga? Does that mean that there will not be so much of the responsibility for them to respond to calls given there would be an increase in staff? So that is the detail that needs to be thought out in specific scenarios such as Wodonga.

Mr MULINO — Thanks. So just a quick follow-up on, I guess, the comment from Mr Dedman around the growing challenges of an urbanised environment but also going back to your original comment, Mr Myers, that in some ways you would not wish that this was happening but that in a sense you feel it has to. Does this in a sense go back to the fundamental issue of community safety? Is it fair to say that your core support across all three brigades, albeit a bit different, is that you are supporting the reforms because they are going to enhance community safety?

Mr MYERS — Absolutely. We cannot go backwards. I think what has transpired over the last 12 or 18 months or three years from an enterprise bargaining negotiation perspective has caused a lot of issues in that time. We cannot go backwards, so we can only go forward. This reform provides us with that opportunity to really shape the future for how it needs to be for the service that we provide to Victorians. That is the grand opportunity.

Mr MULINO — Just one last very quick question. The issue of asset transfer came up, and it has been raised in a number of contexts around the state, including in my electorate. We have heard evidence that asset transfers will not occur; they will be barred. Would it be useful for you if there was a clear statement that was conveyed just reiterating this point to brigades to take this issue off the table, so to speak?

Mr PEETERS — I believe it would, yes. It was certainly raised at our brigade — both the brigade management team and the whole brigade in their discussions. There has also been the point raised today, speaking to Mr Dedman, about the fact that the FEM model might not continue, so that could be another problem, so if there was a definitive statement, that would be good.

Mr MYERS — Sorry, just to clarify FEM, it is the maintenance of fire equipment that a lot of brigades undertake from an income perspective.

Mr YOUNG — Thank you very much, gentlemen, for coming in today. I am going to ask a couple of questions. I have just been flicking through this paper that was provided by Mr Logan, but please feel free, anyone, to weigh in on that. We have talked about the way in which this will work as far as the details go, and we have talked about things that we have identified as problems at integrated stations, whereby volunteers are possibly relying too much on full-time staff and that has caused a lack in response from them. Mr Logan, you mentioned in here that there is little accountability for those volunteers in integrated stations and their turnout times. What is prohibiting us now with the current model from making that better?

Mr LOGAN — It is certainly not a priority of CFA to make that better. As I say, the standard of fire cover at the Wangaratta fire station, like Shepparton and Wodonga, is based on a 90-second response model. As soon as that 90 seconds is achieved, there is a tick in the box and we forget about it. For local brigades like the rural brigade at South Wangaratta, I believe it would be an 8-minute response for a rural brigade. For brigades like Benalla it would be a 4-minute response.

Because there is no accountability on the volunteer side of the brigade and we tick the box for them, CFA do not see it as a priority to enhance that brigade. They spend a lot more time on the rural brigades, which they should, because service delivery should be equal in Cheshunt as it is in Wangaratta. And I see that now, if it goes through, one of the positives will be that it will put the volunteer component of integrated brigades into the spotlight and actually enhance them.

History says that the more career staff at an integrated brigade, the less volunteer involvement in that brigade, and that is just the way it is. This is an opportunity to actually reinvent those brigades and get them moving on. If you look at Wangaratta, the model is that there will be six career staff on at all times under FRV. If we have any decent type of fire incident in Wangaratta, we are going to be relying on the CFA Wangaratta fire brigade for support, so it is even in FRV's interest that the CFA Wangaratta fire brigade is enhanced with skills and equipment in the future.

Mr YOUNG — I understand what you are saying, and it does make sense to a degree, but do we need to have this split of organisations to achieve that? Surely this is something that has been going on for a while. It is probably the biggest issue that I took out of your comments here. Is this not something that has been worked on in the past, or has it only come up really and been put in the spotlight now because we are talking about this reshuffle? Is it something that the CFA can work on away from this bill and away from what we are talking about in a restructure?

Mr LOGAN — Yes, certainly it is something they could work on, but it has never been a priority for them.

Mr DEDMAN — Excuse me for interjecting. That could be based around, from an organisational perspective, CFA's meeting the service delivery standard with the staff, and that transposes to when staff, stations and support volunteers get on scene within the standard of fire cover that gives the neighbouring volunteers that tick as well. Subjectively it could be, 'If it ain't broke, don't fix it; we're meeting the standards'. I do not know. I do not work high enough up the food chain to give clarity on that answer.

Mr YOUNG — Does anyone else have any thoughts?

Mr DEDMAN — A lot of it is based on history as well in regard to the integration of brigades way back, in Shepparton's situation, since 1961. When staff were put into brigades, brigades were told, 'You have staff now to undertake a large percentage of the day-to-day stuff and response and administration', so there is no reliance on the members to do that. With Shepparton we have been working around that to turn that around to make people accountable and have ownership, and with that comes improvement. That is part of the integrated positives that we have.

Mr ALLISEY — I think it is important to note that, as a Wangaratta urban fire brigade, in the last 12 to 18 months — when the career staff have been undertaking their specialist training and attending specialist calls up in the mountains for road rescue and fire rescue et cetera — the volunteers at Wangaratta have had to step up to the mark. We have to step up to the mark because these four guys are not at the station and it leaves the community at risk, so we as volunteers need to step up to the mark, and we are the ones that will be responding to any fire calls within the Wangaratta or surrounding district. So we are doing that now.

Mr YOUNG — It is very obvious, Mr Logan, in your statement, and the words that you have used here are that there is little priority, time, funds, effort or interest applied from CFA to bolster the volunteer component of integrated fire brigades, so it is very clear that you can see this lack of interest in the volunteer part.

What we would have with this new structure into organisations is prioritisation at more levels. We would have prioritisation in those areas from the government in their funding because they now have to prioritise between two different services — one that may not have the potential to keep up with those turnout times and one that is under more scrutiny — so it may go one way or the other. But we are also going to have prioritisation then from the CFA, because if you have the CFA in areas that are covered by FRV, is it not going to be the same issue that they do not prioritise those areas over others because FRV is there to pick up the slack?

Mr LOGAN — Under the proposed model, as with Benalla, a volunteer fire brigade now — and Benalla do very well — they will be accountable and recorded for their response and involvement on a time situation. As we have stated, now they are not. So it will have to be a priority in urbanised areas, especially in remote urbanised areas, because that then means that CFA in the future will be failing their standard of fire coverage in

the area. Everything is driven by standards of fire coverage, which it should be, and it should be driven by service to the community.

Mr YOUNG — Yes, but we have got the same issue where those areas where FRV would be present would not be prioritised.

Mr LOGAN — Would not be prioritised?

Mr YOUNG — Why would they be prioritised over areas that rely solely on CFA?

Mr LOGAN — Because in the future CFA would be just as accountable as FRV for the standard of fire coverage in the area that they protect.

Ms HARTLAND — If I can go back one step, Trevor, you spoke about turnout times. This is something that has been raised with me by both volunteer and career firefighters, in that career firefighters have got 90 seconds to turn out, volunteers have got 8 minutes to turn out, so that especially where there are a small number of career firefighters, they could be turning up to a structure fire expecting backup from volunteers that does not actually arrive or is limited. How dangerous is that for both career and volunteers and for the community?

Mr LOGAN — It is no different to having a structure fire at Moyhu, which is, if you like, an urbanised rural settlement 30 kilometres away from Wangaratta, where at this time of the day — on a Monday morning at 10.30 — you would be lucky to get two people on that fire truck. So it is an issue statewide, whether it is career or volunteer.

Ms HARTLAND — And this is not about people not wanting to be volunteers; it is just that they work and other things come their way. It is not about dedication to it; it is just that people have to live a life and earn a living.

Mr LOGAN — That is right, and as in my statement, most of these brigades have 60 to 80 members. But at 10.30 on a Monday morning they are lucky to get people on a truck, and most often those people on the truck will be over 60 years old, because they are the ones who are available during the day. So that is an issue statewide.

Ms HARTLAND — And when you say that there is a problem with accountability for turnout times currently, the only turnout time that is marked is of career firefighters — —

Mr LOGAN — The first truck out of the door; that is correct.

Ms HARTLAND — The 90 seconds. So if that truck is out of the door, then the volunteer backup is not timed or not taken into account.

Mr LOGAN — That is correct.

Ms HARTLAND — So is there no actual record of it?

Mr LOGAN — There is no measure of it; that is correct, yes.

Ms HARTLAND — And so to be able to measure it, one of the things that you would want to see in this reform is to make sure that we actually have good records of turnout times so that separation would actually give real accountable turnout times.

Mr LOGAN — Certainly. It goes back to volunteerism. If you volunteer for anyone, you want fulfilment out of that volunteerism. Even though you are giving, you want reward. Accountability and responsibility have been taken away from volunteers at integrated brigades because of the increase in career staff. I have many people who have come to me since this reform has been announced and say that, if we separate, they will re-engage with the volunteer brigade because it gives them a more fulfilling role as a volunteer. They will have more leadership ability and they will operate the equipment, whereas now eight times out of 10 they get to a fire call and then there is a cancel message on the pager to go home.

Ms HARTLAND — One of the other things that has been raised a lot is that, if this model comes into being, it will damage surge capacity, but actually what you are saying to me is that it will probably make it better because it will give volunteers more responsibility in their surrounding brigades.

Mr LOGAN — I do not understand the reasoning behind that statement of damaging surge capacity. If you are talking about surge capacity for major bushfires, most of that surge capacity comes out of fully volunteer brigades now across the state. I do not see that changing in the future. Real surge capacity comes out of integrated hubs; they do help. But certainly on the daily fire call, where we need up to a dozen people on the fire or incident ground, this should assist us.

Mr DEDMAN — I can reiterate what Trevor is saying from the point of view at Shepparton, where we currently have a career staff at a level of six. We are building towards having 10. That allows us to provide greater support to the wider community within district 22, but doing that also takes staff out, so reliance comes back on our members, both within the Shepparton fire brigade and supporting brigades, to step up to that mark. So it gives them some ownership and some direction, and with that comes the maintenance of that surge capacity, as has been mentioned.

But with the reform, as Trevor mentioned and I support, surge capacity is not really impacted in the reform because, depending on what options the brigades take in regard to their future — co-location, disbandment, should that be the one, a separate station or moving to the neighbouring brigades — those people that wish to remain with the CFA because they have a passion for serving their community will do that.

As alluded to earlier, I would like to see co-location remain, because that is who I am. Having been 28 years in the CFA, I would like to see it. I have concerns about how it does happen, because of the lack of detail and the change in personalities that could occur out of it. From that point we need the support, both short term and long term, financially and psychologically, for some people. The whole support package needs to be there for everybody.

Ms HARTLAND — A number of volunteer and career firefighters express to me that one of the things that has been really difficult over the last two years is the emotional toll of this dispute. Is this something that you are seeing is having a profound effect on morale within the fire service?

Mr DEDMAN — Definitely. From our perspective it is having a significant impact on morale on both sides of our team — the volunteers and the staff. It is causing significant impacts on family lives. I have staff members whose children no longer tell their friends that their parent is a firefighter, because of the connotation that comes with it. A lot of that has been born out of the fact that we have become pawns in a game of other people, and that is destroying individuals. We have had, and we still have, a high rate of mental health illness, leading to suicide. They are all contributing factors to that. Being a pawn in somebody else's games has really significantly impacted, and I particularly take offence to that because the people that I work with and that I support are suffering because we have become a football — pardon the next comment — and because it has become political and it is just a pointscore game that is impacting the community and impacting the individuals associated with it.

Ms HARTLAND — Does anybody else — —

Mr MYERS — I was just going to echo Peter's words. I guess one of the biggest collective groups of people affected by this is integrated stations — volunteers and career firefighters. This period has been trying. I have had volunteers and career members come to me for mental wellbeing assistance during this period. A lot of people just want a resolution to be able to move forward and get on with the job. That is what it comes down to.

Ms HARTLAND — If there were three questions — —

The CHAIR — Ms Hartland, we will have to move on, I am afraid. Thank you.

Ms HARTLAND — Okay. I will come back to that.

Mr O'SULLIVAN — Thank you for your attendance at this important hearing today. One of the areas that I want to touch on this morning is an area that has been raised in other hearings that we have had. One of those in particular is around the culture in terms of the fire services that we have had here in Victoria. One of the comments that was made was that this reform that we are looking at now is not as a result of the actual fire

service that is provided to Victoria and it is an issue that is essentially primarily designed around addressing the cultural issues within the fire services. Can you give me and the committee your views in terms of the culture of the stations that you work in and whether there is a problem in those areas that does need to be fixed as a result of this legislation?

Mr LOGAN — Sorry, Mr O’Sullivan, are you talking about the culture between volunteers and career staff?

Mr O’SULLIVAN — Yes, and in the stations more generally.

Mr LOGAN — Over my 32 years I have worked in a number of stations, and the culture varies from excellent to average. Again it comes back to personalities. I do not believe that, whether you are wearing a CFA badge or an EMV badge, that changes; it comes back to people. I do not see that culture is a driving point for this reform either way — to have reform or not to have reform.

Mr O’SULLIVAN — That is not what the emergency services commissioner has given evidence of in terms of telling us, but one of the things I find interesting is that cultural issues have been around for decades or certainly many years and potentially into the decades. Why is it so difficult for that culture not to change in the current structures?

Mr LOGAN — I will answer that in two ways. One is that it is very difficult to have a paid workforce that works under an enterprise agreement and a volunteer workforce that gives freely of their time under a CFA legislative framework to work together. That does not matter whether it is CFA or the army or anyone. It is very difficult, and there are very different opinions — ‘I get paid to do the same thing that Jason volunteers to do’ — and that creates issues between individuals.

The other way is if you want to go back to 1961, when career staff were introduced to a lot of these brigades — and I do not like looking back all the time — CFA handled that very poorly. When I was at Traralgon I will say the old-timers, the wise people down there, always said that the regional officer came and saw them at a meeting and said, ‘Very soon you’re getting two career staff people to come and join the brigade’, and those people turned up at 8 o’clock one Monday morning. None of the brigade knew about it until the Wednesday afternoon, when they had a fire call and all the volunteers rushed into the station, and there were two career staff there.

So this culture and any issues in this culture would have been born then, and I know when recently I was at Shepparton as the officer in charge, before Pete, there are people there that are still holding onto 1961. We are never going to change the opinions of those people.

Mr DEDMAN — And part of that cultural change comes, as we said, with the people, but with CFA part of the reform will deal with some of the stuff that should have potentially occurred a long time ago. When I say a long time, in the last 10 to 15 years. We have evolved to, yes, being predominantly volunteer based, but the largest percentage of calls are actually handled by staff. So instead of having this segregation legislated that CFA is a volunteer organisation supported by staff, my opinion is that that should have changed a number of years ago to be CFA as a firefighting service for the community made up of staff and volunteers working together. Something like that may have made a significant difference a number of years ago, but that is in the past and that is one of the reasons we have that mindset from some people, and it has been quite obvious in the media and a lot of the hype that has gone on through these last few years of disputation. That has caused some angst on both sides of the fence.

Mr ALLISEY — I think primarily the culture at Wangaratta — and as Travis said before, you have got poor and you have got excellent — and I think across all three brigades, as integrated brigades, we are up in the excellent. We train together, we socialise together, we attend fire calls together, we debrief together and we go and have coffees together at the station. So the culture as it is being perceived in the rural area, I think, is being put out of perspective. Our cultures between these three brigades are right up there, and I think we are lucky. I will quote from a station officer who attended Wangaratta on an overtime shift a couple of weeks ago. We had a fire out the back of Wangaratta there, and he said, ‘This is great to see four volunteers 2½ minutes up our backsides’, if you pardon my French, ‘to support us’.

Mr O’SULLIVAN — That is terrific, because it is certainly not the experience in some of the other areas that I have certainly heard from. One of the other things I just want to look at is in terms of the surge capacity, in

terms of if it went to the new structure and the surge capacity which has been spoken about already here today. What I am slightly unclear about is — and the way I can see it potentially working in my own mind — if we go to a system of splitting the CFA into the two services, won't the volunteers who are left in the CFA start to go down the line of thinking, 'Why should I turn out? Why don't I just leave it to the guys that are getting paid to do this?', and if that starts to happen more broadly, then those people will not be around to be a part of the surge capacity that we talk about.

Mr MYERS — I do not think they go together — surge capacity and 'Why should I go when the staff go?'. That already occurs. That is not something that would come with reform. Every volunteer and paid staff member has a little pager that gives them the detail for what the call is and where the caller is, and that happens now where people have the ability to pick and choose the fires or emergencies that they attend.

Mr O'SULLIVAN — But won't that get worse if you actually have two separate organisations rather than one organisation that is working together?

Mr MYERS — I would not have thought so. If the volunteer member's focus is on providing the best service that they can as a volunteer to the community, then I do not know why they should have that attitude that, 'I'll let someone else do it; I'm not going to do it'.

Mr LOGAN — Again my comment would be that in a provincial city such as Wangaratta they may have a very different attitude to a Springvale or Dandenong, where there are several career staff trucks, if you like, going to the one call. So again it is about a flexibility model. We know here — whether the career staff are CFA, FRV or private enterprise in the future — we will rely and need to rely on volunteers to help us serve the community.

I would just like to add too that now, if we get a non-emergency call at Shepparton, Wodonga or Wangaratta — that is, maybe a bin smoking in the main street — the volunteers do not get paged. Only the staff get paged, and that is by agreement of the brigade that the volunteers do not want to be notified of things they know they are not going to get to, but if it is a structure fire, different story.

Mr DEDMAN — And for Shepparton we have an activity level averaging 930 calls over the last two years. That is a significant amount of calls compared to — without downgrading them — Wangaratta and Wodonga. They are two-thirds of that, if that.

Mr MYERS — Something we introduced at Wodonga two, three years ago now was minimum criteria to be a firefighter. Gone are the days of just having your name on the book and showing up whenever. It is not stringent, but it is making sure that people are in it for the right reason and committing to being a member, so there are certain criteria for the amount of training that you need to attend on an annual basis, the amount of meetings and also the amount of operational responses that you attend. It is not a lot, but it just makes sure that we are able to accurately have a grip, I guess, on members that are contributing, and if they are not, if they are not meeting the requirements of a firefighter, then quite often Gerard, as the first lieutenant, the most senior volunteer, will have a chat with them and go, 'Look, we've noticed that your calls are dropping off or you're not attending. What's going on?'. Then it might be providing support to them or it might be changing them to a non-operational role and helping out in other areas.

Mr DEDMAN — As the staffing numbers increase at stations, as we have seen at Shepparton — where when I started there 18 years ago it was an officer and a firefighter to now having two officers and four firefighters on shift, and it is building — the more staff you have, there is that less reliance on members, which impacts on their commitment to the brigade. Some of them decide that other people are there to do the job. We have that now. People make their own decisions about what happens, where they go, which calls et cetera now. So to say it is going to be different again — in my view, it is not, because by having a separate entity that responsibility, accountability and ownership comes into play and that pride as well.

Ms SYMES — Thank you for your evidence today, gentlemen. Just for clarification, following on from what Mr Dedman said about Shepparton's staff, can you all just remind me what your current staffing arrangements are for each centre?

Mr DEDMAN — We have six staff on shift, plus we also have an additional two above-strength firefighters at the moment on each platoon. So that gives us pseudo eight.

Ms SYMES — Wangaratta?

Mr LOGAN — Currently four at any one time, going to six by Christmas.

Ms SYMES — Wodonga?

Mr MYERS — Wodonga — currently four as well. An application is with town planning for a new Wodonga fire station, and that will bring additional facilities to be able to accommodate more staff, but at the moment we are stuck with four because we just have not got the facilities to accommodate any more than that, and that is all that is required at the moment.

Ms SYMES — It is all that is required, even though Wodonga is growing so fast?

Mr MYERS — Sorry, with the facility we have got at the moment, yes. We cannot — —

Ms SYMES — So with your population you would like more, but you are constrained by your facilities?

Mr MYERS — Absolutely, yes.

Ms SYMES — I see. I think the sentiment of every response today is that you are in favour of reform. What do you think will happen if the current bill before the Parliament does not pass?

Mr MYERS — I do not know.

Mr DEDMAN — We look for the positive.

Mr MYERS — Yes. It is something that has crossed my mind, but I do not know what the answer is. It is a very good question though.

Mr LOGAN — My theory, as stated before by Peter here, is that the happenings of the last 18 months have damaged the CFA to a point where we cannot remain as we are. As Brett said in his opening statement, I have been a dedicated CFA person for 32 years; I love the CFA and I love the integrated model, but the integrated model is cracking because of outside interference and we need a better model.

Mr MYERS — That is a good way to put it.

Ms LOVELL — I cannot remember who it was but someone said before — I think it was Wangaratta — that you cannot rely on the backup of the volunteers when you have a call-out, and I think Pete also alluded to that. I was just wondering how you think that is going to change under the co-location model. Everyone talked about people having difficulty getting away from work, having difficulty getting to the station in Shep because of all the traffic lights et cetera. How is it actually going to change under the co-location model that you will have that backup?

Mr LOGAN — The CFA have volunteer support officers whose job it is to help volunteer brigades in meeting their standards of fire coverage, and that is either by recruitment, retention or re-engagement processes or whatever to get those volunteers back into the brigades. As I have already stated, none of those people are working with integrated brigades at the moment because they meet their standards of fire cover, so there is no priority for that to happen at the moment.

If a separation comes and the Wangaratta fire brigade is a standalone CFA brigade, even though co-located at the same premises, then those people will be available and will, I am sure, be prioritised to assist these brigades in building — and we need to build. If the model remains as it is, integration will slowly — I hate saying 'die' — decline, because as it is, as we have stated, the more career staff, the less fulfilment there is for volunteers at those locations, so they drop away.

Mr MYERS — The proposed amendment to the CFA act, and the only amendment to the CFA act, will hopefully put more of a focus on recruitment, retention and recognition of volunteers, so I do not have the answers or the detail but hopefully from a framework legislation point of view, that will just put more of a focus on volunteerism and those three points to make sure that a co-located model for volunteers does grow and increase and is sustainable.

Mr DEDMAN — And co-location is not actually something new to the CFA. We had co-location in the past when we had the rural and urban brigades. Quite a number of those co-located out of the same station. Quite a number of those had positive interaction. Quite a number of those had negative interaction and the white line down the centre of the station. That was bound by the personalities of the people at the time, not the actual system itself. A lot of the stuff we are talking about is about people and their interaction to that and their commitment to what they want to do — protect the community. As I said, co-location is not new. I think we still have one or two brigades in the state that still have an urban and a rural captain, officers et cetera, so it is not something out of the box.

Ms LOVELL — Pete, as I understand it, in Shepparton at the moment — correct me if I am wrong — the first response is the integrated brigade and then the B response is Mooroopna. So Mooroopna are often called out to fires in Shepparton. As I understand it, under the new model Mooroopna will not be called. The first response will be the FRV brigade and the B response will be the co-located volunteer brigade. Does that mean in Shepparton we are likely to have less firefighters actually turning out on the ground?

Mr DEDMAN — No, your information is probably a little bit incorrect. In regard to the brigades, through their catchment officer they facilitate communication about response. From my perspective as the officer in charge of Shepparton and the inner Shepparton catchment, instead of having a B response I would be looking towards a C response and then gauge in the future whether we can wind that back as the Shepparton brigade embraces and steps up and re-engages, so that is not strictly correct.

Mr MYERS — And that is the same model that Wodonga use as well. The Wodonga volunteers are considered that B response — the reference that you made — and then another volunteer brigade would be considered the third response to assist.

Mr LEANE — Thanks for your help in our deliberations on this bill inquiry. At the end of this inquiry do you think this committee should rule out another review into Fire Services Victoria? I know there have only been eight recently, but what would you think of us reconvening another review?

The CHAIR — Were you proposing to recommend one?

Mr LEANE — I am just saying, what would they think if we recommended that?

Ms LOVELL — If the new legislation is not passed, what are you going to do?

Mr DEDMAN — The biggest concern would be that if we were to go to another review and a full consultation process, I do not think we would ever reach a final model, and it would take an inordinate amount of time to try to even achieve that, and during that period the breakdown would continue. We need to have some consultation — I do not argue that point — but at the end of the day somebody will need to make a decision, because on both sides, in all parties, there are very passionate people that will not let go or negotiate. So Big Brother really has to step in and say, ‘Look, the time has come. We’ve been working through this. It’s time to draw a line in the sand, move on and get on to support the community’.

Mr LEANE — And a follow-up to that, and you do not necessarily have to answer this, at the end of our deliberations you would be pretty horrified — I do not know what you would call a collective of politicians — if a gaggle of politicians sitting in front of you came up with their own model. You would want people with expertise to produce a model.

Mr LOGAN — And I think Mr Mullins, who was the chair of the committee who developed the reform, has that expertise, certainly. As stated before, while we are all positive about this model, there are elements of the model that I see will not work. One of those elements is the secondment of middle management and instructors back to the CFA from FRV. That will work in a transitional period, but in 10 years time where is the CFA going to get the replenishment of middle managers? Because people who come up through an FRV system will not be exposed to CFA, so that will not work.

Mr LEANE — On that — and this is where I was going to go next anyway — I think there was an answer to Mr Mulino’s question where there was some definitive statement around assets, which we fleshed out. I am not too sure, Chair, what the process would be, but we get to have a hearing with the management level in a

couple of weeks time, so is there anything that you would like to put to us on notice about any questions around that? Is that a process we can go through?

The CHAIR — You will be entitled to ask whatever questions you would like to ask, Mr Leane, but we cannot really put questions — —

Mr LEANE — But I am just saying if the witnesses have things that they want to send to us — —

The CHAIR — We cannot put questions on behalf of third parties, but you are entitled to put whichever questions you wish to put.

Mr LEANE — I have got a Parliament email address which I always open, but anyway.

Mr LOGAN — Mr Leane, can I make a statement that for the CFA to be autonomous, it needs its own entry system for middle managers and instructors in the future.

Mr LEANE — On the middle managers and instructors — —

Mr LOGAN — And I am one of those at the moment.

Mr LEANE — Okay. So on the middle managers and instructors, the relationship between what you call urban brigades and rural brigades and the middle management and instructors — the rural volunteers and how they interact with you — as far as you are concerned, what is the status of that? Is it a healthy status? Is it a healthy relationship?

Mr LOGAN — I believe it is healthy in these districts, yes.

Mr LEANE — Yes, and I would imagine it is because you have worked together for a long time.

Mr LOGAN — We have all come up through the CFA. Whether we are career staff or volunteers, we have all come up through the one CFA system.

Mr LEANE — So you are all mates. Like, all the men and women — a long time.

Mr DEDMAN — Yes, and it gets back to respect. You respect people, and you should get the respect back. You build the relationships. That is what we do.

Mr LOGAN — As a person who was not a volunteer before I joined 32 years ago, I found it very hard to get my head around — and I do not like the word ‘culture’ — how volunteerism in the CFA is a tradition, if you know what I mean, because I was not exposed as a volunteer; I was not volunteer. It took me a long time to get my head around: how do I support these people? Now 32 years later I am a bit older and wiser, and I think I do a pretty good job of doing that. But in the future, for those people who do not come up through a volunteer-based service and then get seconded into a volunteer-based service, I just see a big gap in providing the right service to those volunteers. That is my honest opinion.

Mr LEANE — I am a metro MP, so I hope this does not seem too metro-centric. There has been a well-publicised saga, and there has been a push by certain volunteers to have the CFA be autonomous. This reform attempts to deliver that. If that is delivered and the rural brigades, as you described it, are not impacted adversely — we get statements like, ‘If the Melbourne metropolitan fire service boundary gets increased, it will insult the volunteers’. Just speaking about the rural ones, I would imagine they are pretty tough and stoic people and it would be pretty hard to hurt their feelings, but I would imagine that would not be an issue for them.

Mr ALLISEY — I do not think it is for you, Trev.

Mr LOGAN — No, I believe the Metropolitan Fire Brigade boundary is not going to be increased. Boundaries will be changed, but it will be Fire Rescue Victoria boundaries. We have to get away from this perception that the MFB are taking us over. I do not think anyone here in this room is going to stand for that. That is why I think it is a positive that the committee Mr Mullins chaired has come up with a framework, because they have nothing to do with the MFB.

Mr LEANE — So that is where my metro-centric position falls down. What we are saying is that all highly urbanised areas are standardised, modernised — whatever word. That is the goal.

Mr LOGAN — Yes.

The CHAIR — We have 11 minutes available for some further questions. Can I just go back to the question Mr Leane was asking that Mr Logan answered around the need for a structure to bring up middle management through the CFA, not using the word ‘culture’. Is that a view that is shared by the other witnesses?

Mr MYERS — It does concern me. Particularly, I guess, as a young officer in charge — and I have still got hopefully 25 years to go in my career — it does concern me. What does that mean? I agree with Trev’s comments about people that have had no volunteer background before becoming a career firefighter, who would rise up through the ranks in the proposed FRV and then get to the point where they are ready to take the next step, which would be secondment to work as an operations officer with the CFA, and have not had that opportunity to work closely with volunteers. I just do not know what that means, and that then naturally makes you explore: is that the best option for entry to service for volunteer brigades? Is there scope for the CFA to directly employ those middle management people? I do not know what the answer is, but it definitely does concern me about the future.

Mr DEDMAN — I am probably one of the four last surviving dinosaurs in the CFA. When I joined in 1990 we had the two-tier entry. So I joined the CFA as an assistant regional officer, which is basically a similar rank to what I have now. I was a field-based officer as opposed to a firefighter. I did the same recruitment course. Then due to a rank restructure in 1991, I was put back on station as a firefighter, and I have worked my way back up through the ranks. Personally I think it has made me a better person to get the technical knowledge and skills, because in this role you are supporting brigades, and 80 per cent of the work they do — putting out the small fires — they do really well. But the 20 per cent, which is the more highly technical incidents — hazardous materials, technical rescues, multi-storey structures, major collisions — for all those sorts of things you need to have a grounding and a good basis of tactics to allow you to be able to provide greater support to your brigades. So we have had that. If it is done properly, it will work well.

The CHAIR — Do our three first lieutenants have a view on that as well?

Mr PEETERS — Yes, we had a concern. This was raised in our district planning committee meeting. As volunteers, we do it as a service to the community — we live in the community and we are protecting our community. At the moment we have got a relationship with our people that have worked their way up through the ranks. Our ops manager lives in the community. We have dealt with him. If someone comes up through the MFB system and has not been exposed to us, we are not necessarily going to have that same relationship with them. They are not going to understand us and we are not going to understand them. That is a concern that we have.

Mr ALLISEY — Yes, very much so. Again I do not like the word ‘culture’, but if you have a bad egg come up from town and come into an integrated brigade, that could absolutely just cause havoc. Whereas now, with the gentleman that is sitting here and the wider community, we have a fantastic relationship. We work together, we support each other. The last thing I want at Wangaratta is someone coming in and trying to change what is going on, because it just will not work. We need to stay the way things are.

Mr LINNETT — Yes, I am going to echo those words. We have worked very hard in getting the relationship with the staff to the level that it is now. To have someone maybe seconded for a short period of time come in and assert, I guess, their personality that may clash with what we have already got and what we have built up, that would definitely impact on that relationship. That relationship needs to continue for a co-location to be viable. At the end of the day that relationship is what assists to protect the community.

Mr ALLISEY — I think it is important to note that the current staff probably would not take that from an outsider coming in. They would certainly be told to pull their head in pretty quickly because of the relationship that we have.

Mr LOGAN — Most of the leaders in the career staff at Wangaratta, being the station officers, are long-term residents in the area. They are on the school committees, they are in the football clubs — they are a real part of the community. That is a part that somehow we need to try and protect, but I do not know how we

would do that, whichever way we go, because as we move on we are getting more and more recruits into the CFA that do not understand the volunteer system because they come from other states and they come from other places. So that is an issue, and in the future I do not know how we would protect that.

Mr ALLISEY — Well, the current system now is that we have career staff that are volunteers.

The CHAIR — Thank you, gentlemen. If there are no further questions — —

Mr O'SULLIVAN — I have one further question, if I can, Chair. My question is to Mr Logan. You just alluded to a point earlier that there were outside interferences that have cracked the current model in terms of integrated stations. Can you elaborate as to what those interferences are?

Mr LOGAN — I will be forthright, yes: the media and the misrepresentation of the facts in the media. Anyone who reads the *Herald Sun* and takes that as the Bible, I think, would be a bitter and twisted person at the moment.

Mr LEANE — There are some people here who do that.

Mr LOGAN — Well, with the federal election last year what started as an enterprise agreement issue became an election issue, which devastated this local community here. Myself, at one stage I was considering not wearing the uniform walking down the street because I was getting abused, like my colleagues, but then I thought, 'No, I am a proud CFA person. I wear this uniform with pride'. The deputy chief officer and the chief officer have been accosted at service stations when they have been filling up their CFA cars. The political interference is hampering and impeding CFA to move forward, and also — —

Mr O'SULLIVAN — What is the political interference?

Mr LOGAN — The federal election issue last year, especially locally. Here today there are politicians in this room who continually write things in the local newspapers that are hearsay and non-fact. Wangaratta is a very conservative community and everyone is entitled to their opinion, but when you have respected members of the community such as politicians and respected members of the community who are real estate agents and builders within the community and are well-known, people listen to what they are saying.

This is my view, and I will put it out there: Volunteer Fire Brigades Victoria has split the CFA in two — and that is not staff and volunteers; that is volunteers and volunteers — over the misinformation and innuendo that has come out. People from remote communities are saying, 'If we have a fire, we've got to wait for seven career staff to come before we can put out that fire'. That information was fed to them by these people. This is affecting our mental health, and it needs to stop — not just my mental health but his mental health as a volunteer.

Ms HARTLAND — If this bill is passed and then we have the transition process, what are the things that have to happen during that transition process? Some of the things you have already talked about, like secondment et cetera. What are the really important things that need to be looked at?

Mr ALLISEY — Welfare to our members.

Mr LOGAN — Yes, experienced people from all sides need to get together and work out the details and the details about moving forward, not looking backwards.

Mr DEDMAN — And the fact that we need a flexible model to suit regional Victoria as opposed to metro-centric, because it will not work effectively and efficiently.

Mr LINNETT — Going further on that, you could look at it as a three-tiered sort of flexibility: you have got your inner metro that deal with mainly structural fires, car accidents and what have you; you have got your outer metro that are dealing with that sort of stuff, plus bushfires on the outside; then you have got your regional that deal with all of that and so on and so forth. The regional ones are the ones that are basically saying that if this Melbourne-centric bill is put in place, it will be affecting them, and they have got totally different circumstances. I think that is what needs to be looked at, and that is part of the flexibility that should be in there.

Mr MYERS — It is two things for me: communication with members, which I am echoing, and there are so many questions about what that means — just the detail questions; and the other thing is that there is no other focus than what is the best outcome for the community — you cannot look at it in any other way. So for something in the detail, you assess it and go, ‘Is this the best outcome for the community? No? Well, let’s discount it’. It has to be focused on the service that we provide to Victorians.

Mr DEDMAN — Just one final one: it needs to be funded effectively and efficiently ongoing — that is, both services. Do not just throw a bucket of money and walk away.

The CHAIR — Thank you, gentlemen. The committee appreciates your evidence here this morning. You will receive a proof version of the transcript in the next couple of days for any corrections, but thank you for your time and for coming in at short notice. The committee will hear from the north-east CFA volunteer representatives at 11.30 a.m.

Mr LOGAN — Thank you for the opportunity.

Witnesses withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Wangaratta — 10 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Ms Wendy Lovell

Mr Cesar Melhem

Mr Luke O'Sullivan

Ms Harriet Shing

Mr Daniel Young

Substituted members

Mr Shaun Leane for Ms Harriet Shing

Witnesses

Country Fire Authority north-east region volunteer representatives

Mr Garry Nash (sworn), Deputy Group Officer, Wangaratta Group;

Mr Geoff Rowe (sworn), Deputy Group Officer, Benalla Fire Brigade Group;

Mr Lachie Gales (sworn), Chairman, District 23 Planning Team;

Mr John Seymour (affirmed), District 23 Volunteer Fire Brigades Victoria State Councillor;

Mr Derek McPherson (affirmed), Officer, Moyhu Group;

Sharron Jones (affirmed), Secretary, Mansfield Group; and

Andrew Russell (sworn), District 24 Group Officer, Rutherglen Group.

The CHAIR — I declare open the Legislative Council select committee on fire services restructure, and I welcome our witnesses, north-east region CFA volunteer representatives. We have with us this morning Garry Nash, deputy group officer, Wangaratta; Geoff Rowe, deputy group officer, Benalla; Lachie Gales, chairman of the district 23 planning team; John Seymour, district 23 VFBV state councillor; Derek McPherson, officer, Moyhu group; Sharron Jones, the secretary of Mansfield group; and Andrew Russell, district 24 group officer, Rutherglen group.

Thank you, ladies and gentlemen. The committee appreciates your evidence here this morning. All evidence taken today is being recorded by Hansard and is protected by parliamentary privilege; however, any comments you make outside this hearing are not protected by privilege. The committee has allocated 75 minutes for this hearing. We invite you to make any opening statements you wish to make within a 10-minute period, and the committee will then proceed to questions.

Mr GALES — If I may, we have prepared a joint opening statement that reflects our view. Firstly, on behalf of this group of CFA volunteers, I would like to thank you for the opportunity to discuss the fire services reform bill. Holding hearings in regional locations is greatly appreciated by all of us here. We certainly value the work being done by the Legislative Council in exploring the issues around the bill, which will have profound effects on our communities and our fire services. Today we represent the CFA volunteers and brigades that protect one of the most fire-prone parts of the world, north-east Victoria.

Present at this table are community leaders from Mansfield, Moyhu, Benalla, Wangaratta and Rutherglen districts. These people are representative of the brigade leaders of district 23 and district 24, who take on the responsibility of making a volunteer fire service work within their communities. These are the people that, more than anyone else in our organisation, manage and motivate the thousands of CFA volunteers in our brigades. As brigade and group leaders they are responsible for ensuring that training is pursued, that crews are available, that communities are educated to be fire ready and that the tankers are always ready to roll.

As volunteer leaders they are elected by their communities to ensure local people are engaged in the CFA and available to respond to whatever task is asked of them. To do this they need a deep understanding and empathy for people's motivations, their needs and their abilities. The culture of volunteerism that the CFA was built around is not a high-minded ideal for them; it is a practical concern with real-time impacts. When the CFA calls, these are the people who find the strike teams, the relief crews, the incident management team specialists, the night shifts and the fireground commanders that are the backbone of the CFA's capacity in times of crisis.

Since the announcement of the government's intention to restructure the fire services, we have all sought to understand the detail of the proposed changes in the context of how they will improve protection of our communities. Our key message is not to deny the need for reform, but simply that the proposed legislation is not the way to undertake it and expect success. Restructure in any organisation that is driven from the top down is not a formula that will engage people easily. In a unique and complex organisation such as the CFA, it is a retrograde step to pursue restructure without consultation. It is a telling point that today's hearing will be the first time I and my volunteer colleagues from district 23 and district 24 have been asked formally for our views on the reform of the fire services that is planned in this bill.

In the CFA's submission to the 2015 fire services review it was rightly pointed out that, 'Successful volunteer engagement requires a nuanced, targeted and sophisticated approach'. The absence of a broad discussion that engaged all the stakeholders in the emergency services sector means that this bill is inherently flawed and is likely to set our organisation back rather than move it forward. Our concerns today reflect the significant problems we have highlighted in our individual and collective submissions to the committee of inquiry. These include the political motivations and lack of governance that cloud this attempt at reform, the joining of two separate issues in this bill, the inequity in the mechanisms of the presumptive rights compensation clauses, the organisational structures created that will potentially diminish the CFA's autonomy of management and the impact on the CFA's ability to attract and retain volunteers.

These issues and all others lead to a sense of fatigue and uncertainty amongst the people that we, as CFA leaders, strive to engage with in our brigades, both in times of need and in times of calm. It is our view that reform through restructure offers an opportunity for the reinvigoration of the CFA. The bill in its current form does not create that particular opportunity. As senior CFA volunteers we can guarantee you that given the chance we can lead our people in reform if it is undertaken in a thoughtful and meaningful way. We have a

proven track record of adapting to positive change within our organisation and in the broader emergency management sector. Our goal is always to meet the needs of all the communities of Victoria that we protect.

We hope the information the committee gathers can inform your work in the Legislative Council. Exploring the issues, consulting the stakeholders and listening to the community is not something we should be afraid of. It is in fact the best path forward to reinvigorate the model of shared responsibility for fire service delivery that has served Victorians so well for so long.

Thank you, and with that I have tabled some documents on behalf of the group. I have tabled a summary of the district 23 volunteers submission. I have tabled a letter from the district planning team of district 23 to the Minister for Emergency Services, a letter from the district planning team to the board of the CFA and a copy of the volunteer charter with some particular clauses highlighted.

The CHAIR — Thank you, Mr Gales. The committee has received those four documents and appreciates your opening statement on behalf of the group. Just from a logistics point of view, because there are a number of witnesses, could you please keep your answers to questions concise and also make sure that you speak into one of the microphones which is on the table in front of you. We now have 65 minutes for questions. Noting that we have a number of local members on the inquiry today, I would invite Ms Lovell, as one of the local members, to open the questioning.

Ms LOVELL — Thanks for your presentation. We have just heard from the three officers in charge at the integrated station. They are concerned about the secondment model. I know from correspondence that I have had from a number of you as a local member that you also have concerns about the secondment model. I was wondering if you could outline to the committee what those concerns are and particularly your concerns about the memorandum of understanding that they would be seconded back under.

Mr GALES — The secondment model affects the integrated brigade. It affects the district management as predominately volunteer brigades, although we have a member of the integrate brigade here with us today. We interact largely with CFA staff through the district management. Those positions will be filled in the future from the pool of FRV employees. We have got concerns that this arrangement takes away the ability of the CFA to train its own management staff and instil them with a culture which is empathetic to volunteers. The expectation is that the FRV staff pool will come from an urbanised and industrialised workforce without any formal process of building a culture of valuing volunteerism in it, so the staff that we can expect in the future are going to come from that limited pool.

We have been told there is a certain amount of hope that we can manage that within the CFA and that through the chief officer we can perhaps ensure the people we get are appropriate and that they have the right values. But we do not really know that that can happen. One of the reasons we do not know is we do not know the arrangements that the staff of the FRV are going to be employed under. We do not know what the arrangements are going to be between the FRV and CFA. If those arrangements are going to be done under a memorandum of understanding, we have got some real concerns about that mechanism.

In the EBAs that have been the genesis of what we are faced with now, the EBAs had a clause in them that sent memorandums to a consultative committee between the staff, the industrialised workforce and the management. Those memorandums of understanding had to be agreed on in that consultative committee, so there is an influence there that the CFA would have no control over. If the FRV arrangement is to seek approval for their memorandum from staff, then we are at their behest about what they will agree to and what they will not, so that influence of the third party will still exist in the people that we interact with most in middle management.

Mr ROWE — May I just add to Lachie's comments that we believe it is important for the CFA to have the ability to recruit suitable people from other agencies — for instance, wild fire instructors perhaps from DELWP, or maybe there are people with specific skills in the SES. We believe there needs to be that capacity within the legislation for the CFA to recruit those specialist-type people.

Mr GALES — The legislation only sets up a single pool from which our middle management can come, and it is only FRV. That includes wildfire instructors. Currently in our region our wildfire instructors are drawn from a variety of areas. They are from places like DELWP, and they are people with enormous experience in wildfire — in bushfire. It is not fair to expect that kind of skill base to exist in FRV, which will basically be an urbanised workforce. They will not necessarily be given the opportunity to gain the level of skills that other

people will have. So it is going to be to our detriment when we lose that ability to employ from a skill base that reflects the need.

Mr NASH — Certainly the thrust here is about community, and that is where this wildfire supposed skill is not something that you glean when you are in the metropolitan area. It is something where you need to have the flexibility to be able to attract or train up people that have got local knowledge and have that skill to look after wildfire. When you look at our district and many other districts of Victoria out in the rural and regional areas, we have a massive growth factor going there, and community safety will be put to chance under this present model. I think that wildfire instructors are one of the critical things that in the 2003, 2006 and 2009 campaign fires we were able to sort of bring. With all the changes of shifts we were able to have really good quality, educated and highly skilled officers leading. That is where the integrated brigades have the benefit of working with us and us working with them.

Ms LOVELL — Given that the legislation will impact on all of your brigades in the longer term, what do you think the long-term effects will be on brigades in this region if this legislation was to be passed?

Mr GALES — I guess our greatest concern is the impact on the culture of volunteerism, and that is going to be impacted by the nature and the people that we interact with — middle managers. That secondment model sits very highly in our concerns about the nature of people that will be able to create an environment that is encouraging to volunteerism.

Ms JONES — Each of our brigades have direct contact with the middle management. It is not through the groups inside. It is not that hierarchical. Each of the brigades have direct contact. The brigades will very, very quickly pick up the depth of knowledge and understanding, and they will go their own way. They will look after their own communities. If there is a larger fire in our group area, they will respond to that. But they will not have faith when they see people who are unable to understand, empathise and have the knowledge that they expect their leaders will have.

Ms LOVELL — Sharron, are you saying that in the longer term you think that would mean the brigades are less likely to respond to campaign fires?

Ms JONES — I cannot say that they would be less likely to respond to campaign fires. Certainly they would go in the first instance. Where we will have more challenge is to get the subsequent floods of volunteers later on to do the blacking out, to do the committee work and so on like that afterwards. Once the fire is out, they will leave it to the local areas. This is not how we worked before.

Mr RUSSELL — If I could comment on that question, one of the biggest negative impacts I believe is the engagement of volunteers and volunteerism. We are seeing that already, and that is through the negativity of what we are seeing as far as the fire services reform goes and what we have been through. Volunteers need to be empowered. When volunteers are empowered, they are more likely to give. It really reflects back to the opening statement.

Volunteerism is technical, it needs specialised people and it needs people with good people skills, which we now currently have within our middle management, within our operations managers and operations officers. It is imperative that it stays that way. Empowering volunteers is going to be critical going forward to building our volunteer base to be able to meet the surge capacity. So we may now not be essentially losing numbers of volunteers, but we are losing numbers of volunteers who are engaged. So they are on the books, but they are not necessarily there. This is the danger, because we could be led into a false hope to say that there is this surge capacity that we think is there, but it may not be. That is the real risk.

Mr MULINO — Thanks for your submission and coming in to give evidence. Mr Gales, one thing that you said early on was that you thought most people would probably agree that some kind of reform was necessary but that it should be nuanced and targeted, and you indicated some other criteria. I remember thinking at the time that that all sounded like it made sense. I would be interested in your observations, and anybody else's, on what are some of the key reasons for why you think reform is needed.

Mr GALES — At the moment there is tremendous trouble in resolving EBAs with our staff, and our staff deserve to have their EBAs resolved. They need to have the reasonable set of agreed conditions, and to me the

heart of this matter is that that has not been resolved. If this EBA from last year had been resolved at that time, we would not be talking about fire services reform now.

The EBA has never been tested. It has never been taken to the Fair Work Commission. I think that if it had been then that conversation could have gone on and it would have been resolved. We would not have had to restructure or attempt to restructure an entire fire service and change legislation in order to give working people their reasonable expectations of an EBA that is resolved. So I think that is the core of the problem. The government needs to actually realise that this is an industrial relations issue and to treat it so and use those processes to resolve it.

Mr MULINO — Just on that point, we heard from some volunteers last week that every time EBAs come up it causes a lot of drama and there is this sky-will-fall-in commentary from some. Then you end up getting through the EBAs but often after years of wrangling, and then things kind of continue and then we end up in another EBA drama. One of the goals that has been put to us from senior CFA officers is that it would be good for the organisation, in light of the fact that the number of paid staff has been increasing dramatically over the last decade, if it could extricate itself, if you will, from IR issues and all the complexity and conflict and focus more on the core mission of volunteerism. Do you think that is a worthwhile goal?

Mr GALES — It would be a worthwhile goal, but this legislation does not deliver it, because the IR issues that are going to occur in a different organisation between FRV and the industrial body that represents the members there, the CFA will have no influence over those issues. So whatever comes out of an as yet unresolved FRV-UFU EBA, we will have to deal with it. We do not know whether that is going to be good, bad or indifferent, but you would have to think that the EBAs that we saw last year are going to be pretty close to what the FRV-UFU EBA will ultimately look like. So we have got a fair expectation that there are going to be things in there that may negatively impact the operation of our staff, but we do not know. We do not know, because we are signing up to a situation where that has not yet been resolved. We are going to form a memorandum of understanding with an organisation that does not yet have an understanding of its own relationships with its staff. It just does not seem to make any sense.

Mr MULINO — One of the attempts to manage that is the chief officer having strong powers of direction and control and the chain of command being strengthened. Is that a worthwhile element of legislation?

Mr GALES — The chief officer carries a special place in CFA, and it is a moral leadership if you like. We have always supported our chief officers in the role they take up. We are worried that because of outside influences he will not have the ability to discipline staff, to counsel staff, to work with staff in the way that he currently does, because their wages and conditions will be set by an EBA that is outside of the influence of CFA.

Mr MULINO — But in principle, preserving that chain of command is critical, particularly on the fireground of course.

Mr GALES — The principle that we subscribe to is the chief officer having the overall management of his staff, including where they go, what their roles are, how they interact with volunteers — all of those things. There were things in the EBAs previously cited that diminished those things. That is why we have had a chief officer, a CEO, a board and an emergency services minister all depart the field, because there were things in the EBAs previously cited that were going to diminish the chief officer's role. We are worried that those things will still flow in through this arrangement, which is pretty Heath Robinson really. It is a bit of a patched together thing to make sure that a particular set of conditions exists for staff but which does not necessarily provide the guarantees that the CFA is in control of its employees.

Mr MULINO — Just one last question very briefly on presumptive rights, which is not the focus here but it does come up, and I know it is causing some concerns. Last week we had differing interpretations of the legislation. One interpretation was that the hurdle, if you will, for volunteers would be a very administrative and simple one, simply to show that they were operational rather than non-operational, and after making that jump it would basically be equal treatment. The VFBV put forward a different interpretation. We ultimately will have to get expert advice to clarify that position because those complicated issues of interpretation are beyond mere politicians.

I just wanted to ask you about the principle. We have heard that there are roughly 60 000 volunteers; about 35 000 are operational and the rest would be in all sorts of non-operational roles. In principle are you comfortable with the presumptive rights arrangement with equal treatment if volunteers have to provide just a very simple administrative clarification that they were in fact operational?

Mr GALES — Presumptive rights legislation is a really important part of this bill, and I do not understand why it is saddled with the other parts. I think that it is a piece of legislation that deserves its own hearing, its own attention. The thing about presumptive rights and the civil administrative process — if it was that simple, I am not sure why it exists.

One of the issues we have got is that the record keeping around a volunteer's role, his fire line time, is very imperfect. You can sign up for a strike team and you can be out there for five days, and you will get one tick. It does not necessarily reflect the hours that you spent on the fire line. There is a lack of records. The current records only go back to the mid-90s. We have got people who have served well before then whose records just are not kept. So the process that has been put in place there does not seem to be used.

You used the word 'equitable'; I do not think it is an equitable set-up at all. It is a greatly flawed set-up in terms of determining a volunteer's trigger point, if you like. I know — —

Mr MULINO — Do you think there should be any kind of differentiation between operational and non-operational?

Mr SEYMOUR — Yes. If we adopted the Queensland model without adding any extra clauses, that has the definitions for firefighting duties in it. If we just adopted that model, which applies the same definition to both career and volunteer, we would avoid the inequities of having to go through and get the records at a time someone is going through cancer treatment to prove that they had the suitable number of exposures to satisfy the expert panel.

As a member of an integrated brigade I would attend a lot more car fires than the rest of the panel, but I have the protection of breathing apparatus, so I am less likely to suffer the consequences of inhaling the smoke than some of the rural brigades, who might turn out to a lot fewer car fires but who do not have the protection of breathing apparatus. So we would be better off and there would be a simpler administrative task if we adopted the Queensland model with their definition of firefighting.

Mr MULINO — That is useful, thanks, because there have been some claims that it is equivalent to that, but this is something that we should clarify as a technical point. That is a useful clarification, thank you.

Mr YOUNG — Thank you, gentlemen and Ms Jones, for coming in today. It is really important to get your perspective because we have seen such a contrast in what is being said about this bill, and it seems to be that there is no-one really sitting on the fence. There are a lot of people way down one end of the spectrum and a lot of people way up the other. I am wondering if you could just provide a bit of insight or your thoughts as to why that is.

Mr NASH — I believe that the legislation was thrust out to the community without any consultation. For anybody who runs an organisation, particularly one with the dynamics of CFA, a principle-centred leadership process would be the way to go, and that would be obviously consultation with all stakeholders. 'This is the model. Let's get around the table', like we are doing now. We really appreciate the opportunity to be able to come and put some of our skin in the game, I suppose, and let you know how we feel. So that is where it should start, and I believe that is where it should go back to. Let us get the right people around the table. Let us work with something that we can progress for everybody to continue on being one of the greatest firefighting or emergency services in the world. Simple.

Mr GALES — There has definitely been from everyone's point of view a lack of detailed information about how this is going to work. When the information is not there, for whatever particular view you might start from, why are we surprised if we get discontent? If the detail is not in the bill, if there are more questions than there are answers, if the process to arrive at the bill is flawed, why is it that we have come up with legislation before Parliament that affects the fire services and yet the CFA chief officer and board were not consulted, the MFB board and chief officer were not consulted, the emergency management commissioner was not consulted in its preparation?

Mr ROWE — We have enclosed a copy of the volunteer charter. It might seem like it is something that is a bit obvious, but this charter is probably hanging in most fire stations in Victoria. In there it is clearly laid out that consultation is required to take place with all parties before any legislative change takes place. That really goes to the integrity of this legislation; there has been no consultation. How do you expect people to respect change and believe in the change that is being proposed in this legislation if consultation has not taken place compared to what has been agreed in writing between the government, the volunteers, the VFBV and the CFA and is hanging in every fire station?

Mr GALES — In the government's initial information that came out on the website around this, one of the points I noted was that things had to change to improve governance within the fire services. The point about the volunteer charter speaks to the issue of governance. There is legislation that says that volunteers will be consulted. It does not mean we get our own way on everything. It does not mean our voice is going to be any more important than the people I have just mentioned or even the staff union. It does not mean that. It means that there is legislation that says we will be consulted. We will be asked, and there will be a process. So to me there is a lack of governance inherent in presenting a bill to Parliament without that kind of consultation.

Mr YOUNG — Thank you. To use your words, Mr Nash, given that your skin in the game has come so late and only now are we sitting around the table involving you, do the volunteers trust this proposal?

Mr NASH — Do we trust it?

Mr YOUNG — The bill. The model. Do you trust that it is the right one?

Mr NASH — Not without further consultation and knowing the detail, no.

Ms JONES — Can I add, please, that trust comes from knowledge and processing that knowledge and absorbing it and being part of yourself. We have not got anything to have knowledge about.

Mr YOUNG — Mr Gales, you said before that we would not be having this conversation if the EBA was resolved. That suggests that you feel that that is the driver of this bill and why we have got it. Are there any other things that you think are drivers as to why we are having a major restructure of our fire services? Are there any operational issues that have gotten us to the point of needing to restructure like this?

Mr GALES — I think the model that we have in north-east Victoria operationally works very well. We value the career staff members that we work with every day. We value their skills and their experience, and they value-add us. I can point to my own experience where I have had the benefit of a mentorship from career staff that has made me not only a better firefighter but a better businessman. It has been a great place for development, and that comes from an integrated model — from having the right staff to help develop capacity, not replace it. That is what this model does.

I think in the bigger picture my reading of the successive reviews that have been around since 2003 probably — so many reviews — is that none of them have said that we actually have a problem in terms of service delivery that cannot be fixed within the current structures. I do not know that we have to restructure organisations to improve service delivery if that is a problem. I do not know that it is a problem. There are going to be individual times when brigades struggle. The nature of volunteer brigades is that sometimes there are particular times of the day, there are particular times of the year, when it is more of a challenge to engage volunteers and get them out there, but that has been the case since the formation of the CFA, and this Victorian community has, I think, largely still been well protected by the current model.

So I do not see that this legislation is actually demand driven, if you like. I do not see that there has been a particular inquiry that says we are getting it wrong and we have to start again. I do not see that this legislation creates an environment where there are more resources, where there is more staff, because it does not. It is still the same amount of staff that we have now, or that we have planned for, so I do not see that this legislation is actually operationally driven. The things that we need to change we can evolve and change with the current structures.

Ms HARTLAND — I have a couple of questions. Can you talk about why you think surge capacity will be harmed by this reform?

Mr SEYMOUR — As I put in my personal submission to the inquiry, surge capacity comes a lot from the outer metro as well as from the regional, and there is ambiguity as to how it will affect integrated brigades in metro and outer metro Melbourne, and the neighbouring brigades will also be affected because we do not know what the turnout arrangements will be. So if those people are not feeling valued and respected and drop off and the volunteers at the integrated brigades who put a lot of time into training to get the increments on the type 4 pumpers are no longer able to crew those pumpers because they are now an FRV vehicle, if they drift off because they are not feeling valued or respected for the skills they have picked up, then when we have fires like we had in 2006–07, we will not have that big pool of people to come out to us.

Similarly, if the lack of consultation, which is prescribed in clause 6G(c) of the CFA act, the volunteer charter and the Premier's signature on the emergency management volunteer statement, if that consultation has not been put in place and volunteers are not feeling respected and valued, they are more likely to drift away. That then damages our ability to put hundreds of people out at fires despite pressing buttons at VicFire. And it is not only for Black Saturday. There are many days each summer where we have multiple concurrent fires and we will have strike teams heading off to all parts of the state at the same time. That has been the major benefit that Victoria has had from the integrated model — that staff and volunteers can have that huge capacity to turn out to multiple concurrent events. We are not just talking about surge capacity for events like Black Saturday; it is many days every summer.

Mr GALES — I have some real concerns about the concept of the co-location. The information that came out said that there will be not one less CFA volunteer from this process. But there is nothing in the legislation that says FRV needs to promote a culture of volunteerism. So with co-location, there is nothing that is actually going to guarantee that in the long term CFA volunteers, that inhabit the same physical space as FRV but without any control of that space, are going to have an environment which is going to entice them to keep coming back. We see that the co-location will have a real use-by date — that strong brigades in the outer metro now will lose members because the culture of their brigade, of their station is going to change.

Surge capacity is a phrase that gets put out a lot. I can tell you that it is more than a phrase to me and it is more than a phrase to all of us here. Surge capacity is something that has saved us time and time again. When we have been out on the fire line, come up a ridge and you see that tanker and it is from a bayside suburb, that sense of relief, that sense of support that you get that we are all in this together, to have that drop away is going to really be to our detriment, especially when you think about what happens statewide, because currently the outer metro brigades that provide such massive amounts of manpower, if that drifts away, if that in time dissipates, then the organisation is going to be forced to ask people like us to leave our areas and go and support the people who have got the fire that we have got now. So we will be asked to travel further and go further. There will be more work asked of us if there are less volunteers, if the surge capacity of the outer metro brigades is diminished. You cannot help but think that in the long term there is very little incentive for a volunteer to spend their time on an FRV station.

Ms HARTLAND — What is going to keep volunteers engaged in that case? You have put forward a really interesting scenario, but I have not actually seen any proof of what is going to happen, so could you talk a bit about how we keep volunteers to make sure that that does not happen?

Mr GALES — I think one of the interesting things that came up in this proposal is that there is a figure put out. I think it is \$44 million for facilities and infrastructure. I am not sure how that figure was arrived at. If, for instance, a brigade decided that for the health of the brigade, to maintain their culture, to maintain their heritage, to maintain their support, they needed to relocate to another station, if that happened 35 times around the state, I do not think \$44 million is going to go very far, and yet that would have to be an option for a lot of these brigades to maintain their presence and to maintain the enthusiasm of the people within their brigade.

Ms HARTLAND — This is the point I am a little bit confused about. I think what you have just said to me is that you actually think that the two services should be separate and CFA should be a totally volunteer organisation, yet at the same time you are saying that you do not think that the restructure put forward in this bill is the right way to go.

Mr GALES — I think that the flaw is in the process — there are so many questions, as you have noted. If I sound a little bit confused, that is probably because I am confused. I do not know how this is going to work. The legislation does not pan out to show me how volunteers are going to be encouraged to stay at FRVs.

Ms JONES — Can I just comment on a slightly different track but referring back to your question of what is going to engage volunteers. That is going to be the same thing that always engages volunteers — the safety of their local community. Once they have got that bedded down, then they will work with the group, then they will work with the district. But the engagement of volunteers in the very first instance is their desire, their wish, whatever, for whatever reason, that they become part of protecting their community.

Mr RUSSELL — Through the Chair, just to add to your question in regard to re-engaging volunteers, one of the most critical things that we have missed is leadership. Our leaders are unsure of the impacts of this current bill. It is like the Pied Piper — if we have got good, solid leadership who have clear direction, people will follow. We have not got that at the moment because there is so much ambiguity around what is happening within fire services. We need to empower our leaders and staff to be able to lead volunteers and engage them. That is one of the most critical paths. When volunteers have the ability to be a part of a process they are engaged. If they are listened to or if they are given the opportunity, they are engaged, they are empowered, and all of a sudden if volunteers are empowered, they are more likely to give. That reflects right back to the surge capacity which I talked about before. It is a win-win, but it comes from leadership as well.

Mr O'SULLIVAN — Thank you, everyone, for appearing today. We do appreciate your time as volunteers in coming to speak to us. In terms of the consultation, you made reference to the fact that yourselves certainly did not have any input into it. It probably will not help much to realise that the UFU were consulted somewhere between 12 and 15 times in the process of this legislation being put together, which is the evidence we heard on Friday, but that is not my question. The question I wanted to put to you guys today is in relation to the chain of command.

At the moment within the CFA structure you are all within the one organisation so there is a clear change of command in terms of how things work once you are in an operational situation. How do you think that is going to work when you have actually got two separate organisations and a truck from each of those turns up at a particular situation? How is it going to work in terms of a chain of command once you get to a situation where things need to happen in terms of dealing with the emergency, whether it be fire or whatever it is, that you have in front of you? How is the chain of command going to work in this process?

Ms JONES — Can I start to make a comment and the others please do so as well. I worked on the Kilmore fires, which was one of the big campaign fires a little while ago, and at that fire there were CFA vehicles and because it was close to Melbourne surge capacity came up and they brought up their MFB vehicles as well. There was no problem with chain of command there because the fire I think was run by CFA — the controllers were CFA — and the MFB people just went in with that.

What is concerning us is — and this has come from the previous EBA, not the one that will come out of FRV but the previous EBA where there was a clear distinction to be drawn between the control. Volunteers — incident controllers, strike team leaders and so forth — were not to be giving direction to the salaried people. We do not know that this is going to happen, but this is what we feared would happen because this is what we saw written in the previous EBA.

Prior to this it worked okay. The trucks were not always compatible, but we had different gear to do that, but the crews work together. We are frightened that that will not happen, and this is why we have these concerns about this surge capacity and the linking together.

Mr GALES — We have really quite robust processes within the fire organisations now. Clearly MFB and CFA work well together in the outer metro. They have memoranda of understanding around how they will interact. We work under an AIIMS system, an Australian interagency system for command and control arrangements, and I think that any trucks that turn up from whatever organisation those things generally work pretty well. We do not have to force; we do not want to get to the stage where that is even a remote possibility. I think on the fire line there is a level of professionalism that the community would expect and they largely get. The command and control arrangements are not the great concern here. Cultural impacts on organisations are probably a greater concern.

Mr O'SULLIVAN — That leads to my next question in terms of culture, and it is a question I put to the earlier witnesses around the culture of the fire services. Last week we heard from some senior people in the emergency services area that the culture was really primarily the aim in terms of what this reform is trying to address, rather than service delivery of the fire services itself. So in terms of culture, is there a cultural issue that

needs to be addressed within the fire services? And I guess I would be interested to know your views in terms of the integrated stations. Is there a problem there that you think needs to be addressed? Because we have heard this morning that it is not so much a problem up in this part of the world, but I certainly am aware in other areas that, for instance, volunteers are not allowed to use the same bathroom as the paid fire staff. So are there those sorts of cultural problems that do occur?

Mr SEYMOUR — At the present time in the present integrated model the people of Victoria get the benefits of that. There is not a great deal of the culture problem, even though it reared its head in the EBA negotiations because the EBA included a whole heap of stuff which should not really have been in a workplace agreement. They were operational. Those kinds of operational things should be decided by management of the MFB, the CFA and the emergency management commissioner.

This bill sets us up for cultural problems in separating it out, and it does not really deliver any service delivery improvement. In fact there are some problems with the implementation which will lead to a reduced coverage, a reduced service to the community. The integrated model has been really good culturally over history. As risks have grown staff numbers have grown. We have worked together both within the integrated brigades and with neighbouring brigades across the district, and that has worked well.

It goes back to Colleen's question. We are saying that if we were going to have the split, it should be a total split so that you can have a culture within the CFA where volunteers are valued and appreciated, but I think just about everybody at this table believes that the current model we have got is the best basis to have. It has been recognised in each of the inquiries. None of them have said, 'Get rid of this current model'. We are not resistant to change. We have got a proud history of adapting, growing and moving into building community resilience, so rather than just fighting fires, grow the community resilience in preventing fires and educating the public what to do.

The culture problems are minor at the moment. There may be individual stations where they are a little bit more, but through good management that could be managed. Whereas this bill will sort of indoctrinate cultural differences between the FRV and CFA.

Mr GALES — If I may add to that, the risk of tribalism through cultures — pairing an industrialised workforce and a volunteer workforce together is a delicate balance to get right. Largely in the north-east of Victoria that has been managed very well. As the workforce grows the pressures on that kind of issue grow with it. The ability to influence people becomes lesser as there are more of them. The strength of their workplace representatives in Melbourne becomes stronger in the larger workforce.

So we have got to be very careful about that tribalism, that culture, which would be reinforced if there was a standalone FRV that owned all the staff, that employed all the staff. Our abilities to influence workplace culture or the chief officer's ability to influence workplace culture would become lesser. That speaks to the point that the chief officer needs to be able to employ his own staff.

Mr NASH — Through you, Chair, if I may. The integrated model has been very successful. I am not a member of the Wangaratta fire brigade; I am a member in an outlying area. The skill and the expertise that they bring to us when we have an incident and they come and support is outstanding, and similarly when we come in we are treated with the greatest respect as well. So it is about culture, and it is really critically important that Melburnians understand that in regional, rural Victorian communities many of our career teams are volunteers in other rural brigades. They work with us and when they are not on duty they come out with us on strike teams. There is a really cohesive operational system.

Sure there are some things there we need to improve and work with, but collectively if we work on it, we can get it right. I cannot speak — because I have had not had the experience down there — for the metro areas. So it is something that probably has to be and obviously is being addressed, but I believe the integrated model — and as we have said and as you would probably know, none of the inquiries have said, 'Do away with the integrated model' — is successful. It works well, and it does get back to culture and leadership, and the leadership needs to come right from the top. From our chief officer, emergency management, bring it right down, and we can bring it up from volunteers and career staff. We can bring it all up together and continue on with the great system we have got.

Mr MELHEM — Thank you very much for your time. I think we need to acknowledge — that is one thing — that there has been a lot of pain and misinformation, and too many cooks have been involved in what has been going on in the CFA sphere for the last two years. Is that a fair statement?

Mr GALES — It is a fair statement to say it has probably been more complex than it needs to be.

Mr MELHEM — That is right, which brings me to the question I am about to ask. There is a lot of misinformation and there are a lot of people misguided. I am including everybody — all parties. Whether it is the VFBV, the UFU, government or media, there is a lot of misinformation out there. For example, Mr O’Sullivan asked a question about the toilet. The bill does not talk about whether a volunteer can use that toilet or the other toilet; we do not put these things in legislation. But it is a real concern. My question — and anyone can answer it — is in relation to empowering volunteers. I think part of the proposal is to actually have the CFA go back as a volunteer organisation with proper funding going forward. My understanding is that was proposed by very eminent people who put the proposal together — Ewan Waller and various other people in that committee — to actually deliver that. I am interested, put the politics aside — in how a model like this can work.

Mr GALES — How can a model like this work with a completely separate volunteer fire service and a completely career volunteer service? That is the question, is it not? It is a big topic to ask of any individual. Is there not a need for a process of consultation and discussion that takes in all the players in a meaningful way? I might have an opinion about how that might work, but that opinion is probably of no greater value than anybody else’s. What I am finding lacking is the discussion generally with all of us around the table to throw out ideas and come up with the best model.

Ms JONES — If I can take a different tack to what Lachie is taking, if we are talking about this legislation providing two separate services — that is what you mean?

Mr MELHEM — The CFA started as a volunteer organisation, and now what is being proposed is to go back to that model.

Ms JONES — You are stating that the legislation — —

Mr MELHEM — How can we make that work? How can we make the CFA an effective volunteer organisation where we can support volunteers, continue to respect them and basically make it a success again? Because in the current situation — let us be honest about it — the status quo is not working. Let us be honest about it. Let us put the politics aside. And I go back to Mr Logan’s comments earlier about the consultation coming up with the model. I am paraphrasing: he said if we go and ask the CFA and the MFB to come up with a model, nothing will happen. So therefore it was good to actually get a third party like the eminent half a dozen people who put that position together. Whether they got it 100 per cent right or not, at least they put up a model. That is why I am keen to get your view on it. Someone has to make a decision to change the status quo.

Mr GALES — Sure. With respect, the model that you paint there of the volunteer organisation as an effective fire service is surely what we have got now, is it not? We have got an effective volunteer fire service, which is the CFA, and they are supported by staff that are integrated into the organisation. So the model for what you are asking exists. I do not know that we need the restructure. If there has been an eminent panel of half a dozen people that have devised the new model, then can we not discuss that model before it is rushed to legislation? Are our opinions so meaningless that we are not allowed time to comment and discuss?

I understand that the role of government is to move forward and to make things happen, and I think Mr Logan’s comments along that line are probably pretty accurate — that if change is needed, change needs to be driven. But this is still not the right way about it, because the format of this change is going to leave us behind. It is going to leave volunteers behind because we will not be engaged in the discussion. We are not going to be empowered by this. We are just going to be told what to do and hope that we can convince our friends around us to go with it.

Mr ROWE — What causes me, I suppose, concern and confusion is that funds are being set aside to build additional new stations in integrated areas for the volunteers. As a rural CFA person, I question whether that is the greatest urgency of funding for CFA. The age of our fleet is getting older and older. There is a brigade in our group, Lima South. Their truck will be 30 years old this November. Is it reasonable to send them out to protect

their community this summer on a 30-year-old truck? If we had some of this funding go into improving the resources that we at the CFA have, would the organisation not be so much more effective? I really challenge you, like this February when you are in Parliament, to think about, when you hear there is a big fire burning, have we still got brigades going out on 30-year-old trucks to protect the community, and what impact has this inquiry had on that?

Mr MELHEM — And that is a point I want to sort of get to with that. Would that not then give the CFA a better opportunity to continue advocating to support the volunteer brigades — the 1200 brigades — and to ask for more funding instead of getting, as we are now, distracted by the current situation? For example, the Dandenong and Caroline Springs CFA stations instead of the MFB station which is across the road in Deer Park. It is all about, from my point of view, how we can strengthen the current CFA, particularly with a main focus on a volunteer organisation and making sure the resources are there? Taking, for example, the so-called right of veto of the UFU — it will not have a say on the board. You are on the board, and you are president of the board. How can you make that work? That is the question I am asking. How can we make it work?

Mr ROWE — But the restructure of the fire services has nothing to do with the trucks we are driving. There should be an ongoing funding model now to ensure that the replacement age is hopefully getting younger rather than older. South Wangaratta's tanker — I think they are the second busiest tanker in district 23. And how old is your tanker, 29 years or 28 years old?

Mr NASH — Thirty-one.

Mr ROWE — Thirty-one years old. It is the second busiest tanker in terms of call-outs in the district and they are driving a tanker of that age. It is unacceptable.

Mr MELHEM — And I agree with you totally. I think that is where the focus should be instead of focusing on, for example, what the MOU looks like in the proposed EBA. I will read it; I have got it in front of me here. It talks about 'areas affecting individual firefighters'. Career firefighters, for example, want to have a say if I get transferred from the FRV, let us say, to the CFA. Would I retain my seniority? Would I maintain my salary? Can I come back? When can I get back? So it is sort of designing to terms and conditions of which that exchange is not about — and I think is a misunderstanding. It is about whether or not the UFU should have a say about whether experts should be transferred or not transferred and how many people. That is not my reading of it. And by the way, the UFU should not have that right. But the UFU should have the right to represent its members to make sure they are looked after, similarly to the VFBV being able to represent its volunteers. That is why we need to separate. And that is why I urge you about how we can separate, and for the committee to go back and say — —

Ms JONES — Can I say, as the legislation is proposed at the moment, with the secondment model, this is where a lot of our concern comes from. That is because of the knowledge, the culture — the whatever. If you are talking about two separate services, then you do not have that link for the secondment model. You have one or the other.

Mr SEYMOUR — And I think any change should be driven by an improvement of service delivery to the people of Victoria. That is what this bill does not do. It replaces a system which works well but needs improvement. We have continuously improved it over time and need to keep changing it as events change, but this bill does not give that improved service delivery to the community. All it does is try to get through two failed EBAs — not just the CFA one but the MFB one — both of which have been unable to be resolved. Volunteers in the CFA did not do any hold-up of the MFB EBA. The aim of change should not be to resolve the two EBAs and chuck out the integrated model. The goal of any bill to change the fire service should have one aim, which is to improve fire service delivery to the people of Victoria. And this bill, because of the lack of consultation, because we have not seen the memorandum of understanding that you are reading from — because we have not seen that, because there is a lack of consultation, we will not achieve those aims.

Mr LEANE — Just on that theme — lack of consultation — did any of you get a chance to attend the Steve Warrington briefing?

Mr GALES — Not in Wangaratta, no.

Mr SEYMOUR — I did.

Mr LEANE — You did. Would you like the opportunity?

Mr GALES — I would like the opportunity to talk to the minister. I do not think that this is the role of anyone in uniform — that they are actually the person that is going to influence this situation. Career staff from the chief officer down are employees of the organisation, and they will deliver their work as directed by the board. The issue here is not with career staff. Steve Warrington is not going to be able to change anything, really, that I have got a concern about. He will do his best to look after volunteers and he will do his best to look after staff, within the framework given him.

Mr LEANE — But he has got a role to inform people about the reform, which he is taking up. You are saying you would rather hear from a politician?

Mr GALES — I think I would rather hear from a politician than — —

Mr LEANE — Is that what you are saying?

Mr GALES — I meant the reference to the minister. I would like to hear from the minister. I would like to sit down with the minister and have a respectful conversation about reforms before they turn up in Parliament.

Mr LEANE — There has been a meeting out here with Matthew Guy that some people attended.

Mr GALES — Yes, I attended that meeting.

Mr LEANE — But I suppose you would not take everything that he said on the bill as gospel?

Ms JONES — Can I just say we did not get any facts. This is our whole problem: we have not got data on which to work.

Mr LEANE — If that is your concern, Steve Warrington and Lapsley and the experts devised this reform, and I do not think you would cast any aspersions on their professionalism or anything like that.

Ms JONES — Definitely not.

Mr LEANE — Would you appreciate any collection of them coming out again?

Mr GALES — The chief officer has had a pretty tight communication strategy. There has been a lot of information coming out from the CFA. Even yesterday I think I got an email talking about how these hearings are happening. So I am not going to criticise the information that is coming out of the CFA. It is limited because the information that is out there is limited. They cannot tell us what the arrangements are going to be, because they do not exist yet. We are signing up to something that we do not know.

Mr LEANE — I will take that on board. I have only got a few minutes. I am a metro MLC, and I genuinely have a concern about the highly urbanised suburbs in the electorate that I represent. Someone mentioned two organisations before. In the area I represent there are two organisations, and both of them give fire services support to suburbs that might have eight schools — independent, private — that have aged-care facilities and that have disability group homes, and there are two different models, and I would genuinely like to see a standardised model. If that makes me selfish, then I am selfish. Something that I wanted to flesh out was — —

The CHAIR — Mr Leane, we are on time, so if you have got a quick one.

Mr LEANE — Yes. I will try and externalise my thoughts, Chair. I know I am getting slow at it. Talking about the new — what are they called? — ‘untruths’ or whatever, I would imagine that in the rural brigades people are stoic and brave, and it would be pretty hard to hurt their feelings, I would have thought. Those people in those rural brigades, how much would they care if all of a sudden Springvale and Dandenong have the same modernised, standardised service as Toorak and Malvern have?

Mr GALES — If it impacts the service here, they will care. If it means that we do not have volunteers, if it impacts on volunteerism, if it impacts on the ability to bring people out of the outer metro to support us in these life-changing fires that we have had since 2003, and with the advent of climate change we are going to continue to have, we will care if those resources are not available to help us out here.

Mr LEANE — I will tell you another concern that I have got, and this is my experience as a metro person. I do a lot of work with the Salvos, a lot of work with the Leukaemia Foundation, a lot of work with disability groups, and they are saying that — and this is not the ‘Young people today are like this’ sort of stuff — everyone has got a mobile phone and they are all flying to Europe for a couple of years, the younger generation. These other organisations are struggling to get volunteers like they used to a couple of decades ago. So as a government that is something that we need to take into account. Would you agree with that?

Mr SEYMOUR — Yes, and you do that by valuing and respecting the volunteers and including them in the consultation, in setting it up. The two people that you referenced in setting this up, in Craig Lapsley and the chief officer, have both said that they were not consulted — that they were not involved in the setting up of this bill. And this bill does not bring you a standardised service. If you change the labelling on a truck at Springvale and Dandenong, it does not change the service you do. If you tie that in with an EBA similar to the one that was proposed for the CFA — that you dispatch two staffed pumpers to each fire call — that might actually give you a reduced service. If Boronia and Rowville are both turning out to a wheelie bin fire in Knoxfield and then you have a fire in Boronia, because that truck is now committed to the wheelie bin, you might actually find that your constituents have a lower level of service and a longer time frame for that staffed pumper to get on the scene, because it will have to be a backup from the MFB area.

Mr LEANE — With all due respect, we have been given different advice to that. But that is your opinion, and we appreciate it.

The CHAIR — Mr Leane, we will have to leave it there. Thank you, Ms Jones and gentlemen, for your evidence today. The committee very much appreciates it, along with the individual submissions to the committee many of you have made as well. We will have a draft transcript to you in the next couple of days for any corrections. We very much appreciate your evidence today. The committee now stands adjourned until 1.30 p.m., when we will hear evidence from other CFA representatives.

Witnesses withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Wangaratta — 10 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Ms Wendy Lovell

Mr Cesar Melhem

Mr Luke O'Sullivan

Ms Harriet Shing

Mr Daniel Young

Substituted members

Mr Shaun Leane for Ms Harriet Shing

Witness

Mr Ross Sullivan (sworn), Acting Assistant Chief Officer, North-East Region, Country Fire Authority.

The CHAIR — I declare open the Legislative Council select committee inquiry into the fire services restructure proposal. I welcome Mr Ross Sullivan, the acting assistant chief officer for north-east region for the Country Fire Authority. All evidence this afternoon is taken pursuant to the Parliamentary Committees Act 2003 and is protected by parliamentary privilege. However, any comments made outside the precincts of the hearing are not protected from review. I would invite you to make an opening statement if you wish, and the committee will then proceed to questions.

Mr SULLIVAN — Thank you. I have not got anything prepared. I got a call on Thursday to see if I would come and take questions from the committee today, which I am very happy to do to be part of the discussion. The discussions obviously range widely around this subject and the modernisation and reform of fire services.

I will say, though, that I have been a volunteer firefighter since the age of 16, and with my career service I am just about up to 40 years of service in the CFA and the fire services. I have had a range of experiences across a range of different places in the state, including some work in OESC for the commissioner — Michael Hallowes, when he was in there — and also for the fire services commissioner, including the role of deputy chief of the CFA for nearly two years. So there is a little bit about my background and history.

The CHAIR — Thank you, Mr Sullivan. Maybe just to get underway, could you give the committee a quick overview of your role as acting assistant chief officer for this region?

Mr SULLIVAN — North-east region, in very basic terms, ranges from around Lysterfield South, where I live, through to Rowville and then all the way through to Lilydale and Dandenong, or part of it, and out through Seymour, Shepparton, Wangaratta — its district and the brigades within that — and Wodonga. So there are about 278 brigades that are in the north-east region and just under 15 000 members, and a couple of hundred of those are career firefighting staff and we have got a number of professional technical and administrative staff that also support our region and districts.

The CHAIR — What is your feeling of the way in which this whole process has unfolded over the last two years and the impact it has had on the morale of brigade members across your region?

Mr SULLIVAN — I actually think, from the people that you have seen this morning, it is pretty clear what effects the discussions around fire services and the CFA in particular have had over the last few years. I think there are a lot of people who are genuinely hurting over where we have been, but I think it goes back longer than two years. For me, we really have not, as the fire services and the CFA, looked to modernise, evolve and reinvent ourselves for at least a decade. We have been part of a number of reviews that most of you are aware of — I think someone quoted eight, but there were probably more before that — that have taken us from one direction to another direction, in a lot of ways I think at the expense of the basics around the services, through to the people we deliver those through, to the community. For me, whether the time is right or not, it is time to talk about the fire services, the MFB and the CFA especially, in Victoria. It is something we should have done a lot longer ago.

The CHAIR — What is your sense of the response to this proposal since it was put on the table in late May. Obviously there are views for and against, but has it had an impact on morale in the region?

Mr SULLIVAN — Look, it has focused people. I was out of the country when it was announced, blissfully unaware, so I have only essentially been back at work for probably three weeks, circulating through the region, and as you can appreciate it is a very large one. But people just want to talk about the reform — what the bill says — the presumptive legislation plus the intent of the bill in relation to reform of the fire services. I think the opportunity that people now have — this opportunity through the select committee — is key to how we move forward with how people feel about this and the ability for them to voice their opinions and concerns. For a lot of them their long-held experience in providing a service is so important.

The CHAIR — In coming to your own views on the proposal, are you satisfied with the proposal as it has been presented?

Mr SULLIVAN — Again, have I spent enough time deliberating and contemplating the extent of the proposal? No, I have not, because I understand that it is complex and it is so intricate in itself in how you move to any different form other than where we have been traditionally with fire services. So to tell you that I have sat and formed some opinion about how it is would not be accurate.

The CHAIR — I do not know if you have heard most of the evidence this morning, but one of the themes that came through both groups of witnesses was the lack of detail and the lack of understanding as to how key provisions are going to operate. Are you satisfied with the communication you have received within the CFA hierarchy since this proposal was announced? Has it given you and the brigades in your region sufficient information around what is proposed?

Mr SULLIVAN — Personally I cannot speak for all those brigades because I have not been around to every one of them. I think I have had the information that has been released as part of the process. I do not have any other inside knowledge or inside running or any other connection that has given me more than what any other member of the CFA has got through the CFA.

The CHAIR — But do you feel that is adequate or that additional information is required?

Mr SULLIVAN — I understand it is how it is. Everybody, no matter what the subject, will always want more information, and there is always a point in time to start, so that is where we are at as far as I am concerned at the moment.

Mr LEANE — There has been a highly publicised media campaign type of thing, for lack of a better word, for a while, which I understand has had an adverse effect on a lot of firefighters, but I do want to touch on career firefighters. We had evidence this morning even that career firefighters felt demonised in their community to the point that they are concerned about verbalising or their kids verbalising what they do. Has that been your experience across the board?

Mr SULLIVAN — It has, talking to career firefighters, but it has also been my own experience. I was in a car dealership while my car was getting serviced and I had someone who wanted to tell me their view of me as part of an organisation that is being dragged through the media, and the extent of the debate and the sensational aspects of it that have come through. Honestly, I have been in exactly the same place as other people where I did not want to wear my uniform home from work, and the sooner I could get out of a CFA car, the better. But then I talked to people who were feeling the same way. For me I respect that you all have a view, but I really do not care what you think of me. I know what I have done, I know what I have been involved in and I know what the people around me and the troops I work with do, so I will take that comfort and I am proud to wear a uniform that represents an agency or an organisation that makes a difference.

Mr LEANE — Part of that built-up angst was around career firefighters' push for pay and conditions, and some clauses might have been sensationalised, some might have been real, but in this new reform do you see that there is a good outcome — that volunteers can have the autonomy that they have been asking for? As far as this is what the bill is trying to do — give volunteers autonomy so there is not a third party having an effect on what they do, which has been their concern, fairly or unfairly.

Mr SULLIVAN — If that is the case, then yes. Other jurisdictions around the country have gone through processes where the urban and rural sides of their service — Queensland in particular is one I am thinking about; they came under the Queensland fire and rescue service but then over time the rural component was lost in the activity and the notoriety, I suppose, in the urban areas. They went back and they have had to address that in the last couple of years. We have lost really good people from the CFA to their new organisation to give focus back to the rural sector of their service and the volunteers.

Mr LEANE — So Rowville is part of your jurisdiction?

Mr SULLIVAN — Yes.

Mr LEANE — Is that an all-volunteer region?

Mr SULLIVAN — It has been integrated over the last couple of years.

Mr LEANE — It is actually quite a big suburb, and it is getting bigger all time. I think it might have been a *Leader* newspaper article where a firefighter was talking about his concerns that too much is asked of the volunteers and about how that might affect them personally. I do not know if you saw that article.

Mr SULLIVAN — I know of it, yes.

Mr LEANE — Have you got a view on the opinion he was trying to put out?

Mr SULLIVAN — Look, I think that any emergency service asks a lot of its people anyway, so the expectations that the CFA have on volunteers and staff to be trained and ready to do the work we do is huge. It is probably a question for volunteers, but a lot of the comment I have around the CFA over the last 10 years or so is that we just put more and more administrative tasks onto our brigades, and it makes it so much more difficult. I was talking to a group officer captain up in Corryong who runs his own business. He is a member, as others have mentioned, of the hospital board, the footy club, the school board — all those sorts of things. He said, ‘You know, Ross, I go to 40-odd meetings a year for the CFA’, as in representing the organisation at a municipal level, and others, and then there is a whole range of localised things he does. We were talking about a brigade plan. He said, ‘You know, I don’t have enough time to do a business plan for my own business, let alone you turning around and telling me I need to create these plans for brigades’. So there is a lot more work and support that we can give brigades, I think, in the right way to ease the load.

What context do I put that in? I can be in a rural brigade. I am part of a service that looks after my mates and my neighbours. You know that you could turn up to a motor vehicle accident and it could be your best mate or a family you know or someone you know from the district involved in the accident, so there are a whole lot of pressures and expectations that come with being a member of a service like the CFA, or the SES for that matter. Again it is the lessons learned and things that we have been to and tragic circumstances and tragic incidents that have driven us to do more in the training space. I do not think we have backed that up properly in the systems and ways that we go about supporting our volunteers especially to get access to training in a timely and in a 21st century way.

Mr LEANE — I have one last question. It may be related to the more urbanised area that you represent and look after. I said this to the previous witnesses. My experience as a city slicker is that a lot of organisations, not just the CFA, are really struggling to attract volunteers from younger generations, because the world is different. Everyone has a mobile phone. The world is just a different place, and it is not any reflection on the generation; it is just the way it is. If I was a young person living in Rowville, I would not consider myself to be living in the country; I would consider myself to be living in part of Melbourne. Is it hard to attract younger people to the ranks of volunteering in those urbanised areas?

Mr SULLIVAN — I suppose one of the things that I have been disappointed by throughout my career is that people see the CFA as a country bushfire organisation. We have been far more than that for a long time. We cover the bulk of suburban Melbourne these days in the form that we are at the moment. You are right — it has rapidly become another suburb. I came to live in the area around 20 years ago. The state is developing out to the green wedge or national park sort of areas, but it has developed, absolutely.

I listened earlier to those questions you were asking, and I think there are some fundamental differences for people who volunteer. I think the fundamental reason is still the same for people who want to serve and help protect, but I think in the suburbs you tend to have people who are not necessarily well connected to community. They do that through their membership of the fire brigade. They work out of the suburb that they live in as opposed to maybe these places, Wangaratta, Wodonga and Shepparton, where the people live in the township. I know there is work outside of that, but the environment is a little different from that. It has always been a challenge for our volunteers in that suburban neck of the woods to be able to get to a fire station in a timely fashion. We will get them there, but to get there in the very short time frames that we look at for our turnout times — it is not impossible, but it is very difficult.

Mr LEANE — And it will be more and more of a challenge as it gets more urbanised.

Mr SULLIVAN — Speed limits — you know, we do not want our people to break speed limits. A fire station near a school, where it goes down to 40 kilometres an hour — all of that puts pressure on these people who want to get to a place to get in and serve.

Mr YOUNG — Thanks, Mr Sullivan, for coming in today and for talking to us about this pretty important issue. I just want to touch on what you said a minute ago about the CFA being more than just a country bushfire organisation. They do a lot of other things and there is a lot of specialised training for certain issues and there is a lot of capacity within the current CFA structure to deal with a range of different issues. It has been presented to us in quite a bit of evidence that this new structure, in taking the full-time capacity of the CFA to another organisation, will somehow diminish that expertise in specific areas. Have you got any thoughts on that?

Mr SULLIVAN — You can argue either side of that; you can debate either side of that. But if there is an intent to make something work, you will make it work. Did you say ‘diminish’?

Mr YOUNG — By taking away the full-time capacity of the CFA — it has been expressed to us that a lot of that specialised training and knowledge will go with it to another organisation. Will that hurt the CFA?

Mr SULLIVAN — Will it hurt the CFA? I mean, does it hurt the community? That is probably the bigger question for me. The skills still exist. It is not as if we have cut off the skills or the availability of those skills. It will be delivered in a different form — whatever form that takes from this process — if that is the case. People put their minds about making a system work, and it comes down to people in the end and their willingness to make anything work.

Mr YOUNG — And those people with that specific expertise are often the ones that provide training to everyone else within the CFA and volunteer ranks. Have you had any thoughts or discussions with people about how they might be affected by this bill and the structure that moves forward in having a separate organisation providing training?

Mr SULLIVAN — The thing that I really do struggle with is the two bosses type arrangement and how that comes together, and what you put in place to ensure that a chief officer of the CFA can ensure that their legislative accountabilities and responsibilities are dispensed and carried out through to people like me and people like our operations managers and operations officers and then our instructors and trainers. I have not contemplated how you do that. I think there are mechanisms whichever way things go that hopefully would be able to be worked out by clever people that get put in place to ensure that there is no conflict of interest between the Fire Rescue Victoria commissioner and the chief officer. I do not think anyone in the community could brook in any way some sort of turf, confrontation or conflict between senior people in essential service organisations delivering what they need to.

Mr YOUNG — Have you been provided with any advice or briefings on how that might work and how the structure of this bill — —

Mr SULLIVAN — No.

Mr YOUNG — None at all? Is that something you are looking forward to seeing soon? Is it something where you are going to kind of wait and see what happens?

Mr SULLIVAN — Absolutely. I am interested in those places — those forums — where those issues will be addressed and, I suppose, how those mechanisms, processes and procedures come together. I am not sure if I am quite on your track here, but I have not heard anybody talk about the MFB in this discussion around the CFA, the career staff and the volunteers. But in this case we are talking about pooling an organisation of staff together to operate under the one or under the same operational protocols and the same terminologies. We are working — and have been under Craig Lapsley for a couple of years — on interoperability in a range of things, including equipment.

I have just never understood why we have not been able to get on the same path — the same track — as fire services in the way we go about our business. I think there are a whole lot of efficiencies and advantages that can be gained by us pooling those resources, whether they be operational staff and fire stations or whether they are our support services, importantly the community safety aspect of the brigades and our services being able to lobby. I think we lack in research and development, which then does not allow us to lobby I suppose for the things that we should be in the structural world and in improvements potentially to building codes and a whole lot of other things that would be strengthened if we are one voice, if you like.

Mr YOUNG — That notion does make a lot of sense in many ways, to have one direction for everyone in our entire fire services. Could that be said for the whole of the state moving towards a one-service system as opposed to still having two services here?

Mr SULLIVAN — I think it was Stretton back in the 1930s after bushfires who recommended one fire service for Victoria, so that has been debated and held. I can remember as a young volunteer back in the early 80s that that discussion was held. ‘We’re going to have a career firefighter in the tin shed at Monegeetta’ — you know, over our dead bodies. So the question of how it is formed, I think, is the role of government. You are out

there now, and you are listening to all of us. You have a whole lot of wideranging views and very real impacts at a practical level and a personal level about what might come about in fire service reform. I would fear, I suppose, that under one fire service for the CFA, the attention and the focus would not be at the level it should be for the volunteer aspect of our fire service, if it did go to one.

Ms HARTLAND — There has been a lot of talk about problems that could happen and that it would diminish surge capacity. You cover an area that is quite vast, and it is urban as well as rural. What is your opinion of that, especially because what we have been told a lot is that volunteers will no longer want to be in the integrated stations and will then lose that surge capacity? What is your opinion on that?

Mr SULLIVAN — Really I do not know what it means until some change comes through into the services. I do not know how many people might say, ‘I can’t deal with that’, or ‘I can’t be a part of that’, versus those that will stick by the service they have joined for the reasons they have joined. With the six integrated brigades, I am only averaging here around 50 volunteer members in each brigade. So for the north-east, some would say that that is not a large number of people. They are a very important lot of people who have got a real connection to their heritage, their history and their community. But again, so long as whatever we do keeps them engaged and keeps them wanting to be a member of the CFA, then we will not lose capacity.

I actually think that we have limited our conversation around capacity for the CFA forever. Why couldn’t the CFA in the past have accessed — in some sort of bushfire brigade sense — the inner suburbs of Melbourne, the areas that we do not cover that have a fire truck attached, or some other council depot or SES depot? Why haven’t we been able to tap into a whole lot of people who would want to be a volunteer in the CFA but cannot because they do not live in a CFA area? It is not just firefighters but also people who we need to come into incident management roles for larger level 3 incidents and the like.

Ms HARTLAND — The lack of consultation around this process has not been good by any means. Do you see the implementation committee as a means of actually giving the detail and being able to talk to people about how it could work or how it should work? Because we have also had a range of ideas around the secondment process, and there have been criticisms of Steve Warrington for saying it will be different in each station. To me it actually make sense that each station is going to be slightly different. What are your thoughts about what could happen with the implementation committee?

Mr SULLIVAN — I think it is a mammoth task. I mean, we are a complex business anyway. The firefighting response is one component of it. We have got mechanical staff that look after our fleet and will have some of those assets go to FRV in this model. There are arrangements that need to be made through our mechanicals and through our communications sections — through radio. I would imagine it goes across our land and buildings departments as well. Yes, at the front of mind first and foremost are our members, our career staff and our volunteers to work through that. Then the process is about how we get people into the future under this sort of model where they have got the skills to work in the positions that our operations managers and operations officers work in today.

Ms HARTLAND — And at the end of that process, say over a two-year period, is there a need to review the process — a public document, what are the findings, where do we go for the next two years? Do you think that is something that would be valuable?

Mr SULLIVAN — Absolutely.

Ms HARTLAND — And do you think too that that has been one of the problems — because this has been a decade or more coming — that there has not been the planning by any form of government about how we are going to get here?

Mr SULLIVAN — I do not have a criticism; I lament that we have not had the conversation in this state before now around the way we deliver services.

Ms HARTLAND — So it has been a long time coming.

Mr SULLIVAN — It has. It did not worry me when I put in to join, or try and get into, a fire brigade. Whether it was aviation fire service, metropolitan fire service or CFA, I just wanted to be in that service. I thought over the years we have run the equivalent of different gauge railways in the state of Victoria in the

sense of our fire services, and it is long past time that we sorted ourselves out and improved the way we deliver the service for a whole range of reasons, not least that it is what people expect of us. And with the other — the dollars that are invested in us — surely there are efficiencies by getting us structured better as services for the state.

Ms HARTLAND — Does that also mean that there is a need for a continuing funding model for CFA rather than the somewhat ad hoc process that there is?

Mr SULLIVAN — Yes. Most of you will know that our base funding has been an issue for quite some time — \$2.4 billion worth of assets and \$28 million capital base funding each year to go to our firefighting fleet, our trucks, and our buildings, property. People talked before about fire trucks that are 30 years old. Well, we are back in Ash Wednesday territory, although different fire trucks, some old Austins that were petrol powered and did not have the protection systems that they do around them. I have talked to people in departments about the age. There was an aim for an age profile of 20 years old. That would be nice, but is that really what we need? We need trucks that are fit for purpose. But in those discussions with people around our firefighting fleet, I have said to them, ‘We’ve people who aren’t born today that we’re expecting to drive these fire trucks to fires in 18 or 19 years time, and drive them for 10 or 12 years post that, without all of the things that they are used to in a normal vehicle of today’s standards’. So yes, I think if there are opportunities for the CFA from this, then they would be the positives.

Again, people were talking about how we engage and improve the lot for volunteers — the way we call volunteers out. We have come from a system of phone trees through an FRS system to some sort of over-the-air paging system to now pagers with a message. We need to be able to give our people some device that lets them know who is available, who is going to turn out, and then they know they have got to go. We do not help our people in any way by not being able to catch up with 21st century technology.

Ms LOVELL — Ross, I am just going to explore a couple of the themes from this morning, and one of those was the secondment of the middle managers back from FRV to CFA. We heard from the three officers in charge of the integrated stations that they had concerns about that. We heard from the volunteer group led by Lachie Gales that they had significant concerns about that. What is your opinion? Do you think CFA should be able to employ their own middle management staff, or do you think that this model can work?

Mr SULLIVAN — I suppose in the context that I listened to those people this morning, I was thinking we are in that circumstance right now, and we have had single-stream entry into CFA at least since 1991, I think. When I started you either came through as a firefighter or you went through the field staff stream, and honestly I was the first one to punch the air saying, ‘Good. Everyone needs to come through as a firefighter, get their apprenticeship done, understand fire — the practical aspects of what people are doing — on their way to this’. But although that is good, I am not sure that it actually achieves all that we need to achieve when we are developing people to work in operations officer and operations manager roles — or this role, as a matter of fact — deputy chiefs and [inaudible] chiefs.

I was speaking to someone, a chief officer, Brian Potter, who lamented to me a fair few years ago now that we could not develop people by getting them as leading firefighters — it was senior firefighter back then, but that level — or station officers and have the ability to have them go out and spend, a couple of times each year, time in the field to help develop their understanding of both the relationship with our volunteers and the work that our operations, our field staff, do.

So I think that is a big challenge in how we move forward, not only in a new form but as we are today in relation to the ability and the capacity to be able to train people, mentor people and give people opportunity to develop in a space that is going to give the support that we really do need to be giving to our brigades.

Ms LOVELL — Regarding the practicalities of someone coming from an environment where they have never dealt with volunteers but are being seconded into management, how do you think that is going to work?

Mr SULLIVAN — I really could not say. It depends on the person, I think. It depends on their own experiences and what experiences they have had in the past. It is absolutely a benefit to understand why people volunteer to CFA and do the things that they do. It is absolutely an advantage, but you can work with people, train them, mentor them and guide them as an organisation. I think we are there. I think a combination of both the things that you are talking about would be best for us.

Ms LOVELL — The volunteer group that presented talked about their fears for the future of brigades that are now integrated but will become co-located. Do you think the integrated model is broken?

Mr SULLIVAN — I have come through that model. I have been officer in charge at an integrated fire brigade and was for six years, so is it broken? It is only broken where people want it broken, so there are places that have great relationships and staff will go into bat for volunteers as hard as volunteers will go into bat for staff, but there are places where we have extremes again of either side of this debate that just antagonise and make a situation, a circumstance and an environment unhealthy.

I hear people talk about culture. If individuals then create our culture, then it is individuals that are creating that place that will not allow some of these things to happen. Unfortunately you cannot socially engineer people, and we would all wish that everyone would get along, but it takes work to do. So whatever form, where you have got people who do things for a career and are paid to do that job with volunteers, you work on the relationship. It does not matter what the flaw.

Ms LOVELL — So for those brigades that are in those areas where there are the extremes of relationships between the volunteers and the career staff, what do you think co-location will hold for those volunteers?

Mr SULLIVAN — It will be the same as it does for integration right now, honestly, so while they have those attitudes and depending on whether the attitude is driven by a co-location mindset or an integration mindset — and in my mind they are very similar things, co-location and integration — if you are going to make it work, you have to work at it. And there are issues today about who cleans what bit of the fire station and who used what bit, but the mature people work through those things and you generally work together around it. Others who do not want to will make it an issue. So whether we are all wearing the same uniform as in CFA, which you would think would engender at least some sort of loyalty to each other because we are all of the same, or whether it is someone who is standing in an FRV uniform, I could not tell you what that human interaction would be.

Mr MELHEM — I just want to take you to the secondment issue. Can you take us through how middle management now actually works within the CFA in supporting volunteers and what is the process? They report to the chief officer — the career firefighters — is my understanding, or to administrative staff, so how do they work today and how do you envisage their role will be under FRV? I am talking the operational aspect.

Mr SULLIVAN — At the very least I would hope we work exactly, as a bare minimum, as we do today.

Mr MELHEM — How would you like it to be — maybe I can paraphrase — in the future? So the current and what do you think it will be?

Mr SULLIVAN — I would like it to be what we are at the moment, but I would like to think we can improve on what we do too. Really I have not contemplated enough how a secondment model fits with an employee model — a direct line from the chief officer as the chief officer's representatives, as we have been throughout our history, versus a commissioner line and a chief officer line. I really have not got that straight in my own mind to give any sort of — —

Mr MELHEM — Because my understanding of the proposed arrangements which need to be worked through — if I take notice of what Commissioner Lapsley has told us in briefing — is that nothing should change in terms of the day to day going forward. There have been a lot of discussions particularly from volunteer organisations in relation to the chief officer not having control over these officers in middle management, which to me is contrary to what the bill says, which basically gives full control to the chief officer to direct them to work as directed. The only difference from the current arrangement to my understanding is who pays their salary. Salary is to be paid by FRV, but in terms of full control in working as directed, if you want to put it that way, that would be subject to the chief officer's direction. Is that your understanding, or is that the way you would like it to be?

Mr SULLIVAN — I would like it to be clear and unambiguous. If the way you have explained it is that the direct line of control and command is through the chief officer to those ranks, then so long as it is unequivocal and unambiguous.

Mr MELHEM — That is my reading of the bill. By all means if you want to take that on notice, do your own research and find it contrary to what I have said, we would like to hear from you, because that is my understanding of how the bill operates.

On another issue, again talking about volunteers and career firefighters, I think there is a clear recognition that greater Melbourne, if you want to put it that way, has changed forever. The population is exploding and there is more demand for a quick response — the 90 seconds out the door and attend to fires. Similarly if we are talking about Geelong and big cities, there is demand for change. I mean, we cannot have the status quo. Is that a fair statement — that we need to change — or should we just leave it as it is?

Mr SULLIVAN — Yes, it is a fair statement. It has been my view for over a decade that we have not been able to evolve with the times as an organisation.

Mr MELHEM — The last question: if the industrial issues had not been an issue over the last 18 months, which have been issues in the past as well, would that be one of the triggers to make the change?

Mr SULLIVAN — Not in my view. As I have said before, I think we have missed opportunities to talk about how the fire services would look into the future some years ago. I think it is part of it. I do not walk away from the fact that it absolutely is part of why we are here, but I can remember that every EBA since EBAs came into force have created some relationship issues. It is just a fact of life, but it is not the thing for me that dictated a change or a reinvention or a modernisation of fire services for Victoria. As everyone says, it sounds a bit staid but the people expect us to be there to help them when we are needed.

Mr MELHEM — But taking that issue away — and basically it is no longer an issue going forward as far as the CFA goes — would that then give the CFA a better opportunity to focus on its core, which is basically as a volunteer organisation, to invest, retain, recruit new volunteers and go back to its core value, which was established a long time ago, to focus on volunteers and take that distraction away? Do you think that is a positive or a negative?

Mr SULLIVAN — If that is the case, yes.

Mr O'SULLIVAN — Mr Sullivan, I just want to ask you a question around your observations in relation to the culture of the CFA, particularly at integrated stations, because we heard evidence last Friday that this reform is really about fixing a cultural issue rather than a fire service.

Mr MULINO — That is not what he said.

Mr O'SULLIVAN — That is what Mr Lapsley said last Friday.

Mr MULINO — No, he did not. He said it is operational.

Mr MELHEM — No, he did not. You said that three times. A point of order, Chair. Three times Mr O'Sullivan has raised that issue, and he is absolutely wrong.

The CHAIR — Mr O'Sullivan is entitled to ask a question, as you have been asking a question, putting your view on evidence the committee has heard today. Mr O'Sullivan is entitled to ask a question.

Mr MELHEM — Well, the truth — tell the truth.

Mr O'SULLIVAN — Just taking up the point of order, I am happy to look at the Hansard transcript, and if I am wrong, I will not continue along that line.

In terms of the culture of those integrated stations, do you see it as a problem that is so significant that it needs to be a whole reform of the fire service to try to fix it rather than actually trying to address the cultural issue in its own right?

Mr SULLIVAN — For me you are really focusing on a paid workforce and volunteer workforce issue here. It does cause people grief, absolutely, and it has done for the time I have been in service. I think it has just been exacerbated over time, and I think, like I said before, culture generally goes to a limited number of individuals. I know we all get branded with it, but unfortunately it is about a number of individuals who, I suppose, do not

necessarily respect the other people's point of view in how we go about the business. So is it the sole reason to reform the fire service? I would have said no, but that is not what I am about. My view is a long-held view that we can do better with fire services.

Mr O'SULLIVAN — In terms of the integrated stations, I was of a view that it was a systemic problem across all integrated stations, but we have heard this morning quite clearly that in Wangaratta, Shepparton and Wodonga it is not the case, and actually it seems to work quite well. So I was actually really pleased to hear that, but it is not just an integrated station. So why hasn't more been done to address those cultural issues so we did not have to go down this path?

Mr SULLIVAN — There are standards that we apply and that we expect people to maintain, and the moderate people and the reasonable people in this cannot be around all of the time. These people go about and I think it is a determined effort on some people's behalves to upset the equilibrium, if you like. Why hasn't more been done about it? It is the work that you try and put into somebody who you know is part of the problem but who does not understand they are part of the problem or does not want to be any different to the way they are — so, human issues.

Mr O'SULLIVAN — If it is a couple of bad eggs that are sort of contaminating the whole bundle of eggs, it is a pretty substantial problem that seems to have been systemically overlooked. I am sure there have been attempts to fix it, but we have sort of ended up where we are now, and it just seems that over a long period of time that culture has not been able to be changed. I just find it interesting that it does not seem that there are any solutions in play other than to reform the whole service, break up the CFA and set up a new system. Is that really going to change the culture and fix the cultural problems?

Mr SULLIVAN — These issues come up every EBA and have since the early 1990s, and depending on the severity of the issue, the issues at hand and what is at stake we have generally recovered. A lot of us said that the 1995 dispute was the dispute to end all disputes that burnt a lot of bridges and damaged a lot of relationships, but then we find a new norm along the way which is disappointing, so whatever work you do gets and has been undone for a range of reasons as time moves on.

Mr O'SULLIVAN — Just one final question and more of a general question: in terms of the reform, if it was to go ahead in its current form, what would it mean for your position? How would your position change, and what would it look like going forward?

Mr SULLIVAN — I cannot answer that question until I know the detail about some of these aspects that we have talked about. I would like to think that it does not change. There is a relationship that I would need to form in this role with my FRV equivalent, who has responsibility for the career staff component in locations in the north-east, absolutely. But as for my role and my from the chief, deputy chief, through to the operations managers and operations officers, so long as those things are attended to, are unequivocal and unambiguous and are sorted, then I do not see it changing.

Ms SYMES — Thank you, Mr Sullivan, for appearing today. We have heard, obviously over some time, about the highly emotive feelings in relation to fire services, whether it be EB or reform. There is some uncertainty about how the framework will be implemented, but there seems to be a lot of optimism about what a new framework could provide going forward. Are you concerned about this being a stalemate and the reform not being able to proceed?

Mr SULLIVAN — I think the time has come in this process. I am hoping that we can at least work our way through this. I have talked to a whole lot of people about what happens from here. What do we do now that this has started? What would happen if it all just fell over? What would happen? I do not know what would happen. We would all try and rebuild and go back, but is that still the best result for all of us in the scheme of what might be before us in getting to the 21st century with our fire services?

Ms SYMES — Would you agree that there is a fair bit of optimism about this proceeding and working out fine for everyone?

Mr SULLIVAN — I think the caveat that most of us would put on that is 'so long as we get it right'. If we understand that we are not going to get it right at the outset and that there are those periods that you can readjust

and redo as you need to, if this goes ahead and we do it the right way with the right intention and with the right aim, at the very base level of what we are here to do, then, yes, we should be optimistic.

Ms SYMES — Because I am finding it a little bit difficult to reconcile on one hand there being not enough detail and on the other hand us actually kind of needing to work it out place by place and roll it out not as a strict formulated model. Are you happy with the overarching framework and it being able to evolve a little bit?

Mr SULLIVAN — It just needs to evolve for me. I understand there is a framework, and I understand there is a lot of work that needs to go to flesh that out.

Ms SYMES — To roll it out. Thank you.

The CHAIR — We have time for two more questions if there are any further questions. If not, Mr Sullivan, thank you for your time this afternoon. The committee appreciates you making yourself available at short notice. We will have a draft transcript of the hearing available to you for any corrections in the next couple of days. Thank you for your time this afternoon.

Mr SULLIVAN — Thank you.

Committee adjourned.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Swan Hill — 12 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Ms Wendy Lovell

Mr Cesar Melhem

Mr Luke O'Sullivan

Ms Harriet Shing

Mr Daniel Young

Substituted members

Mr Shaun Leane for Ms Harriet Shing

Witnesses

Mr Bryan Pickthall (sworn), secretary,

Mr Paul Nicoll (sworn), executive,

Mr Greg Murphy (sworn), president, and

Mr Keith Clough (sworn), executive, district 20 council, Volunteer Fire Brigades Victoria.

The CHAIR — I declare open the Legislative Council’s select committee inquiry into the fire services restructure. I welcome representatives this morning from the district 20 council, Volunteer Fire Brigades Victoria: Mr Bryan Pickthall, secretary; Mr Paul Nicoll, executive; Mr Greg Murphy, president; and Mr Keith Clough, executive. Gentlemen, welcome to the hearing this morning. All evidence being taken at this hearing is taken pursuant to the Parliamentary Committees Act and is protected by parliamentary privilege; however, any comments made outside the hearing are not protected by privilege. The evidence is being recorded by Hansard, and you will be provided with a proof version of the transcript in the next couple of days for any corrections you wish to make.

Thank you, gentlemen, for making yourselves available at short notice for the hearing today. The committee has allowed 1¼ hours for this particular hearing, so I invite you to make an opening statement of no more than 10 minutes if you would like to do so. The committee will then proceed to questions.

Mr NICOLL — Thank you, Chair. I have a short opening address. Firstly, let me just introduce myself. I am Paul Nicoll. I am currently the captain of the Echuca fire brigade, which is a fully volunteer fire brigade in northern Victoria. I am sure most of you know where Echuca is. I have been a volunteer member of the CFA for the past 35 years. Prior to moving to Echuca in 1997, I was also the first lieutenant and secretary of the Chelsea urban fire brigade, which is an integrated station in Melbourne. I served down there for 15 years as first lieutenant, a firefighter and also secretary of that brigade. So I have experience in both an integrated aspect and also a fully volunteer aspect of CFA operations.

So good morning to you all, and on behalf of the CFA volunteers present and the volunteer members of all the CFA district 20 brigades that we represent I wish to thank the select committee for the opportunity to appear and provide comment on the proposed Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017. You all have extremely important work to do, and since my time is short I will make this opening statement as brief as possible.

Firstly, a very significant concern to us and the volunteers in CFA district 20 is the fact that the presumptive rights compensation is being coupled with the fire services reform bill. These two subjects, concepts, proposals — or whatever you would like to call them — are totally separate matters. There is nothing common to either of them. There is no link, and we find it offensive that such an important subject as presumptive rights compensation is even being considered in conjunction with a plan to dismantle the CFA and the MFB as we know them today.

It is quite clear that the linking of the presumptive rights legislation to the fire services amendment bill was a sweetener to try to sell the fire services amendment bill to the volunteers, which everyone knew would not be well accepted by many, including many of our paid career firefighters.

It is our respectful submission to this select committee that the proposed firefighters’ presumptive rights compensation aspect of this proposed bill be annexed and be the subject of separate consultation and consideration. It is also our respectful submission that the presumptive rights compensation must also have exactly the same criteria and rules for paid career firefighters as it does for volunteers. The current proposal does not have this. It needs to be modified to reflect the fact that volunteers and paid career firefighters perform exactly the same role and therefore need exactly the same compensation model, and this is a must.

Secondly, it is absolutely essential that the fire services legislation amendment reform bill guarantees the safety of all Victorians and provides the best practice model for firefighting in this state. This fire services model must be cost effective, efficient and sustainable. Experience and multiple reviews have shown time and time again that the best approach to public safety and the safety of communities is the CFA community-based model. This model is where volunteers and paid career firefighters work together as one in an integrated and interoperable manner at both our integrated and fully volunteer stations.

A real concern to us of the proposed changes is the effect that they will have on the peak load and surge capacity of the CFA. This is particularly important for us country folk, who rely very heavily on strike teams and resources being supplied from metro and outer metro brigades for campaign fires and other natural disaster events. We cannot afford to lose the metropolitan Melbourne capacity of volunteers and paid career firefighters to assist us. It is almost guaranteed that if the proposed fire services reform legislation passes, volunteers in

integrated and adjacent volunteer brigades will become alienated and disenfranchised over time. They will lose their sense of value, achievement and interest, and they will leave the CFA in droves.

It is our respectful submission that the proposed fire services reform legislation will not and does not provide a more effective, more capable or more efficient fire service for Victoria. Unless it can be undeniably proven that it will, then it is my earnest submission that this legislation must be rejected outright. My sincere thanks to all of you for your work and for allowing us to make this submission to the committee on this extremely important subject.

The CHAIR — Gentlemen, would any of you like to make any additional opening comments?

Mr CLOUGH — No, I think it has been covered.

The CHAIR — I note we have received a written submission from you, Mr Nicoll, as part of the committee's written submissions. Can I start, then, with the opening comments around your concerns in relation to peak load and surge capacity. Can you expand on why you believe this legislation will be to the detriment of peak load capacity and surge capability?

Mr NICOLL — I am happy to talk on that. In the country or rural parts of Victoria we rely on volunteers, particularly out of Melbourne, and our fear is that this legislation will have an impact on volunteers where they will lose their sense of value, their sense of worth, their sense of being needed, and hence leave the CFA, which means that the capacity for them to service us in times of need is not going to be there. It is the culture that the CFA has that we all want to help each other, and we believe that the culture is going to be eroded by this legislation — that the way we operate nowadays is going to totally change and that we will not be able to have the volunteer involvement, which hence will not allow us to have the capacity of volunteers to service the rest of the state — if that makes sense to you, Chair.

The CHAIR — Yes, it does. How important is access to that surge capacity from the metropolitan area to a region like yours?

Mr NICOLL — In my experience of all the strike teams and the campaign fires I have been involved in in the outer metropolitan regions of 7, 8, 13 and 14, which are the main stations around outer metro Melbourne and are the key suppliers of volunteers, appliances and management teams to fires in rural areas, the sheer numbers in the brigades, populations and volunteers that they have down there and their availability to service the country areas and assist us is a great asset to us.

In the rural areas we are far more spread out compared to metro Melbourne. In the teams that I have been involved with we have had significant numbers of brigades and strike teams from those outer areas that have come and serviced it, and they are a great asset to us in the country areas to try to manage these floods, fires or whatever the major incident would be. Our fear is that that capacity is going to be diminished by this legislation if it comes in, because members will clearly not volunteer. In the end they will say, 'Why bother? I'm not valued'. That is the fear that we have.

Mr PICKTHALL — It would also put a strain on the local community members as well, because it would take more out of those communities to make up the numbers, because we have to leave safety back with the community if we are going out to a strike team.

The CHAIR — In the last two years there has been some controversy around the CFA and the adoption of an EBA, which has led to this latest iteration of legislation. What impact has that had on your local brigades in terms of morale and the engagement of volunteers?

Mr PICKTHALL — I could talk for our brigade.

The CHAIR — Yes. Sorry, which brigade is that?

Mr PICKTHALL — It is Bamawm Extension, which is just out of Echuca. We are near the boundary of Echuca fire brigade, and we assist them quite often. The effect it has had on the members of trying to keep that low, to keep building the community — and the reason we are there is for the community, and of course it is by the community. They are all community members, or farmers — it is just about all farmers in our brigade. It

does not affect them because we play it down a bit so that we concentrate on the job we have to do. We have a good strong brigade. We have 30 members that attend monthly meetings. We have a good number of firefighters who are always willing to go out on strike teams. The major thing and the main concern is with our support team. As it is now we get along extremely well with them. We all work well together. That is the career staff. If that changes, their fear is that the union eventually could spread into the brigades. That is one of their major concerns. Otherwise, you know, they are fine. We keep them fine.

The CHAIR — How well do you feel you understand the proposal that is flowing from this legislation and the resulting structural changes that would occur at CFA with the secondment of staff from Fire Rescue Victoria? Is it something about which you feel you have sufficient detail as to how it is going to work?

Mr MURPHY — I would like to say probably not. I guess around a lot of things — and maybe this is the start of it — the consultation part possibly should have started a lot earlier. The four parts and everything else do seem fine, but I guess it is human nature to want to know the behind the scenes or the next layer, and that has not been forthcoming so that we can understand it and say yes, or we probably would not be here. We would say this is great for everything and we can move forward, but I do not think there has been enough of that coming out. There have been a lot of people making assumptions or surmising that this might happen, or if you read into this, this might happen, or if you read into that, that might happen, and it is putting a lot of doubt in people's minds about where we are heading. Whether it be the best thing since sliced bread or what, we do not know because it is just not there.

As I say the curiosity of the human person is to want to know the next stage, the next level, the next step, and I think we just have not been able to find that out through the people that have come out and given us some information, whether it be the VFBV or the chief, Steve Warrington. They do not seem to know enough to be able to give us any more than what has been written up in the documents that have been on the government webpage. You can read into it and think, 'Does it mean that or does it mean something different?'. So the consultation, I think, is probably one of the biggest things that the volunteers speak about — there having been a lack of it. So we are unable to say, 'This is what this picture looks like. This will be the next picture'.

Now, whether this is the start of part 1 and there are more parts to come over the ensuing months or years or whatever, I certainly am not privy to that sort of stuff because I have not heard about it. As I say, it could be exactly what we are looking for or it may not be, and I think that is where the doubt comes into a lot of things and starts to affect people. They are second-guessing and it affects morale and a few other things, and it will feed backwards until we can get that movement going forward so that we can all be shored up on what it is — so whether it is going to be what we think it is or not what we think it is.

Mr MULINO — Thanks very much for coming in to give evidence today. One of the pieces of background information that we have received is that a lot of areas in Victoria have grown rapidly in population over recent decades, and that is in both Melbourne and its outer suburbs but also a lot of regional centres — for example, Mildura has grown more than fourfold in recent decades and Bendigo more than two and a half times, and a lot of these regional centres have rapidly growing outer suburbs that in a lot of ways are very similar to the outer suburbs of Melbourne. Yet we know that in Melbourne, for example, the boundary has not changed since the 1950s. I am just wondering what you think in principle of the idea that it is important to explore the need for structural reform in light of the growing challenges that the state is facing in servicing this growing population?

Mr NICOLL — I might be able to answer that if that is all right. The current model that the CFA has with the integrated brigades does work very well in Bendigo, Shepparton, Ballarat, Wangaratta. The integrated model, where the permanent staff operate out of a station, supplemented by the volunteers, works very well, and I cannot see why that cannot continue to work. That is the model the CFA has grown on and worked on, and it works very, very efficiently. If Mildura is gradually growing — and as you said, it is — the idea would be maybe to put another staffed station somewhere in the area that would enable the response or the guaranteed response of the fire service to a call in that area, but I still cannot see why it cannot work under the current integrated model the CFA operates on. It is a good system and works very well.

As for changing the boundaries, a boundary is a boundary. Does it matter really where the boundary is? If the service works and it works very well, why do we need to change the way it is? I do agree that outer metro Melbourne is growing very quickly, and that is why the CFA puts in integrated stations at new stations such as

Lara, which is going to go ahead shortly, South Morang that has just opened up and South Warrandyte. They put in integrated stations there to guarantee that the fire service delivery standards will be met, supplemented by the volunteers that turn out in the area as well. Often the volunteer brigades — the purely volunteer brigades — have very good response times, if not equal to some of the staffed stations that are around them. So I cannot see why we need to change the model that the CFA currently operates as far as that expansion of the population of Victoria is concerned. Does that answer your question at all?

Mr MULINO — Yes, that is on point. We have had some evidence from some senior officers — Lapsley, Warrington and others — who are of the view that structural reform would make sense in light of this growing challenge, and not just population growth but of course, as you know, the range of services being asked for by the community is also growing. From the sounds of it your view would be to retain the current model and to essentially add integrated stations as needed.

Mr NICOLL — Any organisation needs to look at itself from within and find better models or better ways of doing things. Whether you call it a reform or whether you call it a review or whatever, it needs to be done. The CFA should naturally do that, and I think that the chief does that quite well and the CFA does that quite well. Look, there is no harm in doing a review of the CFA and the MFB and seeing how they operate, and if we can do it better and more efficiently, why not do that? But I believe the current model that we work under works very, very well. Sure, review it, have a look at it, consult on it, take advice from anyone you can that has expertise in that area, and then see if the model needs to be changed, but at the moment from what I can see it does work very well. The career and volunteer staff, particularly in the rural areas and at most of the integrated stations, operate very efficiently, very effectively together, and we provide a very, very good service to the public of Victoria.

Mr MULINO — One aspect of the current system that has been flagged, and again by Warrington, Lapsley and some others, and this has been discussed quite broadly, is that the number of employed people within the entity has grown significantly over the last decade, and I might not get the exact numbers right, but say, from 200 to 1500, depending on what exact numbers you include. There is also of course, as you would well know, this kind of climate where over the last 15 years every time an EBA comes up there is a lot of controversy and a lot of discussion that the sky is going to fall in and then we finally get a resolution and life continues, and then we have it all again. There is a sense from at least some people that I have talked to in both the volunteer stations and the integrated stations that people are a bit sick of that dynamic. What do you think about the contention that separating the CFA and making it more of a volunteer-focused organisation would be better for the organisation so that it can avoid some of this cycle of getting embroiled in EBA and IR issues?

Mr MURPHY — I might speak on that one. It is one that I have thought about and have concerns over. Currently the CFA career person does their training, they understand the CFA act, they then move up in increments to get their different slots or whatever and finish up as senior station officers and then they can go on to become leaders who can come back into our districts and be our leaders and things like that. I would say that by not having that training regime as a career for an individual, in the next five or 10 years or thereabouts we may not have those sorts of people that understand the CFA act to come back in and be our local district leaders as office managers. It is something that they spend a lot of time on from their days in the academy right through until they finish up at a station. They have done a lot of work in their own time doing paperwork and work to get all their increments done. If we do not have people like that that can come back and lead us, and we need these leaders in our districts, they will not understand the CFA act.

With what I read, and having people being seconded to come back to us, they may not in years to come understand what the CFA act is. For us volunteers, if it is a volunteer standalone thing, I think that is where we might run into trouble in the long term — of not having what we have now got for those people to be there as our leaders in the long run. At the moment we have got the people there who have still got many years to work in the system. That will be fine until the recruit courses start changing. As of now, MFB and CFA recruits are all training under the one regime. Some of the CFA act will get lost if they move completely away from it as a career person and then if they come back to be our designated leaders within our districts and areas, I see that as a long-term effect that could harm the CFA volunteer sector later on.

Mr MULINO — On the secondment model, would you be more comfortable with that if there were constraints on the way that people were engaged and, for example, people had to demonstrate a knowledge of local issues and a commitment to the local community and things like that?

Mr MURPHY — I think there is even just the fact that at integrated stations at the moment paid career staff get to work with volunteers. Even daytime and night-time volunteers can come in, whether it be from that brigade or a neighbouring brigade, and get some training in certain aspects and keep their training up. Those career people work with volunteers, know how to talk to volunteers and how to treat volunteers. Later on those people that may come back to secondment may have only had one way in life and everyone is a number and they are a paid person and that is the way they get spoken to. You need to speak to volunteers totally differently to get their respect and for them to go and do the job they need to do. That could be a part of the fabric that might get lost in transition long term.

Mr MULINO — I have one final, quick question. Just on the issue of surge capacity, you have flagged the concern that people might lose motivation and morale and so forth if FRV stations deign capacity — that might affect morale at the co-located station or surrounding volunteer stations. In New South Wales, which has a similar kind of separated model, they have actually seen growth in volunteer numbers over the course of the life of that separated model. I am just wondering if you have got any views on that.

Mr NICOLL — I come from Echuca, which is on the border with New South Wales. Across the river is a township of Moama, which has 15 000, 20 000, growing rapidly, light industry. It is probably a similar town to Euroa or Benalla or somewhere like that. That town has a New South Wales Fire Brigades station in it, which is a retained fire station, where they have 12 firefighters running an urban appliance out of it. Four hundred metres up the road is the RFS, which is the volunteer brigade, which has three appliances and they run as many volunteers as they can possibly obtain; I think there are about 40 or 50 that run out of that area. That town runs two fire services out of the one town. It is probably a very similar model to what we are considering.

The difficulty with that is that if the urban brigade in Moama receives a call to a structure fire, it has to rely on calling the volunteers to assist or Echuca goes across the bridge to New South Wales to assist, purely because there are only six or seven of them who normally turn out on the truck and they only have one appliance. So they are always calling on the volunteers. Similarly, in the old days the CFA used to have the rural fire brigades and the urban brigades in the one shed. The town would have one pumper in one part of the shed and the rurals would have the truck in the other part of the shed. That caused a lot of division in CFA. The rurals were not allowed to cross-crew from one truck to another and the urbans were — it was not a united firefighting service. I think the integrated model that currently the CFA operates in is a united firefighting service. It operates paid staff where we need immediate turnout to operate, as well as the volunteers who can support the areas where the activity is not so high.

To my mind the New South Wales model does not particularly work that well. It is very, very expensive. You have got two really good fire stations in the one town, which is not very cost effective at all when you could have one fire station operating with volunteers and permanently retained people in it.

As far as numbers are concerned, that was your question, and the numbers have increased there. I do not know why or how they have increased or whether the population of New South Wales is growing and that is why it has increased. They have had some major fire events, which would increase the interest in joining the fire services over there. I cannot explain why their numbers would have increased in their volunteer fire service over there. I know in Victoria when we have bad fire years our applications for membership increase significantly in brigades because there is an interest or a concern or wanting to help out. After 2009 and 2007 brigades were inundated by applicants wanting to join the fire brigade. So whether that has happened with the New South Wales model, I am not sure.

I know the system in Moama is a very fragmented system. It is not united; it is not joined. We have two fire services operating in the same town and it is simply very expensive and does not particularly work that well in my experience.

The CHAIR — Before I move on to Mr Young, I should acknowledge that in the gallery this morning we have the Honourable Peter Walsh, the Leader of The Nationals and local member for Murray Plains.

Mr YOUNG — Thank you, gentlemen, for your time today. Going back a little bit to some questions from Mr Rich-Phillips about the level of detailed information that has been provided about this, I think it was you, Mr Murphy, who talked about the second tier of information that everyone is waiting on. I just want to get an understanding of whether there have been enough briefings and meetings and information provided or whether that is just simply not happening. Is that second level of information just not getting out, or does it not exist yet?

Mr MURPHY — I would probably say that it does not exist at the moment. Probably four days after the announcement on the Friday that this review was happening some of us from district 20 were invited to go down to district 2 in Castlemaine and we had a meeting down there. The chief officer came up, and he honestly said that he really, at that stage, did not know much about it. He had the document that was printed from the web page and he was reading from that, but it did not give a lot of details.

Another thing that comes out of that sort of stuff is what is the funding likely to look like? I personally, with district 20 through our group scenarios and that, am a member of the district management team, which deals with the budget and the money that we have for district 20. Honestly, in today's current climate district 20 does not get enough money to operate. We struggle for a lot of things. We have still got a lot of stations within fire sheds in our district that still do not have a toilet. The money is not there. Why I say that is, looking at what is given to us or what we are talking about today, first stage, second stage, third stage — what do they look like? What will the funding look like that will improve the CFA right across the state of Victoria, not just district 20?

I like to look after my own district, but my heart and mind goes out to the whole of the state. We are one big family at CFA and we do look after each other. We all get around a lot within the state for one thing or another and catch up. We have got a lot of friends and we all talk and we all know what is going on in different districts. I think the common theme would be that we just do not know at this stage what does it look like and what will the funding look like, because I know it is going to have to be split up between all parties. It is hard to get your head around what it is going to be like. Are we going to be comfortable with what we can get and what we will be getting in the future down the track?

Mr YOUNG — The funding model is obviously one of those things that is not worked out properly yet. Every time we talk about it people raise all the issues that we already have — 'We can't do this because we don't have the capacity or we don't have the resourcing available'. Would you say that a lot of the issues that are supposedly going to be fixed by this restructure could simply be fixed by additional resourcing and making sure we have the capacity to do the job under the current structure?

Mr MURPHY — Yes, probably, if we can get those sorts of things sorted out at that higher level and as it filters down it will certainly help overcome it. Sometimes you ask for just the basic things to put back on the truck, like a torn hose that might have got caught, cut or burnt at a fire or something like that. You have almost got to crawl to the office to beg for probably a \$180 length of hose to be replaced on the truck or something like that, and that is a bit of a concern long term in either structure. Will funding get better for us just to have our basic stuff and replacement stuff on our trucks and at our stations to do the job for the community?

Mr NICOLL — Can I just speak on that please, Mr Young?

Mr YOUNG — Yes, please.

Mr NICOLL — It is not just the funding for the volunteers. The state has got to actually sustain this fire service. There are not unlimited funds anywhere. It is an expensive thing to run a fire service, and having fully staffed brigades is very, very expensive with the cost of wages and superannuation and the structures and appliances they need. The state has to be able to sustain it, so it has got to be an efficient and effective and sustainable fire service that we take on as the state of Victoria. There is no unlimited money, there never is, and money is always the big problem when we try to change something. So we have to have a cost-effective service that we provide, whether it is the model that is being proposed now, whether it is a fully volunteer model, whether it is an integrated model, whether it is the Metropolitan Fire Brigade model where there are no volunteers, but it has got to be sustainable and the state has to be able to afford it.

That is my key fear, whether it comes down to what brigades get as equipment and things like that. Whether it is this current government that is currently in or whether it is another government that comes in in two years time,

we have to be able to afford it, and as a taxpayer I am concerned that this model is going to cost us a fortune and we will not be able to sustain it.

Mr YOUNG — Just on a different topic, Minister Merlino spoke about the idea that this restructure will allow the EBA and industrial relations issues that CFA has to be removed and CFA can go about being a volunteer organisation. I just want to ask your opinion on the EBA structures. What is the big problem that CFA has in being involved in those negotiations? Why can the CFA not be a player in the industrial relations issues for their staff?

Mr NICOLL — The volunteer component of the CFA has no problem with the EBA as long as it does not affect how we operate or does not impinge on how we operate or reduce our capacity to do things. Currently there are a number of points in that EBA that are going to do that, and that is the reason that there is probably angst amongst the volunteers about the EBA. We get on terrifically well with many, many of our paid staff. There are only a few that present problems but is in any organisation.

If the EBA does not have an impact on the volunteers or the way we operate and lets us do our job well and how we do, we have no problem with an EBA and I cannot see why any staff that we do have cannot operate under an EBA. It is only when the EBA has a bad effect against what the volunteers do that we will have an objection to it. Does that answer your question at all?

Mr YOUNG — Yes, in part. Does anyone else have anything to add to that?

Mr CLOUGH — Yes, if I can just have a bit of input there. What Paul is saying is actually correct because at this current thing any part of the EBA that is going to impinge on or impede the operation of a volunteer, whether it be in training or whatever, is detrimental to the CFA. I think it is very important that we can separate those. We do not have any issue with the EBA going through and allowing the career staff to get their dues, as in reward for their service. That has always been said: we do not have an issue there. But anything that is going to impede the volunteers in their duties is our concern, and that is why we are against it at this stage.

Ms HARTLAND — I have got a couple of questions, especially around the funding structure. Greg, you talked about how it is very difficult to get very basic things replaced. One of the things that the government has talked about with this is that there would be ongoing funding for the CFA rather than what has appeared to me over a number of years to be very ad hoc funding. Under the previous government there was a substantial cut to the funding of CFA. Is it that you need to know that there is always going to be guaranteed funding and that it is going to be easy for brigades to access, especially for the kinds of things you are talking about, which are minor but important pieces of equipment?

Mr MURPHY — Yes, I think it would be great to know that answer. I suppose down the track hindsight is a great thing too, but just knowing that we struggle at the moment for a lot of things. Even in my 35 years of being a volunteer just some of the things we used to have and the things that we just do not get now — one, for some of us that are from the town or the urban side of things, just a uniform to wear and be proud to say that I am a volunteer and to attend a meeting, similar to what Paul is dressed in today — you show who you are, it is an honour to wear it and it is great to be part of it. There is no money for replacement or new parts of the uniform.

That is on one side, but other things that we are just not getting money there for, for buildings construction. As I say, there are at least two or three stations just in our district that still do not even have an outhouse. There are plenty of females that want to come into the service. When you are trying to get them there and keep them there and you have not got the facility, it makes it hard. We have even had situations in that we have got to now think of taking portable toilets to some of our long-term fires with strike teams and that because we do have a lot of females come up and we do not have the facilities for them. It is easy for the male colleagues to whip out and go behind a tree or something like that —

Ms HARTLAND — That is right. We are a bit more delicate.

Mr MURPHY — but do not do that with females.

Mr LEANE — Depending on what you need to do.

Ms HARTLAND — We will not get into that, Mr Leane.

Mr MURPHY — We have had that similar scenario in the last few months with some big fires just up in this area, where some of the females finished up in hospital due to dehydration because they did not want to drink water to keep hydrated. If they had drunk the water, they had no facilities to relieve themselves. We run into so many big issues like that. I am all for females being in the brigade.

Ms HARTLAND — But you have got to have the money to provide the facilities.

Mr MURPHY — Exactly. There are a lot of things you have to change at the station and away from the station.

Ms HARTLAND — The government has talked about that there will be substantially more money for CFA, but it sounds to me like what you are saying, and we have heard this from other people, is you need guarantees that that is an ongoing amount of money rather than this year you get this much and next year you get — it needs to be a long-term commitment.

Mr MURPHY — Yes. I cannot sit here and exactly quote it, but I would imagine if the amount of money that has been given to the CFA over the years has increased each year, then it possibly is not enough with the growing costs of everything and more integrated stations and the cost of wages and everything else. But it probably needs to be set at a certain thing so much above CPI and everything else so that there is a guarantee that we will have enough to go right through the system.

Mr CLOUGH — Can I just comment on what Greg is talking about? You were talking about toilets and funding. I think in district 20, under their current financial structure, they have got enough money to do two toilets a year or something like that. So with 60-odd brigades it is going to take 30-odd years to achieve that on the current funding. Therefore budgeting is a very big concern. It needs to be looked at or prioritised and put into a fixed budget so they can work on a plan to increase it.

Ms HARTLAND — So they know what they are getting. So with the issue around secondment, and this has been raised with us quite a bit. It feels like to me that again it is part of that uncertainty and that if you knew that the people who were going to be seconded back to you were the people who had bushfire skills, who had training skills or were people who knew how to engage with people, if you knew that there was a pool of people, that that is where they were going to be coming from. And as I understand it, because it has been raised that they will just rotate every six months, they will be on five-year contracts. But we will get that confirmed. What are the questions you want us to ask of Steve Warrington or Craig Lapsley or someone at that level? What are the three really important questions you want us to ask about secondment?

Mr MURPHY — I guess at the moment probably the time frame. I mean, I have got no doubt in most districts that the operations manager and the operations officers have not necessarily set agendas but they have got ideas and plans started and in place that they still want to implement over a period of time. It would be a shame to see some of those things started now and then, as you say, if the rotation is shorter — even at a five-year interval it might not even be long enough for some things. Some of the things that are really good for the volunteers and the districts might just get carved up or just stopped all of a sudden and we are in no-man's-land. So just sort of having that continuity that we know it is going to be seen through and not be jeopardised down the track.

We have got a lot of good plans happening from the district management team in district 20 with our operational team of getting more volunteers involved in select committees and stuff like that to really drive a lot of things within the district to get momentum running and get more volunteers involved. If somewhere along the track that gets curtailed and then the next person comes along and does not show as much want to see that being fulfilled or carried on, it would leave the volunteers fairly flat fairly quickly unfortunately.

Mr NICOLL — I think it is difficult with the FRV people coming in how you are going to guarantee who can come to be seconded and not in a workplace. If the job becomes vacant for a fire officer at Swan Hill, everyone in FRV should be entitled to apply for the job; they would have to meet key selection criteria and things like that of course.

But the fear for the volunteers is that we are going to have a lot of people from a strong union background from the metropolitan brigades that want to come to Wangaratta to retire or come to Swan Hill to retire and take up these positions. To be a staff member in the CFA is quite unique. There is a specific culture that we have as volunteers. They need to understand that the clear support of a staff member is to supplement and support the volunteers. A lot of the metropolitan people have not experienced that through no fault of their own — they just do not quite understand. They just do not quite get it. Our fear is that that will make it very difficult, should those people take up positions within the CFA, to support the volunteers.

They have to have a clear understanding of how we operate. That is why in our career stations probably the best career firefighters are ones that have previously been volunteers. And we have some very excellent career firefighters that have been volunteers prior to them joining. We also have some excellent people who have not been volunteers but they understand the culture of how CFA and the volunteers operate. So if Mr Warrington is selecting people to go to the stations, they have to understand how we operate and that they are there to support us. Being volunteers, we are not very union orientated. Our big fear is that the union influence will affect the way we operate and restrict the way that the volunteers in Victoria operate. That is probably one of the biggest fears if they were to select people like that to come in.

Ms LOVELL — I just want to explore the secondment of the middle management a little bit more as well. We heard very clearly on Monday in Wangaratta from the three officers in charge of the Wangaratta, Wodonga and Shepparton stations and also from the volunteers that they feel it would be much better if the legislation allowed for CFA to employ their own middle management. Do you share those views?

Mr NICOLL — I do, definitely. Why can we not employ our own management? We are our own organisation. If we did that, they would operate under the chief officer at his direction and under the rules covering the CFA. They are not obliged to an EBA or the UFU or anything like that. They can operate and run our organisation. To me personally, I think that would be an excellent way to operate.

Ms LOVELL — Anyone else have views on this?

Mr CLOUGH — I think that is probably one of the major stumbling blocks — that if we are going to second people from the FRV back to the CFA, it impedes the chief officer and his ability to manage his organisation. I think the system we have got now where we bring our office staff up through the system, and they understand the system and are volunteer orientated — they understand the volunteers because it is a very unique system that we operate under. I think that is probably one of the biggest stumbling blocks. I think it is has got to be most important that we can maintain the system where senior and middle management staff are part of the CFA and come through the CFA system from the ground level.

Mr MURPHY — Probably just on the training point, having people there that stay there, understand the volunteer need and the way it works. A big percentage of our training now is generally done at night-time when we are finished our normal day of employment with our employer, and then we will give up our weekends to finish the course or whatever. Whereas the secondment-type people might say, ‘Well, I am only going to train at certain hours’, the chief could be asking that this be done at certain hours and there could be a fair bit of disagreement. We do not know. We do not understand how it could work or should work. But you can sort of see some flaws in it that might have an effect on the volunteers. And all the training that we need to do to keep up and do the job for the community could be hampered by some of those things. As I said earlier, at some of the integrated stations that we have now I am sure there would be a terrible lot of training that goes on to groups of volunteers that can happen now, but that fabric may well be broken by this secondment-type scenario in the long term. So we do not know, but it does not necessarily look all that rosy from what we do know at this current time.

Ms LOVELL — Do you also think that it might actually add an incentive to a lot of volunteers to actually go on and take some of the higher level training as incident controllers and things like that if they saw that as a pathway perhaps into that middle management level?

Mr NICOLL — I think it would. I think it is incumbent on a manager of any business, whether it is CFA or the new model of CFA we are looking at, that that person has control over his staff or employees and has clear directions on what they can and cannot do, so it would enhance the fact that maybe volunteers will like to take a step up or become permanently employed with CFA and run middle management jobs or run incident controller

jobs or things like that. So I think it is a clear pathway, but only as long as the chief or whoever is running the organisation has the ultimate control over their duties, how they operate, and they are not controlled by an EB that makes their duties restrictive within the CFA, as the CFA is at the time. They need to be under the control of the person managing the business or the organisation, and I think it is very, very important that that happens. My fear is that someone who is seconded in will be still under the control of an unworkable EBA that will affect the way that CFA operates with the volunteers and affect their operations. I hope that is clear.

Ms LOVELL — Yes, terrific. Also, Paul, you talked about the separation of the integrated brigades into career and co-located brigades, and you said that volunteers may lose some sense of value. We have career firefighters telling us that they believe that this will make the volunteers more focused and more responsible. Do you see that happening? Why do you fear that they will lose their value and that we will lose volunteers?

Mr NICOLL — Have they have said that volunteers will be more focused in purely a volunteer brigade, and that is the integrated brigades saying that?

Ms LOVELL — Yes, those that will become co-located.

Mr NICOLL — Are they co-located in one station, or are they separated into two separate stations?

Ms LOVELL — At the moment the government are telling us they will be co-located in the one station. I would be interested in your view, having come from an integrated brigade, whether you think that is long-term sustainable as well.

Mr NICOLL — A co-located brigade would end up having a captain, I would assume, and volunteers. For example, at Shepparton or Wangaratta — I know you are from Shepparton — I think that would work reasonably well. It depends on what staff model comes in from other areas. It might work really well in Wangaratta or Shepparton now, but once you get people who have not got a CFA background — for example, MFB firefighters transferring in under this new model — I think the culture in the brigades will change and that it will be very difficult for the two services to co-locate in the one area. There will end up being a line drawn down the motor room and you cannot cross it. You are a volunteer one side — —

Ms LOVELL — If you are allowed in the truck room.

Mr NICOLL — You have probably heard that all before. It happened previously in the CFA when we had the rural and the urban volunteer brigades working, and that is why CFA changed the model to just one fire brigade, whether it is urban or rural. From the experience CFA has had, that rural and urban volunteer thing did not work, which is why we are now one brigade in a town. The same thing will happen when you have an integrated and a volunteer model in the same station. Eventually — maybe not tomorrow, but maybe in two years, five years or 10 years time — there will be two separate fire services working out of the one shed, and there will be different sets of rules, cultures, and it will all be very uncomfortable to work in. Hence the volunteers will say, ‘We’re not valued. We’re disenfranchised. Why would I bother doing this?’, and they will go, and you will end up having no volunteers. That is how I read it at the moment.

Ms LOVELL — Also a lot of my volunteer brigades have been telling me that when they brought in the minimum skill levels, which was in the 90s or something, they lost a lot of good volunteers who felt offended by it, and now they are seeing the ramifications of that — of not getting the second generation of those families — whereas volunteers in the fire brigade have been very generational, where dad is involved, the kids become involved and things like that. Do you see any sort of fallout from these changes and loss of volunteers as having that same effect into the future and being negative to the recruitment and retention of volunteers in the CFA?

Mr NICOLL — I know a number of members that are considering leaving should this change come in. They have said, ‘Why am I going to bother? Why would I do it?’. That is the fear — that we will have people who will just simply walk away. It did happen with that change in training, and there were a lot of generational things as families went through it. I think eventually that is changing around, but as I said, my biggest fear is that members will just simply say, ‘No, I’m not having a bar of this — I’m walking away. We don’t get paid, we don’t need to be there; we’ll just go’. Hopefully I am wrong, but that is the general feeling I am getting from many brigades I have spoken to around the state, including the ones in outer metro Melbourne.

Mr MURPHY — It is probably just unfortunate that at the time when that training came in it was fairly rigid, where if they had been able to do a recognition of your skill and tick you off that way, it probably would have kept a lot of people in, but a lot of members that were 30, 40, 50-year-plus veterans did not feel like they wanted to go back to school anymore. They already knew the skill. They could prove it out on the field with what they have done for many years previous, and they were instilling that in the younger generation, or their own children and then their grandchildren or whatever that came through. It was just one of those things. It was probably just a culture thing at the time. It was just a little bit too rigid instead of being like a lot of our training now, with recognition of prior learning, and you can sort of prove it and we can go on.

Ms LOVELL — Or, again, something that was poorly implemented without consultation of volunteers, as this is.

Mr MURPHY — Probably a little bit in that stage, yes.

Mr LEANE — Mr Nicoll, this is probably following on from your answer to Ms Lovell. You stated your belief that volunteers at integrated stations will leave in droves. We have had different evidence from different integrated stations that that may not be the case in their instance. You said to Ms Lovell you have spoken to a number of volunteers in outer Melbourne. Is that where you are basing your view that volunteers will leave in droves?

Mr NICOLL — Yes, it was part of my views, but just from generally talking to people in my brigade, if my brigade was to become an integrated brigade, there are a number of people that would leave. I believe that my brigade is on a list, somewhere along the line, to have permanent paid firefighters.

Mr LEANE — Are you basing it on the VFBV's advice as well? Because we asked Mr Ford if he had been to any of the integrated stations in Melbourne in particular to speak to the volunteers — and he said no — about this reform. So are you basing it on advice from him?

Mr NICOLL — No, not from him. I have a lot of friends in outer metro Melbourne and particularly in region 8 that I talk to that are members of brigades, and that is their fear as well — that the current model that has been proposed is going to become extremely difficult for volunteers, particularly in those integrated brigades, and that that flow-on effect will happen to the nearby brigades, where they will be overrun by a permanent staff brigade and that the volunteers will simply lose interest, not feel valued and simply go and find something else to do.

Mr LEANE — In your submission you stated that some of the volunteer brigades' response times are as good as some of the career brigades'. What are you basing that on?

Mr NICOLL — I am basing it on figures that the CFA have on their website and my knowledge of how some of the brigades operate in Melbourne, brigades such as Werribee, Edithvale. Their times are just as good to get out the doors. They have a 4-minute time, most of those brigades; the staffed brigade has a 90-second time. So those brigades are getting out the doors in their required times.

Mr LEANE — It is in my title that I am a metropolitan MLC, so if you could give me licence to talk about metropolitan Melbourne, I have a concern if suburbs that come under the area I represent come under one form of fire service protection and other suburbs do not. And I think it makes sense that there should be some form of standardisation for the expectations of the people that I represent, the community. There has been some hoo-ha in the media that people in, particularly, rural brigades will be offended — it will hurt their feelings — if the fire services in Melbourne are standardised. I do not believe it, because I believe you are stoic, brave people. I do not believe it is going to hurt your feelings, but will your feelings be hurt if sometime down the track because of the growth of Melbourne there is a standardisation of the services?

Mr NICOLL — No.

Mr LEANE — I deal with organisations like the Salvos, the Leukaemia Foundation and a number of disability support groups, and I have for the last few years. I have got grey hair, so I am not going to do 'kids today' stuff, but it is a new world and it is getting harder to get people to volunteer for a lot of very good, worthwhile causes in Melbourne. People that live in Springvale and Rowville and Craigieburn believe they live

in Melbourne, and they would not even care. They just care that a badge turns up when there is a fire, so they would not even know — —

Mr NICOLL — That red truck turns up; that is all they care about.

Mr LEANE — Yes, that is right. With the growth and the reliance on volunteers — this is what I believe, and it is just for you to comment on — I believe that we need to take into account with the growth that we are not going to be able to obtain as many volunteers as we used to because of changing generations. We need to take that into account into the future, particularly because of the growth. Is that a fair — —

Mr NICOLL — That is a fair assessment.

Mr LEANE — Okay, thank you. The other thing about the outer suburbs of Melbourne is that — —

Being a farmer, Mr Pickthall, I imagine you work where you live.

Mr PICKTHALL — No, I do not. I am not a farmer, number one.

Mr LEANE — I thought you said you were a farmer.

Mr PICKTHALL — No, sorry. Our area is all farmers. I live on the edge of Echuca, in Echuca. I turn out to nearly every incident. Because of my age now I do not fight fires, because it frightens people, but I do reports and the safety aspects of all our members who are out on the job. I travel to the brigade and do all their office business work as the secretary.

Mr LEANE — I gleaned that from your evidence, but as they say, never assume anything, and I apologise for the assumption.

Mr PICKTHALL — That is all right.

Mr LEANE — But the people in the brigade, the farmers — I am sure I have read — work where they live. People that live in Dandenong do not work there; people that live in some of the outer suburbs of Melbourne, the growth suburbs, do not work there. We had evidence from a volunteer the other day that during the day they can get two volunteers because people are at work. This is another thing that I think the government, or any government — the state — has to take a view of and take responsibility for.

Mr NICOLL — That can be problematic in some brigades. That is why the integrated model is often brought in when a brigade cannot provide that coverage during a certain time — that they will put permanent, paid staff in. We used to have a model where we used to have just daytime manning for some stations. That model is not acceptable to the union; it is either everything or nothing. The daytime manning provided very efficient coverage for a town that maybe the workers went to Melbourne — ones at Kilmore, Wallan, places like that. It also provided manning for holiday destinations such as Lorne and Falls Creek and places like that. In busy holiday periods where it was difficult for the volunteers to actually respond or get to the stations to take the appliance — putting a staff member in there so you got a guaranteed truck being dispatched to the job — is a good model and that worked very well, but the current model that this is, is either everything or nothing. You cannot have the balance in the middle.

Mr LEANE — I just want to flesh this out. It might be a bit of a tangent, but regarding some of the terminology, such as ‘strong union background’, if someone comes with a strong union background, does that make them a bad person?

Mr NICOLL — Not at all. I am part of the union in my work, and that is not a bad person. It has to be balanced and involve understanding, and that is the fine line. You all know that.

Mr LEANE — As I said, it might have been a bit of a tangent. Mr Pickthall, I imagine your brigade is a rural brigade.

Mr PICKTHALL — It is, yes.

Mr LEANE — There are concerns about a union takeover. I do not know if that looks like a heap of guys with red bandannas running over the hill, over the dale or something like that, but could you unpack that?

Mr PICKTHALL — They are not afraid of unions, and anyway their concern is their training. Our brigade is growing, and the concern is the training. It was brought up before — the times. They all train of a night or weekends. That is when we do all our training. I have taken leave to do some leaders courses. But that is what they are concerned about. They are not afraid of the union, but they are concerned that with having staff that come under an EBA the volunteers are not going to get the times they need to do their training.

Mr LEANE — You are worried that the trainers will have restricted hours of work that are not flexible enough to satisfy the flexibility that you need as volunteers.

Mr PICKTHALL — The possibility, yes, that for all our training — everything we have to train for — we just cannot take time off.

Mr LEANE — I am glad I have fleshed that out because that is a concern that we need to look into. At the moment, the trainers and the middle management that are paid staff of the CFA, I imagine, would be people of higher integrity that you enjoy working with, that you would be mates.

Mr NICOLL — And most of them are in a current union at the moment, and we have no issue with them whatsoever. It is just that there are some shifts on integrated stations that volunteers will not turn out with, purely because that shift is a very ‘radical’ shift — if you like to use that word — or a unionised shift, and the volunteers find it very difficult to respond. I do not want to mention specific stations, but I am aware of some where volunteers decide not to go because it is a difficult shift. They are not very welcoming of the volunteers, not very supportive of volunteers. It is done this way because that is the way the current union says that we will operate.

Mr LEANE — Just on your scenario, if there is a reform, then an individual might be placed by the new entity into a region, as a trainer or a middle manager, that does not fit in.

Mr NICOLL — That does not fit in?

Mr LEANE — That does not fit into the ethos you believe is very important. I hope I am not verballing you.

Mr NICOLL — No, I think I understand where you are coming from.

Mr LEANE — I am trying to draw out from what you said. Because they are CFA staff, is there a possibility of that happening now? Is there a possibility that one of your middle managers retires and the CFA sends someone up — someone from Melbourne — who thinks, like you said, ‘I wouldn’t mind retiring up here’, and they are just not right.

Mr NICOLL — There are some like that.

Mr LEANE — There is a possibility that can happen now.

Mr O’SULLIVAN — Thanks for turning up to appear at this very important hearing that we are undertaking. One of the things I wanted to ask a couple of questions about — and it follows on from where Mr Leane was going with some of his comments in questions — is that I want to ask the question about the culture of the fire services in Victoria. At every hearing it is brought up as an issue in terms of the culture that we have with our fire services. It appears that the culture is pretty good in some areas, but it is pretty ordinary in some other areas as well. It seems to be not just a new scenario where there is a recent cultural problem that has emerged; it seems to have been going over a period of time. Why is it that the fire services have got such a cultural problem at the moment, and over the journey as well?

Mr PICKTHALL — I do not see a problem. With the strike teams that we go on we go into areas where there are firefighters — volunteers — from all over, including support staff. They are from all over the place. It is one of the strongest bonds you can ever feel with everybody else being there, and in the danger that we do have, the safety of having all these people around you who you trust. I cannot see a bad culture. I have never seen a bad culture yet. Okay, there have been incidents where you have had individuals with different problems

in a couple of local brigades I have belonged to in the past; however, the with support and the safety feeling you have with everybody else, there is no bad culture at all.

That sort of riled me when I heard that coming up, because I have never experienced it. When you are in a place where you have got flames flying up all around you, all you are thinking of is, 'Those guys down the road, I hope they've got my back', and you know damn well they have. That to me is a good culture, and that is how I see the volunteers and our support staff when we are out on the field.

Mr O'SULLIVAN — Yes, and I think everyone would agree that that is how it is out in rural brigades under the heat of a bushfire, but Mr Nicoll was just saying how that is not the case in other scenarios where volunteers will not actually turn out.

Mr NICOLL — In some, and they are not significant times; they are only minor things. But in a lot of the brigades there are some very good cultures — in a lot of the country brigades and even lots of the metropolitan brigades. It is only some particular shifts that seem to have an issue where they do not work well with the volunteers in stations.

Mr O'SULLIVAN — And will this legislation make that better or worse?

Mr NICOLL — I think it might make it worse by the fact that if we are to expand the service, as it is planned, the cancer might spread further. We want to restrict that so it does not spread. The volunteers and the integrated staff that we have at the moment get on very well and operate as one as a fire service. My fear is that if we get too many people in that are like — I am just trying to get my words right — —

Mr LEANE — But you are a union member too, you said.

Mr NICOLL — I am a union member, not of the UFU. But it might affect how the brigades operate. The culture in a lot of the integrated brigades the CFA have is fantastic. I have worked in integrated brigades, and we had a brilliant relationship with our staff. They were really, really good. There were just a minor few that caused significant issues at some stations.

Mr O'SULLIVAN — Mr Nicoll, I just want to explore something else that you said a bit earlier in terms of your fear in relation to the surge capacity — that it is going to have a negative impact on volunteers and might actually lead to a decrease in volunteers in the future, particularly in the metropolitan area in terms of the surge capacity. If this legislation does actually occur as it is currently drafted and what you see playing out does actually play out, what is that going to mean for community safety, particularly in the regional areas in a campaign fire when it happens in five or 10 years time?

Mr NICOLL — It is going to have a significant impact, a very detrimental impact. I know with the campaign fires we had in 2007 in the north-east, brigades in this area were constantly going to the north-east every day, but if we had not had the ability to have the brigades from outer metropolitan Melbourne send their teams to assist, we would have been there even more. It was really, really big. My fear is that the capacity for them to provide their strike teams and their tankers will be significantly reduced by the fact that the volunteers will lose interest and simply leave the CFA.

Mr O'SULLIVAN — How will that void be filled in the future?

Mr NICOLL — I cannot see it being filled. That is the danger. I cannot see how we can do it, unless we pay people and put paid firefighters everywhere, and I do not think we can afford that as a state.

Mr MURPHY — I think it will be a gap that will be created that will never get filled again in that scenario.

Mr O'SULLIVAN — That is pretty frightening in terms of public safety because I think that every person in Victoria, once that siren goes off or once there is a fire, a bit of smoke, wants to see the red trucks coming over the hill.

Mr PICKTHALL — With the rural brigades as well, you have a lot of them who cannot go out on strike teams; they may send one or two from their brigade. But you have the stronger brigades, like our brigade. During the fire danger period we are on every second week for strike teams, and we are also on for immediate

strike team, which means the pager goes, we go and we are off, but it is all set up. That puts a strain on all the rural brigades if we are not getting that surge from outer metropolitan area as well, because having the paid staff there, who are not a necessity, means these volunteers can be released because we know they are covered — their community is covered. We are going to put a bigger strain on the other rural areas, taking more people out of their own communities, and that is something that could be a problem for the future.

The CHAIR — Gentlemen, thank you very much for your evidence this morning and for your written submissions. The committee very much appreciates your attendance today and your answers on this very challenging issue for the committee and for the Victorian community. We will have a draft transcript to you in the next couple of days for any corrections that you wish to make. Thank you for your time this morning.

Mr NICOLL — Thank you, Chair. Thank you for listening to us.

Mr MURPHY — On behalf of us four, I would like to say thank you for the opportunity to come along and have a few words and put our case forward to you guys for your recommendations.

The CHAIR — Thank you, Mr Murphy.

Witnesses withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Swan Hill — 12 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Ms Wendy Lovell

Mr Cesar Melhem

Mr Luke O'Sullivan

Ms Harriet Shing

Mr Daniel Young

Substituted members

Mr Shaun Leane for Ms Harriet Shing

Witnesses

Mr Mick Lavery (sworn), acting officer in charge, and

Mr Peter Polwarth (sworn), brigade chairman, Country Fire Authority Bendigo;

Mr Mick Sporton (sworn), acting officer in charge, and

Mr Hayden Smith (sworn), first lieutenant, Country Fire Authority Mildura; and

Mr Dennis Turner (sworn), captain, Country Fire Authority Swan Hill.

The CHAIR — I declare open the Legislative Council select committee inquiry into the fire services restructure. I welcome from our local CFA integrated stations this morning Mr Mick Lavery, acting officer in charge, CFA Bendigo; Mr Peter Polwarth, brigade chairman, CFA Bendigo; Mr Mick Sporton, acting officer in charge, CFA Mildura; Mr Hayden Smith, first lieutenant, CFA Mildura; and Mr Dennis Turner, captain of CFA Swan Hill.

Gentlemen, thank you for your attendance here this morning. All evidence that you give today is protected by parliamentary privilege. However, any comments you make outside the precincts of this hearing are not protected by parliamentary privilege. All evidence is being recorded by Hansard this morning, and you will be provided with a proof version of the transcript in the next couple of days for any corrections that you need to make. All evidence in this inquiry is being given under oath or affirmation. The committee has allocated 1¼ hours for this particular hearing, so I would invite you to make an opening statement, if you wish, of no more than 10 minutes combined, and the committee will then proceed to questions. Thank you for being here this morning.

Mr SPORTON — I will start just briefly with a bit of my background. I have been involved with the CFA for more than 30 years, including my career staff service. In that time I have worked at quite a number of integrated fire stations in regions across the state of Victoria. Currently I am acting in the role at Mildura of officer in charge. Normally I am a senior station officer working on shift, so working very closely in responding to fires but, more importantly, working very closely with not only our volunteers from my brigade — or whichever brigade I was stationed at — but also volunteers from other brigades around the state as well.

I have also been involved in the integration of new CFA stations, where we have gone from a totally volunteer model to an integrated staff model, with some success in that area. I think the most recent one I was involved in was the integration of the Craigieburn fire brigade in district 14 in the north of Melbourne, which had some success. I think prior to the integration of that brigade the station officers identified that they would like to move to that brigade and start the integration process. We went through a process where we actually met with the brigade before we were actually appointed to those positions and just basically got a feel from the volunteers for how they wanted us to do it, what they wanted out of us and what were their expectations. We responded to what the career staff do and what they provide to the volunteers, and we worked out a bit of a model for how we were going to integrate the career staff into that fire station for the benefit of the brigade and the community as well with quite some success. I think it is still probably one of the most harmonious integrated fire stations in the state.

The CHAIR — Thank you, Mr Sporton. Gentlemen, would you like to make any opening comments?

Mr LAVERY — Yes, rightio. I am at Bendigo fire station. I am the same as Mick. I am a senior station officer after 22 years, and I am acting OIC at Bendigo at the moment, so I am looking at both sides of the fence. We have got a great relationship with our volunteers, both at Bendigo and at surrounding brigades, but we recognise that integration probably did work very well at the start. But now we have got plenty of staff so we turn up to fires and incidents and we get the job done in plenty of time, and the volunteers barely get a look in, I am afraid, and they tend to drift off into other areas. So if we do have integration, it will be great. The volunteers will have their own identity, their own stations, their own equipment, their own appliances. They will have ownership. They are the masters of their own destiny, more or less, aren't they, Pete?

Mr POLWARTH — Yes.

Mr LAVERY — So, yes, we are all for the idea. We would like a bit more detail on how it is going to happen, but apart from that, from our point of view it would be good at Bendigo.

Mr POLWARTH — I have been a volunteer for 54 years in about 15 different brigades due to my employment. I have certainly learned a lot from working in an integrated station at Bendigo, and this is my first experience of that. I have been in Bendigo now for about 25 years, and one of our aims was to work with the career staff after having a pretty rocky start due to a couple of personality clashes, I suppose. We have worked very hard to get on with all of the staff, and we have achieved that no end. The integrated station has worked really well, and we are of the opinion in the whole brigade that if we move and co-locate, it will be a good thing because nothing will change except the badges that we are wearing on our uniforms. So there are a couple of

questions where we are a bit like everyone else and no-one knows how it is going to work yet, but when we know we are going to have a bit more of a think about it. Generally we are pretty happy.

Mr TURNER — I am Dennis Turner from Swan Hill. I will just give a purely volunteer aspect of the planned merger. Swan Hill is located approximately 2 hours from Bendigo and approximately 2 hours from Mildura, so we have no integrated station anywhere near our area here. Swan Hill would be the largest brigade basically from Bendigo through to Mildura with the number of call-outs that we do in this area here.

We have got a very diverse group of brigades in the Mid Murray group, which is the local area here. We have got Swan Hill, which does approximately, say, 150 calls roughly a year, and the smaller brigades that only do one or two calls a year. So the problem we have in our local area here is that the larger brigades that have got the finger on the pulse of what is happening with CFA have some idea of what is happening with this merger, but we have got smaller brigades that really are only active when it becomes harvest time that are completely in the dark as to what is happening with this merger.

With the amount of information that does get out, we are fairly lucky in Swan Hill. We have a very good relationship with our regional office, and the regional office keeps us very well informed, but as I said, we have got some smaller brigades that are really only active when it comes to summer time and cropping time that are really hung out in the dark here and have no idea. We have had guidance from district headquarters which has been fairly good, but the information flow to this end of the state has been very poor, so we are very well in the dark of what the rules and regulations of this new merger are going to be.

Mr SMITH — I have been a senior volunteer for 14 years in the central Victoria and Geelong district. I have just moved up to Mildura for work. I am only new to the role of being an officer of the brigade at Mildura, but I was an officer in other brigades. Really our direction with the brigade is that we would like to co-locate still with the staff and volunteers, but there is just the uncertainty of the intricate details of how things are going to work.

The CHAIR — Thank you. I would like to open questions now. Can I go back to your opening statement, Mr Lavery, around your experiences at Bendigo, where you said that with the current integrated model in Bendigo volunteers rarely get a look in. I think that was the phrase you used. Can you explain why that is?

Mr LAVERY — Yes. When Bendigo opened there were only four people on staff to go to fires, and if you get a decent size fire four people cannot do all the work, so we need the volunteers to back us up. Now we have got eight staff to go to fires. By the time the volunteers get there most of the work has been done, so for 90 per cent of the fires there is nothing for them to do I am afraid. Naturally they say, ‘Why am I here?’.

The CHAIR — So what has that meant for volunteer participation in Bendigo?

Mr LAVERY — It makes it difficult when they look at surrounding brigades where they get to drive a truck, they get to put on BA, they get to go and do the work at the fire, whereas our volunteers do not get that opportunity.

The CHAIR — Have you seen a drop-off in the number of volunteers who engage with your station as a consequence?

Mr POLWARTH — Yes.

Mr LAVERY — Yes.

The CHAIR — What sort of numbers approximately? Do you have a rough idea of the number of volunteers that you have had associated with the brigade and where it has diminished?

Mr LAVERY — I would have to ask Peter.

Mr POLWARTH — Thirty per cent.

The CHAIR — Thirty per cent. Over what period of time is that?

Mr POLWARTH — Ten years.

The CHAIR — Right. And roughly what sort of numbers?

Mr POLWARTH — Twenty or 30 people.

The CHAIR — Have fallen away?

Mr POLWARTH — Yes. That is not the sole reason they leave. Employment is the biggest one. It is where people cannot get time off work to remain in the volunteer service. As most people are aware, time is money and you cannot get time off work to just up and go like we used to be able to do. That is a big factor. But we tell our people when they come in to join that that is what it is like. We go along and we drag hose. Very rarely do they get to drive vehicles et cetera, and most of them accept that once it is explained to them — that that is what we do, except when we go away on strike teams it is a different story. It has worked reasonably well. They lower their expectations and they are not disappointed.

The CHAIR — One of the other comments you made, Mr Lavery, in talking about the role of volunteers under a new model is that you said that volunteers will have their own station, equipment et cetera. What is your understanding of that, because the committee has heard various views on that — as to whether there will in fact be dedicated stations for volunteers alongside the new FRV stations? What is the basis of your understanding that there will be separate volunteer stations?

Mr LAVERY — I might have to take that back, mightn't I? I do not know. It would be nice for that to happen, but — —

The CHAIR — As I say, we have heard a number of different views.

Mr LAVERY — All right. Currently at Bendigo, as I said, the station was built in 1984 and we are bursting at the seams. So if we introduce more equipment and more appliances to make the volunteers a separate brigade, I do not know how we would do it at the current location. If we could build a new one, that would be great. If we had some money — do you want to give us some money?

The CHAIR — It is a bit beyond the remit of this committee.

Mr LAVERY — Yes. So I am not sure about the station itself, but to have their own appliances and equipment, that is more what I was thinking of.

The CHAIR — Have you received any advice or information from within the CFA hierarchy that points to that being the likely outcome?

Mr LAVERY — No.

The CHAIR — Have you received any advice or information from the CFA hierarchy as to how the new structure will work at all?

Mr LAVERY — No.

The CHAIR — Is that a common view?

Mr POLWARTH — Yes.

Mr SPORTON — That is pretty much standard. As we say, we have been lacking the detail really. We can only surmise or have our own views as to where we might want to head, and that makes it difficult for all of us really to be able to provide with some certainty a direction that we are travelling in.

Mr TURNER — What we probably need to understand is whether or not the CFA can coexist in the same station as FRV. That is probably one of the questions that really has never been answered: if they are going over to being a purely FRV station, is it going to be, can it be or will it be a coexisting station with the CFA? If it cannot be, you then need to work out whether you can relocate your volunteers, with gear. Then you need to work out whether you can have an assignment area for that new brigade. So it is not just a matter of whether

they can go into the FRV area. If they do not have an assignment area, they do not have a response area, so then they are only going to be a backup brigade for FRV and a backup brigade for the rest of the CFA stations that are in that area as well.

There is a lack of information, and it is probably very early days, but in the New South Wales fire model service they have a retained staff. I will give you the example of Barham, which is only 70 or 80 kilometres from Swan Hill. They have a retained staff there which get paid for calls and paid for training, but they are only responsible for the urban area of the town. If there is a grassfire on the outskirts of town, they are not responsible for that and it goes back to Bushfire New South Wales, so the bushfire brigades handle that. The new FRV model and the CFA model might work on the same aspects. So it is like Mildura. Mildura is responsible for the Mildura urban area, and Bendigo for the same, and then if there is anything on the outskirts, they would not respond to it, and the CFA volunteer brigade — that would then be their assignment area.

The CHAIR — Just to be clear on the New South Wales retained model, basically retained firefighters are paid per engagement — —

Mr TURNER — Per engagement — so they are paid for training and they are paid for fire calls. It is not a huge amount of money. It might only be, like, \$20 for training and, say, \$25 for a fire call — something like that. But their model is that they only respond for the urban area of that township. They are not responsible for anything on the outskirts of that town, unless they are requested to go. You have got Barham: if they do not have enough staff left in the town, then they have got to backfill from Deniliquin. Then those people that backfill get paid from the minute they leave. If you are going to do the same sort of thing for the new model for the CFA and FRV, then you have got those issues you need to work out as well. But the main thing you probably need to work out is whether they have an assignment area or not.

Mr POLWARTH — I would like to think that nothing will change in that regard — that if there is a fire on the outskirts of Bendigo and the current career staff respond to that straightaway, that will continue. I think that would be absolutely marvellous. It has to happen. We were one of the first areas in Victoria that had the helicopters responding with the tankers, and that worked really well — between the career staff and the helicopters attacking the fires, even on the outskirts of the town, and within 50 kilometres, that stopped us having major fires. I would like to think that that will continue. I support you fully in that.

Mr MULINO — I just wanted to follow up on this issue of some of the challenges in the integrated model, particularly in areas where there has been a growth in career staff. One of the issues that was flagged yesterday is that at the moment, for example, in an integrated station where a career truck gets out the door in whatever time it is, that is recorded and then often there is no time recording, for example, of when volunteer trucks get out. It was contended by somebody that it will actually help to boost interest and morale in volunteer brigades potentially if there is separation in that they will then have more transparency and more autonomy in a future model. Is that part of what you think might work better for volunteers in a model where there is more separation?

Mr POLWARTH — I am a bit unsure on that. I think if we had to respond out of Bendigo — I live pretty close to the fire station, and during peak hour it would take me a minimum of 10 minutes to get to the station from home, and I do not think we would meet our turnout times. If I get there and I still have to wait for a crew to respond, I think we are going to be a lot slower getting out the door. At the moment our career staff respond to a call straightaway — we go from work or home, and I think we get there pretty quickly, except if I am in bed asleep. What are your thoughts?

Mr TURNER — Coming from a volunteer station, the turnout times are tough to meet, especially with traffic conditions and those sorts of things there. Speaking about a larger area, travel times are going to be one of your main things. If you have, say, a volunteer brigade tacked onto the side of career staff, that is fine if they are only backing them up, but same again, if they are going to have a response table area and it extends to the outskirts of the primary area, travel times will kill them. They just will not be able to get trucks out the door to do that sort of thing, especially from one side to the other. As I said, if we can get career staff to work in with CFA staff, the merger would be a success. In areas that that does not happen and brigades still want to form their own identity, well, that is your challenge: how you are going to work out what their response area is going to be, their travel times, what they can do and what they cannot do.

Remember too that if you have got volunteers that are at work, they have got to get away from work and they have got the travel time to the station to get the appliance, get the gear and get directions to where the job is. In an urban area, where it is 4 minutes from the time the siren goes off to the time the first truck has got to be out the door — and then, depending on the location of your incident, whatever your travel times are going to be — they get tough, they really do. Whatever shape of model we get, there has got to be across-the-board support between the FRV and CFA, regardless of how we do it. Otherwise the model will not work.

Mr MULINO — In some of the early discussions I have witnessed in the integrated stations in my electorate, Eastern Victoria, there has been some concern about some of the lack of clarity, but I think it is also fair to say that a lot of the stations welcome the idea that there is going to be flexibility in terms of how each station finds a model that works for them. In a sense there is this trade-off where the legislation is going to provide a framework, but through the implementation process it will allow stations a bit of flexibility. Is that capacity for each integrated station to work out their own model something you think is valuable?

Mr LAVERY — Definitely. We have got eight people on shifts now at a time, but we have got five vehicles. So for each different type of call, fire incident, whatever, we need to have the flexibility to choose which vehicles to take, which appliances to take, what equipment to take, how many people to take. We need to be able to cross-crew on appliances — we want people to take the aerial appliance or the tanker or a pumper or our protective equipment to different jobs so we can fight the fire the best way we can. So, yes, trying to put us into boxes and say, ‘You will only take these vehicles to these jobs’, that cannot work because it is one hand tied behind our back.

Mr MULINO — Does anybody else have any — —

Mr SPORTON — Yes, I think those flexible arrangements — it is pretty much what happens at present. Most of the career stations in regional Victoria specialise in a lot of different disciplines. In Mildura we do trench rescue, high-angle rescue, steep-angle rescue, confined space, Hazmat, as well as having an aerial appliance capacity and obviously a pumper and a tanker. To allow that flexibility across all the appliances, as Mick said — it is not uncommon for career staff at Mildura to drive 150 kilometres to a fire just because of the sheer time and space, the lack of brigades and the work-life balance of our members, either during cropping season or if they are working in the cities or the larger centres, where they are obviously at work and cannot get away. So to allow us that flexibility would be absolutely vital.

But also the other benefit I can see in creating the new FRV is that it gives our Mildura brigade back its autonomy so that basically they would go back to home rule. So we would re-elect a captain, quite a prestigious position for any community. They would hopefully have their autonomy back with all the support from — and this is my view — the career staff as well in terms of training, operational support, advice and those sorts of things. I am being a little bit selfish here, but it also gives me another brigade in Sunraysia so I have got another resource there. Being such a remote location around the state, we are quite resource poor. That is just purely to do with time and distance really.

Mr MULINO — Thanks. Just one final question. One of the frustrations I think that has been experienced by both volunteers and many career firefighters is this continuing drama around EBAs. It seems like every time it rolls around — this is over a long period of time — there is all this drama, then somehow we get through it and life somewhat goes back to normal, but then the next one rolls around and it is just as dramatic. One of the goals I think of separation is to try and spare the CFA from the complexities of the IR world and EBAs and let them focus more on volunteerism as a volunteer-focused organisation. Is that something that you think would be worthwhile?

Mr LAVERY — Definitely.

Mr SPORTON — Yes, it would be nice to be able to push all that stuff aside and actually get on with the job of looking after the community and each other.

Mr TURNER — Yes. Most of the rural volunteers that you have got are really just community orientated. They are farmers, they live in the community, they work in the community and they know everybody in the community. When there is a time of need, they just want to help everyone in the community. As long as we all get along on the same playing field — if you have your FRV and you have your CFA — if they can mingle

together and work together, that is where they should be at and they should be encouraged to do so. If they cannot work together, then okay, we have got to sit down and work out how best to make that brigade a viable brigade and not just a tin shed brigade that is going to get called on to wash a fire truck. It needs to be used in the community. They raise money in the community, they are locals in the community and they want to put back into the community. So whichever way, shape or form and whatever volunteers can do for the community, they just want to do it. So we should be allowed to do that, and we should not be impeded by rules and regulations that say we cannot.

I am quite happy to have the integration of the stations and make sure that volunteers can work with career staff. I think that would be a marvellous thing. Because up in the north-west area we lack qualified trainers for structural and specialist courses, and we rely on career staff to do that training for us. If we have a split between the two and we cannot use that resource, then we have got to try and fill that resource. I know from past fact that it is very hard to fill training positions in the north-west area because of the travel distance and people not wanting to be away from the bigger city areas. So we rely on staff out of Mildura coming down and doing specialised training for our brigades, and that should continue as well.

If we are going to go two separate ways, that is fine — I have got no issue with that — but we cannot go backwards on what we have already got. Whatever we do, it has got to go forward, it has got to be the best thing for the community, the best thing for volunteers and the best thing for career staff. If we are not going to get that, then we need to stop what we are doing and go back to the drawing board and start it again. A volunteer that has been in the fire service for 50 years should not be treated like a second-class citizen. He should get the same respect he has got for the last 50 years of service and the next lot of service he is going to give. So as long as we do not go backwards on it, I am all for it, but if we are going to go backwards on it, then we need to stop.

Mr MULINO — Thanks.

Mr YOUNG — Thanks, gentlemen, for coming in today and presenting to us. I just wanted to start by asking how many staff you have at each station, and what is the structure like?

Mr SPORTON — At Mildura we have got a complement of 30 at the moment, so we are running six on shift 24 hours a day — two station officers, a leading firefighter and three firefighters.

Mr YOUNG — And at Bendigo?

Mr LAVERY — At Bendigo we have got SSO and SO leading firefighters, so eight on each shift.

Mr YOUNG — So run me through how it would work. You operate with this shift of full-time staff, and you get a call-out. Run me through the procedure of what happens. You started talking about it a little bit when you were talking about flexibility in choosing which assets you take. Can you just give me a general overview of how it actually works?

Mr LAVERY — All right. A call will come in and the two officers share the duty. So each day one is a turnout officer and one is the duty officer. One looks after all of the admin and looks after the station. The turnout officer looks after going to jobs and going to calls. So the call will come in — let us say it is an alarm of the hospital, so an alarm of the hospital will take two pumpers and an aerial appliance. It might be a grass and scrub fire. It might be in area, so we will take the pumper and the tanker. It depends on where the job is as to what we will take. What the job is and where it is will dictate how many people we take and what resources we take.

Mr YOUNG — If you were to address what you do, and someone asked you the question, ‘What do you need to do your job better?’, what is your list of priorities — the things that you want to be able to do your job better?

Mr LAVERY — As Bendigo station in the new world, the FRV world, or currently?

Mr YOUNG — No, currently. Forget this legislation, forget this bill — if someone came to you and said, ‘What do you want, what’s your wish list of things that you want to make you able to do your job better and provide a better service?’.

Mr LAVERY — All right. From a purely selfish Bendigo point of view, build us a new station. That is pretty much the basis of what we need. Our district headquarters is upstairs. They are in the process of moving out, but it is a long and slow process. If we can move them out, have a new station to work out of and bring us into the 21st century, that would be spot on. We would be wrapped.

Mr YOUNG — Mildura?

Mr SPORTON — Yes, pretty much. We were talking about the flexible arrangements before. It is a similar sort of a situation to Bendigo. So the call comes in, and if it is an in-Mildura call, there are two crews and both crews will respond to that fire. The volunteers will also come in, and they will jump on the third appliance that is in the fire station. If we are responding to a call outside of the Mildura area, the third appliance in the station is quite often the tanker. That is the appliance that most of our volunteers are incremented to drive and operate. If it is a call that requires that tanker to go, the career staff would jump off one truck into that truck and take it out to the grass fire, wherever it may be. Now, that leaves a void for our volunteers, so that if we respond, our volunteers basically have not got a truck to take. There may be a brigade ute there or similar, but it is not a fire truck. A standalone fire truck just for our volunteer brigade would raise a greater deal of interest and probably the enthusiasm and activity level. It would just provide our volunteers with the opportunity to actually get out and drive and operate their very own appliance.

Mr YOUNG — Over the course of the last couple of years that we have been discussing these things — and I have been on a couple of other fire inquiries — I have spoken with a lot of fireys and a lot of volunteers, and I have asked that question a lot, ‘What do you need? What you need to do a better job?’. It is always the same thing: resourcing. It is always the same thing. We just need more equipment, more people and more resources. Not once has anyone said to me, ‘I want to wear a different badge on my uniform and be a different organisation’. So what is it about this proposal and this bill that provides what you need, your list of priorities or things that will allow you to do a better job?

Mr SPORTON — It can provide some certainty and surety of direction in where we are travelling. I mentioned before that we could push some of these industrial and other issues to the side and then get on with the job of looking after our community.

Mr YOUNG — Right. But why can that not be done now? Why can we not move on with what we are doing now?

Mr SPORTON — It is in the hands of the people that are looking after the industrial side of things.

Mr YOUNG — If we go back to you being provided with all the extra things you need, would that not just provide a better service and we could then move on with the model we have got, with the integrated model?

Mr SPORTON — I am not sure where you are going with that with the current industrial environment, which unfortunately I do not think I am qualified enough to speak on.

Mr YOUNG — In terms of certainty, can you explain to me what certainty is going to be provided by a new service, a new organisation?

Mr SPORTON — Some certainty. We do not know what the details are as yet.

Mr YOUNG — That is a little bit of a contradiction.

Mr SPORTON — That is right. We do not know what we do not know, Minister.

Mr YOUNG — It will provide certainty, but we do not know the details. Has anybody else got any thoughts on that?

Mr LAVERY — Probably at the moment we are a political football, really, for various interest groups. Every time we have an EBA time coming up people take different sides and take turns in scoring points off us. So it would be great to be able to have our own EBA discussions without everyone else putting their finger in the pie. That would be one very important point for us.

Mr YOUNG — So what you are saying is the aspects of what is going to be fixed by this organisational restructure are simply in the EBA?

Mr SPORTON — That is one aspect.

Mr LAVERY — That is one aspect that is important to me.

Mr YOUNG — What other aspects are going to be fixed? If we go back to what I asked you before — what is your priority of what can make you deliver a better service — your priority was resourcing. Is this restructure going to fix that aspect?

Mr SPORTON — We do not know the detail. That is it, unfortunately. I can surmise. For example, at Mildura if I need to resource with personnel, it is a remote location, so it is difficult to fill. If all the state's firefighters are gathered into one body, then I have got a greater pool of people to try to coax, coerce to come to Mildura.

Mr YOUNG — If that pool was bigger.

Mr SPORTON — Yes, correct.

Mr YOUNG — But we do not know that.

Mr SPORTON — We do not know that.

Ms HARTLAND — Mick, if I can talk about Bendigo, I know there has been massive growth in Bendigo, so that is why you have gone from having four on a shift to eight on a shift. Also at Bendigo — from my having gone there — it is a very big rural city now but with lots of grassland, lots of small farms. So you have a range — you have bushfires, you have urban structural fires. So how do you think that will work then for volunteers? If they are separate, what kinds of fires do you think they will be able to be engaged in or what kind of work? Maybe both of you could answer that.

Mr POLWARTH — I would not think that the incidents that are dealt with would change. We have everything, with the exception of marine — every risk. We are getting bigger factories. We have got a massive, great hospital, and I cannot see that anything is going to change. The only questions that we had were about providing for the FRV, when it is up and running, to still allow the career people and their vehicles to respond in the volunteer areas, outside of what belongs to the CFA, like they do now. At the moment if we have a fire out on the highway between Bendigo and Goornong, a Bendigo tanker will respond to that, and I would like to think that that will continue during the fire danger period, when we have the aircraft fire bombers turn out at the same time. That is just so magnificent it is not funny, and it is proving a benefit everywhere that has got the helicopter support. That is what I think anyway.

Mr LAVERY — If we just pick up Bendigo station and make it all FRV with all the same appliances we have got now and if Bendigo volunteer brigade has the right appliances and equipment as well, it is only going to boost our chances of knocking a fire on the head quickly.

Ms HARTLAND — I did visit your station several years ago, when I was campaigning on presumptive, and I know exactly what you are saying. You are very squished in that building.

Mr LAVERY — Yes, it is cosy.

Ms HARTLAND — To the other Mick, Craigieburn: I am in a totally urban electorate and Craigieburn is actually one of the stations within my electorate. So could you talk a little bit more about when it became an integrated station? Clearly that was a growth issue. Craigieburn 10 years ago was paddocks, and now it is just a big city. So how was that integration managed? How did you work with the volunteers?

Mr SPORTON — Organisationally obviously the region had been in consultation with the brigade and basically said, 'Look, the place is expanding. Your call rate has gone through the roof. Your response percentages are unfortunately well down' — through no fault of our own; it is a work-life and workload balance. So from there they said, 'We'd like you to become an integrated brigade, and we'll give you career

staff, which we accepted, and from then the integration process started. That was pretty much the appointment of an officer in charge. He or she manages the integration process — briefing the volunteers on what the processes are, how things are going to work, what trucks they can still drive, what they can still operate or whatever. Those are the nuts and bolts of it. How we managed it was more on a personality basis. We built those relationships with a volunteer brigade even before we started so that the move to that integrated model was much smoother.

Initially the staff started off there as two — a station officer and a leading firefighter — and as the workload increases around the state sometimes the manning increases as well. So I think Craigieburn has now gone to four on a shift. What that really means is that the workload is being further taken off a lot of the volunteers around those districts and in that station, so there is not as much for the volunteers to do in those areas because of the staff components actually picking up and filling that workload.

Ms HARTLAND — But also it is that issue that in places like Craigieburn they have become almost like dormitory towns, so that people have got to leave the area to go to work and so being able to be released for a fire all day and all night is actually going to become more and more difficult.

Mr SPORTON — That is the case, yes. There are a lot of dormitory suburbs that we have and townships too in some regional areas. The whole work-life balance thing plays a very large part in our response capabilities.

Ms HARTLAND — With the implementation committee that is going to be headed up by Greg Mullins, what are the kinds of things that you would want that committee to be looking at? Clearly there has been a problem with lack of detail, so what are the things that you would want to see that committee doing? Is it engagement with volunteers and career staff around the funding and how the funding is going to be managed? What are the things that you would want to see that committee doing?

Mr SPORTON — I think probably one of the most important things that we need to look at is the actual operational response. People will not worry about the administration details so much, but they are more concerned about what their role will be in operations — so what fires do they go to, what locations do they go to, what equipment do they have, what will the training backup be and what will be the training components? It would be nice to see that uniform across the services, so that if you are a qualified tanker operator in the CFA, you are exactly the same and trained to the same level as a tanker operator in the FRV — so uniform training.

Ms HARTLAND — At the end of, say, two years of that implementation — because I suspect it would take some time for this to happen — do you think it would be helpful if there was a review of the implementation to see what has worked, what has not worked, what we can improve on, what we can wind back — a public review?

Mr SPORTON — Yes. I think plan, do, check, adjust in training is probably not a bad one to follow.

Mr TURNER — Could I just add to what Mick was saying there: your outer metro townships that have grown quite substantially flip over into being integrated stations quite easily. The problem we have at Swan Hill — and it would be the same at Echuca and probably the same at Horsham — is that the call rates for the larger rural town areas are ever increasing as the years progress. Resourcing those areas with volunteers is getting harder and harder and harder, because the work is drying up in the country areas. Towns are getting smaller, and we do not seem to retain many of the kids nowadays. They go off to college. They go off and they do other things.

One of the concerns that I would feel some of the larger fully volunteer stations would have — and correct me if I am wrong, but I am not sure whether this is actually correct or not correct — is that if, say, Swan Hill was having trouble with daytime response and we could not get members because they worked out of town, they are shiftworkers, they are something else or whatever and we are having trouble getting trucks out the door, for instance, during working hours, we can approach the regional office and say, ‘Righto, we can put some daytime staff into Swan Hill who will work from 8 to 5, and then it becomes a fully volunteer fire station after hours’.

So if there is that flexibility to do that in the new FRV model versus the CFA, or if we cannot do that, if we say to regional headquarters, ‘Righto, Swan Hill can’t man a fire truck during the day’, then there is no actual

trigger point to turn a volunteer station into an integrated station, but if we say, 'We can't man a fire truck during the day but are quite happy on weekends and quite happy after hours', do we still lose the fire station anyway? Does it become FRV property then, and then there are no volunteers, or is there going to be a model that is going to be able to work for both?

Ms HARTLAND — That is a good question.

Ms LOVELL — I would like to explore something that was raised by the officers in charge at the three integrated stations at Wangaratta, Wodonga and Shepparton. In fact it was raised by Trevor Logan, the officer in charge at Wangaratta, at our hearing on Tuesday, and the other two strongly endorsed his comments. They feel that the current model that is being proposed could be significantly improved if the CFA had the opportunity to employ their own middle management staff rather than have staff seconded back from FRV. I was just wondering what the views of the integrated stations at Bendigo and Mildura are on that.

Mr SPORTON — By middle management, do you mean the operations officer, operations manager-type role?

Ms LOVELL — Yes, and training officers — everything.

Mr SPORTON — I think somebody in that role would need to be, because they are working with CFA, pretty much CFA-centric, whether they be employed by FRV and work for the CFA, for want of a better word, but certainly it would be of greater benefit if they were more CFA orientated towards obviously supporting our volunteers in our communities. I can see some benefit in it. That just comes back to the industrial instrument, I would imagine.

Ms LOVELL — Yes, and I think that that is the whole purpose behind why Trevor raised it — that they need to have that culture of working with the volunteers and that this model does not give certainty into the future as to who will be seconded into those positions. Mick, do you have a view on that as well?

Mr LAVERY — Yes. It could be awkward having two bosses. You work for FRV, but you work for CFA, so who do you answer to? That would be awkward.

Ms LOVELL — Yes, that is a good reason why CFA should be employing them directly.

Mr LAVERY — Yes.

Mr TURNER — A lot of the operations management officers come out of career stations and progress up through the line to then operations officer and operations manager. If you separate that, is it going to be recognised back through FRV, back to CFA, if they are going to transfer over to become an operations officer in the CFA? Because you will have the progression up through the line of being on station, being a volunteer, being career staff and then senior station officer and then being officer in charge of the station, and then your next career move up would be operations officer and operations manager. If you separated that, there would be no progression path up through the volunteer ranks to do that. If they are going to be an operations manager, whether it comes out of FRV, is it still recognised through into CFA? Did I lose you on that?

Ms LOVELL — You did a bit.

Mr SMITH — With that model there it sounds like what the New South Wales Rural Fire Service have got, where they employ their operations officer and go from there. I am not sure how well it works — I have not really looked much into it — but it kind of sounds like that sort of model, with the CFA employing its own operations officers and above.

Ms LOVELL — Thank you, Hayden. Mr Sporton you spoke before about some success in integrated stations, and you also spoke about what sounded like real success at Craigieburn in integrating that station. The three stations that presented the other day told us how well the integration is working at each of those stations. But I noticed in your submission to the committee you actually say that, 'Integrated brigades has been an interesting concept and haven't really worked well over the years'. I was just wondering how you reconcile that statement with the evidence you have given this morning and how you think co-location would be better than integration.

Mr SPORTON — When I mentioned in the submission that it has not worked so well, I should probably clarify that it has not probably worked so well in some locations. In some locations integration, mostly due to personality, has not really been that successful. How do we separate that? How do we fix that? Do we continue down the co-location path, or do we have a completely separate location for our career staff and our volunteers? In some places that are suffering with a personality disorder, for want of a better word, some of those cultures are deeply embedded and will be difficult to change. Perhaps the physical separation of the two may be appropriate in those areas, whereas some of the other locations are quite harmonious and integrate very well, and those locations are quite happy to stay together.

Ms LOVELL — I guess it concerns me for the future of those brigades that you are saying they would be better off in separate stations, because in this proposal there is no proposal for new stations, for separate stations, for volunteers. It is about co-location; that is where the concern about surge capacity and volunteers walking away comes into the equation.

Mr SPORTON — It may come into the equation, yes. I think the question of the option of another station was not really communicated that well because of the lack of detail once again. It was sort of asking the brigades: ‘What do you want? Do you want to stay on your own? Do you want to go it alone somewhere else? Do you want to join up with another brigade? Or do you want to fold up altogether?’.

Ms LOVELL — Were these things communicated at the meetings with the chief officer?

Mr SPORTON — More at a regional level, I think.

Ms LOVELL — Did all of you have the opportunity to attend one of the briefings with the chief officer or minister?

Mr SPORTON — Yes.

Mr LAVERY — Yes.

Mr POLWARTH — Yes.

Ms LOVELL — Did you come away from that feeling informed or, as many other people have said, come away with more questions than answers?

Mr SPORTON — I can speak on my behalf anyway: a little bit more informed, but once again lacking in the detail. The positive nature of the presentation by the chief gave us hope that things were progressing, and we are hopefully going in the right direction.

Ms LOVELL — Hayden?

Mr SMITH — It probably gave us an outline of some options. That is probably what we got out of it. So we could go back to the brigade and go, ‘These could be the possible options that we could have with co-locating or moving to another station and suchlike’. It was easy to get that bit; it was just the details that we were more asking questions about regarding appliances and the like.

Ms LOVELL — Essentially a lack of detail.

Mr SMITH — Yes.

Ms LOVELL — And Bendigo?

Mr POLWARTH — Same, very similar.

Ms LOVELL — Swan Hill?

Mr TURNER — We are sort of out on our own a little bit there, but my personal belief is that nobody should suffer, no-one should go backwards, out of any proposal; everyone should benefit out of it rather than being hindered by it. If you are going to lose a brigade out of an integrated area, I think that is a bad move.

Ms LOVELL — Just one final one for Hayden. We received a submission from a career firefighter in Mildura that says:

I am 100 per cent in favour of this reform. I know that I can trust my co-workers, the staff at Mildura 100 per cent. I do not feel the same way about the volunteer staff in Mildura.

I was just wondering if you think that is a fair assessment of the capabilities of the volunteer staff in Mildura and a fair statement.

Mr SMITH — I am not sure about the context behind that statement, but we have had some trouble in the last little while in the brigade with the volunteers and the staff. Hopefully — and I do not know the staff's perspective — the relationships have improved. You may have read that submission, and there was a notable incident where volunteers failed to respond to it.

Ms LOVELL — It talks about a shop fire and says the career staff turned up and only one volunteer attended.

Mr SMITH — Yes, my recollection of that was — —

Ms LOVELL — It sounds like an isolated incident.

Mr SMITH — Yes, it was an isolated incident, and there was kind of a bit of a mix-up in the paging service as well. It just kept on repaging us to a minor incident, so the volunteers were confused about what was going on. The alert was not paged to the next level of the seriousness of it.

Ms LOVELL — So therefore the backup by the volunteers was not necessarily their fault but a breakdown in the communications and the paging system.

Mr SMITH — Yes, there were a few things going on with that. There were some personality clashes between volunteers and staff at the time, and the paging service not accurately describing what the incident was did not help.

Mr LEANE — Thanks for helping us with our inquiry into this bill. I want to latch onto something that you said, Mr Sporton, about getting hope that things — I cannot even read my own writing — are moving or, from the presentation you gave, hope that change is coming. In that light, how would you feel about this committee if we recommended that there should be another review into the Victorian fire services, seeing there have only been eight recently? Is it your hope that at least we can get on with something?

Mr POLWARTH — Yes, absolutely.

Mr TURNER — I think we need an outcome before we get into this year's fire season. We need to know one way or another where all the parties are going to sit and which way we are going to go. We need to know that before there is another fire season. We need to get that out of our heads and concentrate on this year. The quicker you can get it done, with consultation with everybody, the better we will be.

Mr LEANE — I do not know if I am going on a tangent from your answer, but something I wanted to explore from something you said, Mr Turner, and something Mr Polwarth touched on, is that there are different challenges in our world today in terms of people being able to volunteer, especially during traditional work hours. I have found, as a metro MP, that one of the things that has been brought to light to me is that a lot of people who live in the outer suburbs who are volunteers do not work there; they travel into the CBD. This is going to be a longwinded question, so bear with me. Mr Polwarth, you said that there is a 30 per cent attrition, but it is not all about the issue that you were talking about.

Mr POLWARTH — That is right.

Mr LEANE — There is an issue that I am finding that it is such a small world now. A lot of people do not volunteer for a lot of good causes now, not because they are bad young people but it is just the way it is. I think as a state and as a Parliament, we have to think about what the next five years will be in terms of if that is the attrition that is there and in terms of what it means to the fire protection service we have in this state. Is that a fair comment? I know it is a longwinded one, but do you believe that that is a fair comment?

Mr POLWARTH — Yes.

Mr TURNER — Yes, reasonably fair.

Mr LEANE — See, I managed to ask a question about 10 times longer than the answer, which was not my goal but I have impressed myself. I know that there is a view that the only reason this bill is going ahead is because of the industrial relations issues. I cannot understand how we have got to the point that it is okay for Victorians — and taking into account the second-class citizen concerns you have, Mr Turner — and a mainstream newspaper to slag off men and women who make a living from putting out fires and saving people's lives. I do not know how we got there. It is an indictment on us all. There has got to be an inspiration for us not to be going through that every four years. There has got to be an inspiration. Once again it is probably a longwinded question that you might say yes or no to, but do you have any comments on that?

Mr SMITH — When I started in 1995 I walked straight into an EBA dispute, and it has been a constant cycle since then. They are getting more and more acrimonious each time. We need a circuit-breaker to say this is bad. We have an EBA, it gets nasty, we finish an EBA, it gets signed off and relations start being developed again, and then we are into another EBA and relationships get damaged again because everyone has a buy-in. Then we slowly start to improve, and then we have another EBA. It just gets worse and worse every time until we get to the stage now where we do not read the *Herald Sun*. We do not tell people that we are firefighters.

Mr LEANE — You become like AFL players that are not playing well, or Nathan Buckley. I think you have pretty much covered where I wanted to go. Is your expectation from this committee that we do not say there should be a ninth or 10th review? And another thing I would expect that you would not expect this collection of MPs — I am happy to declare that my background is as an electrician; I do not know anything about fires other than hoping I never created one — to come up with is our own reform ideas, I would not have thought. I think you would want a process where there has been some expertise put into it — people might disagree with that or they might not — and a process where at least there has been some expertise put into it that can be fine-tuned at your end.

Mr POLWARTH — Yes.

Mr TURNER — Whatever we do I think is going to need to have a flexible outcome in certain aspects so that, if we need to tweak something to work in one area, we can tweak it there, not just a blanket rule across it. If we need to tweak something in an area, we tweak it there and we make it work. It needs to be a flexible outcome to suit everybody. Everybody has got to coexist. It does not matter whether we are getting paid for it or whether we are doing it to save our community; everybody's doing the same thing for the same reason. We all need to integrate the work as one unit, so whether we help them or they help us does not matter.

Mr LEANE — When you take out the *Herald Sun* and politicians and the representative groups — the emblems on the hoods — the reality is that you do work together when there is a fire. Your goal and your main emphasis is on protecting life and property. That should be the number one outcome of anything.

Mr POLWARTH — We get told that and we certainly aim to do that: look after life and property, particularly ours.

Mr O'SULLIVAN — Thank you, gentlemen, for appearing before the committee today. I want to take up a couple of points that have been mentioned earlier and have been handled in a particular way. We have heard a fair bit about industrial interference and actions that have stymied the process in terms of moving forward. We heard that every time EBAs come up, they are a problem. They eventually get signed, and then we move on until the next one appears. I do not know if I am right, but we have got a particular EBA that does not seem to be moving forward in any shape or form, so we are going to tear up the rule book and write a new rule book to try to fix this EBA. How will the new rule book fix the EBA situation? I do not understand why creating a new organisation and creating future divisions by splitting up the CFA and creating a new service and then putting the CFA into a corner is going to fix the EBA problems. I do not understand that. Can anyone help me out with that?

Mr SPORTON — It is more of an industrial instrument, as you said before. We want to step back a little bit. The current CFA EBA situation has been going on for nearly five years.

Mr LAVERY — Close enough.

Mr SPORTON — Close enough to five years. I have got firefighters working in the fire station who have never worked in an environment when we have not been in a period of industrial dispute. That cannot be good. It cannot be good for any workplace.

Mr O'SULLIVAN — So what are the main causes of the division between the industrial elements of it?

Mr SPORTON — Divisions between the employer and the industrial body, which through whatever means was attempted to be corrected and then from other political influences that actually blocked that enterprise bargaining agreement from proceeding. So with the political interference — —

Mr O'SULLIVAN — And that has become very divisive, hasn't it?

Mr SPORTON — Absolutely, for a workplace that has been in dispute for five years. I do not know what sort of hope I can give to these young firefighters who have never worked in a period when there has not been an industrial dispute. It is a very negative place to be.

Mr O'SULLIVAN — And we have seen that particularly in Mildura, where there was the sign out the front with 'CFA' that had been covered over and replaced with 'UFU'. That is not an isolated incident; that has happened elsewhere as well. In Traralgon that was also the case. Those sorts of interferences certainly do not help.

Mr SPORTON — The understanding and frustrations from political influence obviously flow on in various forms.

Mr O'SULLIVAN — And if you have got a sign like that out the front with 'UFU' instead of 'CFA', that creates a division between the volunteers and paid firefighters.

Mr SPORTON — Yes, it may well have done.

Mr O'SULLIVAN — So does that make the integrated model more difficult in Mildura, and does that isolate the volunteers in Mildura in particular?

Mr SPORTON — I cannot say categorically yes or no. A lot of volunteers are quite supportive, which is their right. Some volunteers are not supportive, which is also their right. We do live in a democracy, so everyone has a right to free speech.

Mr O'SULLIVAN — I guess in terms of that division we have seen a lot of Mildura people going to join the brigade over in New South Wales, over at Buronga. I think they have got a substantial increase in their membership, which is good for them but not so good for us as Victorians.

Mr LEANE — Because they work under the New South Wales model. That is the one we are trying to implement.

Mr SMITH — Can I just make a comment regarding that? Those members moving across the river were not really anything to do with the division in the brigade. The brigade over the river only had two members, and they requested our assistance. Most of the members are forming the brigade, but it was not — —

Mr O'SULLIVAN — Yes, and that is great for New South Wales; there is no doubt.

Mr SMITH — But they are still turning out with the CFA.

Mr O'SULLIVAN — I guess the point I am trying to make here is that we are talking about the uncertainty, and, Mr Sporton, you talked about the uncertainty yourself. From my point of view, everyone on the committee and members of Parliament have actually got to make a decision as to whether we support this legislation or we do not. What I am hearing today is that this may well create more uncertainty, because we do not know what is going to happen, we do not know what the rules are going to be, we do not know how all those scenarios will

play out. We have all been to the briefings by the senior people who are going to be making these decisions in terms of how it will work. They cannot give you any information that is going to answer those questions.

Mr Turner, you said that we should support this if it is not going to make things worse. From my point of view I do not know if that is going to be the case. I do not know if this is going to actually make it better.

Mr TURNER — That is what I just said earlier on, Luke. If we cannot make the new model work and be harmonious to everybody, stop and we will need to regroup and go back and leave it the way it is and we operate under the current model that we have got. If we are going to go forward, it has to work for all parties concerned, and not just some of them. It is my personal opinion that, if we cannot make it work for everybody, we do not do it.

Mr O’SULLIVAN — So you do not have confidence in the bill the way it is currently drafted.

Mr TURNER — We do not know enough about it up in the north-west area to confidently say that. My only hope is that, if you are going to do a deal and make a new system, it has to work across the whole state for everybody. It has to work for volunteers, and it has to work for the integrated staff. If you cannot make a model work out of that, do not do it at all. Leave what you have got. Leave your integrated stations. Leave it as CFA, and leave it as MFB. Do not make change for the sake of making change. It has to be change that is beneficial to everybody, not just to some.

The CHAIR — Gentlemen, that brings us to the conclusion of this hearing. Thank you for your time this morning, for your evidence and for your written submissions. To those who have made written submissions, thank you very much. We appreciate your evidence and indeed your availability on short notice for this hearing today. As I indicated earlier there will be a proof version of the transcript provided to you in the next couple of days for any technical corrections you wish to make. The committee very much appreciates your participation.

Witnesses withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Swan Hill — 12 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Ms Wendy Lovell

Mr Cesar Melhem

Mr Luke O'Sullivan

Ms Harriet Shing

Mr Daniel Young

Substituted members

Mr Shaun Leane for Ms Harriet Shing

Witness

Mr John Deering (sworn), acting assistant chief officer, north-west region, Country Fire Authority.

The CHAIR — I declare open the Legislative Council’s inquiry into fire services reform, and I welcome this afternoon Mr John Deering, the acting assistant chief officer for the north-west region for the CFA. All evidence being taken in the inquiry today is protected by parliamentary privilege, but any comments made outside the hearing are not so protected. All evidence is also being recorded by Hansard, and you will be provided with a proof version of the transcript in the next couple of days for any corrections or clarifications you need to make. All evidence the committee is receiving in this inquiry is being taken under oath. There is 1 hour allocated for this hearing, so I invite you to make a brief opening statement if you would like, and the committee will then proceed to questions. Thank you for making yourself available this afternoon.

Mr DEERING — And thank you for the opportunity. I do not have a prepared statement, and currently as an employee of the CFA in the position I hold I have not given a submission, so it is an opportunity for me to make some points.

I am from Mildura, from the country. I was in the army and then joined the CFA nearly 34 years ago as an employee. I have moved and worked around the state a lot and have a strong operational background. For seven years I was the operations manager at CFA district 14, which is the outer metropolitan region, and oversaw that district go through enormous change with the introduction of integrated brigades. I have also been the officer in charge of the region which is now based at Bendigo, and I was the incident controller for the Redesdale fire on Black Saturday and made a subsequent attendance at the royal commission.

For the last two years I have been working for the Department of Health and Human Services as the manager of their emergency management for the north division, which is essentially a duplicate of the division or the region in CFA, from outer metropolitan Melbourne to Mildura. So those were interesting assignments and secondments, and I might talk about that later. I am now back with the CFA in my role, and my normal role is as a regional commander, which I guess is very broadly based around the emergency management arrangements at a regional level to comply with the state arrangements as determined by Emergency Management Victoria. I am the CFA representative for that, based in the north-west metro region. Currently for this and the next eight weeks I am the assistant chief officer for the CFA for the north-west region. That is by way of background.

The CHAIR — Thank you, Mr Deering, and thank you, as I said, for being here this afternoon. Let me start by asking: given your very broad experience across the CFA, and particularly with the introduction of integrated stations, how would you characterise the success of integrated stations as they are operating today, and are changes to the structure required?

Mr DEERING — So there are two parts to your question, and let me get this right: how are they — —

The CHAIR — How successfully are they operating today, and are changes required?

Mr DEERING — It is a tricky question, because it has been tricky for the CFA. But it has been a policy that they have an integrated, combined staff and volunteer working arrangement at those locations. So once a location gets to a certain risk level then discussions are held and we implement that model.

You have got to work at it. It can work, and where it works it is extremely successful. Where it does not work, it is generally where there are individual clashes. We have got some really good examples in our district, can I say, in the north-west region. I will give you a couple of examples. I think Craigieburn, Melton and Sunbury are really strong examples of good implementation of the integration model, and it is then how they are rolled out. But they still depend on the personalities. It is a real challenge to get it right. But when it does go right, it works really well.

The CHAIR — When there are clashes, are they typically clashes between career staff and volunteers or within the career staff or within the volunteers? What is the typical nature of those?

Mr DEERING — It could be a mix of that, but generally it is where there are opposing views between staff and volunteers at a particular location. You probably hit it on the nail before; quite often it is around the angst and external influence of EBA discussions which create an atmosphere of tension, and that is not easy to manage.

The CHAIR — Is that because the consequences of those EBA negotiations are occupational impacts? Is that why volunteers are concerned?

Mr DEERING — That is a broad statement. I think the answer lies sometimes in the way it is perceived and the way all those discussions and all those dealings with how the implementation of the EBA might be going at the time — and we have been through a number of them — are then perceived at the local level and how they are rolled out. Mick Lavery mentioned it previously; it is like a cycle. And it has been mentioned by this committee. If we have an opportunity in this process to try and break that cycle and get it into a better arrangement, sure, let us take that opportunity.

The CHAIR — Do you feel that shifting to the proposed Fire Rescue Victoria model with effectively the current paid staff being seconded back to the CFA — so, CFA staff going to Fire Rescue Victoria and being seconded back — is going to change that dynamic between paid staff and volunteers?

Mr DEERING — Yes.

The CHAIR — Why? Or how?

Mr DEERING — Currently it is CFA policy that brigades are integrated. They operate what we call the integrated model. In my time in district 14 there have been opportunities for us to consider a fully career location. We have talked about hub and spoke models, where a beefed up career-only location could service out to support adjoining volunteer brigades. But at the time and up until this point, the CFA has continually said, ‘No, we operate an integrated model, and that’s what we’ll do’, so we kept reinforcing that model, and that is the model we have today. You said something else in your question.

The CHAIR — I was asking about whether simply putting the paid staff into the FRV legal structure but then seconding them back to the CFA is going to change the dynamic where there have been problems between paid staff and volunteer staff, and whether that is going to change as a consequence of — —

Mr DEERING — If I am clear, the operational staff on the ground will not be seconded back.

The CHAIR — No, but the management staff would be seconded back.

Mr DEERING — Okay, so there are two parts to your question. Sorry, I am now a little bit — —

The CHAIR — The question is essentially, given you are seconding staff back — —

Mr DEERING — So, in my role?

The CHAIR — Well, in the proposed structure, given there will be staff seconded back to CFA who will presumably be under whatever EBA is signed by FRV with UFU et cetera, is that going to change where there have been tensions in the past?

Mr DEERING — I believe not. In the very short to medium term I see essentially no change. The only challenge will be the terms and conditions of how that works — you know, the actual implementation of it.

The CHAIR — And that is the big unknown.

Mr DEERING — Yes, that is the unknown. The example I will give is an operational example. My main role is in emergency management, so we do all the work in our area — and I will use north-west metro — to prepare for and be ready for fires. So out of the royal commission we will have certain people in place on certain days. At the moment I have got a list of people, and when the day comes — say, if this Friday is a bad day — I access these people. I contact them. They are on my list, and they are either staff or volunteers for CFA. What I am unsure about is how that will work going into this summer and, where these people have transferred over to the FRV, my ability now to ask them to go and work in an incident control centre and manage fires.

My theory that I am basing that on is that there should be no change, so I am going to do everything I can to make sure there is no change, but due to that lack of clarity about how that arrangement will work, there is a little bit of uncertainty. Our intent is that we will not see any change.

In my circumstance I can speak to the fact that I was on a secondment with DHHS. It is not an unreasonable example to use in recent times. Essentially I went and worked for them, but my conditions of employment were still maintained by CFA, and I had a document that had a start date and an end date. These are some proposals that you deal with along the way — you know, if you have an accident or you are sick or all those sorts of conditions. So that was an example that worked quite well. It got a bit tricky around the financial stuff.

I reckon there will be elements in there that might be tricky for how you might be seconded, employed or delegated by the chief to do certain things, yet your employer is telling you other things. I do not think there is any reason you cannot work around that, but we do not know yet how that might happen.

Mr MULINO — Just to follow up a little bit on that secondment idea, one of the goals that has been stated is to help the CFA separate from these ongoing cycles of IR disputes and the complexity of the IR world and basically focus more on volunteerism and its long-term cultural aspirations. Is that goal something you think is worthwhile?

Mr DEERING — Yes. There is no question that we need some sort of reform. It may have been said in a previous session — that we may have had our hands tied behind our back occasionally in trying to effectively manage our business. There is an opportunity for CFA to be a standalone volunteer organisation, as long as — Nipper said it a number of times, and it has been said outside of here — we do not become a second-class citizen in the state. Currently under the arrangements we are one of four fire agencies, and we hold an equal seat at the table under the emergency management commissioner. We need to make sure through our representation but also our voice and our resourcing that we are not seen over time to become a second-class citizen in the sector.

Mr MULINO — Again just to drill down a little bit on something that you just discussed with Mr Rich-Phillips with the secondment model, you flagged that you have worked through secondment yourself.

Mr DEERING — That was a previous example, but it was appropriate.

Mr MULINO — Yes, but from the sounds of what you are saying, there will be some complexities to work through but it could work in practice if those details are worked through in a sensible way.

Mr DEERING — Yes. The example I gave is that with DHHS, because of the complexity of their structure around emergency management, it soon became apparent that I had no ability to have financial delegation because all their legislation is around being an employee. All that meant for me in the limited time I was there was that I just had a workaround, so I just used people around me to manage that part of it. That was okay, but I think in a longer term sense you do not really want that. You want the person to have the tools of his or her trade to be able to do the job that they are asked to do.

Mr MULINO — There has been some discussion today and at previous hearings around people with some unanswered questions, and there are still details to be worked through. Arguably this is part of the trade-off where the legislation provides the framework but it does not fill in all the gaps. You can argue that it is sensible to let the agencies themselves fill in some of the gaps and have a bit of local flexibility. What do you say to that concept — that it is important that there be flexibility through the implementation process?

Mr DEERING — Definitely. My view is that that is a real opportunity for CFA to have solid input into Mr Mullins's implementation committee. So whether it was the intent or how it was crafted, there is an ability now to fill in that detail with good conversation and consultation amongst particularly our volunteers about how that might look, what they want the secondment to look like, how it might work.

So how do I feel about that as they talk to us? I think there is a real opportunity. There is a real opportunity for CFA in a broad number, but certainly in the implementation there is a real chance to craft it to meet our needs. More importantly for me is the need of the community. It needs to still be there and emphasise the services we

provide that will still be there for the community in all facets of what we do, not just in the outer metro but here at Swan Hill and everywhere in between.

Mr MULINO — I just have a question around the context in which we are operating. Again, as has been discussed earlier, there is rapid population growth on the outskirts of Melbourne but also in regional cities. If you look back at previous decades, Mildura has increased fourfold and there is a lot of discussion of this in the public sphere now and through submissions. Your experience in Craigieburn and Melton is quite instructive. I am just interested in your observations on a system based on a boundary from the 50s. Do you think structural reform is important in light of all this change going on?

Mr DEERING — Yes, I think there is a need for reform. How we can craft this reform to meet the need will be the challenge. Indeed there are still gaps to fill in. The boundary issue is a tricky one, as is how that will then be resolved over time with the committee that is set aside to review that. The legislation outlines parts of it, but that is as long as there is an appropriate ability for people to input and it is not seen as just a land grab by whoever or an area grab and as long as that process is transparent and people feel as though they have input into it, particularly if there is an issue with a volunteer brigade. And volunteer brigades, like all organisations, go through cycles. They might be in a difficult cycle. So what can we do to help them get through that cycle and still provide the service to the community?

Mr MULINO — Last question. In terms of the committee, as a general principle, would you say it is important —

Mr DEERING — The boundary committee?

Mr MULINO — Yes. You mentioned it is important that there be input into it and that is important that it be independent and expert.

Mr DEERING — Yes, definitely. It needs to have an appropriate framework for consultation and governance that is transparent.

Mr YOUNG — Thank you very much, Mr Deering, for coming in today. I just wanted to get through my mind what you are saying as far as the need for change goes and try and bring that back to a few points you have made and the language that you would expect things not to change. You talked about how operationally you have a list of people you can call on to put into certain places, to do certain jobs and to perform functions. Even the previous witness we had made a statement saying that nothing will change except the badge on the uniform. So there is your change in uniform and the organisation. You are talking about no change in the actual operational capacity. So why are we actually doing this? What is the underlying factor that has driven you to say we need change? Because you have said it a couple of times.

Mr DEERING — That is not easy to answer other than as a government employee. Our government has said, 'Here is the fire service reform'. Having said that, being intimately involved in over eight reforms in the last 10 years, why not use this as a circuit-breaker? So if this is before us, let us grab it and use it as a circuit-breaker to move forward. If we can have the opportunity along the way to influence some of those key details, because the devil is always in the detail for the people that work and volunteer, and if we can influence those to meet the need of the community — it is not necessarily about me as employee but the community getting the service it needs in a variety of areas — if that can be at the very minimum the same as but in many cases better off for the change, then it is well worth it.

Mr YOUNG — You are not alone in people who recognise that we need some change and that there are some issues. We can argue until we are blue in the face about why we need those changes, but it is pretty widely recognised that something needs to happen. You talk about it being a circuit-breaker. That is probably a good analogy to stop what is going on and restart. Given that it is an opportunity to have a change — and we are talking about a big change — it is a big restructure change.

Mr DEERING — It is a big change

Mr YOUNG — Do you think that it is worthwhile looking at all the options? Because what we have got at the moment is a situation where the change is coming in this form. Do you agree with it or not? But we have not

actually had people involved in that stage to find out whether they think that is the best one to be proceeding with. Do you think we should be looking at other options for other structures?

Mr DEERING — The answer is yes. I think there is opportunity there that would consider other structures. I guess I have been basing my process on what is before us. I am not sure of the advantage of that, though. By taking the extra amount of time it would take to then sit back and consider where that leaves us, the difficulty we have is we are about to go into another summer fire season and where we are here at Swan Hill and Mildura within the next 10 weeks, so there is very little opportunity to consider that. Maybe we do the Mick Sporton model, which is what we operate in a lot of ways: plan, do, check, adjust. Let us do it, let us bring it in, let us have the solid implementation and input in implementation, but have another process that is really consistent and clear about review and the ability to be able to be agile enough to make changes that meet the need of the community on the way.

Mr YOUNG — That agility is very important, and the previous witnesses have talked about that. You have spoken about a spoke and hub model and those other examples around the world. New Zealand is moving to a single service right now. They are doing it as we speak. So they are going the opposite direction to what we are.

Mr DEERING — One service.

Mr YOUNG — One service, yes. What has been provided to you that makes you confident that this particular change is better than those others, spoke and hub or one service? What has made you confident that we can actually make this work?

Mr DEERING — I do not know if confidence is the right word. I reference a bit of assurance. It is difficult to be confident. The fire services statement is some four key points, but it is not the detail. If you take that framework, overlay it and picture it, I tend to try and picture where I will be in the short and medium term. That helps craft how I think. For example, where will I be or where will this change be in 12 months time? Where will it be in 18 months or two years? Or in my case, will I be sitting here this time next year looking at next summer with the majority of change having been implemented if this goes the way it is going to go?

Mr YOUNG — Well, we do not know that. We do not know the details.

Mr DEERING — We do not know that, but let us think of that. I do have to think of what might be, because my job is all about planning and trying to set things in train for the right place. So I try and think of what that might look like. I think the vision is not unreasonable. The challenge will be that there are those that may be more affected by it than others, which I think in this case are the volunteers at the integrated brigades. There is also the clarity of the question around secondment for people like me and going back into the right one.

Mr YOUNG — Just one last one, if I may, Chair. Given that you have a little bit more senior level management over a lot of people, you would have a lot of involvement with full-time staff and volunteers. I just want to get your opinion on why this issue has people at such broad ends of the spectrum, because it seems to be pretty consistent that anyone who is a full-time staffer is in favour of the change and anyone who is a volunteer is vehemently opposed to the change. Can you just enlighten me as to why that is and what has driven that, and what are your views on how that has happened?

Mr DEERING — That is a tricky question. Thanks for that.

Mr YOUNG — I am not here to ask easy questions.

Mr DEERING — I think the nature of what is on the table has polarised people. To be fair, probably over the six months prior there has been a lot of talk about what might be, so people were thinking about what something could be. Well, there is going to be change, but what is it? Then it comes out, and people then naturally align themselves with it. I think you naturally align yourself with where you see the benefit. Everyone after a while, I find, crawls back into, 'What's in for me? Where is this going to see me, my people, my team, people I work with and people I turn out with?'. That is how they see it.

I have recently been visiting brigades, talking to volunteers and trying to understand these views in a brigade setting and a group setting. That has been really interesting and enlightening as well. So there are a lot of views.

There are a lot of positive views. There is a general view, and what I have seen so far is: let us have a look at the change, but let us make sure that we input.

Mr YOUNG — That is an interesting choice of words. People align themselves with where they see positives. What I take from that is that because people have aligned themselves into really, really obvious categories, then there is obviously a group that has positives and a group that does not.

Mr DEERING — And there are some themes that have come out. The CFA being a second-class volunteer-only organisation is a theme. There is also the issue of the secondment. There are enough analogies around that as well.

Ms HARTLAND — If I can continue on in that vein in terms of you speaking to volunteers, it has been interesting. Like all of us, I have had a huge volume of emails in regard to what all of this is going to mean. I have had quite a few volunteers saying they just want this to be over. They just want to get on with being volunteers. In your discussions with volunteers, are you seeing an element of that and also obviously an element of people who just completely oppose this no matter what?

Mr DEERING — My view recently is that there are more people saying that first part: ‘Let’s get on with it. It is what it is’. Whilst I have heard stories, I have not come across anyone who has said to me, ‘This should not happen’. I can only speak for the people that I have met. I understand there are other views. The main one has been the ability for volunteers to feel comfortable as they move forward, and I speak for district 14, outer metro. Some brigades are surrounded by — this is currently — MFB on one side and career staff on the other, and they feel that pressure, that constant pressure. In some ways that is good for them — it actually pressures them to keep working hard to maintain their profile and their efforts — but at other times it puts a bit of pressure on them to feel that they want to maintain that, as long as they can get their training. Training is an issue; we want to maintain or improve that. We have got to improve that. We have not got that right. We have got to be better at that. If we can get some of this funding that is outlined and pour it into that to beef up our people, that would be a good thing.

Ms HARTLAND — You obviously have a lot of engagement with volunteers and with career staff. One of the things that has been talked about a lot during these hearings is the mental health and the stress that is being put upon especially career staff. Can you talk to the effects of this? It has been interesting that the same phrase has come across — that it has become a ‘political football’ and they feel like they are just being bullied. A number of people have said that to me. How do you see that playing out in your workforce?

Mr DEERING — I do not see it hugely. I am not a mental health expert. I do understand, though, that some of the systems and supports we have got are being used. I do not want to go and measure it, because it is not my place. The systems that we have got in place are actually quite effective, but they are being accessed and I assume there is maybe a connection to what is going on. We are not seeing any demonstrable activities that would portray that as not being managed appropriately.

Some of our frontline managers, I have got to say, are doing an absolute cracking job at the moment under enormous pressure for them in the middle. I speak for the OICs at the stations — the operations offices that have had the role, the carriage, of being an officer in charge of an integrated brigade. They are really in the middle, between volunteers and staff, and some of them are just doing a ripping job, still servicing what they need to do to get the truck out the door and all the other things they do that can be easier on the other service. The pre-summer community safety and all those things that we do are still being done, and credit to them for doing them.

Ms HARTLAND — They are keeping the service going under extraordinary circumstances. If there was to be this split and there were two fire services, do you think that that would then allow the CFA just to get on with what they do really well and be a volunteer service and do the work that they do to protect their community rather than having to be involved in the industrial dispute or the EBA? As many people have said, it is just ongoing.

Mr DEERING — The answer is definitely yes. I will use the word again: this is a real opportunity for the CFA to maintain and enhance its brand in the state and its real connection at all levels in the community. The CFA in a vast majority of more regional places is incredibly connected to the community. It is a difficult link in

the metro; it is there, but it is a challenging one. For example, at Caroline Springs there are 96 different nationalities in the area that the brigade services, so how do we go out and give our message about pre-summer awareness? That is a challenge.

Ms HARTLAND — Grassfires.

Mr DEERING — It is a real challenge for us. We crafted, after experiences, the step back from the edge program, which increases safety in the outer metro, but then how do you communicate that in the community? They are the challenges that we have. I see this potential if we get the resources that are appropriate, because we have struggled with resources for a number of years. I know that there are only two in the role that I am doing now. They have said, 'By the way, here's the budget'. We should be able to, with maybe the right funding model, be more effective and efficient in the community.

Ms HARTLAND — Also with the training, that has come off a fair bit and people are concerned, under this new model, whether they will get trainers that will work weekends and work at night. What is the current way that the training works, and is there enough money for it?

Mr DEERING — Good questions. With the current model the professional trainers that are employed under the current EB have the ability to work quite flexibly. So I am not really sure of the concerns; I have not seen those concerns. The concerns I have seen are when we do not have enough trainers to meet the need, and that is because of turnover and things like that. But the conditions are based around so many nights per week and so many weekends to meet the needs of volunteers. That is the way it is crafted. But genuinely you would not expect people to work X amount of unlimited weekends; they have got families and things like that. So there are restrictions around, but I have not come across that.

And the second part was?

Ms HARTLAND — The need for more money. Is the problem recruiting people or not enough funding for it?

Mr DEERING — The common theme that I have heard back is not necessarily more money or funding for instructors to deliver the training; it is more about those facilities to go and receive training at the field training grounds. There is the new one at Ballan, which is not up and running yet, and there is VEMTC. You can do the basic level of training at brigades and local locations, but when they have got to go to the next level, that is where the challenge is. It is a challenge for us at the moment. We have got about 150 in our district, in district 14, who would like to go to that next level. It is just to get that appropriate level of training. You want to train them in a house fire, and you cannot do that in theory; you have got to expose them to the heat and the smoke and all that. That provides limitations.

Ms LOVELL — Mr Deering, you said before that we should consider other structures, but then you said we have got this one before us, so we should grab it and move forward and influence the detail. Can you just outline for us some of the detail that you think that you could influence that could make this model work?

Mr DEERING — I would like to think we could have some influence into the secondment arrangement. There needs to be an ability for the chief officer to still manage those people that are going to, I guess, work for him but are not employed by him. That needs to be really clear so that not only the employees themselves have certainty about what their role is but the chief officer has certainty, because he has legislative responsibility and he needs certainty that people will carry out his legislative responsibilities.

I could give you a number of examples. One is probably about permits for fire. The CFA's legislation extends to the country area of Victoria. If we take these 35 bits out, how does the total fire ban legislation apply? I am not clear on that. Also the issue of what we call section 40 permits, which is allowing industry to keep working on those days of total fire ban. We have a lot of those where industry, rail and heavy industry need to be able to have heat and flame in their operation, and we issue those permits under certain conditions to be used on total fire ban days. Do they apply in the Fire Rescue Victoria excised areas? I do not know.

There are issues of employment conditions other than those in the EBA — for example, WorkCover. How is that going to be operated by individuals on secondments? Someone outside of here might have that answer very simply, but I do not fully understand how that would work.

Other ones might include issues to do with employee discipline and behaviour that occurs. I think there are a number where we would like to have input.

For me, I mentioned earlier my ability to tap into that workforce, which I tap into now for operational readiness. How is that going to be, you know, in the summer season or at any other time? As Mr Walsh will know, I was in Mildura last year for the storms in November. At short notice we had to assemble a group of people, a mix of volunteers and staff, and get up to Mildura to manage the storm event. We need to be able to do that. If I use that as a litmus test, can I do the same thing I did in November last year in November this year? They are the sort of things we need to work out.

Ms LOVELL — Okay. So a lot of that was about issues to do with the staff that are seconded back.

Mr DEERING — Sorry, and volunteers.

Ms LOVELL — Sorry, and volunteers, yes, but a lot of what you said had to do with secondment. Given that we have had some clear evidence from officers in charge of integrated stations on Monday that they believe that the middle management level should be employed by the CFA rather than seconded back, do you think that would be an improvement to this legislation?

Mr DEERING — That is really tricky, because I think then that might go back to the intent of the legislation — what it was designed for in the first place, which was to have the ability to have one workforce. I am not sure how that might work. I am not sure then, for example, if I was employed by the CFA, what my conditions of employment would be. Would there have to be another EBA crafted? In which case it is essentially then no different to where we are now. I do not see the advantage or disadvantage. I probably have not even considered it as an option.

Ms LOVELL — You said that your role has a lot to do with planning. On the new structure, what sort of planning is the CFA already currently undergoing for implementing this new structure?

Mr DEERING — I can speak for what I am involved with, which is a project to consult with 35 fire brigades about operating models. We have got a schedule to visit those brigades and gather the information about how they see themselves and what they think they need to do to be able to exist and work positively in the future. We will then try to bring that back and present it to the chief, as I understand it at the moment, to say, 'Here's what we think the impact might be on those 35 and what they might choose to do', which might be to co-locate, or some members might join an adjoining brigade. Some of the brigades have a facility in the area, and the volunteers might go there. It is that kind of thing. But what is the model? Because the reform document outlines that they should be given the opportunity to have an outcome that suits their needs. So we will talk through what those desires or needs are. That is one of the bits of work that I am involved in.

Ms LOVELL — Yes. With the funding, there is no clarity about the ongoing funding, particularly for equipment and training et cetera for volunteers. We know there is \$100 million promised, but half of that has already been spent. We have heard today about Bendigo expecting to get a separate station for their volunteers. The volunteers in Shepparton, I believe, have been promised a new pumper. So there are a lot of promises going around and not much funding to put this all together. What sort of commitment to ongoing funding do you think is needed in this to give volunteers certainty that they are not going to be a second-class service?

Mr DEERING — I think the initial announcement is great, but it is difficult to try and think how that might have a positive input unless it is sustained. So somehow we need to get to a better funding model. It is great to have a surge, but with any surge we have, say, to buy new equipment — for example, a new pumper for \$800 000 — you have got to maintain it; you have to fuel it and you have to change its tyres. There are ongoing costs. The business changes with those types of purchases. So whatever surge you might do to meet the immediate need needs to be sustained or have a sustainable element.

Ms LOVELL — But the current funding, from what we have heard, is also not adequate in that everyone is saying there needs to be more of a commitment to additional training, and part of this is about also more of a commitment to recruitment of volunteers. So obviously there is a need for a significant increase in funding if all of these things are going to be achieved out of this.

Mr DEERING — I do not disagree with that. I do not have the breakdown or the ability to forecast how much some of those costs will be, but I think that is one of the ones we might have some input into. As long as it is not the one-off, one year ‘Here’s \$100 million’. There needs to be some, and ideally that would be good if that was more sustainable.

Mr LEANE — In line with Ms Lovell’s discussion around the funding — and the issue is that governments come and go, some governments put money in, the next government cuts \$66 million out of it, another government comes in and puts money in. What you are saying is that everyone in the CFA — the volunteers, the career firefighters and the management — would love to see a long-term budget forecast that you are guaranteed to have that is sufficient and you know it is going to be there.

Mr DEERING — Yes.

Mr LEANE — And that would probably give people surety about this reform as well, because that could encompass a lot of those issues around training and so forth. You are in an acting role.

Mr DEERING — Correct.

Mr LEANE — My brother’s a copper. He is always acting something. There is a concern that there might be someone seconded into a training role or a middle management role that is designed to deal with volunteers, and there is a concern that with the new reform it could be someone that is not a person that they would like to see in that position. Is there the possibility that that could happen now, under the process we have got now?

Mr DEERING — Yes. That could happen now, and we have seen it happen in isolated cases.

Mr LEANE — So it gets dealt with at a local level, where it might be admitted that maybe that was not the man or woman to put up there, and we accept that.

Mr DEERING — Yes. That happens now. I have thought a bit about this one, because it has been raised a bit. I think the basic premise is that in most cases — and you will always get the exception — people who choose to take a secondment generally do it for the right reasons. They generally do it because they want to do it. Say there is a short-term secondment for an instructor. That person will want to go in there and be seen to be doing a good job, because there is the possibility he or she might like the job. Then when a permanent vacancy comes up, they will go, ‘I’m going to apply for that. I have demonstrated that I’ve done the role’. So most people go into those opportunities in a positive way. I have seen a number of people from the MFB over time who have been involved in the CFA, and when required to do the right thing, they have absolutely done the right thing, because at the end of the day they are still people dealing with people. Those basic things have not changed, with the general belief that they are there for the right reasons. There are exceptions, and where there are exceptions you deal with them as they come up.

Mr LEANE — There are exceptions with members of Parliament.

Ms HARTLAND — Speak for yourself, Shaun.

Mr LEANE — So no group is immune. Getting back to that theme, I would have thought — and reflecting on members of Parliament — that whether people volunteer or they get paid to save people’s lives and put out fires, they are generally, as you would find in your experience, good people.

Mr DEERING — They are generally good people.

Mr LEANE — There is a bit of, like, ‘Some people are bad and some people are good’, because if they have a union card, they might not be as nice as someone else, but in your experience, when it comes to their responsibility for what they have signed up to, that is what they prioritise?

Mr DEERING — Absolutely. We have got numerous examples of that in very recent times. Colleen would be aware of Shadowfax Winery down south of Werribee and the fire there the other week — a complex, difficult fire that was handled by career staff from Geelong, volunteers from Werribee and career staff from Hoppers Crossing and Point Cook. They all worked together seamlessly, and the people who led it were volunteers.

In day-to-day command there is a structure, a chief officer — that is how we do our business. When we are operational we operate on a system called AIIMS ICS, and depending on your role, whether you are a volunteer or a career staff member, if you are the best person for that role, you do the role and people work with it. So when you have events like that — there is smoke in the air and there is water to be put on fires — those things just work seamlessly.

Mr LEANE — I do not know if you were in the gallery earlier, but one thing I think the government and the Parliament need to take into account is that the level of volunteering going forward into the future may not be as prevalent as it has been in the past, because the world is changing. In your role, especially in your role with the outer suburbs, have you witnessed or experienced that? Is that something we should be concerned with?

Mr DEERING — Not so much in numbers. It is more in the leadership roles. For example, in my space I try to encourage people to become part of that incident management role — so managing fires. We are continually challenged to try to think of new and innovative ways to attract volunteers to go, ‘I don’t want to go on a truck anymore. I want to work in a control centre and manage a fire’. That is a different role, and we are continually working out ways to encourage people to do that. That is difficult. The numbers through brigades and volunteers I have seen to be quite consistent and strong. There is a bit of turnover, but the numbers are there. Of the people who just want to get on the back of a truck and go to fires and do what they can for the local community, it is still quite strong and prevalent, but the other part is a challenge.

Mr LEANE — Is there a challenge around standard work-hour availability? A conversation I have had with a number of people recently is that a lot of people that live in the outer suburbs do not necessarily work there. There is not work there. There might be some volunteers that do jobs that they cannot leave because of safety reasons. You cannot leave an unsafe situation to try to remedy an unsafe situation, so has that been a challenge?

Mr DEERING — Yes. It has been, particularly during the day during the week. Again, my example: if the weather determines that Thursday is a day where we need people in place at Gisborne and Kangaroo Ground, which are the two main centres for the northern part of the outer metro, and I know that I will struggle to get key positions filled by volunteers, I will have to draw down on the staff element for that purpose, because they need to be there in a readiness sense in case fires start; you would struggle to get volunteers at 10 o’clock on a Thursday morning to sit there all day, to say — if your employer goes, ‘What are you doing?’ — ‘I’ve got to sit at Kangaroo Ground just in case’. Those are the arrangements we have to comply with, but that is challenging for volunteers.

Mr LEANE — One last question on a previous response: you said that you are not too sure how total fire ban days would work and the permitting system and so forth. There are days when the MFB region has a total fire ban day as well.

Mr DEERING — They are not covered by our legislation.

Mr LEANE — Right. So that is something that needs to be — —

Mr DEERING — The legislation is only for the CFA. The CFA chief officer is the only one who can declare a total fire ban in a country area of Victoria, so that is not the metropolitan fire district currently and not protected public lands under Forest Fire Management Victoria.

Mr LEANE — I just want to follow on from that, and that is a really good issue that you have brought up. There is a lot of talk about detail, and I would not expect the Parliament of Victoria — given the skill set that we bring in terms of firefighting expertise — to sit down and do a bill that has all the detail. I would think that the people you deal with and the people with your expertise on a local level would actually be the ones who are more confident and would want to work through the actual detail.

Mr DEERING — Yes, correct, but by crafting the proposed bill in conjunction with the CFA bill, there are some questions there about that. So we need to find the answers to those questions about the legalities and issues of permits and things like that.

Mr O’SULLIVAN — Thanks, Mr Deering, for coming in and appearing today. There are a couple of things I just want to touch on a little bit in terms of understanding how all this is going to play out going forward. In

terms of some of the things we looked at earlier, I think everyone probably agrees that there needs to be some sort of reform in the fire services to sort out a few of the issues. But I guess what I am intrigued about is that we have had eight reviews address all the different elements of the fire services and their operations and preparations and so forth. Actually I think Mr Young said there has been more than eight. There has been nine or 10. If you look at the ongoing issues as a result of the EBAs and the current board as well, it looks like yourself and others are desperate to get some sort of a trigger or a mechanism that is going to allow some of that reform to ease some of that pressure that has been building up over a number of years, probably decades really.

What I am sort of curious about is it seems to me that this legislation, which from the evidence that we have heard, sort of started in January this year, and we have heard from the chiefs of the CFA and the MFB that they were not involved until it was decided how it was going to be actually formed. There were a few others — there was a small committee that was involved. The UFU have had 12 to 15 meetings since January. They were involved. It seems to me that this has been very quickly brought together, with nobody else really playing much of a role in how it is going to be formed. No-one knows any of the detail, but it seems to me that we are trying to clutch at this one desperate straw that might solve a whole range of 20 years worth of issues. I take my hat off to you because a lot of people like yourself are using this as a glass-half-full opportunity.

But I am just wondering, why do we not get it right the first time? Why do we have to sit here and argue? As Mr Young pointed out, you have got people at this end and people at this end arguing over whether this is a good piece of legislation or a bad piece of legislation in such a rushed form. Do you agree with me that we probably should just try and get this right the first time? Even if this does go through or does not go through, it is going to create more questions than it answers. Can the general public have confidence that this is actually going to really solve the issues that you have been talking about and you are frustrated about? Other people have said the same thing about how frustrated they are by what they are dealing with at the moment.

Mr DEERING — There are a couple of questions in there.

Mr O'SULLIVAN — Yes, there were a few.

Mr DEERING — I guess I cannot speak for the general public. I can speak through the lens that I have. I do not know the detail of how that formation you talked about came to be. I think there are opportunities in what has been presented. I think there is an opportunity to resolve some of those issues that have been in place for a while. I guess that maybe it is almost a question back to you: if not this, then what? I do not have the answer to that, but I do know that what has been presented, I think, can be workable if we have some input into the implementation. But as long as we are agile enough along the way to be able to take feedback — this bit is not working right; let's jump on and fix this bit. This is not working right; let's enhance that. Let's get a proper funding model for both Fire Rescue Victoria and the CFA that makes them sustainable.

At the end of the day, in the community of Victoria you have got a billion-dollar industry now. By combining those key elements, and I do not think that is counting Forest Fire Management Victoria, but the CFA and the MFB I think will be \$1 billion to the state of Victoria. So let's get it right. I am a bit glass half full, but at the same time I actually see some positives about it if we can clarify some of the detail that affects people and look after our people on the way as they go forward.

Mr O'SULLIVAN — I think everyone broadly agrees with where you want to end up, but I think there is some variation. We have seen very much that we do not all agree on the best way of getting to where we think we need to end up. I want to move on to the next area. You mentioned earlier that we do not want see the CFA and the volunteers turned into a second-class organisation, and I think everyone agrees with that. You mentioned yourself how well it works in region 14, where the volunteers have essentially got competition from the CFA professionals and also the MFB professionals, which makes them turn out, be very active, meet their deadlines, protect their community very well and so forth.

Mr DEERING — That is part of it.

Mr O'SULLIVAN — And I am paraphrasing — I understand that. But at the same time we have heard from earlier evidence that when you get into the integrated stations, the role of the CFA volunteers is very different to what we have seen with them in terms of region 14. In Bendigo station, in earlier evidence, the captain of the volunteers said that when a new volunteer comes in they have to manage their expectations about

what they are actually going to be doing. I found that was interesting evidence, because I would imagine that someone walking in the door would want to think that they could be more operational, they could go along to the fires and potentially one day, if they have done all the training, drive the truck and so forth. It seems to me that that has dissipated from where it was as a result of the integrated stations. I am not criticising the integrated stations, but I am just looking at that as a trend, where you are going from region 14 through to Bendigo, and I think Mildura is probably similar to that. I cannot speak for all of them, but I see a trend that this model probably does dilute volunteers in terms of their role into the future. We are seeing it now, but I worry about what it is going to be like in five or 10 years time in terms of whether they will be active enough to want to turn up.

Mr DEERING — I actually quite agree with what you say, and ‘dilution’ is an interesting term, but at the same time from some of the information that I have been involved with, in gathering data about the potential change to integrated brigades — and I do not want to harp on it — I reckon there is a real opportunity at some brigades to think about what it is they want to do. So, ‘Okay, I can’t get on the truck, and I’m going to be challenged in my issue about the response area, and I’m going to be challenged by co-location’, but there are a whole bunch of other things in the CFA that they can do.

I think we can encourage that. It could be more of an incident management profile; we have what we call headquarters brigades that support the running of the business on bad fire days — there are a range of other things, as long as that expectation is clear and as long as it is what they want to do and we can encourage them with different opportunities and specialist activities. They might decide to be the group that has a control vehicle that assists us with fire management. There are a whole range of activities they could be part of. One of them is the opportunity to do that.

The other comment I will make is that with volunteer brigades — in district 14 we had a variation in how we approached the issue of integration. Some of it was imposed on us and some of it was by how it came about. An example is a brigade at Greenvale that was essentially almost on its last legs — a volunteer brigade that could not cope with the growth that was occurring at that time, in the early 2000s, and we had to do something. That lesson was that that is the wrong time to put staff in a brigade, because we are only just now, probably 10–12 years later, starting to see that volunteer brigade be a strong, viable element of that brigade.

The lesson we got from there is when we integrated in district 14 we crafted up the integration officer profile so that we have an officer that works with the brigade for six months before any integration, just to build the relationships, and then the integration occurs. And we do it when they are strong. I can clearly remember the conversations I had with Melton fire brigade and with Steve Hirt out at Melton. They were going, ‘Why are you integrating us now?’. ‘Well, because you’re strong. I can show you the data: the town of Melton is going to be 60 000 people in eight years time, and you will not be able to deliver that service to those 60 000, so we need to do something now whilst you’re strong’. That was the benefit of that. Melton has benefited from that. Sunbury and Craigieburn are other examples of that. When they are a strong and viable volunteer brigade is when you do it, and they then tend to carry that strong viability all the way through.

The CHAIR — Mr Deering, thank you very much for your evidence this afternoon. The committee appreciates your attendance at such short notice and your fulsome answers, which have been very helpful to our deliberations. We will have a draft transcript to you in the next couple of days for any corrections. Thank you very much.

Mr DEERING — Thank you very much for the opportunity.

Committee adjourned.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Traralgon — 19 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Cesar Melhem

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Witnesses

Mr Paul Carrigg (sworn), Officer in Charge, and

Mr Pat Hunter (sworn), First Lieutenant, Country Fire Authority Dandenong;

Mr Arthur Haynes (sworn), Officer in Charge, and

Mr Lee Austin (sworn), First Lieutenant, Country Fire Authority Hallam;

Mr Shane Mynard (sworn), Officer in Charge, and

Mr John Holland (sworn), First Lieutenant, Country Fire Authority Morwell; and

Mr Chris Loeschenkohl (sworn), Officer in Charge, and

Mr Ale Eenjes (sworn), First Lieutenant, Country Fire Authority Traralgon.

The CHAIR — I declare open the Legislative Council select committee inquiry into fire services restructure. I welcome this morning witnesses from CFA integrated stations in the south-east of Victoria. We have with us this morning representatives from CFA Dandenong — officer in charge, operations, Mr Paul Carrigg and first lieutenant Pat Hunter; from CFA Hallam, officer in charge Arthur Haynes and first lieutenant Lee Austin; from CFA Morwell, officer in charge Shane Mynard and first lieutenant John Holland; and from CFA Traralgon, officer in charge Chris Loeschenkohl and first lieutenant Ale Eenjes.

Gentlemen, welcome this morning. The committee appreciates your attendance and evidence that you will give over the course of the hearing this morning for which 90 minutes has been allocated. All evidence that is being taken by this inquiry is protected by parliamentary privilege; however, any comments you make outside the precincts of this hearing are not so protected. All evidence is being recorded by Hansard, and you will be provided with a proof version of the transcript in the next couple of days for any corrections.

All evidence is also being given under oath, so I would ask the secretary of the committee to swear in the witnesses, please. The committee has until 11.00 a.m. for this session, so I would invite you to make any opening statements that you wish to make for approximately 10 minutes, and the committee will then proceed to questions.

Mr HAYNES — My name is Arthur Haynes. I am an operations officer employed by the Country Fire Authority. I have been a firefighter for 33 years. I live in Tyabb on the Mornington Peninsula and work at the Hallam fire station, district 8. My current role is officer in charge of the Hallam fire brigade. I am responsible for the City of Casey and the 11 brigades within this municipality. I also have responsibilities with district 8 inside the southern metro area. Previously I have been the officer in charge of Traralgon and Morwell brigades, as well as the Mornington fire brigade.

I have a number of concerns with the reform. Having said that, the reform is needed. We do need reform, but there are a number of concerns with the reform. Just a couple of topics that have come to mind for me are integration. Long before I commenced my employment with the CFA, integrated brigades existed within the organisation. Integration relied on both the volunteers and the staff working as a team to ensure the numbers on the fireground were correct. Integration today has stations with a minimum of four staff on shift. These numbers are enough to manage over 90 per cent of the fire calls received by these brigades. This number of staff alleviates the requirement of volunteers to respond, as there is no role for them on the majority of jobs. By the time they get there the work has been done and the brigade is starting to clean up. This view has been gained over all my years as a firefighter, officer and manager of integrated brigades. So the main concern is integration and the future of integration with our number of staff.

Career staff supporting volunteers: a number of the current integrated stations support well outside their primary response area to support neighbouring CFA volunteer brigades. There is a shortage of volunteers during working hours, Monday to Friday, at a number of locations, and this hub-and-spoke type of support is growing within the CFA. Under the reforms there will be a requirement to have seven staff on the fireground. Can support well outside a brigade's primary area be achieved given the reforms?

FRV growth: the independent committee will recommend the growth of FRV in current areas serviced by volunteer brigades. There are a number of brigades in the CFA that are performing at a higher call rate than a number of our current integrated stations. These brigades will not be masters of their future, and plans need to be in place so that we do not sacrifice the contribution and efforts these members have given to their communities.

CFA officers: the CFA as a volunteer organisation needs to be supported by CFA officers. Operations officers up to the chief officer must be employed CFA officers. Volunteers need to know that their best interests are being catered for. CFA officers perform the role of manager, mentor and friend to our members, and these relationships are required to remain to ensure the volunteer-based organisation can continue to survive.

Reform: there is no doubt that reform in the fire services is needed, but is the reform in the current package being presented to government the appropriate reform? More time and thought has to be given to this issue to ensure the right decisions are made on the right time line to ensure the right protection for the Victorian community. The chief officer of the CFA must be part of the reform decision-making process. Once this proposed reform has been instigated, there will be no going back and the damage will be done.

The CHAIR — Thank you, Mr Haynes. Gentlemen, would anyone else like to make any opening comments?

Mr AUSTIN — My name is Lee Neil Austin. I am the first lieutenant of Hallam fire brigade. I have been a volunteer firefighter for 34 years at both the Doveton and Hallam fire brigades, and I have been an officer of the brigade for 12. The Hallam fire brigade commenced operations as Doveton fire brigade in 1951 as an integrated station. The volunteers have always supported the staff from that day, and it has never been a volunteer fire brigade, which is unique to the CFA.

When I joined Doveton as a volunteer 34 years ago the volunteers were a vital component of the integrated system. Over the last 20 years the integrated system has changed due to the introduction of more staff; the demographics of the response area — now it is fully urban, not an urban-rural interface; the availability of volunteer members in regard to daytime release from employees and daytime availability due to work location outside the response area; and family commitments and needs and general life commitments.

The community expectation of the fire services is that, when needed, a fire truck turns up to the scene regardless of the status of that person. As volunteers it is getting harder and harder to commit to the requirements of the community in the Hallam response area. I understand there needs to be reform, but one model will not suit every integrated brigade. There cannot be a one-size-fits-all reform package, and every brigade has different needs and requirements. Regarding any reform, I believe the chief officer of the CFA has to be involved as part of the decision-making process.

The CHAIR — Thank you, Mr Austin.

Mr MYNARD — Chair, I have got an opening statement, and I have got some sheets here or some documentation to pass on.

The CHAIR — So you are formally tabling those?

Mr MYNARD — Yes, formally tabling them. The statement I have is on behalf of me and the first lieutenant, John Holland, of the Morwell fire brigade.

The Morwell fire brigade was established in 1915, so it is 102 years old. It was integrated in 1953, so that is 64 years ago. The current staffing at a Morwell is 31, with an OIC. The volunteer members: we have 85 members in total — 21 volunteer firefighters operational, 29 members non-operational, and 26 junior members and 9 auxiliary members, all non-operational. The Morwell area has a population of approximately 14 000. We also support Moe, Newborough and Churchill, with the Moe and Newborough areas consisting of 16 500 people and Churchill consisting of 11 400.

The 2016 call rate for the Morwell brigade is 683. In the last financial year it was 749. The equipment we have at Morwell is a heavy pumper, with one endorsed driver from our volunteer ranks; an aerial pumper; a Hazmat, which has five endorsed volunteer code 1 drivers, which was originally purchased by the Morwell brigade and is now owned by the CFA; a tanker, with five endorsed drivers; a Ford control vehicle; a brigade-purchased support ute modified for the mine's existence with the exhaust, which is a brigade purchase. We also have technical rescue equipment at Morwell, but we do not have an appliance to respond with that equipment. We utilise the brigade's vehicles for that purpose, but it is not always there.

Some key points: we have all become pawns in the political arena. We are paying for a fire service to be delivered. The best practical service needs to be delivered across the state of Victoria. We support the reform. The reality is that we cannot continue as we are. Times have changed, and it is time for modernisation. The current integrated station model is broken but integration on the fireground is extremely strong.

The population of Victoria is growing, and the outer metro is expanding. People are also moving out to regional Victoria and travelling back to the city for work. With CFA as a fully volunteer organisation, this will alleviate any concerns with operational staff EBAs. There is the chance for the CFA to reset, build and strengthen on what they have already have today as volunteers. There is flexibility in filling positions across the state at career stations.

Reform must maintain and improve service delivery to the community, meet the fire service delivery expectations of the community and regain the trust and confidence in our fire services from the community. It

must provide safety for our firefighters and provide ongoing support for those impacted in both services. CFA will remain a volunteer organisation under the new structure. MFB and CFA operational staff will no longer exist as they are known today as they will become FRV. It must be remembered that this is their career; it is not a hobby. We must install a positive culture in FRV and CFA and be open and transparent. It must be fully scoped and funded initially but also ongoing. We must put an end to the disharmony and mistrust among all parties.

Areas of concern: if the reform does not go ahead, community confidence will only be lower than it is now. We must maintain and enhance the current service delivery. We need to be able to maintain the existing service with career firefighters responding in 90 seconds. Volunteer brigades will never be able to meet the response times of the staff. This is the nature of volunteer brigades. Volunteers need to leave work or get out of bed and drive to the station et cetera, and employers are becoming more and more reluctant to let their employees leave work for CFA duties.

For the above reasons and for the skills mix, it is important that we try to guarantee two trucks and at least seven firefighters be dispatched within 8 minutes to give greater protection to the community, volunteers and the career staff.

In relation to existing integrated brigade members, the opportunities for volunteer members is limited at integrated stations and volunteers are feeling undervalued. So much of what happens around integrated stations is done by the staff, and the volunteers are becoming disengaged. We have a pretty good relationship between staff and volunteers at Morwell, but it has been a roller-coaster ride over the last few years.

In relation to co-location, the feeling of the Morwell fire brigade is that co-location would not work. The current integrated system is not working well, so just basically changing the name will not fix anything. Volunteers have concerns that as FRV expands, volunteers will gradually be squeezed out, which is what already exists in the current stations, with more career firefighters. In relation to separate locations for CFA and FRV, we believe this is the most effective outcome. The brigade will retain its identity, history et cetera.

This statement is on behalf of John Holland and me from the Morwell fire brigade.

The CHAIR — Thanks, Mr Mynard. Gentleman, that is the time allocated for statements. I will just check if anyone else wants to make any other brief opening statements.

Mr LOESCHENKOHL — I have a brief opening statement. My name is Chris Loeschenkohl. I have been with the CFA for 17 years and have worked at various locations around the state. I am currently performing the acting OIC role at the Traralgon fire brigade and have been since February this year. We support the need for the fire services amendment. Having seven people on the fireground will help, and there are some things that need to change in integration. It will also give the volunteers back their autonomy, especially at an integrated brigade. It will remove the three-year EBA cycle, which currently sees both workforces against each other every three years. It will also enhance fire service delivery in the growth corridors.

The CHAIR — Thank you. If there are no other opening statements, thank you, gentlemen. I will now proceed to questions. A theme that came out of a number of the opening statements related to the role that volunteers are playing in integrated stations and the diminished role of volunteers in integrated stations. I was particularly interested in your comment, Mr Mynard, in your statement that your view is that integration is not working particularly well but also that co-location would not work. Can you expand on that, please? Given this reform has been sold heavily on the basis that there will be co-location, why is it your view that that is not going to work?

Mr MYNARD — At the moment we have got volunteers and staff in the same location. If we go to co-location, the only thing we are doing there is changing the work. We are still in the same location in regard to that. If we had a different location for our brigade, our members' feeling is that they can regain their identity and their history. It will maintain the history, and it is theirs to look after. At the moment nothing will really change; it will still be co-location. We have a lot of HR issues that come out of a lot of stuff, not just at my station but at other stations, and it is one way to alleviate that.

The CHAIR — So that would be separate stations, separate appliances —

Mr MYNARD — Separate stations.

The CHAIR — completely standalone.

Mr MYNARD — Yes.

The CHAIR — What are the HR issues that you have associated with integration?

Mr MYNARD — It is staff with volunteers and staff back to volunteers, but we also have issues with other staff about the volunteers and vice versa. Volunteers will have interactions about what their beliefs are too. It is the nature of anything. It is no different to a football club. Everyone will have an opinion, but it just causes ongoing issues. I have unfortunately been a receiver of some of that abuse. It has got to stop, because it is having an effect on our families as well.

The CHAIR — Are there other views on the issue of co-location?

Mr LOESCHENKOHL — The Traralgon fire brigade as the BMT, or the brigade management team, which consists of the senior volunteers and the senior station officers located there, are of the opinion that co-location will work at Traralgon. We have a very good relationship between the volunteers and the career staff. We are essentially a big family, and in a family, yes, you have some small issues where you have one family member that argues with the other one — that is everywhere. But essentially at Traralgon we are of the opinion that co-location would work. That is the opinion of the brigade management team and the senior station officers located at Traralgon.

The CHAIR — Thank you. Are there other views on the issue of co-location?

Mr HUNTER — I think from a Dandenong perspective we think co-location would work. If we were to move out and become separate, our volunteer members are not available during daytime response. They just do not work and live in the same area, so for us it would become a problem if we were set with our own assignment area et cetera. Co-location has worked extremely well at Dandenong. Yes, there have been some rocky periods over a few years ago, but everything for the last several years has now been worked out. It comes down to personalities on station. We have the right personalities at the moment amongst all the shifts. We have got probably the largest number of staff personnel on a station, and it works.

The CHAIR — How many volunteers do you have associated with Dandenong?

Mr HUNTER — We have 58 volunteers and I think it is 85 staff at the moment.

Mr CARRIGG — Seventy-five staff.

The CHAIR — Mr Haynes and Mr Austin, you both referred to the diminished role for volunteers in the integrated model. Can you outline what you have seen at Hallam, what you have experienced, as the career staff have grown — what that has meant for volunteer participation?

Mr AUSTIN — The issue that we see, as Arthur has pointed out before, is that with the majority of the calls now when the staff get on scene it is a given that they are not going to hang around long because, once they have put a stop on it, they are going to go home. So the issue with the volunteers part is that they sort of say, ‘Why do we bother turning out when we’re not going to get the call?’. But there are also issues if we get major jobs. The area we are located in is starting to become a heavy industrial area, and we have long-duration calls where they need the volunteers. That is a given and that is a known at the station. As the other gentlemen have said regarding the co-location, I think it will work. We at the station want to see that it works. There is just that having a CFA area and a FRV response area is probably going to be one of the things that we will need to overcome, work around, work together, autonomously. Yes, there is a diminished response of volunteers but, as I said, it is the nature of the beast.

The CHAIR — You referred to the fact that 90 per cent of your jobs are handled by the career staff, initial turnout. Has that led to a drop-off in volunteer interest in the Hallam brigade? Have you seen the number of volunteers drop away?

Mr AUSTIN — Not really because I suppose we do not have as many volunteers as at Dandenong. We have only about 35 volunteers and I think we have probably got about the same in the career staff, so we have pretty much an even mix across the state. The support that myself and the majority of the volunteers receive from our staff is really good. We have a really good working relationship with our staff at Hallam. As every brigade does, you have issues. We work around them and we overcome them. I think it is just a case of we need to work together and work through the problem.

Mr HAYNES — In 2008 the Mornington fire brigade had a service delivery standard of 96 per cent. The CFA integrated that station, and myself and Mr Carrigg were two of the first officers to go to Mornington to integrate it. We went there with two staff on duty at one time, and in that time the volunteers and the staff needed to work together to ensure we had sufficient numbers on the fireground to do initial attack. As the years went on, we increased our staffing to three. Three firefighters on the fireground at one time can do a fair bit of work by themselves, so the majority of the work was getting done. Now we have increased that staffing level to four. The role and the requirement of the volunteers to be needed on the fireground has diminished a lot since the four staffing has come into being — and how many times do you respond to calls where you are not needed? This is the issue we have at Mornington. I have only left Mornington 18 months ago and come to Hallam, so I have got a fair knowledge about the Mornington decline over the years of the responsibilities of the volunteers to respond to fire calls. So that is that situation.

And in Hallam, too, it is the same. We were short of numbers a few years ago, the staffing levels. We have increased the staffing levels again. With five as a minimum on at Hallam now, the five firefighters on duty do perform 90 to 95 per cent of the calls that are required as that single identity.

The CHAIR — When you had the increase in the number of paid staff — and obviously that took the bulk of the responses — did that lead to the number of volunteers dropping off at Mornington, because they were not getting call-outs?

Mr HAYNES — It did not drop off, but we turned over a few. So a lot of the older ones resigned or stopped turning up to a certain extent, and new people kept wanting to come into the fire service all the time. So some would come in for a while, then they would depart. Keeping them was an issue. We would get a lot in and a lot leave. But we have kept a lot. There is a new breed in Mornington now, where there is a changing of the guard, I dare say. They have still got a lot of members in Mornington, but they do not respond regularly.

The CHAIR — Mr Haynes, one of the other things you said in your opening statement was officers must be employed by the CFA. Obviously the model that is proposed will see staff employed by FRV and, under an arrangement which is yet to be detailed, seconded back to the CFA. Do you believe that is not going to be an appropriate structure for — —

Mr HAYNES — My personal view is yes, it will not be appropriate.

The CHAIR — Can you outline why?

Mr HAYNES — To be a CFA officer outside of the station staff is more of a lifestyle than a job to a certain extent. There is not just 9-to-5 work. It is night-time work, weekend work. Just this month alone I have got four Saturday nights I will go to dinners and present awards to volunteer brigades. We have had a volunteer leaders forum on Sunday, so 9 until 3 Sunday I worked. I have had Monday night with the fire brigade, Wednesday night I go out with the group meeting, which is the volunteers in 11 brigades in the Casey group getting together, so I have worked with them as well. So it is not a 9-to-5 job where you just turn off. That is the trouble — not the trouble, but the job of a CFA officer: to be there for the volunteers when the volunteers are available. Because the volunteers are not available a lot during the day, you have to be there and need to deal with them at night-times and on weekends.

Mr LEANE — That is a role I have been sorting for many years. I just want to get on the public record some really basic things about firefighting for the purposes of this process. I hope you do not mind that we draw on your expertise now. I have been doing a lot of reading of the submissions about standard operation procedures, that sort of stuff. In the process I will try to paraphrase some terms, and I will throw it over to you to polish it and make it right.

I want to talk about structural fires. Flashover in a structural fire is when a fire starts in one particular room, it burns for a period of time, it heats up the room to the point where there is a chemical reaction in some of the materials and then there is a point where everything that is flammable in that room combusts. You polish it, as I said. Is that a fair assessment of what flashover is?

Mr CARRIGG — That is pretty good.

Mr LEANE — So that room flashes over and that can take 10 minutes, or whatever the period of time is. Within a matter of a shorter time, maybe 3 minutes, because of that occurrence, the next room can have a flashover and the ceiling can have a flashover from being related to that particular event. That is pretty good? I need you to say yes.

Mr HAYNES — Yes, that is correct.

Mr LEANE — Thank you — and it makes me feel good when you say yes. It is not just structural fires, but let us just talk about structural fires because I am a metropolitan member of Parliament. I represent an area where there is an MFB area and there is a CFA area. When it comes to fires and attacking the fire, every minute counts.

Mr AUSTIN — Yes, that is correct.

Mr LEANE — Yes, that is true. When a career firefighter does their training to be a firefighter level 1 — and it is currently 16 weeks, I understand — is that something that gets drilled into firefighters, that that is the case: every minute counts when it comes to addressing a fire?

Mr HAYNES — Yes, it does.

Mr AUSTIN — Yes.

Mr LEANE — Mr Mynard, in your submission you spoke about a certain amount of firefighters being at a fire. I want to talk about structural fires. I read a lot of submissions to this committee where it talks about world's best practice and it talks about addressing a structural fire where there could be people inside the structure. It talks about the practice — and I think this practice is the aspiration, because I know it does not always work this way — of there being two firefighters who put on breathing apparatus. They go in, and they drag a hose in with them. When the hose is full of water, it is heavy.

Mr AUSTIN — Yes.

Mr LEANE — So those two firefighters go in. Two firefighters put the breathing apparatus on, and they are there to rescue those firefighters or if those firefighters need a break or if they need assistance, they are there for that capacity. Then you have an incident controller who is controlling the incident, and then you have someone manning the pump. So we have got four breathing apparatus firefighters, someone manning the pump, incident controller, and then you have a seventh one whose job is to find the water in the street, a bit of crowd control and communication. I have read that a number of times. That is the best practice.

Mr CARRIGG — It is a good model.

Mr AUSTIN — That is correct.

Mr LEANE — It is a good model. Okay. Briefly I just want to touch on the training of a green volunteer — me. I am not a volunteer, but if I turn up and I am required to be able to jump on the pumper, I have to do a minimum amount of training.

Mr AUSTIN — That is correct.

Mr LEANE — And the accreditation that I get is a wildfire accreditation. It actually says wildfire in the initial accreditation?

Mr AUSTIN — Yes. That is correct.

Mr LEANE — But if I am at an integrated station and I turn up to a structure fire, to be able to get involved with entering the building or being the backup for the people that have, I have to have a breathing apparatus accreditation?

Mr AUSTIN — Yes, that is correct.

Mr LEANE — And a breathing apparatus accreditation. It is not one; there are two different ones. There is one external one, which is around I would imagine a car fire or something like that, but the internal one is a different one.

Mr AUSTIN — Yes, that is correct.

Mr MYNARD — Yes.

Mr CARRIGG — Breathing apparatus and search and rescue, we call that.

Mr LEANE — Breathing apparatus and search and rescue. To do that as a volunteer, it is about 10 nights of 2½ hours of theory, and then you have to be at a facility for three to five days to do the practical.

Mr LOESCHENKOHL — Sorry. As a volunteer, no.

Mr LEANE — No? You do not have to do the practical?

Mr LOESCHENKOHL — No. It is not three to five days, no.

Mr LEANE — What is it?

Mr LOESCHENKOHL — It is not 10. All up it would be approximately five night sessions and they might do two day sessions, including their assessment.

Mr LEANE — Is that for the breathing apparatus?

Mr LOESCHENKOHL — Breathing apparatus. That is after they have done their wildfire with structural, so they have another little course in between that prior to doing that.

Mr LEANE — Okay. There were a number of individual submissions where there was grave concern where practices broke down. What is the standard operating procedure for the CFA, as in numbers to a structure

Mr AUSTIN — Four on the fireground is the standard operating procedure under the current chief officer's standing orders — where practical, four on the fireground, which is your two BA, a pump operator and an OIC. That is the current standard.

Mr LOESCHENKOHL — The key words being there 'where practical'.

Mr CARRIGG — Just to clarify, it says there should be four on the fireground before internal fire attack is considered.

Mr LEANE — Yes. So four on the fireground. I would imagine in the MFB that they have a situation where they are guaranteed a second pumper over a period of time because their set-up is different.

Mr AUSTIN — That is correct. As I stated, and it is written, it is where practical, four on the fireground with two internal firefighters. But that is not always practical, because in a situation that we have had, currently, we have three on the truck and a pumper. So this is what we are saying about 'where practical'. Say, for instance, if I turn up to the station, I am actually qualified to go internal, do an internal fire, so I will be the fourth person on that truck. But if it is not always that and if the staff are supporting a volunteer brigade, that volunteer brigade — I will use one down the road from us — if they turn out with four on the truck, they basically have to have a level 1 incident controller, someone to run a pump and two BA wearers. But if they turn up and they have not got either one of them, then we are asking for more appliances because we need more people to go inside. But just because we have got three on the truck does not mean to say we are not going to have a crack.

Mr LEANE — And I understand that. I am not saying you will not. It seems there are a lot of situations where it says you make do — you make do with what you have got.

Mr AUSTIN — In the light of the public, the public still expect a quality of service, from a fire service to turn up. If someone is reported in that house, we are not going to say, 'Well, we've got to wait for another truck because we haven't got enough people'. We are going to have a go.

Mr LEANE — I understand that. There could be a call-out, a page to a volunteer brigade for primary or backup where in the response by the station there might not be the BA-accredited — —

Mr AUSTIN — They may not have the correct skills mix.

Mr LEANE — There might a response where is not someone that is qualified to code 1, as in drive the truck, put on the lights and sirens and get to the incident as fast as they can. If you have got a code 1, there can be instances like that.

Mr AUSTIN — That is correct, but also that is not — —

The CHAIR — Ten minutes has gone.

Mr LEANE — Can I ask one more?

The CHAIR — One final one.

Mr LEANE — This is from submissions that I have read. There was a submission about a bank fire in Springvale when unfortunately a man put himself on fire. It would have come under Dandenong's — —

Mr CARRIGG — It was Springvale's area. Dandenong responded. I was actually there.

Mr LEANE — You were there. So this is Springvale's area and Springvale is —

Mr CARRIGG — It is an integrated brigade.

Mr LEANE — an integrated brigade, and Dandenong responded. Who got called out first?

Mr CARRIGG — Springvale got the initial call, but as part of the standard response process for that a Dandenong appliance responded as well, and also Noble Park.

Mr LEANE — And also Noble Park. Noble Park is a?

Mr CARRIGG — Volunteer brigade.

Mr LEANE — Volunteer brigade. When did they get paged?

Mr CARRIGG — It would have been when the initial call came through. They would have got the same page as Springvale.

Mr LEANE — So what were the events? Who turned up?

Mr CARRIGG — The Springvale appliance was just down the road doing an inspection, so they were first on scene, very quickly. A pumper from Dandenong arrived secondly. There was a delay with response from the Noble Park brigade. In accordance with the computer-aided dispatch procedures, if a brigade does not respond within a period of time, another brigade is automatically responded to to cover them.

The CHAIR — Thanks, Mr Carrigg. We will have to move on, Mr Leane. Before I call Mr Young, I would like to acknowledge with us in the gallery this morning two local members of Parliament from the Eastern Victoria Region: Ms Melina Bath, MLC, and Mr Jeff Bourman, MLC.

Mr YOUNG — Thank you, gentlemen, for coming in today and for giving us your time. I am just going to continue from where Mr Leane left off, with an understanding of the seven on the fireground. Mr Loeschenkohl, you talked about it but it is something that has come up as a pretty common theme. With your current arrangements at your brigade, is seven on the fireground achievable?

Mr LOESCHENKOHL — Seven on the fireground generally is achievable for the majority of our calls. We currently have Morwell supporting in — all calls in the Traralgon area Morwell support in — so we do get that seven dispatched to the fire and we do achieve the seven on the fireground. Although it being a little bit of time difference, given that Morwell is that 12 kilometres away, we still have that backup arriving and knowing that it is going to arrive.

If I may use an example in regard to the seven on the fireground, I will go back to a house fire when I was a senior station officer at Traralgon. In the evening it was about 1930 hours, approximately, and we got paged to a house fire. We had a crew of five at Traralgon — because we have the pumper staffed with three and the ladder platform staffed with two — along with Morwell being paged and Traralgon East being paged. So we had that increased response.

We arrived on scene, and the house was well alight. I approached the neighbour that was standing out the front, and he informed me that there was a lady and two children inside. Initially when we turned up we only had the three, so my decision was: do I send in one person to attempt a rescue and do I essentially leave that person going in to attempt a rescue on their own and in unknown circumstances in terms of what is going to happen, or do I wait for the rest of the crew to turn up?

I waited. I made the call to wait, as it was unsafe to send my leading firefighter inside on his own. Luckily enough I could say afterwards, ‘Thank God I made that decision’, because there was no-one inside. However, having those extra people on the pump — at least having that extra person, that fourth person, on the pump — I would have been able to make a bit of a different decision maybe.

As far as the volunteers turning up, I did not know who was coming. I did not know what skills mix they would have, how long it would take them to get there and what qualifications they had. Do they have BA? I do not know who is turning up. I cannot pick up a crystal ball and say, ‘Yes, I’m going to get BA operators today’ or ‘I’m not going to get one today’. It was a difficult decision to make on the night at the time. It was the right decision; however, the circumstances could have been completely different.

Mr YOUNG — I would imagine that is a pretty common sort of scenario where you do have a certain amount of uncertainty as far as what is going to happen with the volunteer aspect and you have got to make decisions on the fly. We all know you are there doing a great job, and you make those decisions.

Mr LOESCHENKOHL — Essentially at Traralgon we have six volunteers that are BA accredited. To drive and operate the tanker we have five. To drive and operate the breathing apparatus van which the Traralgon fire brigade purchased and the CFA now owns we have six. That is six out of our 50 members. Of the 50 members that we have, 34 are non-operational members, so they do not turn out to a call anymore. We have 16 operational members, and out of those 16 operational members there were seven last financial year that turned up to more than 25 calls. We had approximately five that turned up to 10 calls or less.

Mr YOUNG — If we go back 18 months or two years, and if we were having the same conversation before any talk of this legislation existed, if we were talking about the best practice and the way in which we operate and if we were all here trying to gain an understanding of how this seven on the fireground works and you were asked what you need to make it better, to make it a certainty and to make sure that every time you have the ability to have seven on the fireground, what would you ask of us? What do you need to be given to deliver that service?

Mr LOESCHENKOHL — Increased staffing — so having that seven being dispatched to a fire. It is not always the case that seven get dispatched to a fire. If we go to a call in Traralgon East tomorrow, there is only a guaranteed three career firefighters responding in the pumper to Traralgon East or to Rosedale or to Willung South. We had a shed fire in yesterday out in Willung South. Willung South is approximately 35 kilometres away. We are responding out there with essentially three.

Mr YOUNG — And everyone else echoes those sentiments — that staffing and resources are the main — —

Mr HOLLAND — From a volunteers perspective that is probably part of the big problem with volunteers. The more staff you get, the less we are engaged. People turning up to the station are lucky to get on the apron in most calls. Going into structure fires is a small part of what we do. We are turning up, and you are lucky to get

on the apron and you go home again. So you have driven down there, you have gotten out of bed and whatever, and you are not needed. You get out of the habit or inclination to turn up, so you stop turning up. Then it becomes that when you really are needed, people have gotten out of the habit and they do not turn up.

I understand we have got to deliver a service, but from a volunteer's perspective, a big part of the problem is that we are not needed, and when we are needed, we cannot be bothered, we have done something else or we do not want to get involved. We have got a huge problem with people turning out. We went from three to six staff just recently, and volunteer participation has dropped off significantly since that has happened. It is no-one's fault, but that is just the reality of it all.

Mr YOUNG — Thank you for reiterating that, but I just want to park the volunteer aspect for a second. You are not the first group that I have asked similar questions of about what you need to make the service better, and the answer I get all the time is resourcing and staff: 'We need more gear. We need more people trained'. With your understanding of this bill and this legislation that we are looking at, what is it going to fix as far as what it delivers to you to be able to do that — to have more staffing and have more resourcing?

Mr CARRIGG — I think it depends on where you are. It is not probably going to change the Traralgon model significantly. In Dandenong we probably do not need extra staff to respond, because we have got close proximity with other integrated brigades. We will end up with 10 or 12 on the fireground every time anyway. It really depends on where you are. From a Dandenong point of view we have got a minimum of 11 on shift now. Most times we have about 14 per shift. That has changed the whole culture of our volunteers in the brigade.

What we did to make it work was go back to our volunteers and say, 'Your role has changed. You guys will not be entering buildings and operating pumps and all that type of stuff. Your role will be to provide support for other types of things — rehabilitation and things like that'. We actually started recruiting two or three years ago for brigade members to actually perform those roles, and it has worked really well for us. I think in the last three years we have got more performing, capable volunteers doing those roles than we have had for about 10 years.

Mr MYNARD — It is different in different locations. We have all got different problems in different locations. If I look down the road at Moe-Newborough, they have actually requested extra support from staff. It is a completely different scenario there. They are lucky to get two people. The captain actually has his own business. He spends more time turning out to calls on his own, and he has requested support for more. They are actually asking for support for the staff there.

Ms SYMES — Where was that, sorry?

Mr MYNARD — In Moe and Newborough. Both brigades have actually requested that through the chain of command. Obviously they are working through that at the moment. We have got different scenarios where they are saying, 'Yes, we do need that support', but at the same time we have got an issue where, yes, it does decrease the volunteer needs on station. That is where sometimes I think not having a co-location, the brigade actually becomes their own identity and they have to do jobs to actually bring them back into the community.

Ms SYMES — It is not my turn, Chair, but can I ask for clarification on that point just a bit?

The CHAIR — We will come to you, Ms Symes. Mr Young has got a limited period of time.

Mr MYNARD — We are giving that support there where they are asking for it. If I take the incident at Sale not that long ago, they had several members on the fireground, and four were injured in BA from an over thing. That is a good example of where the support on the outside was there for them to rescue those people that were actually injured.

Mr YOUNG — Your answers have been really enlightening. I have literally stated the fact that I am trying to park the volunteer aspect, and three of you have gone straight back to how important the volunteers are to the service we deliver, so that is just great to hear. I am really pleased at that.

But in terms of the career staff that are operating and the extra resourcing that they need to do the job, is there any reason why that could not be addressed and could not be fixed now under the current structure by giving the CFA more resourcing that we need to have this service changed to a different organisation to be able to fix that problem?

Mr MYNARD — I think the current structure has been badly damaged because of our EBA agreements. I will be up front about that. That has caused us more grief than anything that has occurred. If we can eliminate that and it happens to be two independent services, I think that is a good thing. Family-wise, just from a family perspective, my children actually get harassed at their work locations because their father is a career firefighter. That is starting to take a [inaudible]. Two of them have left their work, and they are unemployed. It is not a good thing.

Mr LOESCHENKOHL — It is going to remove that three-year EBA cycle — that same thing every three years. There is not going to be that external interference from the employment conditions of the career firefighters.

Ms HARTLAND — Anybody can answer this one. I found it really interesting when we were talking about the diminishing roles of volunteers et cetera. I am in a totally metropolitan area — western metro. I have five CFA stations; some of them are integrated. It is a growth area. There are similar problems that you have talked about today about volunteers being able to turn out — they are working; they do not work and live in the same area et cetera. It feels a bit like we are ignoring community safety in all of this. The role of the volunteers is incredible, but can we actually continue to operate any kind of volunteer service, especially in metropolitan areas?

Mr CARRIGG — Just to answer that, I think that is why the reform has some positive outcomes from my point of view. Without disrespect to previous or current board members of the CFA, they were volunteer focused and probably looked at retaining the volunteers more than in having a customer service focus. So I think that does occur in places. Other places it does not, but it does occur in some places. That is why I think a different organisation running the new fire services will improve that. They will make customer service the biggest priority and make sure that the customer gets the right responses instead of ownership from a brigade or something.

Ms HARTLAND — Paul, could you talk a little bit more about the model that you have developed at Dandenong? That was really interesting — an acknowledgement that volunteers are really essential, but there is not enough training or you cannot get enough turnout, so you are actually telling people, ‘This is what we would like you to do’. Can you talk a little bit about how it has worked?

Mr CARRIGG — Yes. Just to clarify, it is not just me; it is the brigade management team.

Ms HARTLAND — Right. Excellent.

Mr CARRIGG — I think in order to run an effective integrated brigade, you need the right staff and you need the right volunteers and then you need an effective brigade management team. We found years ago that our volunteers had been trained to do internal fire attack and operate pumps and things like that. With an increase in staff into the station, that role no longer existed, so we had to actually refocus them to not do that as their role but their role could be rehabilitation, cleaning up after jobs, some minor structural firefighting for ongoing situations, and that is what we did. So we recruited for that purpose, and we told people coming in, ‘If you want to be a member here, this is what your role will be’, and it has worked really effectively.

We have 58 volunteers on our books at the moment, and like most brigades we have probably 15 who are actually responding. The rest are support or different forms of membership, but there is a job for more there — community safety functions, all those types of things. There are a lot of roles to be done. It does not have to be entering buildings and operating pumps and stuff like that.

Ms HARTLAND — And when we talk about the increase in paid staff, again that obviously in some ways diminishes what volunteers can do, but my understanding is that the increase in paid staff has been necessary for community safety. Am I right there?

Mr CARRIGG — Community safety and firefighter safety.

Ms HARTLAND — Yes. Can you talk a bit more about firefighter safety?

Mr CARRIGG — I think it has been spoken about previously this morning, but we have heard about the ideal number of firefighters on the fireground for a safe approach for a structure fire. Now, that is just a house fire, so it could be an effective fire where you need a whole lot more resources, but if you use that house fire

type thing, seven provides safety. Two go in to do a search and rescue to try to find the occupants. The incident controller is outside et cetera, and there are two more people there to assist. So if that search and rescue crew get in trouble, there is someone there to back them up and go and help them or, if they go inside and find a family of five or six people, they go in and assist them in removing those people to safety as well. Does that answer your question?

Ms HARTLAND — It does.

Mr CARRIGG — Seven is probably safe for the firefighters and also provides the ultimate for your house fire in order to provide public safety.

Mr MYNARD — Can I just make a comment? We talk about the extra staffing having an increased pressure on our volunteers. That is more about integration. Brigades in regional Victoria who do not have career-integrated stations, it is not going to affect. So those volunteers are going to remain; they are still going to do their job. We are really focusing on what the effects is here at the moment; it is on our integrated stations. So in effect across the state with all volunteers it is not going to affect their day-to-day running, compared to what they do now, under the new model — the proposed new model, I should say.

Ms HARTLAND — Paul, can I go back to you again and talk about the bank fire, because I know this has been raised again and again in terms of the response time. From what I understand, you said Springvale, which is a volunteer brigade, was first there; they were close by.

Mr CARRIGG — No, Springvale was an integrated brigade.

Ms HARTLAND — Right. Sorry.

Mr CARRIGG — It was in Springvale Road, Springvale, so it was their initial call. As part of the response process they and a second brigade were activated. It was Dandenong who were activated to respond. The main reason behind that is that Noble Park has had some response issues for some years and they are actually working on rebuilding the brigade, so in order to ensure that we had the right amount of appliances for community safety or public safety purposes, for some time we have had three brigades responding to all Noble Park calls. So that happened initially.

When the officer first got on scene, which was a very quick response, of course, he asked for an additional appliance. The standard response is 29th station from MFB Clayton. They were tied up at another job, so it defaulted back to the second appliance from Dandenong responding.

Ms HARTLAND — For the volunteer members, how do you feel that your role can be increased and appreciated, because I get a sense that this troubles people — that the appreciation we give to volunteers may be diminished in this. Can you talk a bit about that?

Mr HOLLAND — I will do my best. I have only ever been a member of Morwell, so I can only speak for us, but, like I said before, because now we have six staff and all our primary calls to a structure are supported by Traralgon, we have our six staff plus whoever turns up from Traralgon. So you turn up and you might roll up a hose if you actually get out of the station, so people just stop turning up because there is nothing to do. People have put in many, many hours of training to get to the level that they are at, and then they just cannot put those skills into place. Then because they do not use those skills, when they get the opportunity to use them, because they are not practised at it, they are reluctant to use those skills because just like anything, if you do not use it, you lose it.

I just think that the current structure with the number of staff — and I know the community deserves a service, but from an integrated station point of view — the way we are, I think the volunteers are just thinking, ‘Why would I bother? I’ll do something else. I’ll go to the footy or something’. The more staff we get, the more it declines. We have members who turn up all the time as well, but there are others — and they have probably been valued members over a number of years — who just do not turn up anymore. They do not come to practice, they do not come to meetings, they do not come to fire calls, they do not even come to social events, so it has been a huge decline at Morwell.

Mr RAMSAY — I have a number of quick questions. I will start with Mr Haynes, if that is all right. Mr Haynes, you are very familiar with the proposed firefighter legislation, I assume, as you all are. Given you

are here I would like your thoughts on what you think about part of that bill being the presumptive legislation. I know the Chair will perhaps refer me to the fact that it is not part of the reference for this inquiry —

The CHAIR — That is right, Mr Ramsay.

Mr RAMSAY — but I only have one question, and that is: do you believe it is fair that there is one set of rules in relation to presumptive legislation for career firefighters and another set of rules for volunteers in relation to volunteers in relation to the hurdles that they have to meet in relation to presumptive legislation?

Mr HAYNES — With due respect, I decline to answer that.

Mr RAMSAY — Would anyone on the panel like to answer that?

Mr LOESCHENKOHL — Can I ask what hurdles you are talking about, Mr Ramsay?

Mr RAMSAY — Well, there are different requirements for volunteer firefighters in relation to the time they spent on the fireground to be able to meet the presumptive rules as opposed to a career firefighter, where it becomes automatic.

Ms SYMES — That is wrong.

Ms HARTLAND — What Mr Ramsay is stating is incorrect.

Mr RAMSAY — Ms Hartland, I am not venturing an opinion from you; I am just saying that there are two sets of rules — one for careers, one for volunteers — and for them to volunteer an opinion.

Ms HARTLAND — No, what you are asking is incorrect.

The CHAIR — Order! Would anyone like to address the question quickly before we go back to other areas?

Ms HARTLAND — And then could we correct the record please?

Mr RAMSAY — I will move on to the next question, seeing as no-one wants to answer that one. Mr Haynes, in relation to your opening comments, you agree and most of you have agreed there is a need for reform, yet a number of you are not convinced the proposed bill is the sort of reform that is needed to provide community safety in a change in structure. I need to seek from you an understanding of what your understanding is of how career firefighters and career staff, particularly, say, in Hallam, will be treated in relation to reporting and responsibility under the new Fire Rescue Victoria model under the proposed legislation, particularly when we do not know what the new EBA will be — as yet this vehicle has not been legislated — as against what the UFU might seek in relation to powers of veto, as they have done in this current EBA, which has sort of led us to the point where we are now.

What would your role be and what would middle management's role be in relation to career firefighters if you are having to abide by a new UFU EBA where, if you are a career firefighter, you will have to serve under Fire Services Victoria and potentially under a new EBA, which has we do not know what yet? What will your reporting, oversight and responsibility be to a CFA brigade in relation to management? Who would you be reporting to? Who would you be responsible for? Who would actually be empowered to take overall control of the actions that you take to supervise a CFA brigade on the fireground if in fact we go to the model as proposed in the legislation?

Mr HAYNES — Good question. It is unknown. Regarding the effect on me personally, if the question is to me personally at my rank or situation now, the word I hear is that if the bill gets up I go across and become an FRV employee and then I go straight back and do my current role, which is a manager of staff and a manager of volunteers, so I will be sitting across two agencies, I dare say. I do not know how it is going to work. I cannot answer your question in the way that if FRV is instigated straightaway and we go to FRV, there is no hierarchy in FRV so there is no-one for me to report to above me in FRV. So do I still report to my operations manager, who will become an FRV employee too, I suppose, and will sit back in CFA again too? Until we build the system and build this FRV into a full structure with a commissioner, his deputy and some management, my guess is as good as yours as to what my role is going to be.

Mr RAMSAY — Thank you. I think that confirms there is a large leap of faith in those that are wholeheartedly supporting this proposed legislation in that you still do not know the reporting mechanisms and responsibilities in relation to your new roles under Fire Rescue Victoria, particularly when we do not know what the EBA will contain in relation to what will happen and what will not happen on the fireground.

Mr HAYNES — Can I just say the EBA does not rule what I do on the fireground. The EBA is my work agreement. What I do on the fireground is done through procedures, policy and orders and the like, so we would need to instigate the policy, procedures and orders that I will work under. I do not work under an EBA on a day-to-day basis.

Mr RAMSAY — No. But I suggest that if you are involved in the MFB you would perhaps have a different view about what the EBA actually allows you to do or not do on the fireground and what resources might be available.

The other question I wanted to ask you, Mr Haynes, is in relation to your role. As an officer in charge, you have responsibility to make sure there is a strong surge capacity within volunteers, particularly in your station. In relation to the co-location, there still seem to be different views about how successful that might be under this proposed model, but I have heard plenty of evidence here today to say that currently the career staffing at integrated stations might well not meet the required capacity for a significant fire event and that volunteers will be required for that additional surge capacity. So how do you, as an officer in charge under this proposed model of integration or co-location, as it might well be called in the future, encourage those disenfranchised volunteers to still be part of this larger required surge capacity at a significant fire event?

Mr HAYNES — For day-to-day fires in the Hallam or outer metropolitan area, the surge capacity is there and will be there for those types of fires. The opinion I have of the surge capacity that is being bandied around at the moment is for campaign-type fires that are in the bush where there is the diminishing number of volunteers in country Victoria, where we from the outer metro head into the country areas to support those country brigades that cannot commit to what we can commit to with the numbers that we currently have got in the outer metro areas. Does that make sense?

Mr RAMSAY — Yes. Well, you have faith in the fact that the trained volunteers will be available under this new model — trained, as Mr Leane went through quite a lengthy monologue in relation to BA and other things — at a given point.

Mr HAYNES — We may lose some volunteers in integrated stations, of which there are 35 in the state. In district 8 that is only nine of our 73 fire brigades, so in district 8 we have still got a lot of volunteer brigades to do surge capacity. I am not saying that we are going to lose our volunteers from our integrated stations — hopefully we will maintain them.

Mr LOESCHENKOHL — Could I say in regards to my BMT, we had a meeting on Monday night and the key point from the BMT from the volunteer side of things was that we are leaders of this brigade. We need to ensure that we lead this brigade through this change and continue to provide as good if not a better, enhanced service to the community. That is the essential leaders of the brigade. The ones that decide, ‘Oh no, there’s a career firefighter extra coming into the station. Oh no, they’re going to take away my role. They’re going to disappear’, I think they are in it for the wrong reason.

You may think that by me saying that I hate volunteers. I do not; I love them. I am married to one and my son is one. I was one. So I understand we volunteers are coming from. My wife is a current volunteer at Traralgon fire station, who responded to last year in excess of 100 calls so she is a very active volunteer. My son has just joined up and done his minimum skills, and essentially he is progressing towards responding. He is currently 16 years old so he has to go when he can. He is not allowed to go during school hours. He is not allowed to go after 11 o’clock at night. His schooling is his responsibility. So there are factors just inside my own household which prevent some volunteers from responding. If I am at work, my wife cannot go. We have kids to look after. I have got four children.

Essentially the volunteers that want to provide that service to the community will continue to provide that service to the community. That is what they are there for. The people that are claiming volunteers are going to be driven out in droves and disappear probably need to look at whether they are in it for the right reason. Are

they providing that service to the community or is it a selfish ‘I’m not going to get to go to another house fire’ question?

Mr MELHEM — On the point that I think Mr Haynes made to Mr Ramsay, when you go to fight a fire you do not take the EBA with you to seek guidance about what you can or cannot do. Is that right?

Mr HAYNES — True.

Mr MELHEM — So let us put that myth to bed. When you are fighting fires you are at the mercy of the incident controller and the fire officer or the chief fire officer. That is who you report to and you have got your rules and regulations, which is nothing to do with the EBA. So can we put that one to bed?

Mr HAYNES — That is just our wages and conditions.

Mr MELHEM — Do you all agree?

Mr HAYNES — Absolutely.

Mr MELHEM — That is good. We can move on from that. If I can go back, Mr Carrigg, to the Springvale fire, are we able to get the log from the response in relation to the bank fire? Are you able to maybe provide that to the secretariat at a later date if possible?

Mr CARRIGG — Yes, I surely can.

Mr MELHEM — On the same thing, the reality is that in heavily populated areas, and I am talking integrated, I think it is fair as a society to expect — or our population, our citizens — that we have a full-time firefighting capability to respond immediately and not necessarily depend on the generosity of volunteers. As a state, I think it just makes sense that people expect that if there is a fire there will be a quick response and we have a full-time capability, and what is being proposed actually recognises that. I am talking about in the urban area. Is that a fair understanding from your point of view?

Mr HAYNES — The more urbanised our community gets, the harder it is to navigate traffic and get to the fire station in a reasonable time. That is our biggest issue at Hallam — it is getting our members there in a reasonable time to respond. If we did not have career staff, we would not be out of the door — 6 to 8 minutes would be our minimum response time most likely. The MFB area does need to grow and should have grown years ago.

Mr MELHEM — So the proposed changes are in response to that and working on that reality. Sure, the recent events have not helped in relation to the EBA discussions, and the politics from various quarters have not helped — maybe that was a trigger — but if we then focus on what has been proposed, it is to deliver that service to the community. I understand there is some apprehension about the implementation — how it is going to be implemented — and my understanding is that there is a process in place to actually work through that. For example, how the full-time staff are going to transition from the FRV to the CFA, which is currently the case — they are seconded. My understanding is that nothing is going to change. You will be seconded from the FRV and you will be reporting to the CFA within the CFA structure. So they are your bosses.

Again I think Mr Ramsay tried to say that the EBA might put on some restrictions, but to me you are reporting to the chief fire officer and his or her delegate about your day-to-day stuff, so the EBA is not really relevant to how you report. Is that your understanding in how you respond to fires?

Mr HAYNES — True, yes.

Mr LOESCHENKOHL — That is my understanding. I was going to say that earlier when that question was raised. I remember Chief Officer Warrington coming out and talking about how there were procedures put in place in regard to those people who are seconded back to the CFA, and there will be memoranda of understanding and standard operating procedures that we will continue to work under, and we will work for Chief Officer Warrington.

Mr MELHEM — That is already happening. An MFB person can actually be seconded to the CFA, and that is already happening.

Mr LOESCHENKOHL — Yes, I currently have one starting on Friday essentially at Traralgon, and there are two at Morwell currently working there now. They are both from the MFB and are working under the CFA, and they work under the CFA act and the standard operating procedures.

Mr MELHEM — Thank you. Just a couple of quick questions. In relation to co-location I think we have discussed that, but my understanding is that the legislation does provide a choice for brigades to be in either the same premises or separate premises. It is really a local solution — what people would like locally. Is that your understanding in relation to that? It is my understanding of the proposed legislation.

Mr CARRIGG — I do not think that it is actually mentioned in the legislation; I think it is what is being delivered with the legislation. There were options there for brigades. Straight out the Dandenong volunteers want to remain co-located.

Mr MELHEM — Absolutely, but there will be a choice. For a particular brigade in a particular area that wants to have separate buildings and separate equipment, that is catered for — that is my understanding — in the proposed legislation.

One last question. In relation to the recent events, a large number of submissions, including from your brigades, have pointed to the strain being faced by firefighters. I would like you to expand on that. In particular many career firefighters have been vilified. Are you aware of that? Another example is in submission 65: a bullet was handed to a career staff member and career firefighters have been called ‘assholes’ et cetera. Do any of you guys want to expand on this? Have you experienced any of these issues or have you heard of any?

Mr MYNARD — Yes, I can expand on that. I actually have one of my own firefighters who has had to take his children out of school because of bullying, which has come down from parents to children. Children have been bullied at their own schools, and he has had to take them out of school. I have been a victim of that exact behaviour myself, on station and off station, to the stage there when I would not wear my uniform. If I was going down the street, I would put something else on. Other firefighters have had the same thing for doing what they do. They get abused for the wrong reason. I believe that is a lack of knowledge or possibly some egos, and ego is just a lack of knowledge. I think that is where it has originated from.

Mr LEANE — Reading the wrong newspaper.

Mr MYNARD — I do not read the newspaper. I actually have not read the newspaper for nearly three years now, and there is a reason for that — it is for my own health.

Mr MELHEM — Just a final one then. I think you have answered the question, but I will ask it again. Following on from that, do you think that having a separate organisation, one focussed on supporting career firefighters and one focussed on volunteers might allow people to move on from these cultural issues, particularly the EBA? That could be a solution.

Mr MYNARD — I do. I believe it is one way of solving it. We are here because of the EBA dispute. That is not a secret; it is everyone’s feeling that it has been pushed in that direction. But it is an opportunity for CFA as a fully volunteer organisation to build on what they have got now and to strengthen. Also with ongoing financial support, not just initial support from the government. I do not care which government it is; they just need to continue on with that support, not just to them but also to FRV. At the end of the day we are here for the community, not for self-interest.

Mr MELHEM — Gentlemen, thank you very much for your evidence. I really appreciate your honesty in putting your case forward. Good on you.

Mr O’SULLIVAN — Thank you, gentlemen, for coming in and presenting evidence to us today. It has been quite insightful. I want to continue on the theme in terms of the EBA issues that have been raised. They have not been raised for the first time today; we have heard them in other hearings in terms of the problems we have had with EBAs. In some ways I guess the current changes in terms of where this legislation may take us are in response to the significant EBA problems, and we have heard in other hearings that it has been over decades; it is not just the most recent one. We have heard evidence that the problems with the EBAs have escalated each time a new EBA comes up. Can you tell me why it is so difficult to settle and resolve these EBA situations?

Mr LOESCHENKOHL — We have an organisation — the VFBV — that is out there. In 2006 there was a letter going around that they had written a letter that the sky was going to fall in and the CFA was going to be completely destroyed. It is now 11 years after that. In 2010 another letter came out that the sky was going to fall in, and we were going to be destroyed and the CFA would be no longer and volunteers would be no longer, and there were no issues after that. Again, we are seeing the exact same letter — those three letters are very, very similar. They were sent out in 2006, 2010 and again in the last couple of years. So we are having external input into a workplace agreement which essentially is between the CFA and its employees, and the external input into that is causing difficulties in solving our EBA problems.

Mr HAYNES — My view is probably a little more simplistic. It comes down to one word: trust. I do not think there is any trust from the CFA and any trust from the UFU and each agency.

Mr O'SULLIVAN — Okay. I would like to unpack it a little more in terms of the EBA. We have just talked earlier about how you go out to fight a fire, and you do not get the EBA out and read it before you go out. Is it fair to say that there a whole range of things in the EBA that actually do have an impact on what happens out on the fireground?

Mr MYNARD — No. The EBA is just my pay and conditions. I do not take that out there. We actually go by the chain of command on the fireground —

Mr RAMSAY — The EBA is just pay and conditions.

Mr MYNARD — and operational procedures.

Mr LOESCHENKOHL — It provides me with extra safety to be able to return home to my family.

Mr O'SULLIVAN — So the EBA only covers wages and conditions, nothing else?

Mr CARRIGG — No it does not. It covers manning and appliances and a whole range of other things.

Mr LOESCHENKOHL — So it provides me with extra safety conditions to be able to return home to my family at the end of the day.

Mr O'SULLIVAN — Okay. So it talks about things like training, equipment, safety, chain of command, cross-crewing, and there are a whole range of other things. So that is not related to fire situations? I would have thought that that would be. All those things would be.

Mr MYNARD — I see that no different to me being — my previous life was as a linesman, and I had similar things written in to protect myself from getting electrocuted. This would be the same scenario on the fireground — to protect me and ensure we have got crew safety and that the procedures are put in place for that, yes.

Mr O'SULLIVAN — I am just wondering whether the EBA is too complicated because it does have this crossover. If we have got a problem with the EBA that sets out terms, conditions and wages — that is fine — but if it is getting into all of these other areas, which has an impact in terms of going back to safety and those sorts of things within the fireground, if that is being held up, that is a problem.

Mr LOESCHENKOHL — I will give you an example of some vehicles that CFA have produced over the years and provided to stations. They have had some major safety flaws with them, and we will not accept them on a career firefighting station and the volunteers at that same station do not accept them as well. Yet with those safety flaws we will pick up that vehicle and drop it to the next volunteer brigade and go, 'There you go. There's your vehicle', and we have an unsafe vehicle in our fleet, sitting at a volunteer station.

Mr O'SULLIVAN — And no-one is suggesting that in those circumstances that should be out on the ground. But I guess the point I am coming to is —

Mr LOESCHENKOHL — But that is part of the stuff that is written into our EBA to protect us from CFA dropping that in our lap, which they have tried to in the past. Many times before they have tried to drop unsafe equipment in our lap to operate and utilise on the fireground. However, it is our EBA that has protected us from utilising that equipment.

Mr O'SULLIVAN — Yes, I understand that. But I guess the point I am asking you is that I do not think any of you guys would want the EBA to be held up. You want it to go through as quickly as possible so you know exactly what you are dealing with and you can deal with it and you have the certainty of understanding what it does for you. If it is being held up because of all these other things that are tossed on the end of it, over and above wages and conditions, would it be an idea to separate it and have all the safety elements considered in a different document or a different scenario rather than just in the EBA, which should be about wages and conditions?

Mr LOESCHENKOHL — No, it would not be a better idea to separate it, because then we have an EBA that, okay, gives us some wages and conditions but then we are constantly fighting for our safety — having seven people dispatched to a fire on the fireground. They are the arguments that external people are saying, 'It's seven people on the fireground before any firefighting commences', which we all know is a load of garbage. It is not written like that. The word is 'dispatched'. But they are external people arguing those points. It is not CFA and career firefighters arguing those points; it is the external people having their input into it, which has taken that away and extended this ongoing saga for many years.

Now with the federal legislation also interfering with our EBA, how can we ever have an EBA today with the federal legislation that is currently in place if one volunteer goes, 'I don't like that clause'? Then we spend time in courts — money, the community's money — fighting this. Essentially I think we are at a place now where we need a change to our reform so that we can continue providing a service to the community. That is what we are all here for — both career and volunteer — to provide that service to the community, and it needs to be enhanced.

Mr AUSTIN — From a volunteer point of view, as Mr Loeschenkohl said, as a volunteer at Hallam and I have also been a leader at Hallam through three EBAs before this, it all comes down to safety. I have made it known as a leader, 'Never get involved in the staff's EBA because it does not concern us. That is their wages, their employment, their conditions'. But as you were saying about the safety side of it, I will go for an example. We had gloves. They had a certain set of gloves, but they said 'We'll give the volunteers these', which do not meet and never met the standard.

Mr O'SULLIVAN — So is the EBA the only way you can sort out safety issues, or is there another way?

Ms HARTLAND — Let him finish.

Mr O'SULLIVAN — I was asking if there is there another way.

Mr MELHEM — Let him finish.

Mr HAYNES — I think certain things are placed in the EBA again through trust and they need to put it somewhere to document it and have it in place. That is why it is in the EBA. It is an agreed document; it has to be agreed to. That is why we put those extra pieces in there — to have that ability.

Ms SYMES — Thank you, gentlemen. I would like to acknowledge the fact that a lot of participants from your brigades have made submissions. There has been a lot of contribution from your brigades. So just the feedback that we really appreciate the time and effort that your members have put into contributing to our inquiry. Before I get to my question, I might just let Mr Austin continue his glove story, if that is okay.

Mr AUSTIN — Basically if it was not for career firefighters and their association with the union, working on gear and equipment that meets the standard, which is of a high standard, which can be used across the whole fire service, we would probably be in the same situation we were 20 or 30 years ago — with the trucks, the coats, the gloves, any of the equipment, the helmets, that sort of stuff. So basically any of the equipment now that the career firefighters receive the volunteers get, so we are all under one banner and all under the one safety situation with the equipment. As I said previously, we do not get involved in their EBA. In my previous employment I worked in the transport industry for 30 years. It would be like them coming and knocking on the door and saying, 'Look, I'll do his job and I'll do it cheaper'. It has nothing to do with that. I never have and I never will get involved in stuff, but I will stand side by side with them in any situation in support of the community.

I will go back to an instance when I was on the radio a few years ago. I was a bit annoyed, listening to Neil Mitchell on the radio, at him trying to portray career firefighters as coming in and taking over volunteer areas. Basically I will tell you exactly what I said. I was on the radio, and I told him that I was a volunteer at an integrated station and I had been for at that time 26 or 27 years as well as being a leader of the brigade. As volunteers we were doing in excess of 1800 fire calls a year at a career station. As a volunteer you cannot do that. Apart from your home life, your work life and your social life, you are expected to turn out 24 hours a day, seven days a week and you cannot do it. It all comes down to service delivery, as I said, and if you cannot provide that service to that community, then a process must be put in place for that service to be provided. He was lost. He did not know what to say. The gentleman he was talking to said, 'Yep, I know exactly where he's from'. I did not mention which brigade, but he said which one it was, and he said, 'He's 100 per cent right'.

At that station they have three career firefighters. The staff turn out the door in 90 seconds. They are already on the road before the volunteers even get out the front door of their house and into their car. As my colleague said, during the day I come up a road that goes through two schools and during the school day it is a 40-kilometre zone; we have to do 40 kilometres because we do not have licensed sirens on our private vehicles. We cannot get to the station within the allotted time to turn out in 4 minutes. We get 4 minutes to turn out; 4 minutes to travel to the job. The staff are out the door in 90 seconds. They get 6½ minutes to get to the call. In that time if it is a house fire, we may be able to shut it down to one room. If it is already through the roof and it has not been reported before, then we have lost the house anyway, but it still gives us a chance to get there to provide the service to the community that they require.

Ms SYMES — Thank you, Mr Austin. I just wanted to explore a little bit more the secondment arrangements with MFB — not so much the nitty-gritty of how it comes about but more about the benefits of an MFB being seconded to the CFA and whether you think that the new model will basically be a similar type of thing.

Mr MYNARD — I have a situation at the moment where I have two MFB firefighters working at Morwell. One of them is actually now living down this way; he has actually moved and lives down in Heyfield. What I see as the benefit for me is that it gives us more flexibility in the career ranks to actually be able to fill positions we have not been able to fill before, because there are people I know in the MFB who would like to move to the rural area and they cannot take those opportunities in one way if they are working in the MFB scenario. If there is one career service, we can actually transfer to positions across the state. I think it would also increase —

Ms SYMES — Spread skills around more easily.

Mr MYNARD — Yes. I also think it would help us financially if we were able to give people other opportunities to move to locations without backfilling it all the time with overtime.

Ms SYMES — Any other comments on the secondment arrangements and the pool of staff that would be available under the new model?

Mr LOESCHENKOHL — It certainly does help increase long-term vacancies. Up until a couple of days ago I had three long-term vacancies — leading firefighter positions — that I could not fill, and I have just taken on an MFB secondee to Traralgon to help fill that position. That is one position filled that, like Shane just said, I do not have to pay overtime for anymore, so financially it is benefiting the CFA. If we went into the reform, we would have a bigger pool of people to be able to take those positions. There are people who live down this way who travel to station 1 in the city to work. There was an MFB person who lived in Mildura who flew down for his four days to work in the MFB and who is now working in Mildura. So he is at home. He gets to see his family more, and he is benefiting Mildura by filling those long-term vacancies.

Ms SYMES — Great, thank you very much.

The CHAIR — Gentlemen, thank you for your time this morning and the evidence that you have provided and indeed for some written submissions that were received by the committee.

Mr LOESCHENKOHL — Chair, can I table these before we finish?

The CHAIR — What are those?

Mr LOESCHENKOHL — Just some documents in relation to the Traralgon fire brigade.

The CHAIR — Thank you. We will take those as formally tabled. Thank you for your evidence this morning. There will be a proof version of the transcript in the next couple of days for any corrections you wish to make. Thank you for your time.

Mr MYNARD — Chair, can I just say thank you for the opportunity on behalf of us.

Witnesses withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Traralgon — 19 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Cesar Melhem

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Witnesses

Mr Eric Collier (affirmed), President, and

Mr William Watson (sworn), State Councillor, District 8, Volunteer Fire Brigades Victoria;

Mr Brian Brewer (sworn), President, and

Mr Robert Auchterlonie (affirmed), State Councillor, District 9, Volunteer Fire Brigades Victoria;

Mr Aaron Lee (sworn), Captain, Country Fire Authority Bairnsdale;

Mr Michael Freshwater (sworn), Captain, Country Fire Authority Lindenow South;

Mr Brian Dalrymple (sworn), Captain, Country Fire Authority Warragul; and

Mr Brendan King (sworn), First Lieutenant, Country Fire Authority Sale.

The CHAIR — I declare open the Legislative Council select committee inquiry hearing into fire services restructure. I welcome representatives from volunteer brigades in the Gippsland region. With us this morning we have Mr Eric Collier, president, VFBV district 8 council; Mr William Watson; Mr Brian Brewer, president of the VFBV district 9 council; Mr Robert Auchterlonie; Mr Aaron Lee, captain of the CFA Bairnsdale brigade; Mr Brian Dalrymple, captain, CFA Warragul; Mr Michael Freshwater, captain, CFA Lindenow South; and Mr Brendan King, first lieutenant from CFA Sale.

Gentlemen, thank you for your time this morning. All evidence given at this inquiry is protected by parliamentary privilege; however, any comments you make outside the precincts of the hearing do not have parliamentary protection. All evidence is being recorded by Hansard, and you will receive a proof version of the transcript in the next couple of days for any corrections you wish to make. All the evidence we are receiving at this inquiry is sworn evidence, so I would ask the secretary to swear in our witnesses.

The committee now has until 12.45 for this session. We have allowed approximately 10 minutes for opening statements, and I understand Mr Collier is doing an opening statement on behalf of the group.

Mr COLLIER — Yes, I am speaking on behalf of Rob, Brian and Bill. I am not sure what the other gentlemen are doing, but if I could just take a couple of minutes. What I would like to do is put some key points on the table for discussion. Firstly, we are obviously disappointed at the lack of consultation with the CFA and with Volunteer Fire Brigades Victoria during the drafting of the bill. The lack of consultation we believe has resulted in a bill that is not going to achieve its intended results. We are also disappointed that the presumptive legislation has been included in the same bill. It is a very important piece of work, and it is sad that it has been thrown in with the rest of it.

We do not believe the government has made a legitimate case for reform. There is no effort to reduce the costs of fire service delivery, for which in Victoria we are paying the most of any state in Australia, and we are paying something like a 60 per cent premium over New South Wales. The reform segment of the bill appears to us to have been drafted purely to resolve the industrial relations dispute. This is the EBA. We do not think that is good public policy, and we are very concerned that that may set a dangerous precedent for industrial disputes in other industries.

The bill proposes a lot of changes but does not appear to deliver any actual reforms in terms of improved services of a reasonable cost. There is little detail about how the bill will be enacted and how it will operate. In effect we believe that the government is trying to sell us a pig in a poke.

The bill does not address the cultural problems in the fire services. We would think that culture has to be a fundamental pillar of any reform of the fire services. We were therefore disappointed to learn that apparently the UFU has taken legal action to prevent the Victorian human rights and equal opportunity commission from releasing their report into the fire service culture until after this committee finishes its work, and we would ask: what has been hidden from this committee?

The bill does not address Victoria's spiralling fire service delivery costs. I would refer you to the Australian Productivity Commission's report from 2015. As I noted earlier, Victorians are already paying far more than other states — 60 per cent more than in New South Wales — for no discernible additional benefit. This bill will only drive those costs up further, and that will of course drive up the cost of the fire services levy for all Victorians.

The presumptive legislation segment of the bill actively discriminates against CFA volunteers. Now, we are exposed to the same toxins and carcinogens as the paid firefighters, so we think it is unacceptable that we are going to be forced to jump through more hoops in order to access compensation under the presumptive legislation.

On the basis of those key points and basically other matters which we hope to be discussing, we would recommend that the Parliament reject this bill.

The CHAIR — Thank you, Mr Collier. Would anyone else like to make any opening comments before we proceed to questions? If not, we will open questioning at 11.22. Mr Collier, can I take you back to the comment that you made that this bill does not address culture? One of the issues that was raised with the committee in our preliminary discussions with government, as reflected in the government's submission, was that the rationale

for this restructure is to address perceived cultural problems, with the view that putting paid firefighters into FRV and seconding them back to CFA will somehow address cultural issues. That is clearly not your view. Can you expand on why you believe this structure will not address cultural issues?

Mr COLLIER — There are probably a number of reasons why it will not address it, but one of the key issues is that the bill proposes that the CFA bring back staff from the proposed Fire Rescue Victoria, FRV. Now, what that would mean is that if those people are employed by FRV, they will come back into the CFA and bring the EBA with them, which we consider is anti-volunteer and interferes with the management of the organisation. In our view, if you are going to reform in this way, what needs to happen is that the CFA needs to have a volunteer focus from top to bottom, and it needs to rebuild its culture that way. The only way they can do that is if firstly they employ the best talent available and secondly they are able to employ people themselves. It is not acceptable to bring people back from another organisation, particularly when many of those people — for example, people from the MFB — may not have any experience of working with volunteers at all. But in essence no-one brought back from the FRV would have a vested interest in seeing the success of a volunteer organisation, in my opinion.

The CHAIR — What is your view on the question of culture? Is there a cultural problem in the fire services?

Mr COLLIER — I would like to see the VEOHRC report before I make too many detailed comments, but I do perceive culture problems. By no means is it the majority of career staff, but some career staff do have an anti-volunteer stance and their behaviour actively discourages the participation by volunteers.

Mr AUCHTERLONIE — Can I just add a little bit there? I am a dairy farmer, so I do not have a lot to do with EBAs, but it just seems that the EBAs seem to cause quite a ruction, not only in CFA but we see it in the ambulance services and other government departments. Recently there was an article by John Silvester in the *Age* in relation to the police and the action that they took to stop their EBA disputes from going into strike action and that sort of stuff. It has been quite successful for the police. They are widely held as one of the most effective unions, I think, in the state if not the country. So there should be other ways of settling pay disputes and addressing the conditions issues and other things that the paid staff want to do, without causing all the disputations.

I think that every three years we go through the same thing and naturally there is friction within the service because of their protected action and volunteers do not want to be involved. But when they are in the same stations you cannot help but expect that there will be a certain level of contact and sometimes negative comments occur. It is just an observation I have got. I wish there was some other way of dealing with these issues. Chief officers in the past have said they would prefer people to come to them — meaning career staff, because volunteers already do — when they have got issues and not wait every three years to resolve them, put them in a document and then negotiate and of course then go through some level of action to promote their cause.

Mr COLLIER — If I could add that CFA has not been standing still or tried not to stand still on the culture issue. A couple of years ago CFA initiated a cultural review and improvement program, but it fell by the wayside because the UFU instructed its members not to get involved.

Mr BREWER — I was just going to say on that that it is a widely held belief that the changes that were proposed by Lucinda Nolan were heading the CFA in the right direction. My background is that I was originally captain many, many decades ago at Keysborough, which is in district 8. We had interaction with the MFB and the CFA permanent firefighters, and we were fully volunteer. On the fireground, everything works well. It is behind the scenes where there is always an issue. Lucinda Nolan was working hard to make positive changes. At a lot of integrated stations there is double-up of facilities, which is just silly. There are toilets for the volunteers and toilets for the staff. We are all firefighters, we work well on the fireground, we should be one fire service. It is silly what is happening. In the last 12 months, the UFU has really driven a wedge, I believe, between permanent firefighters and volunteers.

Mr WATSON — I would just like to say something, too. My background is with the Wonthaggi brigade. There is no integration close by there, but certainly I spent just recently 20-plus years in Ferntree Gully, neighbouring brigade Boronia, president of the VFBV district 13. I heard the complaints that came through, but I would like to say that dealing with Boronia at that time as a firefighter at Ferntree Gully was really good.

However, reports I am getting from different brigades, integrated brigades, are that there is an element in there that throws the whole thing out of whack. It only takes one or two people to have a negative view, and then we are in strife. If we are going to move forward, we have to be honest about it. Let us table it and say, 'That's a real issue for us'.

Mr FRESHWATER — If I could make a comment, my background is I am a captain and probably fortunately or unfortunately I was on the CFA board that was sacked. Now when we were there we were promoting, 'We are one — Euan Ferguson, we are one', and that is what we believe it should be. The EBA: there was never a dispute there regarding pay. The presumptive legislation should be equal to everybody. It was the 52 hidden bits and pieces in the EBA that the board at the time could not agree to, and it was really essentially taking the power away from the chief officer. The union then in the original one wanted to be able to oversee and have a real say in what happened. They even wanted to look at the financials of the CFA.

Mr LEANE — Mr Collier spoke about culture and how a couple of people would turn things upside down and fire things up. You are pretty provocative on social media. There was a complaint made against a statement you made that career firefighters maybe should consider slitting their wrists, which I know you did not mean literally — I would have thought so — but given that with emergency service professionals there is a high degree of suicide I suppose people took that as offensive. So it seems to me with you when you talk about culture, there is a real Hatfield and McCoy thing happening with you. There is a real, you know — 'They're bad people and we're good people, and we've got the high moral ground'.

Mr COLLIER — I was entirely misrepresented in that exchange, for what it is worth. It was alleged that I had slagged off at people with post-traumatic stress disorder and depression, and that was quite wrong. The point that I was making was that some CFA paid firefighters had lodged a complaint against the mental stress that CFA was causing by not agreeing to the EBA, and what I was trying to do was draw an analogy between a culture that existed many years ago where people would cut off their finger to get compensation. You cannot self-injure, and the point that I was trying to make was that — —

I am sorry, do you not understand something?

Mr LEANE — No. Keep going.

Mr COLLIER — The point that I was trying to make was that it was up to the members to say to their union, 'Look, we need to get an agreement on this, get it sorted out, and that's the solution'. It is not a solution.

Mr LEANE — So you regard the members, not the union? You regard the professional firefighters and not the union?

Mr COLLIER — No. The professional firefighters are — —

Mr BREWER — I object to that term 'professional firefighters'. I have got 40 years experience. I have done a — —

Mr LEANE — I apologise — career firefighters. I apologise.

Mr BREWER — Thank you.

Mr LEANE — And I did not mean to offend you. So moving on. You might have been here for the discussion before around training and availability of all sorts of firefighters. In the area that you cover as president there are a number of integrated stations, volunteer stations. Is that correct?

Mr COLLIER — Yes, that is correct. We have got about a total of 75 brigades of which I think about eight are integrated.

Mr LEANE — Do you know how many of the volunteers have the minimum operational accreditation to be able to jump on a truck?

Mr COLLIER — I believe all of them apart from new recruits.

Mr LEANE — You believe all of them?

Mr COLLIER — Yes. You are referring to minimum skills are you?

Mr LEANE — Yes, minimum skills, because some are operational and some are support, which is great. So your understanding is that all of the volunteers in your area have the minimum accreditation to be able to go to a fire?

Mr COLLIER — All of the operational volunteers, yes.

Mr LEANE — Do you know how many of the volunteers come under that operational category — the number?

Mr COLLIER — I do not know an exact number. I believe it to be most of them. We do have support volunteers; that is quite true. We represent about 3000 people.

Mr LEANE — Do you know in that number how many of them have breathing apparatus to go into a structure?

Mr COLLIER — Roughly about 20 per cent.

Mr LEANE — Do you know how many of those volunteers have the driving accreditation that you can put the sirens and flashing lights on — the code 1?

Mr COLLIER — No, but we have enough to meet our needs and where we need more, we get more.

Mr BREWER — Could I just throw something on the table there? As an active firefighter at Warragul brigade — and I welcome Brian's input on this — I know our brigade is working at getting every operational member to have BA qualifications. We have actually got members now that have only been joined up for six months that are doing a low-structure course. My daughter is only 17 and she has done a full structural firefighter course, and Warragul is obviously a pretty major regional town. You have to provide, and volunteers have to be empowered to train to the expectations of the community.

Mr LEANE — And it is quite a commitment, as in time and effort.

Mr BREWER — Absolutely.

Mr LEANE — And it is a noble thing to do. I am not saying it is not.

Mr BREWER — Last year I did 165 jobs.

Mr LEANE — No-one here would say it is not a noble thing to do. My concern, being a metropolitan MLC, is that I actually am convinced there should be standardisation across the urban landscape that I represent. The people I am concerned with, the people I represent, are the people living in disability homes, group homes — you know, the people in hospitals.

Mr BREWER — And Warragul has hospitals as well, and I cannot see how people in the country should expect any less a fire service or any greater fire service than those in the city. Now to throw a complete lineball onto the table, why do we not have one fire service — a completely integrated fire service — across the whole state?

Mr LEANE — So at the moment there are two.

Mr BREWER — And we are going towards three.

Mr LEANE — And DELWP.

Mr KING — There are actually five fire services.

Mr LEANE — Okay. I am relating to my electorate, so forgive me if I am not being global. You are here representing the VFBV.

Mr COLLIER — Yes, district 8.

Mr LEANE — I am going to pull you up, because the other representatives from other hearings brought up surge capacity and concern. You did not. I do not think you did; is that right?

Mr COLLIER — I thought that was a given. May I bring it up now if you are concerned that we have not raised it?

Mr LEANE — With surge capacity, do you know, as a member of the VFBV, how many operational volunteers there are in integrated stations?

Mr COLLIER — As an exact number?

Mr LEANE — Yes.

Mr COLLIER — No, I do not. Would you like me to find out? I can probably take that question on notice.

Mr LEANE — That would be fantastic. Our job is to form a report on evidence that we are given, so we need evidence on what we are given, and I have got to say I would have thought the skills mix in your area where you are the president would be an important issue that you would understand — what the skills mix is with the vols.

Mr COLLIER — It is certainly an important issue, but I think your questions would have been better directed to this morning's speakers where you had the officers in charge of some of the integrated stations in district 8.

Mr BREWER — I might be able to throw something on the table here. As I mentioned, I am an ex-captain at Keysborough, and I am an honorary life member of the brigade and am still in contact with the current brigade. That brigade has actually had volunteer members from bordering integrated stations wanting to transfer, so those members will not be lost to the CFA but the big problem is with how active they can be. How can a member that lives north of Springvale, who used to be a member of that brigade that has joined Keysborough, actively be considered in any surge capacity? Their worth as an active firefighter is lost. They are still a firefighter, but they are 35 minutes from the fire station.

Mr LEANE — The Chair has just given me the nod, but Mr Watson — and can I have one more after that?

The CHAIR — No. You can have a question or you can have Mr Watson.

Mr LEANE — In courtesy to Mr Watson, he should go.

Mr WATSON — In terms of speaking in relation to surge capacity and how does integration work, I would like to submit some evidence — those photographs if you do not mind — and I would like to talk to this. I have used a photograph because it is the best way I can explain it to you. You will get the gist of what I am talking about as we work through it, so it is about surge capacity and it is about integration. I support the integration model. There are no two ways about it. I do not see any value in a split service — a third fire service, if you like. I think that we are on the wrong track.

This is a photograph of Upper Ferntree Gully in 1968. It has been taken from a chopper. I know it is an old photograph, but it does show you in the urban rural interface what can actually happen. When we have circumstances like that or circumstances leading to that — in 2009 we had a fire start on the side of the hill very close to this spot where the photograph was taken — —

Mr LEANE — Sorry, where is this?

Mr WATSON — It is in Upper Ferntree Gully, looking south along Burwood Highway. In these circumstances it is the number of volunteer brigades, close proximity. We get to the fire, and we form ourselves up into strike teams. We are going single units and forming up. A strike team leader gets appointed very quickly along with a sector commander and so on and so forth, and then communications are established with the incident control centre.

In that circumstance in 2009 where we had the fire start there as well, we had our Boronia staff, career staff, attend, and we worked together. It was a great result that we got. There is no question about it. To me,

integration works and works perfectly. In that time we had a strike team away at Drouin, strike team 1352, which was five trucks and a leaders vehicle. We also had Rowville pumpers staffed by volunteers sent to Narre Warren on that day. So we had the ability to do the job and suppress the fire, and then we still had a strike team away. I am talking about surge. That is how it works. There was value in having volunteers and staff in the integrated model working together. I think Boronia provided another pumper that was manned by volunteers on that particular day.

I might also add that there has been a risk assessment done in the outer ring with the councils, and that is the community emergency risk management process, facilitated by the SES. They use the likelihood and consequence model, and the result has been high, medium, low and extreme. In that time two municipalities reported — —

The CHAIR — Mr Watson, we are going to have to move to Mr Young's questions — —

Mr WATSON — Okay. What I am saying is: high fire risk around the outer metro area. So if you are going to implant FRV brigades — and I am starting to hear the single brigades, no contact with volunteers, a third fire service — you can see the complications that will start to ensue when we do something like this, so I am — —

Mr LEANE — But what do you mean 'when we do something like this'?

Mr WATSON — That is what I am hearing as a proposal — that we have islands of FRV brigades. Some of those might be staff-only brigades. On the integration model I have heard that these new integrated brigades may not have volunteers as well.

Mr LEANE — So is that — —

The CHAIR — I am sorry, Mr Leane, but we are going to have to move on to Mr Young.

Mr LEANE — No, I think it is important. If Mr Watson — —

The CHAIR — We can come back to it. We have to move on to Mr Young now.

Mr YOUNG — Thank you, gentlemen, for coming in. My view on a major restructure of the fire services is that it should be fixing some big operational deficiency — something that we are not doing right and that we are not delivering as far as performing on the fireground. In your views, what is the big operational deficiency that is going to be fixed by this legislation?

Mr COLLIER — We do not think there is one. We do not believe the government has made a case for reform, and we do not believe this bill represents reform. If we take out the adverse events on Ash Wednesday and Black Saturday, the annual death rate, which is a Productivity Commission measure, is about the same as in New South Wales. That might sound very callous, and I apologise if it does, but we have to have measures. I do not see a massive deficiency that requires this. What I do see is a massive problem with an industrial situation, and I think the government, probably with the best of intentions, has tried to resolve it through this bill, but I do not think it is going to resolve the issue at all.

Mr BREWER — It was actually acknowledged at the previous sitting here by the permanent staff that it was nothing more than a fix for an industrial dispute.

Mr YOUNG — Has anyone else got views on that?

Mr AUCHTERLONIE — Can I just make a comment, Daniel, that if anything it will make some of the deficiencies that we have currently got in the CFA worse, potentially, depending on what the two cultures of the two organisations will do. You would expect that the FRV, because it is based in the urban, greater Melbourne area and in larger urban areas, is going to specialise more in structural fires, with bushfires and wildfires in the interface areas and occasional strike teams into rural areas. But they are going to develop differently. Paid staff are a very rank-orientated type of command and control. Volunteers who do the urban stuff — because a lot of us live in towns, and we have still got to have that capacity — do a lot more wildfire work and bushfire work. We also tend to have people who are trained within our brigades for incident control. They are not necessarily our ranking officers in the brigades. They are the people who are qualified to do that job. Sometimes they are not even the oldest person in the brigade, which older people have to get over.

The issue is that the cultures of the two organisations will get quite a lot different. It may become very difficult to recruit people out of FRV to take up the vacancies of particularly ops officers within our organisation, and they are critical to providing adequate support to all our brigades, to our incident controllers on the fireground and to our groups, which are the backbone of the next layer of command and control right across the state on firegrounds. They actively support our brigades and incident controllers on the fireground and enable the stepping up into a higher level of support.

At Drouin recently Steve Warrington, our chief officer, was speaking. When I asked him this question, he threw back his head and said, 'I'm 40 OOs short in this state. I've got some districts that have only got one OO and no OMs. I've got a district with an OM and no OOs'. These people are critical to supporting us. They do the roster duty officer job. Just a very quick example: I had a semitrailer LPG tanker tip over on a road just out of Dumbalk. I went up there, and there was a lot going on. I got a phone call from our catchment area ops officer, who was the rostered duty officer on, and we discussed what we had and all the things that needed to be done. He provided all that information, and I carried it out on the fireground. That is the sort of support that they provide, and we are very short of them — very short of them. I am very worried that in the future because of the culture it may be very difficult to employ these people out of that FRV.

Mr YOUNG — Mr Brewer, you mentioned a 'one service', and it is interesting looking at examples elsewhere where people are going through change — —

Mr BREWER — New Zealand has just gone to a fully integrated — —

Mr YOUNG — That is exactly what I was going to mention. Coincidentally they are going through some major restructuring of their fire services at this very time. They are actually moving towards a one service, given that they have got a different model and they do not have individual states that administer it. They have got 40 different fire brigades across the country merging into one model in the interests of cohesion and building a strong culture together and in the interests of funding and having one funding pool as well as sharing resources. They are all the reasons behind doing that.

We have not looked at those options. We have got a bill that suggests one form of restructure, and now we are debating the merits of that, but we are doing it without looking at other options. Have any of you got thoughts on what should be done as far as trying to convince us that this is the best way to go forward or looking at what else could be done to make it better?

Mr BREWER — I personally have got great concerns about what is on the table — not only for the fire service but for the community in general and the safety of the community, particularly during summer. We were very, very lucky last summer to have a very quiet summer, because there were a lot of disgruntled volunteers in the service. Australia works on volunteers. The CFA is acknowledged worldwide as a terrific model. I have got friends very high up in the New South Wales fire service. I had a phone call within the last month from one of them, and they said, 'I don't know what the hell you lot are doing down there, but we love your model. We want it'. Now it is getting drawn from pillar to post down here, and there is this enormous wedge being pushed between the volunteers and the staff by the UFU. To try and solve a political problem by doing what is happening could end disastrously.

Mr FRESHWATER — If I could make a comment, I do not see this as a reform. You people have not looked outside the square. Have you looked at privatising the metropolitan area, like the airports and the defence forces fire services?

Mr LEANE — Is that what you are suggesting, privatising the metropolitan area?

Mr FRESHWATER — I am just wondering if you have looked at a reform? If you are reforming, why are you not looking at everything? All you are trying to do, I think, is put the EBA through.

Mr BREWER — To solve a political problem, an industrial problem.

Mr FRESHWATER — Unfortunately the governments — and I am not just picking on this government but all governments, because we are such a strong organisation — have used us as a political vote winner. Abbott was driving a fire truck around — whoopy-do, you know? You had your Treasurer photographed in front of a fire truck I think yesterday or this week. He might not be very popular here, so he is putting a heap of

money over there. I think you are using this as a political forum, and I think it is going to be absolutely disastrous.

Mr COLLIER — If I could perhaps add to my learned colleague's answer, there are alternative models that can and possibly should be considered.

Mr LEANE — There should be another review.

Mr COLLIER — What I am saying is that in terms of this legislation if you truly wanted reform, you should have considered other models. One model that is often overlooked — apart from the contracting and the active firefighting side of things — is the passive firefighting side of things where we tighten up our building regulations so we do not have a repetition of what happened at Docklands, for example. The best firefighting service in the world is always going to struggle if it is not supported by adequate building regulations, and I think we saw that demonstrated very graphically recently in London with Grenfell Tower. The London fire service is one of the best in the world. I have no doubt they were out the door in 90 seconds. Station A21 Paddington is only just up the road and it would have travelled via a freeway to get there, but it was all over before they got there, wasn't it? It was right up the side of the building. So you need to consider fire regulations as part of an overall package. Residential sprinklers are one thing that perhaps could be considered. We have brought in smoke detectors; perhaps residential sprinklers might be an option.

Mr LEANE — To what degree, to a single dwelling?

Mr COLLIER — Yes, to individual dwellings. No fire service, volunteer or paid, can save as many lives as a residential sprinkler system can. So this is another option that perhaps should be thrown into the mix if you want to truly talk about reform.

Mr FRESHWATER — If I could just add, the CFA board or CFA hierarchy were looking at just that — sprinkling systems — in residential houses, because whether you are metro or country as towns get bigger it affects the ability to get trucks there quickly because of traffic where you live. It gets congested. If you have got a house sprinkling system, that gives everyone the opportunity to help save that property and lives. That is something that really needs to be looked at.

Mr LEANE — Over what period of time could that be implemented?

The CHAIR — Mr Leane, we have to move on. Thank you, Mr Freshwater, and gentlemen, if I could ask you to keep your answers as concise as possible, that would help get through as many questions as possible.

Ms HARTLAND — Mr Collier, before I ask some questions, are the views in your submission, which I read this morning, your personal views or do they represent Volunteer Fire Brigades Victoria, your district or statewide?

Mr COLLIER — They basically represent the views of my district.

Ms HARTLAND — My first question then relates to 2.1:

The current service delivery standard (SDS) of having an appliance on scene within 8 minutes of receiving the fire call is fundamentally flawed. When evaluating the need for additional resources, an outcomes-based measure (in terms of lives and property saved) is more appropriate ...

All the evidence we have received during this inquiry says to us that the 8-minute timed response, the flashover, all of those things is what saves property and saves lives. Can you explain to me, when you say that it is fundamentally flawed, what evidence you have for that?

Mr COLLIER — There are two aspects to it. With the 8 minutes itself, the measure is a bit deceptive. A vehicle arriving on scene in 7 minutes and 59 seconds would be deemed a pass; 8 minutes and 1 second would be deemed a fail. It does not take into account the actual firefighting outcomes. With respect to the 8 minutes itself, that was based on a study done in the UK, I believe, back in the 1950s. It is now generally regarded as outdated because with the advance in modern building materials flashover can occur much earlier than 8 minutes, and in fact this matter was covered by the Victorian Auditor-General in a report in 2015, the title of which escapes me at the moment but something to do with emergency service response times. I would refer you to his report.

Ms HARTLAND — So do you support the 8 minutes?

Mr COLLIER — No, I do not.

Ms HARTLAND — You think that is flawed, you do not think there is enough evidence to say that 8 minutes is the response measure that says you will either save a structure or save someone inside the structure. You think that is a fallacy?

Mr COLLIER — I think it is a fallacy mainly because there are so many — —

Ms HARTLAND — And that is the opinion of the statewide volunteer fire brigades or your district?

Mr COLLIER — We are a broad church.

Ms HARTLAND — I am asking a particular question: is this your personal view or is it the view of your association?

Mr COLLIER — Let us treat it as my personal view for today, but the point being that there are so many variables that impact on the time of flashover — a delayed alarm, for example. Many serious fires occur at night and it might be some time before they are noticed, and indeed it might be the flashover that blows out the windows that causes the fire to be noticed, so the flashover has already occurred in those circumstances.

Ms HARTLAND — On page 5, 2.42 says:

The emergency medical response (EMR) program has been implemented in many integrated and volunteer CFA brigades. This program is considered to be a success in terms of improved patient survival rates for 'Priority 0' (high risk of death) calls. However, it is questioned whether this is the correct path to take, for the following reasons:

2.4.2.1 Would survival rates be even better if adequate funding was provided to Ambulance Victoria ...

Again, all the evidence we have received during this inquiry and from the ambulance service in their submissions says that it keeps people alive until the ambulance arrives. Again, is this your personal opinion or is this the opinion of Volunteer Fire Brigades Victoria?

Mr COLLIER — This is the general opinion of many people in my district.

Ms HARTLAND — I asked you a question: is this your personal opinion or is it the opinion of Volunteer Fire Brigades Victoria?

Mr COLLIER — There are two parts to that.

Ms HARTLAND — It is a yes or no answer.

Mr COLLIER — I do not think Volunteer Fire Brigades Victoria has got an official position. I know that it reflects the views of many people in my own district. We are not criticising the EMR program at all. It does keep people alive; there is no doubt about it. But what we are suggesting is we wonder whether a better service could be provided by reducing the ambulance's response standard time from 15 minutes down to 10 minutes, say, and more funding was put into the ambulance service so that we had advanced life support on the scene rather than EMR people.

Ms HARTLAND — My next question is around — it would seem to me on page 8, point 3.6.2 — —

Mr COLLIER — Can I just ask what you are quoting from, I am sorry.

Ms HARTLAND — This is your submission.

Mr COLLIER — To this inquiry?

Ms HARTLAND — Yes.

Mr COLLIER — Right, okay.

Ms HARTLAND — I am reading back your words.

Mr COLLIER — No, you are quoting clause numbers and I do not have clause numbers.

Ms HARTLAND — It is page 8 of your submission. I will show you the front page. Is this your submission?

The CHAIR — Can we just clarify, Ms Hartland, have you got the submission number, given the committee members have submission numbers. It should be printed on the top.

Mr COLLIER — I am sorry. Could you show me the front page of it again? No, that is the fire services review.

Ms HARTLAND — I think it is still relevant to it.

Mr COLLIER — I am happy to take questions.

The CHAIR — We just need to be clear. Ms Hartland, can we just clarify?

Ms HARTLAND — It is the fire services review.

The CHAIR — But not a submission from Mr Collier?

Ms HARTLAND — No. It is to the fire services review from Mr Collier.

Mr LEANE — It is a submission from Mr Collier?

Ms HARTLAND — Yes.

The CHAIR — Hang on, let us be clear. Are we referring to a submission Mr Collier has made to this inquiry?

Ms HARTLAND — No, I am sorry, that is my mistake. It is a submission to the fire services review.

Ms SYMES — It is a publicly available submission.

Ms HARTLAND — But I think it is relevant. I am sorry; I should have stated that.

The CHAIR — Before we go down that path, can we clarify, Mr Collier, whether you are in a position to respond to the submission you made to that other inquiry?

Mr COLLIER — That was about two years ago. I would be happy to try and do my best and take any questions you have on notice, if necessary.

The CHAIR — All right. We are nearly out of time anyway, Ms Hartland, but we need to be mindful that Mr Collier does not have his submission in front of him and it is not current.

Ms HARTLAND — Fair enough. I should have clarified that at the start. So it would seem to be a very strong theme in this submission about privatisation and the contracting out. I am a bit surprised by that considering that I would have thought that the fire service is one of those services that we absolutely need to keep in public hands. Can you talk to why you would think it would be appropriate to contract out services? And that has been mentioned during today's submissions from other people — that contracting out of services may be appropriate.

Mr COLLIER — Basically it was included as another option. We need to consider different options I think. The other thing is that the CFA and MFB are firefighting organisations, and it is at the point where industrial relations is no longer their core business, and the suggestion I am making is: why not consider contracting out fire services in certain areas? It may not be applicable everywhere. It is not necessarily a universal solution. But it seems to work pretty well for the defence force bases around Australia. The federal government has done it, and that seems to be working well to my knowledge. So it is another option that we should be considering.

Ms HARTLAND — So privatisation you think is acceptable to the fire services?

Mr COLLIER — Privatisation has got a lot of negative connotations.

Ms HARTLAND — Yes, we have experienced that. Hazelwood would be a classic negative connotation.

Mr COLLIER — I would like to investigate it further. I accept you have a different opinion, but I think it should be investigated further and find out why it would be a problem, if indeed it would be a problem.

Mr RAMSAY — Thank you all very much for your time. I guess I just want to put on the record that in a past life I have been a CFA volunteer, fought most of the major fires in Victoria in the 1990s and 1980s and, having received Mr Leane's interest in a BA certificate, and able to drive a truck with flashing lights, so I tick a few boxes in relation to past roles I have had in firefighting. The point I make about that is that this was the local CFA brigade down in Western Victoria Region, which I represent, where if there was a fire, there was a reasonably quick response by the volunteer base and there was no thought about EBAs, UFU or anyone else. We had a job to do to fight a fire, put it out and protect the community. It was very simple in those days.

What is worrying me now is the testimony of Mr Chris — and I apologise if I do not get his name right — Loeschekohl, the officer in charge at Traralgon, indicated that we are where we are in relation to the reforms that we have to have because of federal legislation in relation to protecting volunteers in the current EBA. As indicated by you, that does not seem to be the appropriate catalyst to suddenly create a whole new Fire Rescue Victoria model based on the fact that a current EBA could not get through because of current commonwealth legislation that was merely put in place to protect volunteers — and I am getting to the question.

I wanted to give you that little bit of history first to say that for most of us in the CFA our ultimate aim is to protect the community, respond to a fire, put it out and then, as is often forgotten, many hours are taken to help redevelop what was burnt and lost, particularly in relation to assets and personnel. We are here now because of industrial action and legislation, both federal and state, that is now pushing the government to a whole new fire services model. What I have heard from the current hearings, both present and non-present, is that the model is not perfect. In fact, you have indicated this morning that it is not your preferred model at all. The previous speakers indicated that they support reform but they do not like the bill in its current form. In fact I raised questions this morning about the fairness of the presumptive legislation, where it seems to be a class ruling for career and another class ruling for volunteers, which makes me suspicious of the whole proposed legislation model itself.

Perhaps, Eric, if I pose to you initially, we are here to try and provide a report and recommendations to government about what are the issues in the proposed legislation but also moving forward what might well be a better resourced firefighting service for Victoria. If it is not the bill, what is it that you see that can overcome the EBA industrial part of the problem which has brought us here but also the future needs of communities, both metropolitan and country, for a firefighting service?

Mr COLLIER — That is quite a question.

Mr RAMSAY — Yes, I know, but that is the nub. That is why we are here.

Mr Leane interjected.

Mr RAMSAY — If you had been in the room, Mr Leane, you would have heard it.

Mr COLLIER — I think I can give you an answer. The main problem that volunteers have is with the operational staff EBA. We have absolutely no issue and absolutely no interest — it is of no relevance to us — in pay and conditions, so let us put that on the table straight away. We are not interested in that. What we are interested in are the 50-odd clauses that have the so-called power of veto and the general anti-volunteer nature of some clauses.

We disagree with Minister Merlino's position. He says that it is federal government interference that is preventing this EBA from being signed off. We contend that if those clauses were removed, it would probably sail straight through the Fair Work Commission, and there is evidence to support that. We would point out to you that recently the State Emergency Service EBA for their paid staff went straight through the Fair Work Commission. It got approved with no problem at all because it did not contain what we would call anti-volunteer clauses. So we see the main sticking point is the fact that the EBA contains these anti-volunteer clauses and the powers of veto which seek to control the management and operation of CFA.

Mr RAMSAY — Perhaps, Mr Freshwater, given you are a past board member of CFA, can I pose to you: are there any elements in the legislation that you would support? There are growing populations in metropolitan areas. There is a need for a career-based firefighting force. There is a need for surge capacity of volunteers, particularly in what is now termed co-location brigades. As we know, they are the old integration brigades. Many volunteers have said that some of those integration brigades are like segregation brigades, and I know that Lara is an instance in my own patch where there are different rooms for careers and different rooms for volunteers. There are different toilets, there are rooms that volunteers cannot go into that careers can et cetera. Some have gyms and some do not, and I could go on and on. So co-location would have to remove a lot of that stigma about, ‘They get this and they get that’.

In relation to boundary changes also I seek your guidance, because at the end of the day the cost of replacing 60 000 CFA volunteers with paid staff would be enormous, and the fire services levy would go through the roof. Are there any elements in the proposed legislation that you think are good, and are there areas where you would like to provide us with information where we could make it better?

Mr FRESHWATER — My fear of where it is sitting at the moment is taking the power away from the chief officer. As an officer, and if you have been in the CFA, which you have, we are delegated his power on the scene. In the original EBA if the professionals, we will call them, came out, they would not take direction from a volunteer it is said. So that really leaves the volunteer officer, no matter where he is, in a bit of a predicament, because he has got people there that will not take direction. So where does that leave that officer, being a volunteer? We are protected very well under the act. If that act changes, does that make us more liable, because with the roadside burning et cetera now we have got to sign off on bits of paper that are quite onerous and you really are putting your house on the line and your neck on the block to do a burn.

You are going to find it very difficult in time, unless these people are protected through the chief’s act, to get officers. I can see it being a real downer on the authority.

Mr COLLIER — Was your question relating to how we could make this proposed bill better? I may have misunderstood you.

Mr RAMSAY — I asked if there were any elements in the bill that you actually liked, and if there were, how do you sort of progress that?

Mr BREWER — I think it is good that we are talking about presumptive legislation for volunteers, but it should not be presumptive legislation for volunteers and for career firefighters — it should be presumptive legislation for firefighters.

Mr COLLIER — The reference should be to operational firefighters, with no distinction between paid and volunteer.

Mr BREWER — That is probably the only good thing that I can see out of the whole bill.

Mr COLLIER — If I could just finish my answer, there is a provision in the draft bill for the presumptive legislation for a 10-year sunset — that is, once a firefighter retires, they have got 10 years to develop cancer before they can no longer claim.

Ms SYMES — No, that would be the presumption reduced. It is not the ability to claim.

The CHAIR — Order! You will have an opportunity in a minute, Ms Symes.

Mr COLLIER — No, my understanding is that there is a 10-year limit and after that limit the firefighter would not be able to claim. We would contend that should be a lifetime provision, because you only have to think about mesothelioma and asbestos-related cancers. They typically have a latency period of 40 to 50 years. I am particularly conscious of that because my own brigade has been out to, I think, three house fires in the last two months where asbestos alerts were issued and we had to go through our asbestos protocols. Those guys who went to those fires may not have a problem for 40 to 50 years. They may leave the brigade next year or whatever. Ten years does not cut it in terms of providing adequate presumptive legislation, and we would say that you would need to remove that 10-year limit.

Mr MELHEM — Where will I start? I think the comment was made that the proposed bill undermines the role of the chief fire officer. Can you point me to a particular clause that you are referring to, Mr Freshwater or Mr Collier?

Mr COLLIER — Yes, I can give you a clause. I am just trying to find it — clause 38(2) and proposed section 25B(5)(a). I am not quite sure how to accurately describe that for you. It says ‘Nothing in this section or the CFA act empowers the CFA, under section 17. to transfer, suspend or remove an FRV employee’. My reading of that is that if an FRV employee is brought back into the CFA, the chief officer will not be able to manage that person. Should they misbehave, there is nothing that the chief officer can do. I think you have got a problem with the chain of command with that clause alone. There are other issues in there too. It would take all day.

Mr MELHEM — That is the problem I am having. Your organisation, the Victorian volunteers association, is basically taking a political view on whether it is the EBA or whether it is the bill et cetera. Everybody else is wrong; you are correct. Interfering in the relationship between the career firefighters and their employer. That is your view, and that is fair enough — you are entitled to that view. But also you want to actually have a veto. Basically if you are not happy with certain aspects of an EBA, for example, you have a right of veto, but the other people cannot.

I think that is the whole idea about separating the industrial relations. It has been a big issue. Let us be up-front about it. Let us not pretend it is not an issue. It is an issue. To divorce industrial relations was one of the elements. Let me take you to that example you just talked about. There is nothing in the bill which basically undermines the power of the chief fire officer in controlling fires and fighting fires. The act gives the power, and nothing is undermined. But in relation to disciplinary action, that person may be an employee of Fire Rescue Victoria, and nothing is stopping the chief fire officer from saying to the employer that they have a problem with that person and they deal with it, because they are not the employer. It would be no different from a person being seconded from the MFB today to the CFA and there is a disciplinary action and the employer takes up the disciplinary action. That is an employment law regulation. It has nothing to do with the hierarchy and who is in charge. The CFA is in charge. If you go and fight that fire, you go and fight it. You do not go and check what the EBA said about this. We are confusing the issues, aren't we?

Mr COLLIER — It is interesting you make that comment, because I have had plenty of stories from my people where staff have quoted sections of the EBA. One memorable example was, ‘I'm not taking instructions from you. My EBA says I shouldn't’. The interesting thing was that was a few years ago and the EBA did not actually say that at all.

Mr MELHEM — On that point I should be frank then. The Victorian volunteers association, in my view, should butt out and leave the career firefighters and the CFA or FRV and their employers to deal with their issues. Similarly, I would say to the UFU that they should butt out and not interfere between your organisation and your members and the CFA. I think that is part of the whole problem. We need to recognise that. We need to look at ourselves in the mirror and say, ‘How about a solution, not continually creating all these problems?’. I think we need to go beyond that. It has become too political. That is why I think this bill, and I will see if you can agree with me on this, is trying to bring the CFA back to its roots as a volunteer-based organisation so you can have a say, you can have control of your own destiny and not have the conflict. Do you see anything in the bill going along these lines?

Mr AUCHTERLONIE — There are about 250 UFU-covered people who will still be in the CFA. The EBA is federal legislation, as we all know, and it will still tell the chief what these people can and cannot do. It can potentially do that, depending on how the negotiations for an EBA go within the FRV. We had problems with the last EBA because it wanted to interfere with BASOs — sorry, brigade administrative support officers — which are allocated by the CFA only to support volunteer brigades. The EBA wanted to review that, and an earlier version of the EBA actually wanted to replace them with career firefighters. Then another clause in one of the last EBAs wanted to review volunteer support officers, which, once again, were support supplied by the CFA only for volunteer brigades.

They do not want volunteers to be recruited as CFA-paid instructors, even though out of the 64 or whatever instructors the CFA have currently got about 15 were recruited out of the volunteer ranks before 2010. They had another clause which wanted to appoint a career firefighter to every group in the state of Victoria, and this was

all without discussion with volunteers. These little things, when you look at an EBA, you think, ‘What’s going on?’.

Ms SYMES — That is a proposed EBA. Can we come back to the legislation?

Mr MELHEM — That is the point I am making. Thank you for clarifying. My understanding is that the proposed legislation will exactly address this concern you are talking about. At the moment you have got the MFB area. The royal commission recommended that the boundary needed to be reviewed on an ongoing basis, and basically that has now been looked at. That is why the 35 integrated stations will give effect to recommendation 63, I think, or 62 of the Victorian royal commission report. It will give effect to the integrated part of one new service and then separate this so-called right of veto, move the UFU out and give more control to the CFA to actually control its own destiny for the 1200 stations, et cetera. I think that should be viewed as a positive thing, not a negative thing. I thought that was sort of addressing the situation. Doesn’t it?

Mr COLLIER — With respect, I think there is a misunderstanding in terms of the fact that it is our workplace too. We all have to work together in this workplace. We all have to look after each other, and we are supposed to be working interoperably shoulder to shoulder, with no distinction between volunteer and career. The difficulty arose from the EBA which sought to dictate conditions in our workplace, and I will not get into too much detail on the EBA; I appreciate your comment. But from our perspective, we do not see this as resolving the EBA problem, because you are talking about bringing back middle management people from FRV who will be under this EBA, so it will bring back all the adverse things that we have been talking about when these guys come back to CFA. So our position would be that if you are going to go down this path, then really CFA needs to employ its own people.

Mr MELHEM — But then you will have the same problem you are having today where the full-time employees are restricted to what they can and cannot discuss and negotiate with their employer because the volunteer association may not like certain things and you will have a right of veto. Then you are back to square one.

Mr COLLIER — No, that is not correct because basically, as I said earlier, volunteers have no interest in the basic pay and conditions — —

Mr MELHEM — That is not true.

Mr COLLIER — Volunteers have no interest — —

Mr MELHEM — Please do not insult me. You are insulting me.

The CHAIR — Order! Mr Melhem.

Mr MELHEM — Do not insult my intelligence.

The CHAIR — Mr Melhem, you asked a question. Allow Mr Collier to answer it.

Mr MELHEM — Well, then, do not insult me. I did not come down in the last shower. Be honest and up-front with people.

Mr COLLIER — I am being honest and up-front with you.

Mr MELHEM — No, you have not.

Mr COLLIER — I have.

The CHAIR — Mr Melhem, respect the witness.

Mr COLLIER — What I am saying is that volunteers have no interest in the pay and conditions that are normally incorporated into an EBA.

Mr MELHEM — Well, then, do not comment on the EBA. Stay out of it.

Mr RAMSAY — The EBA is more than that.

Mr BREWER — The trouble is the EBA affects volunteers. There is a lot — —

Mr COLLIER — The EBA is over 400 pages long as opposed to a normal workplace which is about 50 to 80 pages. The point I am making is that it covers a lot more issues than just pay and conditions, and many of those issues impact on volunteers.

The CHAIR — Thank you, Mr Collier. Mr Melhem, we will have to move on to Mr O’Sullivan.

Mr O’SULLIVAN — Thank you, gentlemen, for coming in today. We have heard a lot of discussion in relation to the EBA and the problems that we have had with the EBA, and it is not just the current EBA — it has been the EBAs for the last decade or more and how much trouble they are each time they come up. It seems to be escalating to the point where it is getting almost impossible to get them through. It appears that the government has decided that they need to take this radical course of action to try and solve an EBA issue. What are the barriers in place from an industrial point of view with the UFU that is really the problem behind this situation? Mr Freshwater, you got sacked from the CFA board. If you go through Lucinda Nolan, Joe Buffone and a whole range of others who have also been sacked from their positions in relation to this scenario, is the real problem here the senior management of the UFU in terms of why this issue cannot be resolved?

Mr FRESHWATER — In a word, yes.

Mr O’SULLIVAN — Why?

Mr COLLIER — Intransigence would be a word I would use. Normally with industrial negotiations there is a certain amount of give-and-take but would I be correct, Mr Freshwater, in saying there has been very little in the way of — —

Mr FRESHWATER — They did not seem to budge. Lucinda came back to a board meeting. They were meeting with the workplace people — Ross, I think it was. They had a meeting. They could hear Marshall in the other room thumping the table and yelling. He had an hour and a half, they got 10 minutes, and this was trying to get a solution to the problem. He apparently just would not talk to people.

Mr O’SULLIVAN — I would imagine that the CFA board, when you were a part of it, in terms of working through these EBA issues were looking at it from a commonsense, practical point of view, ‘Where can we give ground? What can we work with to try and resolve this?’.

Mr FRESHWATER — Yes, we had a team doing that.

Mr O’SULLIVAN — Were the UFU doing the same thing?

Mr FRESHWATER — I do not know; I was not on the team that was doing that. We had legal advice to tell us not to sign the EBA. The government’s legal people told us and our own. Because there was court action pending we could have put ourselves in jail by signing it. We were still directed by the minister or the Premier at the time — no, the minister, Merlino, to sign it or we would be sacked.

Mr O’SULLIVAN — So would it be reasonable for someone to think that this whole reform, as it has been put to us, is as a result of the problems and the demands of the UFU?

Mr FRESHWATER — In my opinion, yes.

Mr BREWER — I think that was acknowledged last forum by some of the permanent firefighters. I sat through the forum prior to this and it was acknowledged by a firefighter that sat at this table that it was purely an answer to a very embarrassing industrial dispute. It is not actually reform — —

Ms SYMES — They were not his words, though.

Mr BREWER — Reform would involve looking at numerous models and working out what is the best for the entire community. It also has to be economically viable. What is being discussed is anything but that.

Mr O’SULLIVAN — Does it surprise you and does it annoy you the fact that as part of this reform process the government and the bureaucracy who work for the government met with the UFU between 12 and 15 times earlier this year before they spoke to either the MFB or the CFA in relation the reform?

Mr WATSON — For sure. Most definitely.

Mr O’SULLIVAN — Why would they have spoken to the UFU leadership and management so many times before they spoke to the CFA and the MFB?

Mr BREWER — We have had no viable dialogue or discussions with regard to any of this. We have been dictated to by upper management that are saying, ‘This is what’s going to happen’. Reform should be a two-way conversation. It would be like the chief of the AFL saying, ‘Okay, we’re going to a square ball’, without discussing it with everyone involved.

Mr WATSON — I think we could gain ground if we sat around the table and really started to talk through some of those issues; I really do. We just seem miles away from that point, but I think that that would help resolve this issue.

Mr BREWER — The thing that I am deeply distressed about, as I have said many times, is that there is a wedge being driven between the permanent and the volunteer firefighters, but if this place was on fire and all the firefighters in this room were in their structural ensemble, we would be standing side by side. To use one of Lucinda Nolan’s phrases, we are one CFA. We should be one fire service.

Ms SYMES — I read with interest your submission, Mr Brewer, which for the benefit of the Chair, is submission 460. I note that you have a long history with the CFA. You say that — —

Mr BREWER — That is my own personal one.

Ms SYMES — Yes. You have a long history, and thank you so much for your service to the state. You also mentioned that you work really well with the surrounding brigades, but I think your own words were that you have been deeply distressed. I know that this is an emotive issue for some people, but I do not quite get the leap from working well with people and your putting bans on what you are willing to do as a volunteer.

Mr BREWER — No, I have expressed to my captain, Brian Dalrymple, and also to everyone up the chain — from Trevor Owen and all the way to Steve Warrington — that I back up what Steve Warrington has said. I hereby indicate my commitment to my local community, but from here on in I bluntly refuse to do anything other than support my local community, because what has happened in the CFA — —

Ms SYMES — So even though you work well with surrounding communities, you have just got to —

Mr BREWER — Well that is part — —

Ms SYMES — I am just trying to understand your bans.

Mr BREWER — If I were to be called to a strike team out at the Grampians and had to disappear from my family for five days and sleep on the floor in a public hall, I am not going to do that anymore, because my health and safety is paramount. I am not the only person that has taken that approach.

Ms SYMES — So is that kind of at odds with your description just then of all the firefighters in the room working side by side together if there was a fire here?

Mr BREWER — I used that as an analogy here to show the division caused by this dispute.

Ms SYMES — Okay. Just moving on. I am Northern Victoria Region, so I am not really familiar with exactly where all of you guys are, but just in terms of the urbanisation, I think there is a stat about the manufacturing industry in Dandenong and things like that. Is it a challenge for volunteers to be able to support the paid firefighters in relation to the changing population growth and emerging challenges?

Mr COLLIER — Perhaps if I could speak on that, given that Dandenong is in my area, I would not treat it as a challenge to volunteers. It is a challenge to the CFA. How the CFA meets the challenge is the key issue here. Integration is an obvious solution in a high-workload area like Dandenong. In fact Dandenong was integrated many years ago. My own father was a paid employee at Dandenong. The CFA evolves over time to meet the needs of the area it is looking after. That may be by integration, or it may be by additional support to the volunteer brigades through recruiting programs and things like that.

Ms SYMES — Recruiting programs?

Mr COLLIER — Yes, recruiting more volunteers. So it is all about meeting the challenge is the point that I am making.

Ms SYMES — Would anybody else like to comment on the population growth and challenges of your areas?

Mr WATSON — Yes, sure. I know we can handle that. On the response times, daytime response is a real issue; there is no doubt about that. I admit that. We did ask for help in the fire services review for daytime response, and that would have been in the form of maybe part-time or people that might just want to do daytime, not 24/7 shifts.

Ms SYMES — Part-time paid firefighters?

Mr WATSON — Yes, that sort of thing, so to help us out, help brigades respond during the day. But we got no response. That was to the government, and you have not responded to us. That was in district 13 — 2500 volunteers, signed off by the four group officers and me.

Mr LEANE — So is it to the government or the CFA?

Mr WATSON — The fire services review.

Mr COLLIER — Perhaps if we could just clarify, the problem in this particular area is the EBA clause because what happens is when a brigade is supported it might be initially by day firefighters, but there is apparently a requirement that they must go to shifts 24/7 within 12 months.

Ms SYMES — What clause is that?

Mr COLLIER — That is the EBA.

Ms SYMES — The current EBA?

Mr COLLIER — Well, the previous EBA.

Ms SYMES — Which previous EBA?

Mr COLLIER — They have been progressively growing in intensity since the mid-2000s, so — —

Ms SYMES — Is that an existing clause that you are referring to?

Mr COLLIER — It is an existing clause in an existing EBA, and I believe it is perpetuated in the new EBA as well. But basically what we are saying is that is often just not required. I mean, the biggest problem that volunteers would have — and many submissions to the inquiry reflected this — was that volunteer availability during the daytime can be problematic in some areas. So what is required is daytime support for the volunteers. The volunteers can manage the workload after hours and at weekends, when there are many more people around. The difficulty that we have is in being forced to go for 24/7 staffing in all cases. Victorians are being forced to pay for firefighters to sleep on station, and it is just not required in many cases.

Ms HARTLAND — Are you suggesting that they are not working at night?

Mr COLLIER — I am suggesting that firefighters sleep on station if they are not required for fire calls, yes.

Ms HARTLAND — So they never work overnight?

Mr COLLIER — Well, if there is a fire call, obviously they do. My point being that if there is — —

Ms HARTLAND — They are not sleeping through the night.

Mr COLLIER — Well, I understand that that is often the case, due to low workloads.

Mr WATSON — The crux of what we are saying is we need help, some brigades need help, during the daytime. We have signalled that, and we have had no response.

Ms SYMES — Yes, and on that point, my understanding, just from the briefings and things I have had on the act, is that the legislation proposes to make amendments to the act to ensure that volunteer brigades are supported by paid firefighters. That is one of the purposes and outcomes of the proposed reform that the government is wanting to put forward.

Mr WATSON — Thank you. But they do not want to turn their brigade into a 24/7 shift brigade. They just want a hand during the day. Why can't we have daytime firefighters that maybe all head down to a particular brigade because for the next six months if you have got problems responding?

Mr COLLIER — It also helps with diversity, too. It would help with paid firefighters who have family responsibilities and may not wish to work shiftwork. Day firefighting, daytime manning, may suit them much better. It may also be an appropriate way for firefighters that are transitioning towards retirement. Perhaps they do not want to work shift, and they could go and work daytime shifts only. So I would see it as a bit of a win-win, really, but unfortunately the EBA does prevent that from happening.

Mr AUCHTERLONIE — Jaclyn, can I just comment that Leongatha Murray Goulburn has got a milk factory, and it might be a museum piece in a few years time, but it is a very large building and there are no career firefighters. The nearest integrated station is in the Latrobe Valley, and they have got a ladder platform. But the volunteer brigades in and around Leongatha respond to that building, and it is a very, very big one — a multistorey one. It has got lots of chemicals, lots of hazards, and the Leongatha brigade and neighbouring brigades respond in there. They have handled quite a number of interesting jobs in there, revolving around chemical spills, little fires and that sort of thing, so the volunteers already have the capacity to do that type of industrial building.

It is only one. There is an industrial estate nearby, nothing as big as that, certainly nothing as big as complexes that you would find in Dandenong and other industrial areas in and around the Melbourne area, particularly at Coode Island and other places like that. So the assets that all the brigades in and around Melbourne have in their resources are upgraded for that risk, and they have got all that resourcing. Volunteers could be trained to use that, but they do not have it, so there is not much point training them. So you train and you respond to the risks that you have got in your area.

Ms SYMES — Local area.

Mr AUCHTERLONIE — Yes. So we do quite large industrial stuff in our patches — those of us that have got it — but for those areas that you have got, those major ones, they are just far better resourced. We can help, but, you know, it is not what we are trained for, that type of stuff.

Mr DALRYMPLE — Being the captain of a rather large and rapidly expanding town, one of the benefits of the reform that I see is the committee that will allocate future resources. At the moment with the township of Warragul and the location of the station, I would probably be the second closest to the station. So for me to get a job at home and to drive to the station, you are looking at about 3½ minutes. As the crow flies, I am probably only 800 metres away from the station, but just because the town is so busy and because of the rate it is expanding, the roads are a lot more congested, and because the town is getting larger, our response area for calls — we spoke about the 8-minute response time — to get a truck out the door in 4 minutes is a stretch. Then to have to drive, the rate the town is expanding it is going to be impossible for us to drive — —

Ms SYMES — How big is Warragul?

Mr BREWER — It is 20 000 people.

Mr DALRYMPLE — Between 17 000 to 20 000 people, so it is a small city, essentially. For us to be able to get to the station and then drive to wherever the job is on the outer areas of the town, we cannot physically do it in the 8 minutes. One of the benefits of the review, as I have just said, is the new committee that will look at that sort of stuff and hopefully be able to assist volunteers with the allocation of an FRV brigade before it reaches that point.

Mr LEANE — There are a number of people who are representing the VFBV. Are you based at integrated stations yourselves?

Mr WATSON — No, I am not.

Mr BREWER — In district 9 there are no integrated stations.

Mr COLLIER — Not currently, but I have been a member of three different integrated brigades in my career.

Mr LEANE — Given that the major reform will affect the volunteers at the integrated stations, as members of your association, have you had meetings — have you gone around individually and had meetings — with those brigades and sourced their views on the reform so you can reflect them?

Mr BREWER — Every brigade has got delegates that regularly attend meetings.

Mr LEANE — Given that, have there been meetings of your organisation to source those volunteers' views on the reform?

Mr BREWER — Absolutely.

Mr COLLIER — Sorry, the district council is a forum for those people to put initial views in. Currently the brigades are still coming to terms with what may happen as a consequence of the review, but I would expect we would be talking to them in the coming months if this review gets up.

Mr LEANE — If it gets up.

Mr COLLIER — If it gets up.

Mr LEANE — So you are not necessarily reflecting their views at this committee? Because a lot of integrated stations have opposite views to what you have reflected — the volunteers have given opposite views.

Mr COLLIER — That is interesting, and we are certainly a broad church. In an organisation as big as we are you would have to expect that. But what I can say is that I am reflecting the views of members from integrated stations, and I accept that there may be alternative views.

If I could just reflect, my local group officer attended a meeting at an integrated brigade recently where the members came together to discuss what might happen, and his comment was that the atmosphere was very sad, so we are going to have to provide support to those people.

The CHAIR — Thanks, Mr Collier. I think Mr Watson wanted to make a comment.

Mr WATSON — Yes, just quickly. In my previous term at Ferntree Gully, dealing with the Boronia integrated station and then Rowville later on, they would come with issues and talk about the issues in relation to the integration problems et cetera, so that is how I formulated my views. I have not plucked them out of the air; people have given me that information. But it is positive, it works. There are some hiccups in there, and we need to sort them out. If we are going to move on, we need to address the culture, be honest about it and have a go at fixing up that part of it.

I have got other concerns. I will talk to you later about FRV. What is the command structure? Are they going to work separately? Are there going to be volunteers in those stations? All that sort of stuff needs to be ironed out. You never know with those things.

The CHAIR — Thanks, Mr Watson. I think there is a final question from Ms Hartland.

Ms HARTLAND — Yes, on presumptive. What I am interested in is that Volunteer Fire Brigades Victoria say that there are 60 000 volunteers. The CFA's figures are that there are 54 936. Of those, 35 595 are operational volunteers. The model that is in the presumptive section of the bill is based on the Queensland model. It is a panel, and I have been assured, because it is something I have asked on a number of occasions, that it will be a tick box type of you proving that you are an operational firefighter. Do you think that there

should not be any kind of clarification as to whether someone is an operational firefighter or has been an operational firefighter? It gets a bit murky when we have very, very different figures.

Mr BREWER — The 10-year sunset clause is a real concern —

Ms HARTLAND — Yes, I totally agree with you on that.

Mr BREWER — and typically in a brigade when someone gets a bit old in the tooth they will move from being an active firefighter to a brigade member, and they will help with all sorts of other things. Obviously because they have been active they should be covered. You might be a brigade member for the last 25 years of your service.

Ms HARTLAND — Yes, and that is my understanding — that that will be taken into consideration — and I totally agree with you on the 10-year range. It is something that I am having discussions with the government about because I do not think it is long enough either. But do you think we need some kind of mechanism, because you would not think that you would want all 60 000 that Volunteer Fire Brigades Victoria say are volunteers without any kind of very basic tick off that they had actually been operational or were currently operational?

Mr COLLIER — I think that is a record-keeping issue for the CFA. I agree with you completely. It is only appropriate to cover people that have been operational. But our point is that the legislation needs to be rewritten so that all operational firefighters are covered equally; there is no distinction between paid and volunteer. My concern with the advisory committee — and you would be right across this — is that when you first introduced presumptive legislation to the Parliament I understand the coalition tried to bring in a firefighters assessment panel of some description.

Ms HARTLAND — They never operated it —

Mr COLLIER — No, it never got up.

Ms HARTLAND — and they also voted against the legislation and refused to bring in their own. So if the government of the time had done that, Hazelwood people would have been covered and everybody else would have been covered. So we have had a five-year delay in this, which is very unfortunate to say the least.

Mr COLLIER — We would encourage the Parliament to take the time to get this right, get rid of the 10-year sunset clause, if we can call it that, and get rid of the distinction between volunteer and paid. We are all operational firefighters.

Ms HARTLAND — The question I am asking is, though: how do we prove that someone is operational?

Mr COLLIER — It is a record-keeping issue.

Mr KING — Can I say, though, that I agree that, yes, there has to be something in there. The presumptive legislation needs to be completely separated from it; it needs to be a separate thing. But yes, there does need to be a distinction, whether it is a tick box or not. But it should not go to a committee; you should just be able to tick the box and go, ‘Yes, I’ve attended this many appropriate jobs’ to clarify, because all the while there is a committee there, even though it might be a tick box, that committee can say no. So take that bit out and go, ‘Yes, they need to attend so many incidents that are relevant to the cancers that are there’, and that is it. But there needs to be a distinction there.

Ms HARTLAND — And that is the Queensland model.

The CHAIR — Thank you, Mr King. Gentlemen, that concludes the hearing today. Thank you for your evidence and indeed for the written submissions which many of you have made to the committee. The committee appreciates your evidence, and we will have a draft version of the transcript to you in the next couple of days for any corrections you wish to make.

Witnesses withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Traralgon — 19 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Cesar Melhem

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Witness

Mr Trevor Owen (affirmed), Assistant Chief Officer, South-East Region, Country Fire Authority.

The CHAIR — I declare open this hearing of the Fire Services Bill Select Committee inquiry into the fire services restructure. I welcome Mr Trevor Owen, the assistant chief officer of the south-east region for the Country Fire Authority. All evidence taken at this hearing this afternoon is protected by parliamentary privilege; however, any comments made outside the precincts of the hearing are not so protected. Evidence is being recorded by Hansard, and you will be provided with a proof version of the transcript in the next couple of days for any corrections. The committee appreciates your attendance here this afternoon and your making yourself available at short notice. One hour has been allocated for this particular hearing, so I would invite you to make a brief opening statement if you would like, and the committee will then proceed to questions.

Mr OWEN — Firstly, thanks for the opportunity to come and be consulted. Up until now I have not had that opportunity, so I do appreciate it. Who am I? I am Trevor Owen, and I have been of service to the CFA for 33 years. I started with the CFA when I was 12, like many in the organisation who have come through from junior years and progressed through. I started as a volunteer at Mount Taylor and then progressed through, volunteering at places such as Belgrave and Wodonga. It was based on the fact that I was inspired by my father, who was a regional officer at the time and who has since retired. I have a brother who is a senior station officer at Dandenong.

Through that service I then took it up as a career, and I worked for a private fire service when the military changed and moved what was run by the fire service in the military to a private organisation. I did 14 months with them and then followed through into the CFA, which was the organisation that I wanted to join from a young age. Through that I progressed from the rank of recruit firefighter, servicing all those ranks through to assistant chief officer today.

I have a good background, good knowledge and working relationships working in amongst volunteers, for whom I have served as a captain and a deputy group officer. I have served in the frontline ranks of the career staff, volunteer and senior management roles at a brigade, district, regional and state level today.

I would like to just make a few comments from my perspective. Reform must ultimately be about community safety benefit above and beyond everything else — firefighters, paid and volunteer, working together to protect the community. That is what we are here for. There needs to be a level of respect, trust and confidence. The service must be skilled and resourced appropriately for our team to be able to work together in a cohesive manner, whatever that be. The community focus is on good service delivery and value for money. It is not whether it is paid or volunteer at the end of the day; it is about working cooperatively together to service the community of Victoria. Protecting the community is far more complex, and people attribute it back to response times, they attribute it back to numbers on the fireground. Meeting the safety standards of our community is much greater than just worrying about one performance criteria, and I am happy to explain that in more detail.

Real reform, as I said earlier, must have community benefit. It cannot be political. It needs to not be externally influenced where possible. The challenges for the CFA — the CFA has always been a strong, can-do organisation and culture, with paid staff and volunteers delivering on expectations. That has been the culture of our paid staff and our volunteers. The CFA has great capacity and capability — much more than many other emergency services organisations, I would argue. What do I mean by that? If I look at what the CFA responds to today — high-end industrial, commercial, high-end residential in the structural urban environment all the way to bush firefighting, and in amongst all that we do things like chemical, biological, radiological, trench rescue, high-angle rescue, road accident rescue and emergency medical response — we are an organisation which is quite capable.

In saying that, though, it also has a weakness, because the more that you take on and the more that you expand, you have got to be able to resource that appropriately, manage that appropriately and train your people, both staff and volunteers. I would have to say we have found that incredibly challenging. You add in the complexity too of growth — the CFA has worn all the growth. Unlike the MFB, the CFA has had to wear all that. We were never built and designed to wear all that growth as an organisation. What I mean by that is that structurally we have not been able to meet the growth from a strategic perspective. So the impacts on volunteers have been as a result of increased staffing levels, which we have had to do because of safety requirements, and meeting community expectations in growth corridors of Victoria, but at the same time that then puts pressure back onto those brigades which have been integrated. I would have to say that I do not think we have had a good, strong enough plan that has been able to maintain, with the increase in staffing levels, volunteer value in those locations, because we have increased the staffing — we have had to.

The great strength of relevant bodies that also influence the CFA, whether they be associations or industrial bodies — when I came into this organisation in 1995, within two weeks of starting as a recruit firefighter we went through one of the hardest industrial challenges, and that tone has been there ever since. If I walk into a career fire station today and I have a conversation with any of our career staff, those who have not even been a part of that era will tell you stories about that period, and the history of that, that has led us down the path we are on today.

The lack of strategic thinking at times has been challenging for management, and I can see that. I have seen it — I have been at the front line. I have also served in and seen senior management, and I have to say that some of our senior leaders have been instrumental in trying to maintain the organisation as it is today. It has been a real struggle, and I know that at times even our own people have been quite critical of management.

Modernisation of the fire services in Victoria is undoubtedly needed. Every 50 years, if you look back through our history, we have seen major reform in Victoria with the fire services. There is no argument about that. The fire services are parochial. We are incredibly proud, and we are very traditional. That is not just isolated to Victoria or isolated to Australia — it is also worldwide. For us to be able to make those changes requires high levels of intervention, and government have had to come in. We have seen it. We have known that this is an escalating environment, but we cannot do it within — we needed something more to do that. Co-location and integration are a part of that, and now we have got to move forward with whatever that may be — in a co-located environment if that is the way we end up.

What I will say is that in my mind, moving forward, the CFA is much more than just a volunteer organisation. It still will require a level of servicing and management and integration, if you would call it that. Yes, it may not be in a fire station environment, but it still will require, like other fire services in Australia, a level of middle management that really requires the support, the confidence and the trust of our people.

I want to share a very quick example. I started, as I said earlier, when I was 12 years old at Mount Taylor — that is just out of Bairnsdale, for those who do not know where it is. It is a rural brigade. When I became the assistant chief officer three years ago, I returned to that brigade. That brigade is in the same station, and in many cases it is the same faces servicing the same risk. They are the Country Fire Authority. Nothing has really changed. If I start where I started at Springvale as a recruit firefighter, serving as the officer in charge at Dandenong fire station for five years and then as the operations manager in district 8, it has changed in those growth areas. We have serviced it by putting increased staffing levels into those locations, but the risk environment has changed significantly. We have as an organisation been challenged by the traditional approach of the CFA, being what its true roots are, versus the modern organisation that it needs to become, looking after a huge breadth and depth of talent that we also look after in terms of servicing the emergency management sector.

The CHAIR — Thank you, Mr Owen. Your opening statement was very interesting and covers some ground that the committee has not previously heard. Can I take you to a couple of matters you raised? Firstly, you said the performance of fire services relates to more than just response times and the number of firefighters on the ground. Can you elaborate on what you mean by that?

Mr OWEN — The easiest benchmarks for everybody — and they are performance criteria — are to look at the time of the response from when we receive the call to when we arrive on the scene and the numbers on the fireground. Do they influence the outcome? Absolutely. But there are many more factors that influence the outcome. What I mean by that is that the training and the proficiency in terms of the decision-making made when they arrive on scene and how that occurs both en route and when they are on the scene also determine the outcome. What I mean by that is that you can have a crew respond within 8 minutes and arrive on scene with adequate numbers and still get a different outcome to another crew that does the same thing and arrives at the same time because of the decision-making and the other circumstances that may occur as a result of that call — for example, the delay in the call, the time of the call et cetera.

So, yes, a performance criterion is that, but there is much more to determining the best outcome than just arriving on scene. You have got to do a good job and you have got to be able to use the appreciation and employ the right strategies and tactics to get the right outcome, and that will change from time to time and from crew to crew, depending on the experience and skill set, both in volunteer and staff.

The CHAIR — The committee has obtained some data around response times across different areas of the state. What would your advice be to the committee in the use of that data? Is it going to give us a good

indication, or are there too many other factors, such as the ones you have spoken about, which impact on the actual outcomes, for that data to be useful?

Mr OWEN — Performance is much more than that. It has also got to look at costs — there is fire loss — which will give you an indicator. There is information available on, for example, room of origin, contained to room of origin, building of origin et cetera. There is much more information that needs to be considered than just a response time alone and that of numbers on the fireground.

The CHAIR — Thanks, Mr Owen. I would like to take you to another matter. You commented on the issue of how you maintain the value of volunteers in an environment where growth has necessitated an increase in the number of career firefighters. What is your view on that? That is one of the key issues that has come up in this inquiry — the belief that the proposed model will lead to the loss of volunteer firefighters. What is your view on how you maintain the value and engagement of volunteers where you have the growth in career staff?

Mr OWEN — The current model that we have today with increased staffing levels has diminished the need in some cases for those volunteers to be able to actively respond and participate in meaningful work on the fireground. So, for example, a pumper in an integrated brigade today responds with a staff crew, and also the excess crew may in some cases have to respond with the tanker, and they are the only operational appliances at that brigade at the particular time. That then limits the ability for volunteers to hop on that additional appliance and respond.

So in its current form, with the extra resources that we have got to have — to get an apprenticeship and to get the skills required, which takes at least three years — we have topped up all those integrated brigades with extra staff, because that is all we can house until we go down the path of opening up further and further and further. That then puts pressure back on volunteers, as was discussed on the previous two occasions, where volunteers are less required. If you do that over a period of years, ultimately if you are a volunteer, that work is not there, realising that 90 per cent of the work is really done by one crew, if not two, for most calls.

The CHAIR — How do you keep those volunteers engaged in that environment?

Mr OWEN — There are a number of ways. I think some of the indicators here earlier were about giving them other meaningful work. There are other opportunities that we should be seeking for them. As was mentioned with the Dandenong occurrence, it is actually about giving them more direction and giving them a level of certainty over a particular role rather than allowing them just to be in the background, perhaps. So it is about giving them meaningful work so they can feel they have a level of ownership and participation.

The CHAIR — You said at the outset that reform must be about community safety outcomes. In your view is this legislative change delivering community safety benefits?

Mr OWEN — Other than the fact that we are separating into Fire Rescue Victoria, we are maintaining the 1221 CFA fire brigades and we are increasing staffing levels, as we have been doing before. Is there community value in any of that? I do not see a lot of change in terms of the direct community value other than the fact that in the future it will give us better direction in terms of taking out of this debate where fire services themselves cannot agree on when that transition should occur. From a CFA perspective, if it were under the model that has been proposed, that would be handled independently. Negotiating that, at times there have been different views in the past. We have been caught in amongst an industrial and a volunteer association thought process on when that transition should occur, and that has been incredibly difficult because people are quite parochial about leaving it as a volunteer brigade, even though I would argue that the evidence suggests that it should move to the implementation of putting career staff in the location.

Mr LEANE — Thanks for assisting us in our inquiry. I suppose I am coming from a metropolitan MLC perspective in that I have a concern that one side of Scoresby Road has got the MFB with different types of standard operation procedures, a different dispatch model and maybe even different equipment and different methods to the other side of the road, which has a different dispatch model and so forth. If I can just go to the dispatch model that is used in the CFA in the medium urban areas. If pages get put out for a volunteer brigade, what is the process from there? They obviously respond within a certain time. As was stated, sometimes a daytime period or other periods on weekdays can be an issue. If they do not respond or if they do not respond in 6 minutes, what happens from there?

Mr OWEN — Then it goes to the next response. With our volunteer brigades we have about a 4-minute window in which they must respond, and then it trips over and activates the next brigade or dispatch, which will have a conversation with the appliance that is already en route about whether they need to increase or dispatch another appliance. In our integrated stations, obviously, with the career staff it is a 90-second turnout. We benchmark it overall with 8 minutes; 4 minutes we are allowing for a volunteer response, but overall it is 8 minutes.

Mr LEANE — With the automated dispatch model — as you can tell, we have been doing a bit of reading on this; a little bit of knowledge is a dangerous thing — is there a predetermined table so that, if one brigade cannot attend or does not respond, that determines who the next one is to call?

Mr OWEN — Yes, there is a table that sits behind it. What we have got are what we call assignment areas, which are geographical areas we have identified as response areas. Interestingly enough we work with road accident rescue response working off a radial search method, which basically determines where the closest response would be from. But at the moment for the CFA what we work off are assignment areas — chunks of land — that are geographically located. We then determine from that what the call-out of those appliances will be as the event either escalates or should there be a fail to respond.

Mr LEANE — So does the captain of the brigade have input into the table?

Mr OWEN — Yes.

Mr LEANE — As I said, Scoresby Road is a good example for me. The MFB might be a backup supply, and they could indicate that if the captain decides that he would prefer it to be another volunteer area, then that would be input into the table.

Mr OWEN — Yes, that person could have input into what they suggest the appropriate response should be, but both the operations officer, or catchment officer as we call them, responsible for that area and the operations manager in the district ultimately have to sign off on that to make and implement that change. So it is audited in a fashion by that person or by those people other than that. So a captain cannot just make his own changes and get it changed without it being approved.

Mr LEANE — Absolutely. But there are some existing tables?

Mr OWEN — Correct.

Mr LEANE — I am only talking metropolitan again, and I know you have got terminology for it, but if unfortunately the volunteer brigade cannot respond, is there an onus on the members of that brigade to send a message through their pagers saying, 'Look, sorry, I am working in town today', or is the onus on them to just not respond at all to their pagers?

Mr OWEN — Some brigades where they knowingly cannot form a response during the day may notify our CAD centre to inform them that they cannot mount a response. However, we need to appreciate that volunteers are volunteers, and they will only act on what they know. For whatever reason, there may be circumstances where you cannot mount a response.

Mr LEANE — So when there is a response, and it might be a secondary response or it might be a primary response, do the people at the automated distribution centre or whatever know the skills mix of those people that have responded?

Mr OWEN — In a volunteer sense, no they do not.

Mr LEANE — So you are south-east region?

Mr OWEN — Yes.

Mr LEANE — The reason I ask is because I know that people move around quite a bit. You have been the assistant chief for a while?

Mr OWEN — For three years.

Mr LEANE — For three years. What does your area cover, if you do not mind me asking?

Mr OWEN — From Edithvale to Mallacoota.

Mr LEANE — So it is a big area.

Mr OWEN — 221 brigades across five districts.

Mr LEANE — Do you know how many volunteers have accreditation to code 1, how many drive the trucks, how many have the BA certificate to go into structures and how many have high levels of first aid? Does that — —

Mr OWEN — Yes, I have that information, but I do not have it here with me today.

Mr LEANE — Okay. Could we get that?

Mr OWEN — Absolutely.

Mr LEANE — Thank you very much.

Mr YOUNG — Thank you for your time, Mr Owen. I have to say that from listening to your previous answers and your opening statement I am very impressed with your grasp of what is happening. You seem to have a fairly pragmatic approach to the way in which this is all going. You talked about the growth that we have had, particularly in urban areas, and how the CFA has had to take the brunt of that. It is widely recognised that the CFA has had to adapt and change and had to make do with what they have got in order to keep delivering the service they do deliver. But you also mentioned that we have not had a plan. Is it safe to say that we still do not have a plan?

Mr OWEN — When I say we have got a plan, we have got a plan to introduce more staff and where they are located et cetera. The difficulty is that in recent times it has been a bit of an uncharted territory for us. When we increase staffing levels, even our above-strength firefighters, who in later years will become our leading firefighters and officers running these events and be senior leaders in their own right, put pressure back into the system just because there are additional staff. So that plan of understanding what that dynamic has meant in amongst those integrated brigades could have been, in my opinion, done better. But understanding that and how that works and alternative ways that we could maintain that — we probably have not had as robust a plan as we should have, I do not think.

Mr YOUNG — When you were talking about the management level within the CFA and the organisation, but more broadly across government, there has been no real plan or direction other than just ‘Keep plugging along and patch up things as we come to them’. That would be obviously an indicator that there has been no plan to implement a massive restructure of fire services as well.

Mr OWEN — I reckon we are overdue for a major reform in Victoria’s fire services. If I look back into our history, every 50 to 60 years we have been through a level of major reform. I think we have got to be very careful in how we approach it. Do not just go and grab something else off the shelf from elsewhere. I think Victoria should be very proud of its history with its fire services. Up until recent times it has been incredibly challenging, and I think there are a lot of people who have contributed to the outcome of why we are here today, and we have got to acknowledge that. But do not just pick something up off the shelf, because I think that we have got to be thinking about what it means for us, because our model up until recent times has been a good model, I would argue.

Mr YOUNG — And the model that we are being presented with in the form of this bill, do you consider that to be just something off the shelf?

Mr OWEN — It has been attributed to and linked into the New South Wales model, but it is not a purely New South Wales model at all. There is that linkage between what Fire and Rescue New South Wales and Fire Rescue Victoria will be, but if I look at the rural fire service in New South Wales, clearly they have their own middle management and senior management. They do not have frontline firefighting troops, like what has been proposed, in the one organisation.

Mr YOUNG — Are you concerned that this is the only model that has been discussed, that we are talking about, that we have had proposed to us?

Mr OWEN — Look, the government has put a model on the table, and you have got to acknowledge that, because I do not think that anybody else had come up with anything better at the time. I think the fact that we are having this discussion today is now stimulating more ideas and more thoughts about what the model should look like in the future. It is a model, and I think that unless somebody else can come up with a better proposal, then we need to acknowledge what we have got and work with it. Yes, we might need to modify it accordingly or provide that level of detail that is not there now and work with it. But the reality is that we need reform.

Mr YOUNG — Yes, and I do not think many people are disputing that, but it is very hard for someone to come up with a better model where there is no opportunity to.

Mr OWEN — Correct.

Mr YOUNG — I just want to ask you about your involvement in the process. Can you just run us through what briefings you have had, what information has been provided to you on how this will work and a bit of a timeline as to when that has happened?

Mr OWEN — I had not had any involvement up until the announcement at all. I was only informed just prior to the government announcement — literally the night before — so I did not have any input into that whatsoever. Other than being there when we have done the briefings alongside politicians and other people, when we have briefed the integrated brigades and then also done some district briefings and other briefings, that is the extent of it. And I have been on leave for the last five weeks, so there have been other things that have been occurring which I have not been participating in.

Mr YOUNG — That is a fair point if you have been on leave, but that is consistent with what we have heard from other people in your position in other areas.

Mr OWEN — Yes.

Mr YOUNG — So it is fair to say that if there were a better model or ways to improve this model, there was no way it was going to be incorporated into this model given that no-one saw it until after it was a bill and ready to go?

Mr OWEN — Yes. The fact that we have got a model on the table now creates the discussion and the debate as to whether it can be either improved or done differently. It has at least created that environment.

Ms HARTLAND — I was at a metropolitan fire brigade on Monday night, and we were talking about response times. One thing was raised with me, and I would like you to maybe help me a bit with this. It was not an integrated station — because this is the western suburbs, so there are a number of integrated stations. If a station gets called, the call is made, so they are responding and there is a volunteer brigade or an integrated brigade responding. But if there are no volunteers who respond, then in 8 minutes time another brigade is called and then another brigade is called, which would mean that for a number of volunteer brigades who just cannot manage a call-out, there is quite a delay in who gets called out. Can you talk about that a bit in terms of your region?

Mr OWEN — Look, when we knowingly know and there is evidence to suggest that there are delays, then obviously we increase the response. So we may choose on receipt of a call to have it automated so that the response is three if not more brigades, because we know that during the day, at night, on the weekend or after hours we struggle to get a volunteer response. So we do not exclude that brigade if they are available, but based on the evidence and the conversations that we are having with brigades, many of our officers that sit on fire stations, and I am talking about our paid officers, have a good knowledge about what the vulnerability of that brigade is, and they may choose to enhance the response. They have got the ability to do so whilst en route if they feel in their own area that they need to increase the response.

Ms HARTLAND — We heard some evidence from the last group, from Mr Collier — and these are his personal views rather than Volunteer Fire Brigades Victoria, and I will check with them — about the 8-minute response time and the issues around flashover and the fact that if you are there in 8 minutes, you have got a

chance of saving a structure or rescuing people. Is there any evidence at all that that is not the appropriate model?

Mr OWEN — That 8 minutes is where we are benchmarking that from. My experience in my career is that yes, I have been in the situation where I have had to rescue a couple of people and yes, every life is important and we should be always seeking to save every life that we can, and we do that. However, if I look at the amount of events that I have responded to over the years in my senior role and look at the time of call and the impact that we have made, on many occasions we may not get the call in time. So unfortunately that rescue has not occurred, full stop.

Again these are all the factors that play into it. So to say that yes, we can in a scientific way work out that if we put that material in that building and if we start at that point in time, then it will be about 8 minutes before flashover, that is scientifically based — absolutely right. But there are a whole range of factors which will change that outcome, and when you have a look at the data, there are many, many occasions when we respond and unfortunately due to receipt of call or a whole lot of other circumstances in that 8 minutes we have not even been close to getting to the point where we have been able to get on scene even with our career staff.

Ms HARTLAND — Especially with modern buildings that tend to be much more flammable than they were even 10 or 20 years ago, and I am not suggesting that we need to reduce that 8 minutes — I think that would be really difficult — it sounds like it depends on the building as well?

Mr OWEN — Absolutely. You are absolutely right. In protecting the community it is much more than red trucks. We need to understand that. In other parts of world it is even legislated about the building materials — so the contents and what you can actually put into a building let alone residential sprinkler systems and a range of other things. Responding the fire brigade in an event is usually a last resort and when things have actually gone wrong, so there are a whole lot of other things that we need to consider that actually should prevent the fire from occurring. And when it all goes wrong you are relying on the fire service and you want a timely, well-trained response out of your fire service, undoubtedly. But you have got to look at this issue holistically in community safety; it is not just about fire trucks.

Ms HARTLAND — There has been a lot of talk about how this will affect surge capacity. I am wondering whether you can talk about that and also in terms of, possibly, Hazelwood, because in terms of that surge capacity it seemed to me that there were interstate firefighters and there were people who came from all over because it was such a big fire. Can you talk about those two things?

Mr OWEN — With surge capacity are you talking about it from the outer metro or are you more just generally — —

Ms HARTLAND — We are being told by some volunteer brigades or some individuals that if this reform goes through, then surge capacity will be lost.

Mr OWEN — I was the operations manager for district 8, the CFA's busiest district — large infrastructure. Probably in terms of our volunteer capacity and career staff and also operational activity, it was by far the busiest. Undoubtedly district 8's ability to be able to provide volunteer resources to have a surge capacity to support the country this far up and beyond is far greater than the other districts in the country area. Why is that the case? Well, because you have got volunteers that work for businesses and their employers, through their flexible arrangements, can allow them to go away for a few days. In country Victoria it is very, very different. You have got farmers off the land. They are the ones that know their property. You cannot just get somebody else to come in and manage their farms.

Plus you have got more brigades in and around that metropolitan area in a condensed area versus large distances between fewer brigades in country Victoria. Country Victoria relies on the surge capacity, undoubtedly, and we have proved that. For Black Saturday, out of district 8 we responded a lot more strike teams than any other district outside of that, supporting the Bunyip Ridge fire and a whole range of other fires up into East Gippsland. Its ability to be able to muster those troops and respond with those resources is something that we need to be really considerate of. Sorry, what was the second part to your question?

Ms HARTLAND — The second part of the question is that we are being told that this will greatly affect surge capacity. Is that something you think will happen?

Mr OWEN — No. This proposed model — I do not think it will affect surge capacity. I mean we are only talking 11 integrated brigades in this region out of 221, and nine specifically in district 8, with 68 brigades, so you can do the maths there. I do not think it will affect that. However, we need to consider what that means over time.

Mr RAMSAY — Thank you for your time, Mr Owen, this afternoon. I just want to progress some questioning that Mr Young put to you in relation to comparing what is happening in New South Wales as against Victoria. I do so on the basis that it has been suggested that this model is based somewhat on the New South Wales model. The New South Wales model does have a significant rural fire service and about 70 000 volunteers, and it also has the New South Wales Fire and Rescue and Hazmat services that it provides. The differences I see between the proposed legislation and the model currently in New South Wales are that all staff via Fire Rescue Victoria would be covered under an award and staff under Fire and Rescue New South Wales and the rural service are covered under a different award and that the United Firefighters Union is actually not involved in New South Wales in relation to union membership.

So to me there are a lot of pluses going on in the New South Wales model, which is very different to what is being proposed in the Victorian model. I have not heard of there being the sort of angst and grief that we are going through here in Victoria when New South Wales went through its changes and reforms to its fire services, which went back to 1990-something I think from memory.

The question I put to you is: the model that is being proposed, given it is quite different to what New South Wales did in relation to its reforms, do you think we might be better off looking at the New South Wales model more closely, given that its success rate seems to be potentially greater in providing community safety than what is currently being proposed — given the different awards, the segregation of staff and the fact that there is not union intervention the whole time in relation to awards and there is not the issue around power of veto clauses et cetera? I seek your response to that.

Mr OWEN — I think where we have ended up with the agreement is symptomatic of a bigger issue that we have not been able to successfully negotiate. If I look at the New South Wales model, it is subtly different. I mean, you have a bit more flexibility. They have retained firefighters in their system. They also have a process for moving from what would be the NSW Rural Fire Service into an environment of moving to Fire and Rescue NSW in a staged process of retained staff through to permanent 10/14 or 24-hour rostering arrangements.

So with that they do have an agreed process that they work to, and that holds everybody to account. In Victoria we really have not had that. We have had areas of responsibility of the agencies, but there has not been a mechanism, I suppose, to facilitate that transition, and therefore we have seen levels of frustration, changing expectations et cetera amongst our career firefighting staff — paid staff and volunteers. From management's perspective it has been quite difficult in getting everybody to agree and move and transition through to a new environment, and I think we are experiencing that from time to time. Some independence in determining that transition I think would go a long way.

Mr RAMSAY — I am not quite clear: do you favour a New South Wales model over and above what is being proposed under this current model?

Mr OWEN — The New South Wales model is a model. Depending on who you talk to — and I have got friends in both services in New South Wales — they will indicate to you that it is not as cohesive on the fireground. Some will say that it works; some will say that it does not. We are moving to an environment where integration is coming out of the fire station environment where you have relationships that are built and confidence is built, whether it be through training together or meeting together or activities that get you to know one another. So when you turn up on the fireground you at least know one another and you at least know one another's capabilities and what they can and cannot do, generally. When we get to the point of where we are doing that integrating on the fireground that will be, in my opinion, a lot more challenging, because you will not have the foundation of that relationship that you once had back in the fire station environment.

So one could argue that the reason that we get on and get the job done is because that level of integration and that relationship that is built and that trust and that confidence and that knowledge about one another of the strengths and weaknesses is actually derived at the backend and it actually then occurs on the footy field. If you were to apply that same analogy in a football sense, would you turn up and play your best game and expect to win when you do not train, not necessarily doing things together? I am not saying that you cannot train under

this proposed model; you will do that and we will have to facilitate that, and that will be how we can then create that relationship. But it will not be what it is now in an integrated environment where that work will necessarily be occurring to the same level as one back in the fire station environment.

Mr MELHEM — Mr Owen, from the perspective of the CFA as an organisation how do you see the CFA operating in this region if these changes go through? I will give you three issues to talk about. Do you think having a single career firefighting organisation with standard career path conditions and so on would have some advantages for career firefighters? That is the first one. The second one is: do you think that removing IR issues to have a specific one for paid staff such as IR matters would help the CFA to concentrate on better recruiting and supporting volunteers? The last one is: what do you think the challenges for recruiting and supporting volunteers are? Can we talk specifically for this region if the changes go through, on these three points.

Mr OWEN — Okay. So from my regional perspective, from what I see, I think separating them out has some benefits in that it allows CFA to be more flexible in terms of its autonomy in terms of negotiating with volunteers, more so, and working in and for just volunteers. I would have to say that as a senior leader in this organisation we have been directing an inordinate amount of time in trying to resolve the paid staff challenges. Some would argue that it has probably been at the expense of some of our volunteers. So, yes, it will benefit in terms of our focus back onto volunteers.

Will it impact? I think from a fire station perspective where we would separate out and we would have our career staff co-located with our volunteers et cetera, in that mechanism through FRV and CFA I reckon you would have to work to make it work in a co-located environment. Our past experience with co-location even with other agencies like Ambulance Victoria has not been successful; it has had its challenges. I use the example that, if we move across the existing brigade here at Traralgon and it becomes an FRV facility, CFA will obviously have some involvement in that facility in terms of being at that facility. But our challenges have been in the past that we have not been very successful in a co-location environment. Again, it is reliant on relationships, ownership, culture and teamwork. All those things are critically important to making the workplace harmonious. You have got to be able to work with volunteers regardless, and that is quite unique in itself.

Sorry, your last question?

Mr MELHEM — I think the last one was about, and I think you have answered it, what you think the challenges are for recruiting and supporting volunteers going forward. Will that have an impact in a positive way or in a negative way?

Mr OWEN — If you are interested in serving your community, that is what your focus is. Whether that was to remain as is or be something different into the future, you have got to remember that our 1221 fire brigades are made up of the community. That is where their true roots are. Every one of them has a name, and in most cases it is the township name. They came before the CFA. In some cases they even came before country fire brigade's board. The CFA is just a management body. If you are interested in servicing your community and helping and the like, you will go ahead and you will do that. I think we could do a lot to encourage this. Unfortunately the circumstances that we find ourselves in tarnish that. I suppose if I was a prospective volunteer, I would question whether it is worth getting involved in something at the moment where we are appearing constantly in the media and being tarnished.

Mr MELHEM — Going along the same theme, we had discussions and heard evidence in relation to how a secondment model could work. Some concerns were raised about whether or not it is going to work or could work. I would not mind hearing your view of your experience and, given your current position, about how a potential model could work where the support staff, the paid staff, can be seconded from FRV to support the CFA as a volunteer-based organisation. Do you see that a model like that could actually work in real life?

Mr OWEN — To be honest, it would be a challenge. I say that because this whole circumstance that we find ourselves in has caused an amount of distrust. Some of our volunteers are very long servicing. In country Victoria they engage and link in and form trust. That takes time — an enormous amount of time in some locations. So our operations officers and operations managers — our middle managers — are critical. Yes, there are 35 brigades that are impacted on. My position is that we can live with a different model — the FRV, yes, and the CFA brigades continue on — but we have got to remember that our middle managers service those

1221 brigades. Having genuine interest, trust and confidence through our middle management for volunteers is critically important.

Unfortunately, whether we like it or not, under the circumstances that have occurred, some of that now has some connotations regarding the industrial relations environment and the like. Whilst I am not saying we could not do it, it would be a challenge, because I think we need to acknowledge that to foster that trust and that confidence people acting in the middle management role need to be genuinely interested in and supportive of the CFA as an organisation. I am not saying that from my perspective; I am telling you what volunteers are telling me, which is that they would find that incredibly difficult under the circumstances.

Mr O'SULLIVAN — Thanks, Mr Owen, for coming in. What we have had to face over the period of time that we have been having these hearings is that we have had a very binary debate, pretty much. You have got people at one end saying this legislation is going to be the best thing ever, and you have people at the other end of the debate saying this is going to be a bad outcome. As with any of these sorts of scenarios, the truth is probably somewhere in the middle. At the same time I sit here and I think, 'Have the volunteers got this wrong, or have the volunteers got this right?'. I sit here and think at the other end of the debate, 'Have they got this right, or have they got this wrong?'. I do not quite know the answer to that. If you were given the job of starting from a blank piece of paper to set up a fire service that is going to work in a Victorian landscape, from a thumbnail point of view what would you look for?

Mr OWEN — I would have one fire service — one integrated fire service — for Victoria. The question is how you would then derive that from the models down and structure up to have a country perspective and to have a focused urban perspective. You can still do that, but people are CFA through and through. As I indicated earlier, my family is involved. It has been my life, like many others in this organisation, even if you look at it from an MFB perspective.

Major reform is challenging, and it needs to be bold. But if we are going to get to a point where we are all going to move forward and all work as one for the greater good of Victoria, we need to do that together. The less obstacles we have — and even names, organisations, values, differences and things like that — the less challenging that is, because at the end of the day I am sure that all the community of Victoria are after is somebody who can respond and who is skilled, volunteer or staff, that can provide them with the best service delivery for the best value for money.

Mr O'SULLIVAN — The way I am starting to read this is that this piece of legislation is probably the most destructive piece of legislation I have seen for a very long time. It is actually not servicing anyone. We have heard evidence today and previously as well where some of the paid firefighters are saying they do not like to wear the uniform down the street, that their kids are getting bullied at school and that they have taken their kids out of school on the one hand. At the other end of the debate we are hearing volunteers saying that they would not leave their community to go and fight fires as part of a strike team somewhere else in the state.

So we have gotten to a point now with this piece of legislation — and take it beyond the legislation and this debate — where, whether this piece of legislation gets passed or defeated, it is not going to solve much. It is actually just going to enshrine the divisions that we currently have. I am starting to wonder whether we need to start again and try to come up with something that is a whole lot better that is actually going to try to bring people along, because at the moment all we are seeing in this debate is that it is dividing people and pushing people further away.

Mr LEANE — Have another review. There have only been nine of them recently.

Mr O'SULLIVAN — Maybe another review is what it takes, because what we have got in front of us now is dividing the community and dividing the fire services. My question is: is there something elsewhere, whether it be in another state, another country or another state in another country or something like that, that is world's best practice?

Mr OWEN — That is something to sort out. The fact is that this is causing damage to people, undoubtedly. Our career staff, our paid staff, have had to wear it hard. The media comments, the innuendo and people looking at it from their own viewpoint and having their own opinions is all good and well, but it is quite, quite destructive. Equally our volunteers have found it incredibly hard, undoubtedly. They will continue to respond because their interest is in protecting the community. Whether we be paid or volunteer, that is what we join to

do, and that is what we will continue to do. I think the longer this goes on, the harder it becomes, so I think we do need to be careful.

We need to make sure that we design a culture and a model that is servicing and working together, and I mean truly together. That is the biggest outcome that I would like to see in all of this. In terms of the detail as to how you put that together and make that work, that detail may be able to serve us through the current proposal, but then again if I was starting from a clean sheet and we did not have all the history that we have gone through and all the challenges and we could make it happen, I would be saying, 'It's one fire service. You move forward with that view, you work as one, and you make it work'.

Again, you have got to look at what we have got on the table and whether it is community benefit. Where is it returning community benefit? In certain circumstances it is improving and providing some confidence back to our career staff in regard to responding et cetera with numbers and increasing staffing levels. You have got to give them that. Even in the industrial relations environment you have got to support that. But again it is us working as one and collectively together that is critically important.

Ms SYMES — Thank you for your evidence today, Mr Owen. I just wanted to test a few things that I have drawn conclusions on in my own mind. In relation to the integrated stations, at the moment we have heard that the more paid staff that are put on, the less there is for volunteers to do and that therefore there is a risk of them disengaging because they rock up to the station and they do not get on the truck and they just have to roll up the hoses — I think that is what they were talking about — when everything is done. My understanding of the proposed reform is that if you move from an integrated to a co-location, when a town has fundraised for a CFA vehicle for their integrated station, that vehicle will go to the CFA volunteer brigade and Fire Services Victoria will have their own equipment. Wouldn't that create more opportunity for volunteers to be autonomous in their own co-located brigade versus the current integrated model now? I am just wondering if the reform gets around this concern about volunteers not having enough to do if they are given greater autonomy and their own equipment under the reform.

Mr OWEN — At the moment with our vehicles in many cases — certainly in those integrated brigades, where they are community funded and owned technically by the brigade itself — our paid staff and volunteers will utilise those vehicles where they can. We use some of those vehicles for the purposes of ground observing and other technical aspects et cetera. Again with our tanker fleet we might see our career staff using those, or paid staff, as we would volunteers. I am not sure that I would see any difference, really, other than the fact that the CFA would have their own resources. Now how you would then work that I am not exactly sure, but certainly in some cases I would see it that CFA volunteers would be working with their vehicles more so than they are under the current arrangement.

Ms SYMES — Yes, so I guess that was what I was just teasing out. So the volunteers at an integrated station, which becomes a co-located station, would not be competing with paid volunteers for the equipment. So rather than being left out, they would actually have their own support equipment ready to go.

Mr OWEN — Well, they do now. Depending on the arrangements and circumstances of the event — —

Ms SYMES — Somebody gave evidence today that recently their brigade has gone from three paid staff to six, and the volunteers were feeling that — —

Mr OWEN — I see what you are saying, yes, and that gets back to my point earlier. Where we have seen increased staffing levels they have had to utilise in some cases what is technically owned by the brigade and community funded to get them to the event, which then has led to the volunteers being unable to use that vehicle for that particular event. One of the beauties of the system we have at the moment is that we do share in those resources. How that would work in the future — there is nothing to say that you could not share resources I do not think under the proposed model, but we would have to work through that detail, I suspect.

Ms SYMES — Just one other thing I want to tease out a little bit is in relation to the current system of secondments and MFB staff being seconded out to CFA areas and things like that. There seems to be talk of a fair bit of benefit in that. In particular I think Traralgon have had some long-term vacancies that they were able to fill with MFB staff. Do you consider that the Fire Rescue Victoria model, which will have the one paid force, will help build on the success of that secondment model?

Mr OWEN — There is opportunity there. So there is opportunity for our paid staff as they currently are — firefighting staff — to relocate or work out of Melbourne, and vice versa; there is opportunity for the Melbourne staff to then work out of country Victoria. As stated earlier there are quite a few existing MFB employees, firefighters, that live in regional Victoria that drive down to — —

Ms SYMES — Has that worked well — the MFB's secondees working in the country?

Mr OWEN — In the country areas in most cases my understanding is yes. There have been some circumstances elsewhere where it has been a bit challenging, but you are always going to end up with that little bit of cultural difference. That is something that Fire Rescue Victoria under the proposed model would have to deal with, because culturally our firefighters in CFA and MFB, while we do the same job, one works with volunteers and it is quite different working in that environment and different in some of the things that our firefighters do versus what the MFB do behind the scenes. How you would then marry up that cultural bit — —

Ms SYMES — Yes, so that is one of the questions. The VFBV keeps saying that fire services Victoria staff, current MFB staff, would not know how to work in the country and they would not work well with volunteers. I think that is a bit offensive. They are probably not bad people coming out to country areas. If the secondments are going okay — I have lived in both Melbourne and country Victoria, and I understand this culture of what you are used to and what you are not, but I would not say that an MFB person or a fire services Victoria person who wants to relocate to the country would know they are going to be working with volunteers. They are not going to go and work out there if they are averse to working with volunteers.

Mr OWEN — But I think culturally that is an important piece of work, where someone is transitioning from where they have typically worked with non-volunteers, just in a paid service, and moving across to where you would be fulfilling a role working with and for volunteers or surrounded by volunteers. I think that is just a cultural piece of work. That is education. It is more of an education piece, a nurturing and understanding piece. To say that just because you come from a landscape where you do not have volunteers and you work in inner Melbourne and you could not work with volunteers is not right. That is clearly not right.

The CHAIR — Mr Owen, thank you very much for your evidence this afternoon. The committee appreciates your attendance at short notice and your frank testimony today. The committee will have a draft version of the transcript to you in the next couple of days for any corrections. Thank you very much. The committee is now adjourned until Friday, when we will meet at Hamilton.

Committee adjourned.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Hamilton — 21 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Cesar Melhem

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Witnesses

Mr Grant Kidd (affirmed), Officer in Charge, and

Mr Ian Hamley (sworn), Executive Officer, Country Fire Authority Portland;

Mr Anthony Pearce (sworn), Officer in Charge, and

Ms Nicole McGrath (sworn), Secretary and Treasurer, Country Fire Authority Ballarat; and

Mr Paul Marshall (sworn), Officer in Charge, and

Mr Wayne Rooke (sworn), First Lieutenant, Country Fire Authority Warrnambool.

The CHAIR — I declare open the Legislative Council’s select committee inquiry into fire services restructure, and I welcome this morning representatives from local CFA brigades. From CFA Portland we have Mr Grant Kidd, officer in charge, and Mr Ian Hamley, executive officer; from CFA Ballarat we have Mr Anthony Pearce, officer in charge, and Ms Nicole McGrath, secretary and treasurer; and from CFA Warrnambool we have Mr Paul Marshall, officer in charge, and Mr Wayne Rooke, first lieutenant.

All evidence being taken at this hearing is protected by parliamentary privilege; however, any comments you make outside the precincts of the hearing are not so protected. All evidence is also being recorded by Hansard, and you will be provided with a proof version of the transcript in the next couple of days for any corrections that you need to make. Ms McGrath and gentlemen, thank you very much. We are needing to share microphones today, so if you could make sure you speak into a microphone when you are giving testimony, that would be much appreciated.

Thank you for your attendance here this morning at this hearing. Obviously it is at short notice, and the committee appreciates you making yourselves available. The committee has allocated 75 minutes for this particular hearing, so I invite you to make any opening statements you would like to make for approximately 10 minutes, and the committee will then proceed to questions.

Mr PEARCE — Thank you, committee members. I thank you for the opportunity to represent my brigade and the district where I work. My name is Anthony Pearce, and I am the operations officer appointed as the officer in charge of Ballarat City fire brigade. I support the proposed legislation. In my 23 years of service, firstly as a volunteer and later as a professional career firefighter, I have always strived to provide the highest quality service to the community.

In those 23 years many things have changed in society — the population, demographics and the nature of emergency service response. I sit here today because the changes have not happened to address the developments in our community. CFA in my opinion is being held back by the current legislation, structures and culture. History has made us; however, it should not define our future. Change is hard to implement due to cultural and historical issues. Ultimately our structure has contributed to a lack of evolution. I used to love the fact that I was a CFA member. Now I am proud to be an emergency services employee. I enjoy my job for the most. What I do not enjoy is people with agendas, egos, political intentions and outdated approaches to emergency management.

Mr MARSHALL — I am Paul Marshall, the officer in charge of Warrnambool fire brigade, district 5. Like Anthony, I have had 35 years service in CFA and have worked my way up through the ranks to be officer in charge of the brigade, and it is a position which it is an honour to have and hold in serving CFA and my volunteers. However, the effect of the last four years of an at times very bitter dispute between the CFA, UFU and VFBV — impossibly trying to negotiate an EBA with tripartisan support when at least two of the parties seem to be diametrically opposed, together with the issues being politicised at both state and federal level — has had an extraordinarily negative impact on the overall relationships between many staff and volunteers.

I would like to table some documents with the committee, and I will just read a couple of paragraphs from those. They include a submission from the local member for Warrnambool, Roma Britnell, who made a submission in 2016 on the respect for emergency services volunteers bill, where Ms Britnell stated:

I have also been told Warrnambool crews are now responding to calls in outlying towns, some up to 40 kilometres away, in what volunteers assume to be an effort for on-shift career firefighters to find something to do.

I find that statement very offensive when career staff simply want to provide the best service to the community that they serve. Ms Britnell also said:

I am told the volunteers have been treated poorly and are no longer made feel welcome in the station, are restricted to certain areas and not allowed to access the whole building, their rooms are smaller, less equipped and they have their own kitchen and meeting rooms so they are not able to mingle and interact with career staff.

Again I find the statement offensive. At Warrnambool fire brigade, which is an integrated station, we have a good relationship with our volunteers. We work well together, and they are certainly not treated poorly, and I find such a statement very offensive.

I will again rely on *Hansard* in the attached documents that I have tabled, where this became a federal issue in the federal election last year, when the Prime Minister of Australia said:

What about when the Labor Party talks about equality and fairness? What about the Warrnambool fire station, where the paid firefighters — the union members — refused to walk through the same door as the volunteers? They refused to walk through the same door as volunteers; what is the message they are sending? We are defending the firefighters as they defend us.

Again it is an inflammatory, false allegation that was made by the Prime Minister of Australia. That then gets back into the media and then destroys my fire brigade because we are held out to be union thugs and treating volunteers poorly. That is not the case — simply not the case. We absolutely refute the allegations.

The Warrnambool fire brigade wrote to Ms Britnell about her submission and stated — this is from the Warrnambool fire brigade to Roma Britnell:

We are particularly disappointed at politicians including the Prime Minister and some media have continued to misinform the public and misrepresent the Warrnambool fire brigade for what only can be described as political pointscoring.

Mr Chair, that is all I have got to say in my opening submission. But that is one of the main reasons that I support the reforms, because the political blueing has to stop; it is destroying the organisation.

Mr HAMLEY — I am Ian Hamley, chief executive officer of the Portland fire brigade, here representing the volunteers of Portland. Thank you for the opportunity today. I will just read a short statement from the brigade volunteers.

The Portland brigade volunteers believe that the current integrated model delivers the best service delivery. Splitting the career firefighters from the volunteers, in the belief of the volunteers at Portland, does not serve the best interests of the community both in service delivery and volunteer engagement, also in short-term and long-term costs and impact and the underlying policy rationale to have the operations EBA signed off for this reform to go ahead. The volunteers of Portland do not support this bill.

Ms McGRATH — I am Nicole McGrath. I am secretary-treasurer, Ballarat City volunteer fire brigade. I joined Ballarat City fire brigade in March 1998. I have held the positions of brigade chairperson and lieutenant each for two terms. I moved to a non-operational role in 2012 after the birth of my first child. I took on duties of brigade secretary-treasurer to enable me to remain an active part of brigade management, and I continue to hold that position and combine it with my duties at home as a stay-at-home mum. My husband holds a position of third lieutenant at Ballarat City fire brigade, and my father-in-law is now a retired CFA career firefighter and life member of Ballarat City fire brigade.

The Ballarat City volunteer fire brigade supports the proposed reform. There is such momentum behind this reform that although we have concerns we believe that for the legislation to collapse now would be far worse and leave us with a chaotic and hostile environment. We are fatigued by the protracted and unpleasant nature of this round of EBA negotiations and hope this reform brings matters to a timely conclusion.

Ballarat City volunteers have strongly indicated to me they hold concerns where the presumptive legislation leaves them in comparison to their career staff colleagues should they become ill, and they hope that the select committee process can help address those concerns. We believe the reform will give us greater autonomy, better access to training and operational opportunities, will alleviate our recruitment and retention issues and encourage greater engagement and participation from our members.

Mr KIDD — Hello. My name is Grant Kidd. I am operations officer in charge of Portland fire station. I am in favour of the reform as I believe it will help the CFA move forward and stop the constant conflict between the various parties that are involved in the CFA. It will also, in my opinion, help Portland achieve its manning issues and overcome those manning issues by making it easier for the transfer of staff from other organisations to come into the CFA and assist with Portland.

The CHAIR — Thank you for your opening statements. The committee now has approximately 1 hour for questions, so I will kick off. Firstly, if I can go back to your opening statement, Mr Pearce, where you said in relation to the current CFA model that you have concerns with the current legislation and the current structure. Can you outline what those concerns are, please?

Mr PEARCE — Yes. In my 23 years of service in the CFA, firstly as a volunteer, there has not been any change to the structure. The way we elect brigades is the same, the way that the organisation operates with the board structure — with representatives from the various elements of the board right down through the governance and management of brigades — has not changed and the way we measure service delivery standards and assess our brigades and their ability to perform the role has not changed.

When we look to implement change, whether it be new appliances and the like, it is restrictive in how it operates. We do not always have a representative of the people who are directly involved in the key aspects of introducing appliances and the like. We have decisions being made by people on boards who I do not believe actually fully understand what is happening down at the coalface, and as a result we in the district and down at the station level are often frustrated by the inability to introduce change.

The CHAIR — How is the proposed legislation going to fix that?

Mr PEARCE — In my opinion, in regard to the change, if we look at the career staff and how that will work out with working with the FRV, if we wanted to introduce a fire truck into the CFA at the moment, it could be quite restrictive because of the difference of opinions and the industrial bodies versus volunteer representatives and the like. We end up with issues where brigades are not necessarily being supplied with equipment and resources because of the delays or the issue itself. If we separate the two, we can move down a path of making sure that we introduce appliances, equipment and procedures in some cases in a much more timely matter, whereas at the moment it is all too tied up in whether it be industrial or other issues that do not work with each other.

The CHAIR — Why do you see those issues going away with the new model, though? If you have FRV staff, career staff, seconded back into the CFA organisation, how is that going to change those concerns you have just highlighted?

Mr PEARCE — In my role as a manager, both of volunteer brigades and of career staff, for me to be able to support the volunteer brigades around me, my focus naturally is mostly contributed towards the 60 or so staff plus the brigade that I am the officer in charge of. I do not have the ability to spend the time to support the local brigades around me that need to manage the 80 or 90 members they have on their brigade books because I just do not have the time. So with the changes my position would be, as I understand it, transferred across to Fire Rescue Victoria to concentrate on looking after the career staff. Somebody will come in to replace me and that will provide a better service to those brigades — they can help those brigades with managing their people and structure. So introducing change, new appliances, equipment and procedures, you will actually have someone more focused to support those volunteer brigades. At the moment I believe that is a failing of the organisation because I just cannot physically do everything that is needed of me because I just have too much work.

The CHAIR — So that is essentially a criticism of the current integrated model — the fact that you have responsibility for volunteers alongside your career staff?

Mr PEARCE — Yes. As the officer in charge of Ballarat City fire station I have about 60 staff doing about 1600 to 1700 calls a year — one of the CFA's busiest stations. We have a response profile that captures just about every single response part that the CFA is expected. No other station at the CFA has the same response obligations as Ballarat City fire station, including coverage of most of western Victoria for specialist appliances and technical rescue response.

How do we do that with a massive workforce? At best the on-duty staff can crew three appliances. I have got six appliances that cover half of Victoria, so things are not very easy to manage and to make sure that we can always provide the service. I am trying to manage all that from my position as the officer in charge as well as managing four or five other brigades that are busy brigades in their own right — they have their own challenges and issues. I cannot simply focus on everything at once, because I do not have the time or the resourcing. So if I move it across to the FRV to concentrate on that, that will provide a better service to the career staff and the community that they serve, and the change proposed, to have somebody backfill my position to support the volunteer brigades, will improve the service they get out of CFA and also in turn improve the service to the community.

The CHAIR — Presumably that could be achieved now in the current structure if the decision was taken to split your role.

Mr PEARCE — I do not disagree with that. At the same time, though, it is very hard and difficult with the way things currently are to actually get people to endorse and support increasing the staff numbers to be able to put people in to support what we have. It is a very clunky process to go through — to get the funding, to get the people into the positions to do what we do. The opportunity is there now to actually make that happen, and it is a commitment from the government to fund it and put those people in the positions to do it.

It has been recognised by the local brigades for many years that they are under-resourced and not provided with as much support as they need at a CFA, and it is a hard slog to try to flag this to get the changes to get the people in to actually support brigades to what they want. We as career staff are the ones who have been pushing this banner and carrying this can for a while. So we need more people, and we just do not get there.

The CHAIR — Thank you, Mr Pearce. Mr Hamley, can I ask you about your opening comment when you said you believe the current integrated model is the best model. Can you expand on that please?

Mr HAMLEY — Yes. With Portland we have only just started on the integration path. We have had day manning put in in January this year. Previously to that we had a leading firefighter and an officer in charge at the station up there. So we have moved into the new station. We have day manning now Monday to Friday, and it works well with the volunteers and the staff working together. The staff are absolutely wonderful with the volunteers and the volunteers very much appreciate the staff at the moment.

We had a meeting last night and had a discussion about this, and the brigade concerns are with the proposed change splitting the volunteers or separating the volunteers from the career staff and creating an FRV area in Portland, which is in the middle of a CFA rural community basically. They cannot see how segregation is better than integration. They believe that currently everyone is working well together. We are achieving what we need. Training is good with the volunteers. They maintain their skills. They have a good rapport with the current staff who are there and they really do not see how changing to a separated model is going to add value for delivery of service to the community. I suppose in part there is really no detail around this at the moment. There is actually very little detail on how anything is actually going to work, so with that in mind they just cannot support the reform.

Mr LEANE — Thank you very much for assisting us with our inquiry today. How would you feel if this committee recommended another review? I will leave that there. That is the question I wanted to ask.

The CHAIR — Not to say that the committee has considered anything like that yet.

Mr LEANE — Well, there have been some murmurings.

Mr MARSHALL — I could not imagine anybody in the organisation would like to see another review. We have had review after review after review, and that is part of the problem that Anthony alluded to before. I guess the other question is: why was there not more consultation between the CFA and MFB? From my 35 years experience with CFA, if this was left to CFA and MFB and so forth and there was another review, we would be waiting another 20 years for change that is required now. The fire service currently is out of date. We need reform, we need to modernise the fire service and we need to look after the communities of Victoria to ensure that the majority of taxpayers in Victoria get a very similar fire service, and that is not the case now.

Mr LEANE — Just getting to, Mr Marshall, your opening statement. Mr Rooke, being the first lieutenant of the volunteers — sorry, my eyesight is really bad — are the volunteers allowed to walk through the same door, and the other accusations that were made?

Mr ROOKE — All those accusations that were made were totally wrong. The volunteers at Warrnambool — we were quite astounded that those accusations were made to us. We basically walk through the same doors, we open the doors for each other, we have the same access. The only ones we do not — and we agreed to it — are the dormitories; the volunteers do not have access to the dormitories, which is totally fair and the way it should be. Some of the kitchen areas go into lockdown because a lot of the lockdown area, that is when the brigade turns out, but we still have access to all other areas. When we heard that we were quite disgusted that someone had actually brought that up because it was totally untrue.

Mr LEANE — I suppose part of the issue and some of the bad blood towards career firefighters is about the statement the Prime Minister made — someone would have convinced him it was true. Far be it from me to

defend the Prime Minister; I would expect that from other people. I agree with you, Mr Marshall — it was quite outrageous and offensive to you. For the Prime Minister to actually say that means that there had been that much misinformation pumped out by certain quarters that we have got to this point that the highest office of the country is saying things like this.

Mr MARSHALL — Yes, and it has dragged Warrnambool fire brigade's name through the mud, to be honest, and we are sick of it. The misinformation that continually flows in the media — I will point to the *Herald Sun* in particular — it is just absolute mistruths and mischievous, and it is creating angst among volunteers. The amount of volunteers that have asked me about things that have supposedly been said, and particularly I will name the VFBV, who I blame for a lot of the misinformation — it creates issues amongst our brigade, because we have got volunteers who support the VFBV. And I say they should. That is the organisation that represents volunteers, and they tend to believe what the VFBV says. But a lot of it is mistruths, and as I said, it just creates issues.

Mr LEANE — Mr Hamley, there may be areas where CFA brigades are in the Melbourne CBD. We have heard that so many events are being done by the career firefighters that they are not really getting an opportunity to turn out at some events because there are so many career firefighters, say, at a place in Dandenong. With those sorts of circumstances — and I do not want to verbal Dandenong; that was just an example — some brigades are saying that they would embrace having a separate CFA station so they can concentrate on a different role going forward, because their role has just changed; the world has changed for them. But if the model afforded that you still worked out at the same station and still interacted with the career firefighters in your case, because your case is different to theirs, would you find that acceptable?

Mr HAMLEY — We understand the career firefighters. They are paid to do that role. We understand that. We appreciate them being there, and we are trying to encourage more to come to Portland. But having two separate organisations working out of the co-located site — the volunteers of Portland do not see that as being better than an integrated model, as one brigade for one town. In theory if we go to the FRV model, there would be two fire brigades in Portland — there would be a volunteer brigade and a career brigade. We cannot understand why that has to happen. Why can it not be just one brigade with volunteers and career staff working together? Yes, the career staff will be responding to all the incidents and that, and if required, the volunteers will back them up — they understand that. Also there are other roles that the volunteers can look at — to support the career guys with rehabilitation units and things like that. The brigade is very open minded about their role in the future with career staff, but they want to work side by side with career staff as one. They do not want to be working separately as a separate organisation.

Mr LEANE — I accept your response. The evidence we have had in recent days is that where there is integration and where on a daily or a weekly basis there are volunteers interacting with career firefighters, there is not the bad blood that you read about.

Mr HAMLEY — No, there is not. There is no bad blood.

Mr LEANE — On public safety, being a metropolitan MLC I cover an area where the west side of Scoresby Road is MFB and the east side of Scoresby Road is CFA. They are scattered around. Some of them are integrated stations, some of them are volunteer stations, and I have a concern that one side of that road has a different digital radio system. The other side of the road has an analog system.

One side of that road has firefighters with different standard operation procedures. The other side of the road has another type of different standard operation procedures, and also on logging response times and things like that. Now that was a long-winded way for me to get to where I wanted to go to, but there was evidence we had in a previous hearing a couple of days ago where it was stated that time is not one of the most critical things in getting to address a fire. Whereas I would imagine in training it would be drilled into everyone that efficiency, expediency and time are important aspects in taking on a fire.

Mr ROOKE — Critical.

Mr PEARCE — I will add to that. One of my roles is also as a fire investigator, and I am regularly involved in investigating structural fires and other fires that occur, plus attending to these calls in my role to support the brigades. You see a marked difference between the level of destruction and property saves in the urban areas

compared to the rural areas just by default. The response is different, travel times are different and hazard classifications are different.

In regards to your Scoresby Road example, on one side of the road you will have a different fire service standard expectation to the other side of the road just because they are different organisations. Now how is that serving the community and the person on the road that lives there and pays probably the same rates but potentially gets delivered a different fire service? So in regards to the destruction and the response stuff I have been to plenty of calls where we have been on the scene very quickly and made some really good saves. I have been to plenty of jobs where it has taken us a while to get there and we have still done some pretty good work, but at the end of the day service delivery standards are based on stopping the clock. It does not actually measure our ability to deliver a high-quality service at the other end. We deliver that pretty well with our career stations, and in my experience and observations at best we do okay in a lot of other areas, but we rely on good fortune and the availability of members with the appropriate training and skills to do that. I cannot sit here today and say that that always is the case.

The CHAIR — Thanks, Mr Pearce.

Mr KIDD — Deputy Chair, and also on your example about Scoresby Road. I live in Ferntree Gully. I am working at Portland for a year on secondment. It also comes down to the captain of those brigades and what appliances or what brigades they want to support. So, for instance, Boronia's support area ends at — if you understand Scoresby Road — a creek called Blind Creek.

Mr LEANE — Yes.

Mr KIDD — It ends there. So what type of call you have into Ferntree Gully depends on what type of response you get from Boronia. So you might not get a response from Boronia because it would just be up to Ferntree Gully and Scoresby, which are the two local volunteer brigades there. So they may take up to 8 minutes to get there before Boronia will get the page, and that also comes down to whatever the person ringing in the incident decides or how it is interpreted. Someone might say they have seen smoke and it might be put down as a non-structure fire, which would be a code 3 call, and in some accounts it could be a structure fire, which is a code 1 call, which would be a greater response code.

Mr LEANE — There is a different dispatch too.

The CHAIR — We have to move on, Mr Leane.

Mr KIDD — It is a different dispatch, but it all comes down to the captain of the brigade deciding which appliances and which brigades they wish to turn out into the area.

Mr YOUNG — Thank you, ladies and gentlemen, for being here today and providing us with your time. I just want to go back to follow on with something Mr Leane was talking about and in line with questioning that I have had in other hearings. We talk about the number one priority for the CFA in what they need to deliver a service, and it always seems to be that when I ask that question of people the number one thing they need is more staff, more equipment, more tools to do the job.

Mr Pearce, you came to that today as well. Could you just talk me through if you were given the opportunity to make the CFA better — forgetting this current argument we are having now — what would you ask of the government? What would be on your list of priorities that you would want?

Mr MARSHALL — At Warrnambool we are pretty happy with what we have got, and we are getting additional manning by the end of this year. Like Ballarat City, Warrnambool has all aspects of CFA responsibilities — from tech rescue, high-angle rescue, combined space rescue, LPG response, hazmat response as well as firefighting — so we cover all of the gambits. That is what has provided the increase in manning at Warrnambool. I started working at Warrnambool about 20 years ago.

When I started at Warrnambool it was classed as an A1 station, which meant there was one station officer on duty, which was me, and apart from that it was a fully volunteer brigade. I have built some great relationships with our volunteers, and I still have those relationships with our volunteers, but some of those volunteers have now left the brigade because they feel like they have been pushed out — and I understand that — but I can say emphatically that we have gone from a period when I first started at Warrnambool of probably losing three or

four houses a year to nowadays very rarely losing a house, because 99 per cent of house fires these days are contained at the room of origin. That is a great saving for the community of Warrnambool; it is a great saving for the individuals of the house, who are having the worst day of their life, when they do not lose all of their property, apart from one room. So I can say firsthand that it has made a huge difference having increased manning at Warrnambool, and that is what we are about — protecting the community. That is not just in Warrnambool, but also the surrounding brigades.

Mr PEARCE — I will add to that. I mentioned earlier that Ballarat City has six appliances. We can crew three at best at a time with the staffing configurations. We have a breathing apparatus van that covers half of Victoria. There is no-one on it. If the on-duty staff are at a house fire and we need that vehicle, we have to recall staff from off duty to come in and get it. Just the other night there was a fish and chip shop fire — a significant structure fire — in Ballarat, which required the on-duty staff, our volunteers from the brigade and other support brigades and we also needed the breathing apparatus van. So guess what? Phone calls to off-duty staff, ‘Are you available? Can you please come in and respond the vehicle, because we actually do not have anyone there to respond to it’.

Likewise when we respond to tech rescue events, we respond to and support Warrnambool and Hamilton. Whenever we go out with specialist appliances, that leaves the station empty. So a fire truck will sit at the station with no-one on it while we wait for people off duty to come back in. So if you ask us what we need, we need more people, we need to crew our appliances appropriately and we need to make sure that we have the capacity to deliver 24 hours a day, not just ‘Let’s hope our people can drop their Christmas dinner and come to work’. We have that with our volunteers and they do a really good job of coming in when they can, but at the moment we gamble with our ability to respond based on having a fire truck sitting there and expecting to somehow make it work. Ballarat City has nine on-duty staff. Three trucks can respond. There is a whole lot of gear left behind, and we are responsible for half the state.

Mr YOUNG — Have you guys got anything to add to that?

Mr KIDD — No.

Mr YOUNG — When we were talking about this issue, and you and Mr Marshall mentioned pushing volunteers out, it seems to me that there is a bit of a balance that has to be played out as far as room within what you have got for the operations of your career people and then the volunteers to support that. When that is saturated it seems that the only option is that volunteers start moving out. The discussions that we have had around this legislation about co-location and then the other option having separate stations — the end result I can see is that if we do increase career staffing at these stations to the point where they are saturated, we are going to have no option but to set up another station for volunteers. Have you got any comments or thoughts on that?

Ms McGRATH — It is almost the position we are in now. Ballarat City fire brigade — the current station we are in was built in 1983 to accommodate six on a shift and 30 to 40 volunteers. We have now got nine to 10 on a shift and volunteers, and we are on top of each other; there is no room. It means that the staff have a job to do and they need to do it well and they need the infrastructure to be able to do that, and sometimes that does come at our expense. It is not their fault; it is just that to do their job that is what they need. Co-locating still brings up some of those issues of space for infrastructure and volunteers and additional equipment.

Mr YOUNG — You have all the same issues that you do now with integrated.

Mr McGRATH — Yes.

Mr KIDD — You are saying ‘saturated’, but the volunteers at the integrated stations have other roles to fill and they do other things, so yes, they may not be in the first responding vehicles because of time and space constraints, but there are other activities and other resources that they can be used for, and it is just part of the brigade changing and looking at what the responses of the volunteers can change to. I would not say they are becoming saturated with staff; they are providing a better emergency service to the community they support, and making sure that all the appliances are properly staffed is a bonus to the community.

Mr YOUNG — That is not going to happen if you move them out to another station, is it?

Mr KIDD — No. For instance, Ballarat has two pumpers and a tanker and a Bronto. If they are properly staffed, your community is going to benefit by having those vehicles get there, but the volunteers of those brigades will have other avenues and other activities that they can perform. So it is going to be of benefit to the community.

Mr YOUNG — In a number of your submissions you pointed out some of the good things and the positives that this reform will bring, and it is great to hear those positives. But what are the bad things? What issues can you see with this reform and this bill? What are the problems that have been discussed in your brigades? What do we need to fix?

Mr MARSHALL — I guess the only real problem that I can see is that the reform is lacking in detail, but that is to be expected and I do not have an issue with it. A lot of members do have an issue with it. I do not personally because I believe that the government sets the policy framework and once the legislation is passed — if it is passed — then CFA and FRV will get on with the business of working out that detail. I am extremely confident that the right decisions will be made to have the best fire service moving forward, so I am not concerned about the detail.

If I look at the current integrated model versus the co-located model, to any questions that have been put to me, I just simply consider the Warrnambool fire brigade will be treated the same as the Koroit fire brigade, the Hamilton fire brigade and so forth. In my case, for the Warrnambool fire brigade — a CFA brigade — it is pretty obvious how it would be run to me because it would be the same as any other CFA brigade in the state. It just so happens that it would be either co-located or standalone. We are having those discussions, or we are about to start having those discussions, with the brigade this week about what they would like. I am confident that we will end up with the best outcome for the brigade and that decision will be made by the volunteers alone to ensure that moving forward they will get what they need out of it — to be a stronger, autonomous and more dynamic brigade. So I do not really see any real problems with it.

Mr PEARCE — I will just highlight an example that is often talked about, about how the relationships are broken in some integrated brigades. A couple of weeks ago the first lieutenant of the Ballarat City fire brigade had one of the leading fireys — one of the career fireys — as the best man at his wedding. That has come about through years of a working relationship and through that has come a friendship. So with the potential to separate and if, in the future, the Ballarat City volunteer brigade moves out in its own right to a different facility, there is a possibility that that type of relationship may never develop.

But we are also in a situation where we have a very transient workforce that is coming and going. Nicole and I were talking in the car on the way down — you walk into the station and there are different people there all the time, so we are already getting to the point where those relationships are not necessarily going to be what they used to be. So yes, there are possibly some negatives, but at the same time we have also been in a pretty messy environment for a while where it has been hard to establish relationships with people. So at what cost do we not make change? I would suggest, let us work through it, as Paul said. We are pretty smart people in the fire brigade. We have good people, good operators and good leadership. We are all in it for the right reasons, so to me it is not a reason to not change.

Mr KIDD — I do not see any negatives with the change. It all comes down to personal relationships. You could have conflict between two people just because they do not like each other. It is not because they are CFA or FRV; it is because they just do not get along. I do not see any other negatives in the change other than that relationships might change with not the same people being at the same station all the time. Other than that I cannot see any negatives.

Mr PEARCE — I just want to add to that. Part of my job is not always about looking after career staff. The majority of my work where I support volunteer brigades is managing people within their own ranks having issues with each other, and that is volunteer versus volunteer, brigade versus brigade. Career staff versus volunteer — I do not see a lot of that. It does not happen. I am not getting phone calls from captains saying, ‘Your people are treating our people poorly’. In actual fact in a recent conversation with a local captain he said since the proposed legislation the relationships have improved. Everyone is starting to look each other in the eye and say, ‘Oh, well, things are going to change. It’s not our burden anymore. It’s someone else’s responsibility’. People are actually starting to talk to each other, and they are sharing their opinions and feelings and being quite open. Things have got better since the announcement, but I have read in some of the publications that the relationship has deteriorated since then. Not where I work.

The CHAIR — Thanks, Mr Pearce. We are going to have to move on to Ms Hartland. We are keen to get in as many questions as possible, so if I can ask you to keep your answers as concise as possible, that would be appreciated.

Ms HARTLAND — We have had a lot of evidence over the last few days about relationships at fire stations. When Steve Warrington first said, ‘I can’t tell station A how it’s going to be. It’s going to have to be a different process for each station’. In hearing all of this evidence, that sounds right that it cannot be one size fits all. Your station might need a different approach to other stations. What do you think about that? Does there need to be flexibility station by station as to how this is done?

Mr PEARCE — Absolutely.

Ms McGRATH — Absolutely. What works for Ballarat City is not going to work for Portland, or what works for Warrnambool might not work for Portland or Ballarat City.

Ms HARTLAND — So the person making that initial criticism in that statement did not actually understand the fire service?

Mr MARSHALL — I think the fire services reform package indicates that there will be consultation and there will be options for brigades, and that was pretty clear to me. Certainly at Warrnambool we are about to undertake those discussions about where we go from that perspective, so I am not sure where the confusion is, but if what was announced is carried through, that flexibility will be there as required.

Ms HARTLAND — If the legislation is not passed, what do you think that means for you?

Mr PEARCE — A big missed opportunity.

Ms McGRATH — Significantly missed.

Ms HARTLAND — You are all shaking your heads.

Mr MARSHALL — I will speak about it. It will be a disaster. The relationship between career staff and volunteers has been crushed to a large degree, not by the organisation itself but by outside forces and people with their own agendas who have done an enormous amount of damage to the organisation. We need to rebuild that. The way we need to do that is to move forward. I think there is a lot of expectation now, and it seems to me that people generally believe that this is the way forward. If we go backwards, I hate to think what will happen, and certainly the relationships will, I believe, diminish even further.

Ms HARTLAND — There has been a lot of evidence presented about the effects on people’s mental health during this dispute, both for volunteer and career, and for the families, especially of career. Is this something that you have encountered, not so much between each other but from the community and from politicians and newspapers?

Mr ROOKE — I will make a statement on that. Yes, it has. For me as a senior volunteer I have been copping it from a few of the staff, a lot of the volunteers and a lot of the volunteers outside Warrnambool. In my job I travel across the whole south-west and, yes, I have copped a fair bit of it. It is a concern for both the volunteers and the staff — their mental health. We have had reports from families that kids at school have been harassed by others saying, ‘Your father’s such and such’, so much so that the kids are not saying what their parents do. It is not only the staff; it is the volunteers as well — it is on both sides. That is a big concern.

Mr PEARCE — I have a staff member who attended a forum prior to the federal election who was actually physically manhandled and abused by a volunteer because they dared to have a different opinion. That same individual has actually popped his head up at several other occasions, and we have actually received complaints from other volunteer brigades about that particular member, asking whether he is fit to be a part of the organisation. That has not been happening lately. These are the things that are happening. Our staff members are worn down; they are sick and tired of it. I have stopped using social media to see what is going on, because you just cannot get away from it. I have had days off because I just went, ‘I just can’t come to work’. You just have to take time off, get away from it, refocus and come back ready to do your job, which is what I have been trying to do, so it is definitely impacting. I know it has impacted our volunteers at Ballarat City, and it has impacted our staff. We are all sharing the same hurt, and it is being placed on us by other people.

Ms HARTLAND — To you in particular, Anthony, because your area covers such a big area, you are not just servicing the city of Ballarat. Can you name some of those outlying areas besides Ballarat that you actually cover?

Mr PEARCE — Yes. The aerial appliance that we have, it travels pretty much to the South Australian border, where it is needed. It went to the supermarket fire in Portland a number of years ago. That same truck was called to Hamilton, this town, last week. The breathing apparatus van was called to Hamilton this week. We will go to Horsham. We provide support with Warrnambool and Hamilton to tech rescue into the Grampians right up through to Mount Arapiles. We are the confined space rescue responders for pretty much most of western Victoria.

So if you think about pretty much Melton to the South Australian border — the breathing apparatus van, hazmat vehicle, aerial appliance. The next nearest aerial appliance is at Geelong. There are aerial appliances at Warrnambool and Mildura, but they do not have rescue capabilities, so anytime someone is up high — a silo or anything — Ballarat City provides that response.

Ms HARTLAND — So it is structure fires, it is bushfires, it is hazmat, it is everything?

Mr PEARCE — Yes. Ballarat City brigade is also a state leader in what we call staging area. So when there is a major fire on or the like or we need to bring lots of resources in, Ballarat City brigade, through our volunteers, and in the past a fair part of our staff, actually respond to and set up and manage the influx of resources and coordinate and rehabilitate the vehicles and changeover crews and the like. So that is another skill set that our brigade and people in our brigade have that is a state resource. We talk about responding to local calls in the Ballarat area. We do that and we do that pretty well, but we have also got to carry the rest of the state on our shoulders and it is pretty hard work with only a minimum number of people available to do it.

Ms McGRATH — For example, the staging area — we spent weeks on end at Hazelwood managing the resources down at Hazelwood. We had members down there for a long period of time.

Mr RAMSAY — Thank you all very much for your time. I will open my questions to anyone in the panel who wishes to respond. The responses you have made this morning make me feel that everything is fine in relation to Warrnambool and Ballarat except more staff perhaps. The integration stations seem to be working well. The volunteers and career staff are working well together and mostly in support of the reforms indicated by the proposed legislation. Yet if I think back to why we are here, it is because an EBA pursued by the UFU could not be settled with the CFA and it could not be settled with the MFB.

Mr LEANE — That is you saying that is why we are here.

Mr RAMSAY — No, this —

Mr LEANE — No, that is what you are saying.

The CHAIR — Mr Leane, you have had your opportunity.

Mr RAMSAY — I did not interrupt you. Then obviously with the federal government legislation it was posed to us in Traralgon two days ago that in fact that was the reason why the government saw fit to move to a totally different model or models for Fire Rescue Victoria and the CFA.

The question I pose to you then is: if everything is working so well currently, yet the union representing firefighters cannot finalise an EBA between either the CFA or the MFB, what is the likely outcome of the UFU seeking an EBA through Fire Rescue Victoria? What impact will that have on the current service delivery you are providing already?

Mr KIDD — I believe it will have no impact as the EBA would have had no impact on volunteers to start with.

Mr RAMSAY — That is not what the volunteers are telling us.

Mr KIDD — It is an EBA between two parties where a third party wanted to run interference in the EBA. The EBA was between paid firefighters — staff — and our employer, which is the CFA. It covered our

uniforms, it covered our fire appliances, it covered our working conditions. It also covered our pay and our rank structure. What impact on the volunteers would that have had on our pay, our rank structure, our uniforms? No impact whatsoever.

Mr RAMSAY — Why do you think the CFA board saw fit to resign, or actually was sacked, as well as the minister, and then CEOs and operational managers of MFB if that was the case?

Mr MARSHALL — Mr Ramsay, that is probably a question for them, for those people. At the end of the day they made their decisions. May I say that the police do not have third-party interference in their EBA. The ambulance do not have third-party interference in their EBA. Neither do doctors, nurses or politicians, for that matter. Can you imagine, Mr Ramsay, if there were volunteers out there arguing that you should have lesser pay?

The CHAIR — I think most of the community does that.

Ms HARTLAND — Ours goes through in 5 minutes.

Mr RAMSAY — Every day, every day.

Ms HARTLAND — We never go out on strike. It is quick.

Mr MARSHALL — But at the end of the day EBAs are between the employer and the employee. There should not be third-party interference. There is not in any other emergency service sector. Why is there in CFA? So I truly believe that by taking out that third party you are asking for tripartisan support for an agreement that you will never get. The EBA has become so prescriptive over the last year that it is now almost 500 pages in length.

Mr RAMSAY — Exactly.

Mr MARSHALL — It is ridiculous. It is there because of the mistrust that has been gathered over the last 10 or 15 years between CFA and the UFU. There has been mistrust over various issues and most of that mistrust, certainly in the last 12 to 18 months, has been exacerbated by the efforts of the VFBV.

Mr RAMSAY — And the UFU.

Mr MARSHALL — Certainly. As I said, there are three parties involved, but there is also political interference. This whole thing has become a political football for political pointscoring. We are sick of it. We should not be in the political arena. This is an enterprise bargaining agreement that should have been resolved between CFA and its employees.

Mr PEARCE — The other part of that is we as employees under federal legislation are entitled to have an enterprise agreement where we negotiate for terms and conditions of employment. Every single thing that the union has been representing and asking for has been as a direct result of what we, their members, have been saying is happening on the ground. They are not making stuff up; it is coming from us.

Mr RAMSAY — But there are also clauses within the CFA act and the charter that actually protect the rights of volunteers, and that was the issue around the power of veto clauses in the UFU proposal through the EBA. But I do not want to go back into history, I just want to get some clarification as to why you think it would be even more successful having an EBA between the UFU and Fire Rescue Victoria.

Can I also pose a question to you? It has been said to us that one of the problems that some volunteer firefighters has is in relation to the secondment of Fire Rescue Victoria staff to manage CFA stations. Given that they are directly in line responsible back to Fire Rescue Victoria commissioner do you foresee any problems? The volunteers tell us there will be problems in that respect. I would be interested to hear a response from you.

Mr KIDD — I can answer that now. I am currently on secondment from my home location, which is Frankston, as the OIC of Portland. I have a direct line manager, who is my ops manager. His direct line manager is the ACO. The ACO's line manager is the DCO, and then the chief. It would be exactly the same. If I come across as FRV to be the boss of Portland, the person who is in charge of me would be my ops manager and then the ACO would be in charge of that ops manager. There would be no change. I would still be — —

Mr RAMSAY — So currently under the present system, using the volunteers as an example, the volunteer career staff report to the CFA operations manager, say, whereas under the proposed new model the secondment of the middle manager would report directly back to Fire Rescue Victoria.

Mr KIDD — No, he would report directly back to the ACO, which would be CFA.

Mr RAMSAY — Who would then report back to Fire Rescue Victoria?

Mr KIDD — CFA.

Mr RAMSAY — The line management, I assume, even under secondment, given they are being paid and responsible to Fire Rescue Victoria.

Mr KIDD — I would still be under the direction and responsibility of the CFA because that is the organisation that I am seconded to.

Mr RAMSAY — Can you point me to where it actually says that in the firefighter bill?

Mr KIDD — I dare say that would be worked out once the bill is passed between CFA and the FRV.

Mr RAMSAY — I have not seen that detailed in the bill.

Mr KIDD — There is a section in there.

Mr MARSHALL — Mr Ramsay, I am confident it is in the legislation. I have read the legislation.

Mr RAMSAY — Can you point to the clause then?

Mr MARSHALL — I do not have the legislation in front of me. I would have to find it. It is a document that I could not lay my hand on the clause, but I am confident there is a clause that relates to the fact that seconded staff to CFA — the reporting line is very clearly to the chief officer and the chief officer alone. If you talk to Craig Lapsley, the current emergency management commissioner, he will tell you that he has a staff of 100 people. How many actually work for EMV? None. They are all seconded and the EMV works fine. It is no different to that.

Mr PEARCE — We at CFA have had people out of CFA seconded into DHHS and other areas. They work for the organisation that they are working for, but their home base and who their ultimate employer is back where they have come from. While they are in that space they are working for that person and they report up through the chain of command. I have got two MFB firefighters or station officers at my station now who are on secondment from the CFA. They were screened and assessed and met the needs of CFA and will fit with our environment. They report to me; they do not report to their MFB commander because they are not working for them anymore.

Mr RAMSAY — They are not being employed under this proposed legislation, though; they are being employed under the current legislation.

Mr MARSHALL — But they are currently MFB employees working for CFA. They have been seconded to CFA, and so therefore they are working for CFA. They work on the CFA chain of command. Essentially they work under the direction of the chief officer of CFA, but they are MFB employees currently. So that secondment happens now on a daily basis within the organisation. It works well; it works seamlessly, which is why you have no idea that it actually occurs — because it works seamlessly without issues.

Mr RAMSAY — It will be under a different environment if this legislation is passed.

Mr MARSHALL — But it is no different. It is just a different organisation. The paymaster, if you like, is one organisation, but the chain of command is a different one, which is the organisation that you are seconded to.

Ms SYMES — Thank you for appearing today. I would just like to continue on the secondment theme a little bit. You have all talked about your successes, but I was particularly interested in your opening statement,

Mr Kidd, where you referred to the benefits of the new model in helping Portland better man their station. Could you just explain a little bit more what you meant by that?

Mr KIDD — At present Portland is operating on a daytime staffing level, which is Monday to Friday. We are trying to attract extra staffing to Portland. The current process is that we have lateral entry from MFB. We have got members of MFB who would like to work at Portland but they have to at the present moment go through a lateral interest process where they have to have an interview, they have to go through a whole lot of extra training to be able to work at Portland. Under the one banner of FRV, that would be gone. So if someone, for instance, is working in MFB and they decide they want to have a tree change or a sea change —

Ms SYMES — Under Fire Services Victoria?

Mr KIDD — under Fire Services Victoria, and a position comes up in Portland, they can directly move across. They do not have to go through the lateral entry process. So if we make it more seamless and it would make it — —

Ms SYMES — So a greater pool of people for Portland?

Mr KIDD — Yes, a massive pool of people for Portland.

Ms SYMES — I have read your submission in relation to the challenges of Portland. Could you just go through that? Maritime, fire. I do not have the ocean in my electorate, but there are lots of unique challenges in Portland.

Mr KIDD — The challenges of Portland are that we are an isolated town. Our nearest support is from local volunteers, which would be Heywood, which is about 25 to 30 minutes away. Our guaranteed support would come from Warrnambool, which is about an hour and a half, or between an hour and an hour and a half, depending on which truck they take. We have one of the biggest ports in Victoria — about \$2.5 billion worth of goods comes into Victoria or generates to Victoria and also to Australia. We are trying to attract more members to Portland to go to a 24-hour station.

Ms SYMES — How many people live in Portland?

Mr KIDD — At the present moment there are about — —

Mr HAMLEY — 10 527, give or take.

Ms SYMES — Thank you. Ms McGrath, I was looking at your submission too. It is somewhere in my papers. What stood out is that you have encouraged your fellow volunteers to ensure that they educate themselves on the reform. You also made some comments around the VFBV not representing the views of your members. I was wondering if you could tell me about the steps that your brigade have taken to educate themselves and that comment in relation to your — —

Ms McGRATH — We have encouraged members to attend all the available opportunities that have been presented to us, such as when we had the chief officer and CEO come and speak in Ballarat about two weeks ago. We encouraged members to attend that and we sent a delegate of eight senior members to make sure that we went to that. We have encouraged members to refer to the literature that has been provided to us and we have also had members attend the minister's visit when the announcement was first made.

As far as the VFBV is concerned, we have had an ongoing issue for several years at Ballarat City — this is not new for us. We have regularly put forward our position to them that we do not feel they adequately represent the views of integrated volunteers and that they do not adequately take into consideration the impacts on volunteers at integrated stations when they put in place their campaigns. For example, I got sent an email after the recent motorcade asking me to place banners up in my fire shed. We were not consulted on what that action should be; we have never been asked. I have been secretary for five years and a member since 1998. I have never had the VFBV come specifically to Ballarat City to speak to us about how these EBAs and campaigns impact us, and we are the only integrated station in district 15. We are the only one and no representative from district 15 has ever made contact with us about that. So I am not going to go and put banners up on my station and make your job harder and make my life harder. It puts us in a very difficult position.

Mr PEARCE — We are in the process of locking down some dates for the formal consultation process with headquarters to come through so we can actually have those open and honest chats. The brigade, through the leadership of Nicole and the brigade leaders, we have been having discussions and we have put up a whole heap and range. We are not about just defining options as to what the outcomes of the EBA is going forward, but putting it all out there, saying, ‘Think about what you could possibly need to do, want to do and what the community needs. Put all that stuff at the forefront of your mind and then when we get to the formal consultation stage, we can actually sit down and work through it’. If that means that we make recommendations to CFA that the brigade moves away or it gets a fire truck or it does not get a fire truck, then that will all happen through the due process. But the members are well informed. At all the meetings and at all opportunities we are updating them with where everything is, at based on what we know that is coming down through the organisation.

Ms SYMES — Just on that, with some of the comments you made, Mr Hamley, and I do not want to put words in your mouth but my recollection was that you were explaining that a lot of your volunteers were concerned about having two different organisations and that would mean segregation. That was some of the concern. Would your members and volunteers benefit from a little bit more detail that explains that you can potentially create your own outcomes for your local community?

Mr HAMLEY — Yes. I think that is the biggest problem. There is no detail on how this is going to work. We have seen stuff come through like the campaign for ‘Fire Doesn’t Wait’ and seven professional firefighters and two trucks in 8 minutes to a fire. We have looked at that analogy in Portland. Currently, with the integrated brigade, that will not work because we do not have another integrated brigade close to Portland that can get there within 8 minutes. So how that would work is there would have to be seven on shift as a minimum for those professional firefighters to respond with two trucks to an area in 8 minutes. We are happy with that. That is good for the community and a quick response does make sense, but we just do not understand how that will work in Portland at the moment because they do not count volunteer firefighters in that seven firefighters on the ground — and probably rightly so, because you cannot guarantee that the volunteers will be out the door in 90 seconds. They have to leave work or they have to get out of bed in the middle of the night and so forth. Where if you have firefighters on station, yes, they can get out the door and get within the 8 minutes.

So we are looking at that if that is the model that FRV are going to take through. We have actually got the fire station and we have drawn a circle around the 8 minute mark where the brigade can get to in 8 minutes. Currently our fire response area is rather large for Portland. It takes in some bush. It goes out to Cape Nelson and then about 10 kilometres down the road towards Heathmere. So that 8 minute mark we have looked at for the FRV and we have looked at the rest of it and said, ‘Well, will that be the Portland volunteers response alone, if it is outside of that 8 minutes?’. So there is still not a lot of detail about what is the volunteers primary response zone going to be, and at this stage it probably will not be a primary response but it will be support for FRV.

Ms SYMES — But does that not bring us back to — —

The CHAIR — We are going to have to move on, Ms Symes.

Ms SYMES — I will be very quick on this clarification. There is an argument that there is not enough detail but then what you guys are saying is that if you provided too much detail and you made it too prescriptive, then it would not work for all of you anyway. So are we not better off having a framework where each local area can work out exactly what that is going to mean on the ground for them?

Mr HAMLEY — Absolutely. You need the framework and then the detail will come.

Ms SYMES — But what I am saying is that you cannot put detail in a bill because it would have to apply to everyone.

Mr HAMLEY — No, but what the brigade is looking at is why is separation better than integration? Why segregate one part of society from another part of society?

Ms SYMES — But I do not think that that has to apply to every brigade. You can create what works for you. Ballarat have decided it will be working through whether it co-location, integration or segregation is going to work best for that community.

Mr HAMLEY — But we are still not one organisation working together; we are two separate organisations trying to work together.

Mr O'SULLIVAN — Thank you all for your attendance here today. We do appreciate it. I want to follow up on some of the material that Mr Ramsay covered in terms of some of the EBA discussions that we have had. In terms of just listening to your contributions this morning, you were talking about some of the issues that you collectively have within your current roles. If I was just to mention a few of them, you talked about staffing issues, you talked about resourcing issues, structural issues within the organisation, cultural issues, industrial issues. I am just wondering. It seems to me that there is no doubt that there is some reform needed within the fire services in Victoria. I do not think anyone that we have heard has said that that absolutely does not need to happen. It just seems to me that there has been a model thrown up with very little consultation across the board and with very little detail in terms of how it is going to work but everyone seems to be grasping it almost with a hope and a prayer that it is going to fix all these problems. Is it reasonable to assume, that it is going to fix all these problems or is it just that you are desperately looking for something that is going to maybe give you a bit of a glimmer of hope that things will improve with all those other issues?

Mr MARSHALL — Mr O'Sullivan, I would say that when the announcement was first made I would agree that people were grasping at hope. Now that a lot of people, including myself, have had a chance to actually look at the legislation and understand what the legislation actually says and look at the amendments to both of the acts, now that I have done that, I am much more comfortable that it will work and it is the right reform. I do not doubt that there are some minor things, and I will use an example. I do not believe that there was any consideration to the fire danger period, for argument's sake. Currently part of the CFA legislation covers the fire danger period for the country area of Victoria. That is not covered in the MFB act. So if you look at the current legislation, that would be an amendment that would need to be made later on, I would think, so that the likes of Warrnambool would be covered by the same fire danger period as outside of Warrnambool. So that is a minor. I believe it is a minor issue and it is a minor oversight. Apart from that, what the legislation outlines and the overarching policy of the legislation I truly believe is the right way to go and I truly believe that it has captured most things that it needs to capture.

Mr O'SULLIVAN — Does anyone else have a view?

Mr PEARCE — Yes. I suppose my initial reaction upon first hearing of the proposed legislation and getting an opportunity to have a read of it was a bit of a hallelujah moment. This is some of the stuff that from my position of many years in the organisation it was like: it is about time somebody is actually finally going to address some of the stuff that I have been frustrated by, everything from opening the door to help people come down and fill positions on stations. It is just farcical that we have two separate workforces that have different terms and conditions, different uniforms, but effectively still provide the same job but we have got blockers in place, which is our current set-up and structures in the state. So for me it is a bit of: yes, this is the stuff that we have needed for a long time. Yes, we will have some challenges to work through and the like but I am sure, as I said earlier, that we can get through that.

In regard to any gaps in the legislation, personally I think there is an opportunity to look at alternative options in bringing a bit of a transition from being a volunteer brigade into a career brigade, so whether it goes from a country Victoria CFA and ultimately becomes Fire Rescue Victoria, what is in between? I think we as an organisation have missed the opportunity to maybe look at alternative options, whether it be include retained firefighters and the like, but that is just my personal opinion. We have two got clear ends — we have got volunteers and we have got career staff and I think there is a gap in the middle. To transition from one to the other, I think there is potentially an opportunity that has been missed with that.

Mr O'SULLIVAN — Just on the EBA sense — and I have not got much time, so I will have to be fairly brief — it seems to me, and we have heard you guys here today say that the EBA is some 500 pages long and we have heard evidence from prior to today but it probably reinforces it in my mind today, that the EBA is so convoluted in its detail in terms of what it covers that it almost makes it impossible to get agreement on it. I am just wondering, because it is so prescriptive and goes far beyond wages and conditions — and I think everyone agrees that an EBA should be passed that deals with wages and conditions for career firefighters — is part of the problem here that we need some industrial modernisation in terms of the way the EBA is conducted? Because over 20-odd years each EBA gets more difficult than the previous one to the point where we cannot even get it

through because it is so prescriptive and detailed and covers everything well and truly beyond wages and conditions, is that a part of the problem here as well?

Mr MARSHALL — I would say that the major problem is the mistrust between the industrial body and CFA. I believe that that is improving as we speak, but certainly in the last 10 to 15 years we have gone to the absolute lows, and that is what has made it more prescriptive, because as we move to the next EBA, and I can give you an example of when the last EBA was signed off and the last EBA before that. The day after it was signed off we were in court because there were arguments about the interpretation of clauses. You have got to say, ‘Well, if you’re going to have an argument about the interpretation of a clause, why didn’t you sort that out before?’. In that legal action, CFA spent millions and millions of dollars on legal action against the CFA EBA, arguing about clauses in its own EBA, so that creates mistrust. That is what creates such a prescriptive EBA the next time, because the industrial body simply says, ‘Well, clearly after we signed it off, then CFA had a completely different view, so now we need to put more detail into the EBA’. That is why it has become so prescriptive, simply because of mistrust. We need to rebuild that trust between employers and employees. I can tell you now, I love working for CFA — it is a great organisation to work for — but I have very little trust for the organisation and particularly at board level.

The CHAIR — We are going to have to leave it there. Ms McGrath, gentlemen, thank you for your evidence this morning and for the written submissions that the committee has received. We will have a draft transcript to you in the next couple of days for any corrections you wish to make. The committee appreciates your evidence and your attendance at short notice.

Witnesses withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Hamilton — 21 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Cesar Melhem

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Witnesses

Mr David Blackburn (sworn), ex-group Officer, and

Mr David Allen (sworn), Deputy Group Officer, Country Fire Authority Westmere Fire Brigade Group;

Mr John St Clair (sworn), Captain, Country Fire Authority Horsham;

Mr Malcolm Anderson (sworn), Captain, Country Fire Authority Hamilton; and

Mr Owen O'Keefe (sworn), District 5 State Councillor, Volunteer Fire Brigades Victoria district 5.

The CHAIR — I declare open the Legislative Council select committee inquiry into the fire services restructure. I welcome to this session representatives from CFA brigades in south-west Victoria. From CFA Westmere Fire Brigade Group we have Mr David Blackburn, ex-group officer, and Mr David Allen, deputy group officer. From CFA Horsham we have the captain, Mr John St Clair. From CFA Hamilton we have the captain, Mr Malcolm Anderson, and from Volunteer Fire Brigades Victoria district 5 we have Mr Owen O'Keefe, district 5 state councillor.

Gentlemen, thank you for your time appearing before the committee this morning. Any evidence you provide this morning is protected by parliamentary privilege. However, any comments made outside the hearing are not so protected. All evidence is being recorded by Hansard and you will be provided with a proof version of the transcript in the next couple of days for any corrections. All evidence the committee is receiving is also being sworn under oath.

The committee has allocated until 12.15 p.m. for this hearing. We have approximately 10 minutes for any opening statements that you wish to make before we proceed to questions, so I invite you to make any opening statements.

Mr ALLEN — Mr Chairman, thanks. We thought we might go through very briefly, a couple of minutes each, our backgrounds, where we come from and what our issues are.

Mr BLACKBURN — The Westmere group that David Allen and I represent is one of the largest groups in Victoria, with 19 brigades covering around 1 million acres stretching just east of Glenthompson, west of Skipton, north of Mortlake to south of Ararat. The group's north-west boundaries stem from the Grampians into one of the most dangerous, fast-running grassfire areas in Victoria. We have sent strike teams all over Victoria and New South Wales, and this, we think, will be affected greatly if this legislation goes through.

The presumptive rights legislation has to be separated from the bill and be changed to reflect the Queensland legislation. It does not at the moment and it discriminates against volunteers. Mr Andrews and Mr Merlino have misled people to say it is the same. Operational firefighters, both paid and volunteer, should be treated exactly the same. The legislation has a detrimental effect on the surge capacity to mobilise thousands of volunteers. CFA must be able to employ their own force, not secondment from Fire Rescue Victoria. This will disenfranchise volunteers and they will walk away. The legislation has not been budgeted for or costed, and the 35 integrated stations at the moment are taken out of CFA. This will have a detrimental effect on CFA finance.

Consultation with volunteers has been non-existent. Details of the whole legislation have been non-existent. Rushed legislation for Mr Andrews to give the UFU members what they want — at the expense of many top-performing people in CFA and MFB and destroying a world-renowned fire service and a great model that does not need changing — is wrong.

A great number of integrated fire stations will never work. It will alienate volunteers and they will be lost. The inquiry gives very little time for proper consultation for these major reforms that have been suggested. Just a final comment: New Zealand have just moved the whole country to an integrated fire service. We do not support this legislation.

Mr ALLEN — I have some submissions here to hand out. This is the Westmere group's submission. Some points taken from that are just, very briefly, that these two bills as presented should not be linked together. There has been a complete lack of consultation with volunteers. What are the financial implications? This committee hearing is not consultation in our view; it is just a rushed process to try to find the middle ground.

The presumptive rights bill discriminates against volunteers. Volunteers at integrated stations will be sidelined. Secondment of staff back to the CFA is duplicitous and ridiculous. The 2009 royal commission stated that the existing system works well. The EBA should be about wages and conditions, and not operational issues. There are other impacts like career paths of CFA staff, training and resources. The system — being the CFA structure — works well at the moment and the community is not at risk, so why change it? There is another page of our submission. We have just outlined a few ideas for the future.

Mr ST CLAIR — I am John St Clair from Horsham brigade. We currently have 100 members on our book and out of that 100 we have 50 very active firefighters. The concerns from our brigade is just the lack of

consultation with brigades and communities. We do not have a full understanding as to whether this will affect us or whether it will not affect us.

We are concerned with training. Currently in Horsham we struggle to get urban trainers — guys to come in and train us for structural firefighting. Going to FRV, is this going to change? Will this help us? Will it make it harder to get the training that we require to do our jobs, like everyone else?

Mr ANDERSON — My name is Malcolm Anderson. I am the captain at Hamilton fire brigade and I am also an employee of CFA as a wildfire instructor based in the south-west region. I am representing the brigade today. The brigade met at a special meeting to consider our input into the submission. Thank you for the opportunity.

A quick snapshot of the brigade — we are a class 4 brigade, structural with bushfire. We have 68 members, 24 very active operational members, 12 juniors and junior leaders. We respond to about 150 incidents a year across district 5, supporting into district 4, district 17 and district 16. We have hazmat technical rescue capability and a thermal imaging camera, so we have a range of skill sets that we support into other areas. We have an extremely strong relationship with the integrated stations at Warrnambool and Portland. We work very closely together on a whole range of areas, particularly that technical rescue hazmat area.

Key concerns from members are the loss of that potential arrangement and the relationship with the integrated stations under the new reform. The linking of the presumptive legislation with the proposed restructure of fire services — we do not feel that that is appropriate. Things that we have put into our submission that I will quickly touch on include the breakdown of that relationship, as I have discussed, the potential for a loss of surge capacity out of outer metro or metropolitan areas into campaign-type fires in the bushfire numbers, and the skill set coming out of that structural environment, which it could be in the future. We are concerned about that.

Then there is the overall model and how the budgeting may affect volunteers in the future. What is the short-term, medium-term and long-term impact? That is also around the fire services levy. We are concerned about the restructure and how that will actually come about. There are so many unknowns with this proposed reform that the members cannot support where it is at the moment.

Mr O'KEEFE — In my opening comments I want to thank James Purcell, a member of the Legislative Council. As far as I know he was the first politician in Victoria to have genuine discussions with brigades as to where we think we should go. He had meetings in tin sheds on the sides of roads at times that suited volunteers and I take my hat off to him.

I am a humble member of the Winslow fire brigade, which is 20 kilometres north of Warrnambool. I have been group officer and I have been just about everything up to the level of divisional commander. I am speaking on my own behalf today although I am a state councillor with the VFBV. I will defend the VFBV to the nth degree because at the end of the day we are the only ones standing. The board has gone, Lucinda Nolan has gone, Jane Garrett has gone, Joe Buffone has gone, the MFB board has gone. Incidentally the MFB, which has no volunteers, has not signed the current industrial agreement as far as I know. They have been turfed as well. They will be replaced.

It is very, very difficult to see how this legislation is going to improve the lot of the ordinary Victorian citizen. It does not. It creates a boundary. Our friends before were saying that it eliminates the boundary between the MFB and the CFA. That is terrific. It creates 100 new boundaries around Victoria. We have got a boundary around Ballarat, Warrnambool, Mildura, Shepparton, Wangaratta. You name it, we have created more boundaries.

We have got a situation in the outer metro of Melbourne where we will have volunteer brigades sandwiched between two FRV brigades. What is their future? They will just be squeezed and squeezed. We need a new discussion. We have to look at where we are going. We acknowledge as volunteers that something has got to give because there has been so much damage done to the organisation over the last couple of years. But where that goes consultation has to commence and include volunteers in the journey, otherwise it is going to be at a debacle.

The CHAIR — Thank you, Mr O'Keefe. The committee now has 1 hour for questions. I would like to go back to two issues that were raised in the introductory statements relating to, firstly, the loss of strike capacity. I

think you raised that, Mr Blackburn, in your opening comments. Why do you believe that will be a consequence of this legislation?

Mr BLACKBURN — Surge capacity has been a great asset of CFA, especially in a lot of the integrated stations and before integration in those areas. We in our area have 19 CFA brigades and we have the capacity to send a strike team off anywhere in Victoria and have done so far for many, many years — and four and five days purely manned by our people in our area, but the disenchantment that is happening at the moment is pushing these people away. They are saying now, ‘We’ll put out our own fires and that is that’. I think that in some integrated stations volunteer numbers will drop away as career firefighter numbers get bigger, if it is integrated and made into two separate entities. So I think you will lose a lot of volunteers — and they get on trucks.

The CHAIR — Has that been your experience to date? Has the disruption, if you like, over the last couple of years led to a loss of volunteers?

Mr BLACKBURN — It is just a discussion that volunteers are putting to us now. If this goes on, well, a lot of people suggest that they will walk away, which we do not want. We cannot afford that. We have got a big area and a solid area to look after and we cannot afford that.

The CHAIR — Your message about the members of your brigade indicating that their continued participation would be in putting out local fires rather than being involved in campaign fires or strike activity elsewhere, that is something the committee has heard in other hearings we have held around the state. Is that a view that is reflected in the other brigades are here this morning, that the focus will become local area only rather than broader participation?

Mr ST CLAIR — There is a little bit of that happening up around the Wimmera, not a huge amount as yet. But to speak for my brigade, no-one has approached me with that yet. But I have heard of that throughout the Wimmera, yes.

Mr ANDERSON — A similar situation at Hamilton. Nothing has been stated in that regard, that we would not be responding to requests for strike team support into other areas. That is what we do; that is part of how the brigade operates. I guess our concern, to go on from where David was with the surge capacity, is the disenchantment potentially of volunteers with the restructure, particularly around that metro area where they do not get the opportunity to turn out, so you start to lose the capacity, the capability. And let us be honest, the population density in those areas gives the potential for that surge capacity to occur. We would struggle significantly, I believe, in our area for major campaign fires without that capacity from those higher population areas coming in to support us over a long-term incident. That is why the members are concerned that we need to keep that surge capacity in place. If the disenchantment actually occurs and we start to lose people out of those outer metro brigades, volunteers, are the staff going to be able to fill that gap? I am not clear on that, and that is where the brigade is sitting as well.

Mr O’KEEFE — The issue is going to be sustaining the volunteers into the future, and there are already problems there. The current CFA probably has not been as diligent as they should have been in nurturing volunteerism. This has come about possibly because the staff, and the CFA for that matter — the CFA has been a weak performing animal for the last few years, in my opinion. They have been distracted by so many things that they have neglected their core business, which is the prevention and suppression of fires and should emphasise the prevention of fires. The model that is proposed is a 1950s military-style operation of lots of men, lots of big, expensive trucks to do what could possibly be done, as the Ambulance Victoria model is. a paramedic in a very fast vehicle goes and assesses a situation and the ambulance does not come unless it is required. The CFA has been negligent in sustaining volunteerism in the last few years because they have been distracted.

The CHAIR — One of the views that has been put to the committee is that no change is not an option. There must be change. The current model is broken. You used the description a 1950s model. That has been used in a lot of evidence to the committee, that this is a 1950s model, it is broken, it needs to change. Is that a widely held view across your brigades, that the current model is broken?

Mr O’KEEFE — The current model is damaged; it is not broken. The current model is repairable and sustainable and is probably the way forward. The proposed model is going to introduce so many divisions and

disharmony and potential issues for the state of Victoria, the citizens of Victoria, that the current model needs refurbishing.

Mr BLACKBURN — The current model needs improving. Everything in life needs improving; there is nothing that is perfect. An improvement can be made, but it has got to be made with proper consultation with all parties.

Mr ST CLAIR — Horsham would agree with that. It does not need to change, just improve. Simple, small things like response times for appliances have stayed the same but yet road laws have changed, so it makes it harder for our appliances and members to reach those goals when those targets are changing in line with road laws and road acts.

Mr ANDERSON — The Hamilton members are not afraid of change. We have gone through a number of changes in the past recent history. We see that change is appropriate and we need some change in how fire services in Victoria occur, so that is where we are at.

Mr LEANE — Thank you for your assistance today. All the gentlemen on today's panel, you are in volunteer brigades, not integrated brigades? Is that yes?

Mr ST CLAIR — Correct.

Mr ANDERSON — Correct.

Mr LEANE — So taking on your concern about surge capacity and your concern that could be affected by volunteers in integrated brigades, we need to produce a report on evidence and we have had similar statements at the last three hearings as well. Integrated station volunteers have told us something completely different in most of the evidence they have given us, so can you produce evidence to this committee that volunteers at integrated brigades will leave if this bill comes in?

Mr O'KEEFE — At the risk of digging myself a hole and getting into trouble, volunteers have left integrated brigades now and they have joined adjoining small brigades — key players.

Mr LEANE — So you are going to give evidence on that?

Mr O'KEEFE — I stand by that, yes.

Mr LEANE — Do you think that is a bad thing, if integrated volunteers have joined small brigades?

Mr O'KEEFE — It is good for the small brigades because they brought so much expertise and knowledge with them. It was terrific for those brigades.

Mr LEANE — Good. And has it affected its surge capacity because they still exist?

Mr O'KEEFE — Yes, because those guys were the mentors in their integrated brigades and that has had an impact on those brigades.

Mr LEANE — The evidence we have had from integrated brigade volunteers, are you saying that is incorrect?

Mr O'KEEFE — No.

Mr LEANE — Because we need to produce a report on evidence and we have had a few previous panels similar to yourselves saying, 'I heard it's going to happen', but then the evidence that we get from integrated brigades is that that is not true. So have you got evidence for this committee?

Mr ALLEN — I think clearly the legislation has not been passed yet, so you cannot say that it has been a result of the legislation that is in, but the evidence that you have heard is that 30 per cent of people in Bendigo have left, 30 per cent of volunteers have gone, and in — —

Mr LEANE — Left because of what?

Mr ALLEN — Well, it was in the hearings last week or whenever. In Mildura a number of them have gone over the river to New South Wales, so clearly there is a flow of people out.

Mr LEANE — So that is your evidence?

Mr ALLEN — We are losing volunteers anyway.

Mr LEANE — Yes, but you are losing volunteers anyway because in this day and age if you speak to the leukaemia foundation, the Red Cross, if you speak to any other good causes that like people to volunteer to assist them, it is harder in this day and age. It is not because the new generation of people are bad or anything, but the world changes. So you are saying that volunteers leave because of proposed reform?

Mr ALLEN — Certainly there have been a number of people retire or leave early or withdraw from their voluntary activities because of all this stuff that has been happening.

Mr LEANE — Given that you all have come from volunteer brigades — and thank you for what you do — and that this is an inquiry into a bill and you are volunteer brigades and you will remain under the CFA act under this proposal, can you tell us what changes under the act that you are concerned with and that you will still be covered under?

Mr ST CLAIR — From our point of view, from the Horsham point of view, we have no idea. We have had no consultation with anyone coming down and speaking to the community or the brigade saying, ‘With these changes, this will affect your brigade this way and it won’t affect your brigade this way’. About two and a half years ago there was talk about making the Horsham fire brigade an integrated brigade and with the work of the management team in the brigade, the district office and the volunteers we have turned that around and we are now not on the focus at this stage, to our knowledge, to becoming an integrated brigade. But with what is happening at the moment we do not know where we stand now because no-one has actually come down and spoken to the brigade and said, ‘This is what we want to achieve, and this is where we are going with this inquiry’.

Mr LEANE — If the change to the act actually made your lot better, because that is what it should be all about — improve your lot, improve community safety and what you do — you would not necessarily oppose that, but your problem is you do not understand where that is at?

Mr ST CLAIR — Correct. At the moment we do not understand where we are at. We are open to change and open to talking to people, but unless people come and talk, obviously we have got to go out ourselves and find information but it should be more open and fluid, the communication.

Mr LEANE — There was a statement that under the current status quo the community is not at risk. I appreciate that where you guys operate that may be not the case, but I am a metropolitan MLC; I cover a metropolitan area. One side of Scoresby Road has one sort of fire service with different standard operating procedures and different radios and all sorts of different ways of going about things; the other side of Scoresby Road is a different thing again. If it is proven that that community on the other side of the road may be at risk because of the model we have got because of population growth — and population grows in the outer suburbs. There is a bit of infill in the inner suburbs, but population grows in the outer suburbs, so more and more people are living in those areas. There are more and more kindergartens, there are more and more retirement villages, there are more and more disability group homes. So if it is proven that the reform needs to happen there, would you accept that that statement is wrong?

Mr BLACKBURN — You are talking about something Lucinda Nolan was working on to fix, but she got the bullet, so she could not fix it.

Mr LEANE — So it is a political thing for you? This is a political exercise?

Mr BLACKBURN — No, it is not a political exercise at all. Safety first.

Mr LEANE — Fantastic. We can all agree on that.

Mr BLACKBURN — That is what I said. Improvement in services for the outer metropolitan area has got to be done. We do not deny that.

Mr LEANE — We have had statements saying that this reform — let me talk about this, because I am a metropolitan MLC; please give me licence to do that — if it went ahead in highly urbanised areas, where you operate it would hurt your feelings, it would be an insult to what you do. I would have thought you would be more stoic, brave people than that, and I do not believe that statement.

Mr BLACKBURN — I mean, what did I just say? I said it needs improvement. I would not say that at all.

Mr LEANE — Good. I mean — —

Mr BLACKBURN — It needs improving.

Mr LEANE — And I am not saying it is you guys. I am saying there is media and there are agendas being run that are actually speaking for you, to say that you will do this, your feelings will be hurt if there is a standardisation of fire protection services in Melbourne.

Mr O'KEEFE — What you are saying I am finding very difficult to deal with. You are saying that we as volunteers are letting our emotions rule what we are doing.

Mr LEANE — I am saying the opposite.

The CHAIR — Order! Mr Leane.

Mr O'KEEFE — The evidence is in the outer metro areas of Melbourne the metropolitan fire service does not perform as well as the CFA. Their standard of delivery is about 85 or 86 per cent; the CFA is 2 per cent better. That is evidence. What you are saying, you are not actually going with the evidence — —

Mr LEANE — No, you are wrong. The evidence is the opposite.

The CHAIR — Order! Mr Leane, let Mr O'Keefe finish.

Mr O'KEEFE — You are going with your emotion and you are letting your emotions rule your roost.

Mr LEANE — The evidence is the opposite.

Mr O'KEEFE — No, it is not.

Mr LEANE — And this is what you have got to understand: when we produce a report on this bill, it has to be on the evidence that is supplied to us from those organisations. Now, we have asked for those stats from those organisations and it has proved that you are wrong. So if you are wrong, will you agree that you are wrong and public safety should come first and the reforms come in?

Mr O'KEEFE — The MFB standard delivery service is 85 per cent; CFA is 87 per cent. That is evidence.

Mr LEANE — From where?

Mr O'KEEFE — From where?

Mr LEANE — Where did you get your evidence from?

Mr RAMSAY — What document are you quoting from?

Mr O'KEEFE — It is a sheet of paper that somebody gave me somewhere. It is evidence. If you have got other evidence that disputes that, go with it.

Mr LEANE — So a sheet of paper is evidence — —

Mr O'KEEFE — Otherwise it is emotions and I cannot stay with emotions.

Mr LEANE — We are happy to take that evidence from you. If you want to deliver that evidence to the committee, we are happy to take that evidence from you and we will give it the weight it deserves.

Mr YOUNG — Thank you very much, gentlemen, for coming here and providing us with your time. I most certainly appreciate you doing so, after that. I just wanted to continue on with that a little bit, to talk about evidence. Can you guys talk to us about what is evident in this new structure and how it will actually deliver a better service, because what we get all the time when people talk about how can we make the CFA better, how can we actually do the job better, is ‘What we need is not a restructure in how we are managed; what we need is more equipment, more staff, more actual ability to get people on the ground and do it’? So what evidence is there that this bill is going to change any of that, and can this bill actually provide a better service without that additional resourcing?

Mr ANDERSON — I guess the members at Hamilton have tried to get their head around the proposed reform and the concerns that they have raised with us in coming to this point is that we do not have a clear understanding of where some of these changes are heading. Unfortunately we have highlighted the negatives or the gaps in the information that are currently in the proposed legislation, so it is about understanding whether the staff in FRV in the future would be available to be seconded into CFA’s operations offices as operations managers and how that process will work. Will CFA have control over who is available to be seconded? So if there is a pool of people, is it being controlled by FRV? So they are concerns.

The need for interoperability is a huge issue for our members. We have interoperability now in the gear that we use, the training that we do, the interaction with staff. If that was not to continue in the future, that would see us splitting the organisations and putting a wedge between the two different fire services. That is a significant concern for the members, so the need to continue that interoperability. There are challenges with the process. Earlier this morning at the hearing they talked about the potential unclear structure of command with the new FRV and secondment. That is also a concern for the members. So it starts to become difficult to identify the real positives, but there are areas that we need to get some clarity on before we can move forward. If that was to come into place, I think the members would have a better understanding of where we are at with the reform and could move forward with it.

Mr ALLEN — And from our point of view I think there are a number of issues. I think secondment is certainly a major issue, even though we do not have any integrated stations, so that is not an issue, but the secondment of our regional staff is a worry because of the issues that Malcolm just mentioned. But the funding, where is the funding coming from? What is all this going to cost? How can the emergency services minister freeze the levies for three years, or whatever he has proposed, if they do not know what the financial outcomes are going to be? There are just a whole lot of really serious unknowns there. They have just jumped in to ram this process through on the basis of just trying to get the EBA through. So from our point of view there are very few positives.

Mr ST CLAIR — And just from Horsham, as I said earlier, our concerns are with training grounds and training staff, are they going to FRV? Are they going to be more readily available for us to access? I originally started my time as a volunteer member in district 15 down in Ballarat and training wise down there it was very easy to access training and go to training grounds. I have been an officer in the Horsham brigade for the last 12 years and one of the biggest issues we have had in the Wimmera is gaining access to training ground and structural trainers, which is obviously a big concern for volunteers in an urban area. We need those skill sets.

Mr YOUNG — So a couple of things you have just mentioned are actually the next few questions that are on my list — that is, training, how the secondment model will work in the middle management level, how everything is going to be funded. They are all things that we have been asking a lot of questions about, with very few answers — and you guys have demonstrated that again. We have a situation where there are no answers to these questions, which would suggest that there has been no evidence provided to back up this model as going to be something better. If we were able to answer all those questions, that would be the evidence that this model was going to improve things, but that has not been provided.

Mr BLACKBURN — There are no costings, no budgeting. After two years when the fire services levy comes off and if this goes through, we in rural areas might be in a situation that our fire services levy will double anyway to try to pay for what we have and we will be back to the days where we get one new fire truck per region. We have got to have a modern firefighting service and it has got to be fully funded and at this stage there is no detail on funding or secondment, anything. It is all, ‘We’ll work it out after it is passed’.

Mr YOUNG — This is the only option we have been presented with, the only structure that has been put into a bill. Would you consider that if more than one model was looked at and that evidence was provided that

compared the two models and addressed all those issues and suggested that this was actually better, that it would be acceptable?

Mr O'KEEFE — Absolutely, and that is the nub of the problem and that is one of the problems that James Purcell actually identified: there had been no consultation. Listening to the uniform guys, who were very difficult to hear before, they were saying that they were absolutely in favour of the reforms, as they are calling them, which is the dismantlement of the integrated model, because they think it solves their problem — and it does, but it creates problems for the other side of the vast workforce of the CFA, which are the volunteers.

The CFA is a unique organisation. It is not an industrial organisation where we have got the boss and the labour. A lot of the labour is unpaid. We have to be part of the conversation. If you exclude us from the conversation, it is just fraught with so much danger and ill will — and there has been so much ill will generated over the last couple of years that it has done damage that is going to take probably a generation to recover from, but we as volunteers will recover. We will be still here. When everybody else has gone, the volunteers will be still here doing our job. If we are going to have reform and we are going to dismantle the current CFA, let us have the discussion, but get the volunteers in on the discussion.

Ms HARTLAND — In terms of the legislation, it has often been talked about as a framework of legislation and the implementation committee will be the ones who will be putting the flesh on the bones. What are the things that you see as being pivotal for the implementation committee? What are your five things that have to be dealt with there?

Mr BLACKBURN — Firstly, just to make a comment, the implementation committee — who is going to be on it? And how are we going to be represented? We have got to be represented on that committee to represent 60 000 volunteers of which probably 30 to 32 000 would be operational firefighters.

Ms HARTLAND — So Greg Mullins, former chief fire officer for New South Wales will be chairing that or heading that up, but I think that is a really good point. What are the other things that you think that implementation committee should be dealing with?

Mr ALLEN — Separating the two parts of the presumptive rights bill — that should never have been lumped in with the reform package. I think that is just sort of sneaky and dirty politics.

Mr O'KEEFE — It is very difficult to limit it to five things. We could hold this discussion and you could come up with a list a mile long, but let us go with a few things.

Ms HARTLAND — Yes, your top priorities.

Mr O'KEEFE — Okay. I had a little bit of a handout, Mr Chairman, I do not know whether you got it or not, but I presume you did? It has got my name on it. Thank you very much.

The CHAIR — Is that the one that you signed, Mr O'Keefe?

Mr O'KEEFE — I actually looked up the word 'secondment'. Secondment actually means temporary transfer. I have got an issue with that. If we are going to have staff from one organisation working in another organisation, who are they responsible to? At the end of the day they are going to be responsible to whoever signs the pay cheque, and it will not be CFA, it will be FRV. From a volunteer's point of view I cannot see that working. Volunteers would like to see things like maybe daytime manning. A lot of regional cities around Victoria where volunteer numbers are getting difficult to sustain, 9-to-5 or 8-to-6 staff in a station Monday to Friday, volunteers to handle weekends and night times — that is not allowed.

We could look at lateral entry. There are people in this room now who are working with the CFA who have come in sideways if you like, they have come from another organisation. It is very easy to take somebody who has got very good personal skills and upgrade their operational ability. It is very difficult to take somebody who has got operational skills but no personal skills. That is three things.

Funding — we do not know how it is going to be funded. The FRV will become high profile. They will be on TV every night rushing into buildings, saving stuff, driving big red trucks — terrific on TV. People will look at FRV. The CFA runs the danger of becoming the poor relation. That has to be countered somehow in those discussions of those things that could happen and we would need to be involved in.

Ms HARTLAND — If I could have some of the other members respond?

Mr ANDERSON — I have already covered off on a few things when I did my opening presentation, so I guess in addition to that we are still going back to the funding model and the future of the fire services levy. That is one of the key things that we need to get clarified. Operational availability and secondment arrangements, as Owen has talked about — more about the skill set and the pool of people that are available. Personally, through the brigade we do not see that the command structure would be as big an issue as others have indicated. However, it is the skill set and the appropriate person coming into those particular roles under secondment. What does the pool look like? Have we got a limited pool because that is who has been given to us? That is a concern. And just the breakdown in the interoperability between volunteers and staff — we cannot have that; we have to work as one. We do at the moment, and that is one of the concerns I guess the members have. We already work well on the fireground, at the incident, together as a team; we need to maintain that. So we may have to have some stronger direction and leadership around the command and control facility or arrangements that we could have in the future. They are some of the issues that I have got. They are in our submission.

Ms HARTLAND — David, did you have anything to add?

Mr ST CLAIR — From the Horsham side, more consultation. As you heard from the group before us, individual brigades out there need to be looked at in their own light because not each brigade is going to require the same as each other. They are all going to be different in the manning they require, the trucks they require, the time they need to be there and even the money spent just in that area getting it to where it needs to be.

Mr ALLEN — The CFA need to employ their own staff because, as this proposed model is saying, the pool of staff will come from the fire services rescue people in Melbourne. But that would indicate that there would be no-one with any wildfire knowledge. So there is a bit of a conflict there in terms of getting someone out of an urbanised, industrialised — —

Ms HARTLAND — It has got to be clarified that the pool is going to have the skills that are required. Also there has been a lot of, ‘All volunteers are going to leave. We won’t be able to operate a service’. It seems to me that I am getting conflicting information on this. One brigade will say, ‘No, we’re working really well. Everybody intends on staying’. Other brigades are saying, ‘This is the end of the world. It’s not going to work for us’. Has there been any kind of survey across all of the volunteers to ask them what they do actually know and what they feel about this, and is this something that we should be recommending to the CFA, to actually do such a survey so they can actually find out how people are feeling, what is their skill base and do they intend to continue as a volunteer under the new structure?

Mr ST CLAIR — I can speak for the Horsham brigade itself. I cannot speak for anyone else, but as I said earlier on, I have had no-one from my brigade come up and say, ‘Hey, look, if this happens, I’m going. I’ve had enough’. So from the Horsham brigade and the Horsham brigade only, I have not had that happen or any issue at this stage like that.

Ms HARTLAND — So the idea of a survey could actually help that because again we need the evidence to show us what is happening.

Mr ST CLAIR — Correct.

Ms HARTLAND — It probably could not be done in time for this bill, but it would be a really good tool for the implementation committee to actually understand how volunteers felt.

Mr ST CLAIR — Correct, yes.

Mr O’KEEFE — Chair, such a survey exists. It was done by the VFBV. It has been for a number of years. I forget what it is called.

Ms HARTLAND — It has not been produced to us. It has never been raised.

Mr O’KEEFE — I will make sure that we get copies of it for — —

Ms HARTLAND — Do you know how many volunteers actually respond to that?

Mr O'KEEFE — We are talking thousands.

Ms HARTLAND — So we are told there are 60 000 volunteers by Volunteer Fire Brigades Victoria. How many people have replied to that survey?

Mr O'KEEFE — It is a voluntary survey, so therefore it is not compulsory, unlike the UFU where compulsion is involved.

Ms HARTLAND — I am asking you about that survey. Do you know how many people have responded, and can you present it to us as evidence?

Mr O'KEEFE — We are talking thousands. It has actually been done — —

Ms HARTLAND — Can you present it to us as evidence?

Mr O'KEEFE — I have not got it with me.

Ms HARTLAND — All right, but if we can take it on notice?

The CHAIR — Are you able to take it on notice to provide it to the committee afterwards?

Mr O'KEEFE — Can you take it on notice? I will attempt to get it to you. I think it will answer your questions. It has been tracking volunteer attitudes for a number of years.

The CHAIR — Thank you, Mr O'Keefe.

Ms HARTLAND — Do you still though think this would be a good thing for CFA to do? Because I think for them to understand what is actually happening, do you think that would be helpful generally? I am getting nods of heads.

Mr ANDERSON — Yes, from Hamilton's perspective I think anything that supports getting better understanding of what volunteers want to do and are feeling in relation to this reform cannot be a bad thing.

Mr BLACKBURN — When you refer to volunteers leaving, in our group we have had brigade meetings. We have had group meetings. We will not lose a member, but whether they will go to the other side of Victoria again fighting fires is another aspect. They will sit in their own backyard. We are lucky; we have something like 140-odd — —

Mr ALLEN — One hundred and ninety-two trucks.

Mr BLACKBURN — One hundred and ninety-two private trucks, mostly bought ex-CFA trucks, and they put out a lot of fires before brigades can turn out. We will not lose members, but the surge capacity out of our area is what I worry about, because I want it to come back into our area when we have a major catastrophe, like the Mount Lubra fire and things like that.

Mr RAMSAY — I will take a leaf out of Mr Leane's book. I will say that I am actually a member for western Victoria, a regional member of Parliament. I have sat on a fire truck for most of my life and been a volunteer in a past life, so I have had some knowledge of the workings of the CFA. I want to raise a number of issues that I am concerned about in this firefighter bill, and I want your response. I will be fairly quick because the chair has only given us limited time for questions.

The things that immediately come to mind are, one, Mr Marshall talked about third-party interference. I am not sure if he is relating to the Fair Work Commission findings or other parties, but certainly the UFU was politically active in the state election 2014 — one of the first times I have seen them be so politically active in relation to seeking an agreement on their EBA. The MFB has for many, many years been affected by service delivery because of clauses within the EBA directed by the UFU. I am saying this because what has really led us to here is that the current EBA, both MFB and CFA, have not been finalised, and obviously with the commonwealth legislation there is also protection for volunteers, which has led the government to bring us to a model that really has not been fully consulted with with the CFA and volunteer brigades Victoria, which everyone is agreed to.

The issues that I see here, one, is the secondment issue, which is probably one of the most important ones that I have heard in the hearings that I have been connected to over the last few days. The concern I am raising now is about lateral entry into that career path of secondment that well could be defined by a new EBA by Fire Rescue Victoria. So it could be the union that actually has preference over any seconded career staff that go into those integrated stations, and I would be interested to know whether you have similar concerns in relation to how that might happen.

I would also raise issue around training. I sat on the Fiskville inquiry, and we have lost a significant training centre around the Moorabool shire.

Ms HARTLAND — Because it was contaminated.

Mr LEANE — How sad that is.

Mr RAMSAY — And it is very sad, given there has been no replacement given the promises that were made by the government. But also who is going to do the wildfire and structural training for CFA volunteers? Is it going to be done by the new service, the fire rescue service? Is it going to be run by the unions, where we will pay the unions to provide the instructors to do that training?

Mr LEANE — This is a really long question.

Mr RAMSAY — And could I also pose to you, around the 8 minute responses: what has been the catalyst for this really significant change and reform that we must have given all the evidence that I have heard is that actually things are cooking along reasonably well; people will jump on fire trucks, they will fight fires and they will put the fires out. But we always get back to the EBAs and the involvement in clauses they have in relation to how it might impact on those people to be able to do those functions.

The New South Wales model is where there is no union involvement. There is career staff under two different employments, so maybe that is an opportunity we should look at as part of our deliberations: career staff CFA under one employment contract and Fire Rescue Victoria under another contract. So I open those questions to you for response.

Ms HARTLAND — Can we also be reminded that people actually died at Fiskville because of that facility?

Mr RAMSAY — Ms Hartland, you have had your turn.

Mr LEANE — I just want him to repeat the question.

Mr RAMSAY — No, you have had your turn too, Mr Leane.

Mr LEANE — I just want you to repeat the question.

Mr RAMSAY — They heard.

The CHAIR — Gentlemen, would any of you like to respond to Mr Ramsay's questions?

Mr ALLEN — I think certainly the EBA is just an industrial relations problem that the government have helped compound. And talking of politicising it, Mr Andrews and Mr Merlino were the ones that made it political. They started the ball rolling on this. So the EBA is just an industrial relations problem that should be resolved, and I do not think this legislation is going to do that.

Mr RAMSAY — Any other quick responses?

Mr O'KEEFE — I, as a volunteer, have got no issues at all with the staff of the CFA having an EBA with their employer. They are entitled to it; if they do not do it, they are fools to themselves. I have got an issue where their EBA impacts on my volunteers. And it impacts because they put restrictions on who can do what, when and how. It comes back to the weak leadership of the CFA in recent years. You can talk to the staff here. Training in the CFA over the last couple of years is falling off because it has become so bloody onerous, because of the times and places and locations; volunteers have not got the time we had years ago. I come from a generation where I had the ability to devote a lot of time to the CFA. A lot of young blokes nowadays, they do

not. Mum and Dad both work; it is very difficult. The training has become very onerous and a lot that is because of restrictions put on the CFA because of the EBA.

Mr RAMSAY — Any other responses?

Mr ST CLAIR — Just on the training side, and I can speak from the structural side of training, as I said I am from the Wimmera and we have struggled for 10 years to get structural trainers up there to train our guys in firefighting in the outer urban environment. We have had to rely on them to be able to come out of district 15 or Ballarat, and one of the reasons we get told they cannot get the structural instructors up into the Horsham area is the restrictions put on them and the prerequisites of what they need to have done to be able to apply for that job. Now I know there are a lot of volunteers that have worked for the CFA in the past as wildfire instructors and have done urban training and can do the urban training, but because they have not been — and this is what we are being told — on station for a certain amount of time, they cannot be a structural instructor. If we can take that away, we can then gain more training for everyone and make it easier and put volunteers and paid staff — I do not believe we are volunteers and I do not believe we are paid staff; I believe we are all members of one organisation — to do the one job, which is look after the community. I think what everyone should be focusing on is getting us back to the one core people to do the one job, and that is to look after the safety of the community. So whatever legislation and bill goes through, that is what it should be focusing on.

Mr RAMSAY — Mr Anderson, do you have a response?

Mr ANDERSON — No, thank you.

Mr BLACKBURN — I totally agree with the last comment that was made and that we should be focusing more on safety. I think the word ‘secondment’ — if this legislation proceeds, it should not be secondment. CFA should have the ability to employ their own people. As far as the EBA is concerned, we have no qualms that the paid career staff should be paid and have their own pay and conditions that they have negotiated and they have now got, but when it goes into veto rights and things like that it gets into very dangerous territory.

Training has diminished. I know in Horsham and region 15 it has diminished in the last few years because of what was stated a minute ago, and this has to be fixed. We do a lot of training ourselves, and we are workplace assessors and trainers and things like that, but we always get onerous things shoved upon us. As soon as I have completed a workplace assessors course — no, not good enough — I have got to do another 84 hours on the computer to upgrade my skills there, and that is all inflicted through industrial stuff. Secondment is out as far as we are concerned. Employment — CFA has got to employ its own people always, so they know what they are getting and what they have got and that is that. That is all I have got to say on that.

Ms SYMES — Thank you, gentlemen. A common theme from most of you has been funding and the adequacy of that and concerns about future funding, but also in the ability to access training and that funding has impacted that. So would you say that \$100 million as part of the reform for training and equipment is a good thing for volunteers?

Mr ST CLAIR — For training and equipment, but can we break down where that is going to go? Do we know we are actually going to get more training staff out there? Do we know we are going to get more training out to the outer urban brigades, being the guys in the Wimmera, your Horsham, your Rainbow, your Jeparit, your Nhill, your Warracknabeal? Are they actually going to get training out that way? You are not just in your Melbourne metropolitan outer ring now; you are a lot further out in the country where these brigades are not getting the stuff they need.

Ms SYMES — So, Mr St Clair, you would like feedback from the government or the organisations about how the training will be?

Mr ST CLAIR — Yes, that would be great.

Ms SYMES — That is good feedback. We will certainly take that on board. Anybody else want to comment on funding?

Mr BLACKBURN — The \$100 million is all right for a start, but where is the rest coming from? I mean that is the thing. The promise is \$100 million and is it going to come, number one? I saw a thing that I think Ms Diver put on the emails the other day about this 46 million, saying that it is purely going to go straight into

integrated stations to sort out what the volunteers have got and what the career firefighters have and upgrade those things, and that is where that will be spent. What worries me greatly too, being a farmer, is that we pay double on every house we have got for fire services levy, and we also pay a percentage of fire services levy and this will greatly increase.

Ms SYMES — How? When?

Mr BLACKBURN — What was that?

Ms SYMES — You have made a statement; I was just asking you to clarify.

Mr BLACKBURN — It is locked in for two years, but after two years I would think that, as it has not been costed and you take 35 integrated stations or more out of the CFA budget, it will cost a lot more and we will be paying more in fire services levy, and that is a big worry. We pay huge rates as it is in the country, and now we will be up fighting against fire services levies.

Mr O'KEEFE — Funding is a difficult thing to get your head around in the CFA. There are two funding streams. There is cyclical funding that pays the wages and the outgoings, the power bill, the gas, the electricity and all the rest of it, and there is the other funding where the CFA has to go — and this is the current system — to the CFA cap in hand when we want a large structural thing, such as if we want to buy trucks. So I think the budget for the CFA for building vehicles this coming year will build 17 vehicles or something — \$6 or \$7 million.

Ms SYMES — So you would support a dedicated fund for training and equipment?

Mr O'KEEFE — We should not as volunteers have to go to the government and ask for funding because we want to build trucks. What tends to happen is a government comes in and they say, 'We'll give you 100 million bucks' for whatever. Then that disappears, and in 15 or 20 years time whatever they bought and paid for has either become redundant or worn out or bugged, and there is no ongoing funding to keep building stuff all the time. If the government is going to chip \$100 million in to facilitate this reform, there are no boundaries around where that money is going to be spent. The CFA is terrific as a government department at spending money. Half of it — —

Ms SYMES — Yes, I noticed, because you are on record as supporting the former government's cuts to the CFA.

Mr O'KEEFE — I am very critical of the former government in actual fact, because they did not introduce presumptive legislation when they had the opportunity.

The CHAIR — Continue, Mr O'Keefe.

Mr O'KEEFE — I do not recall having said anything about the former government.

Ms SYMES — Yes, sorry. The ABC quoted you in relation to supporting the \$66 million cuts from the fire services as having said, 'Yes, we believe it could be done cheaper and with the same outcome'.

The CHAIR — What is that in relation to, Ms Symes?

Ms SYMES — The funding cuts in 2012. I like to google the witnesses.

Mr RAMSAY — You only got half the story though.

Ms SYMES — The ABC has reported you in 2012 as saying that the funding cuts — —

Mr O'KEEFE — In 2012? I cannot even remember where I was in 2012.

The CHAIR — Are you in a position to respond to that, Mr O'Keefe, at this point in time?

Mr O'KEEFE — No, it is a political statement and I do not get into politics, I am sorry.

Ms SYMES — I was repeating the ABC.

Mr O'KEEFE — In 2012?

Ms SYMES — Yes.

Mr O'KEEFE — We have moved on.

Ms SYMES — I am just saying your comments said that you supported millions of dollars of cuts to the CFA in 2012, and you seem to be supportive of funding now. So I was just putting back your own words to you, not political statements, Mr O'Keefe.

The CHAIR — Have you a further question, Ms Symes?

Ms SYMES — While I am talking to Mr O'Keefe, I was just reading your statement and the last point in your statement says:

... don't forget that the paid staff giving evidence at the hearings are public servants and as such are expected to put the government of the day's viewpoint and policies.

Do you think the paid firefighters would be a little bit offended by the fact that you think they are giving sworn evidence to this committee to just support what the government wants them to say?

Mr O'KEEFE — I have had this debate with the chief officer of the fire brigade, Steve Warrington, and I will stand by that because under the current structure those paid members of the CFA should be supporting the volunteers. This is currently today a volunteer organisation supported by staff. What it becomes in the future is under debate, but today those career staff should be apolitical. They should be standing off to the side.

Ms SYMES — You are saying they are not apolitical?

Mr O'KEEFE — Yes.

Ms SYMES — So you think that the sworn evidence that they have given on oath, many of them with their hand on the Bible, are just saying what they think the government tells them to say?

Mr O'KEEFE — No, they are good employees. They are loyal employees. They are doing their job.

Ms SYMES — But you do not trust their evidence?

Mr O'KEEFE — No, I am not saying that at all. You are saying that.

Ms SYMES — I am reading your words back to you again, Mr O'Keefe.

Mr RAMSAY — No, you are not. You are putting words in his mouth.

Ms SYMES — The last dot point:

... don't forget that the paid staff giving evidence at the hearings are public servants and as such are expected to put the government of the day's viewpoint and policies.

Mr O'KEEFE — Absolutely. They are paid staff. They are employees.

Ms SYMES — I give up.

Mr O'SULLIVAN — Thanks, gentlemen, for being volunteers and coming here today to give your time freely for this committee. I want to just ask some questions in relation to the EBA, because we have heard evidence which says that one of the reasons the EBA has been held up and will not pass is because of the interference from volunteers. I do not actually subscribe to that view at all. I think it is quite insulting to say that. One of the arguments in relation to that was that the EBA has nothing to do with volunteers and does not impact volunteers in any way. Is that the way that you would see the EBA and the current EBA that is not settled? As you guys know better than we do, the CFA board resigned en masse over it or was sacked en masse over it — whichever one it was, I am not quite sure — because they had said it could not be supported because of the impact on volunteers. What are your views in terms of its impact on volunteers such as yourselves?

Mr BLACKBURN — Plus the minister resigned or was sacked over it too. I believe that the payment and conditions of the EBA have gone through, but there are a lot of other parts of the EBA that are still up for review. I must admit I have read the EBA. I cannot quote a lot of it, but a lot of the problems were with the veto rights, and that is what all that federal government political stuff went on about. They got into Fair Work Australia protecting volunteers and things like that. Does an EBA have to go that far? I would have understood that an EBA should look after firefighters and their pay and conditions and their health — all those sorts of things. Perhaps a lot of people think the EBA has gone too far and is not quite representative of what it should be, and that part of it has not gone through.

Mr ALLEN — I think in the evidence this morning everyone agreed that it is highly complicated. It is 500-odd pages or whatever and just way too complicated for its own good. It would probably be better if it was rewritten in basic terms just dealing with wages and conditions only.

Mr ANDERSON — I think for the members of Hamilton their priority is community safety, dealing with the community and making sure that our community is number one. The EBA is an employment arrangement. It is not something that they feel the volunteers directly have the right to be involved in. They do not have influence in other employment arrangements within the community. They are very, very frustrated with the process that has been around trying to develop the response or a new EBA, but they cannot see why we cannot get past that. The EBA is a staff CFA issue until it starts to impact on the volunteers. Neither organisation should be having veto over one or the other. There needs to be a cooperative arrangement in place, and that was a major concern.

Mr O'SULLIVAN — But you guys are not employed, so how could it have any impact on you?

Mr ANDERSON — So when you start to have decisions made by other organisations on how CFA may develop a new tanker, for example, that does not include the volunteers in that process.

Mr O'SULLIVAN — What has that got to do with wages and conditions?

Mr ANDERSON — Sorry, that is the vetoing issue that is associated with the EBA, so that is what concerned them. We will leave it at that.

Mr ST CLAIR — It is a bit the same in Horsham. We believe that wages and conditions are nothing to do with us. We are volunteers, and they should be just looked after. Again we are in talks where we should be focusing on the veto. Everybody should be involved in decisions on making a truck, not just a small, select type of people. Training, the same thing: everyone should be involved in organising training packages and types and what we are going to be doing. It should not just be a small group of people that do not consider the whole organisation.

Mr O'SULLIVAN — So with the veto clauses — and I think there are lots of them. I could not put a precise number on it; is it towards 50 or something like that?

Mr BLACKBURN — Fifty.

Mr O'SULLIVAN — It seems to me, why should those other organisations that have nothing to do with you directly have such an impact on volunteers with veto clauses? That is illogical, is it not, particularly when you are volunteers and the agreement is an employment document?

Mr BLACKBURN — Well, that is what I said. I think it goes far beyond what it should be. We have got no qualms about the career firefighters being paid what they want and their conditions; that is nothing to do with us. I just think the EBA does go far beyond its reach as an industrial agreement for paid wages and conditions.

Mr O'SULLIVAN — How has it got to the point where it has gone far beyond its reach?

Mr ALLEN — Bloody-mindedness by Mr Andrews and Mr Merlino, I think.

Mr LEANE — So it is a political thing for you?

Mr O'SULLIVAN — I have got one more question, if I can, Chair. I just want to follow up on something that Mr O'Keefe said which I think is interesting and worth just teasing out a little further. You talked about

some of the impacts, Mr O’Keefe, where the CFA and its operation in terms of volunteers could be expanded and modernised to reflect what is really required now. You talked about some of the bigger towns which do not have an integrated station but probably do have trouble turning out volunteers during the day, and you mentioned that things like having a day shift would be beneficial in some areas. You also talked about the lateral entry into the CFA. Why can that happen not now? What are the barriers to preclude that from happening now?

Mr O’KEEFE — My understanding is that under the staff CFA EBA it is forbidden. The only way of getting into an operational position in the CFA is via a station, and even if you come from an organisation with tremendous personal skills, you will still have to come through a station process before you can transfer into a position in a district as opposed to a station. I presume you can transfer into a station tomorrow if there is a vacancy and if you go through the regime, but to transfer into a district where you are working with volunteers, as opposed to working with paid firefighters, there are a lot of obstacles in place, and I think it relates back to the EBA.

Mr O’SULLIVAN — And will that be solved under the new reform in terms of the FRV?

Mr O’KEEFE — No, not that we are aware of. That is what we are saying. If we are going to have reform, let us have the discussion. Let us have reform, but not just use a sneaky way of getting a staff EBA through by eliminating volunteers out of the discussion when volunteers are the vast numbers of the workforce, unpaid.

The CHAIR — Thanks, Mr O’Sullivan. Thank you, gentlemen. There is time for one more question, which I am going to take this time and I would like to ask Mr St Clair. The committee has heard a lot of evidence about integrated stations. What we have not received evidence on to date is why a station is an integrated station or not an integrated station. You indicated that Horsham last year was on the list to be considered as an integrated station. Can you just quickly outline what were the factors that were taken into account as to whether Horsham became an integrated station or not?

Mr ST CLAIR — Yes. So the factors that were taken into account were our SDSs, which are basically our response times — so how long it takes us to get our truck out the door, how long it takes to get the truck to the fire scene. We struggle with numbers to get that from probably 8 o’clock until 6 o’clock of a night. We are all volunteers and we all work, and during that daytime period we do struggle to get people. With the help of our district office we went out on an active recruiting campaign where we targeted people that could respond in our trucks in that time frame. Going out targeting people and getting them trained and organised, we have then been able to lift our numbers during the day, which has then lifted our overall target rate.

They are not going to stop looking at us by all means; they will still look at us. While we can achieve that goal, we will not be made an integrated station. But then down the track that could change as the diversity of Horsham grows, the township grows and the needs of the community grow. As volunteers and management teams and volunteer brigades, one of our focuses is to try and make sure we put the community first and the safety of the community first. One of our no. 1 goals is to get that number up so we do achieve that and then we do not need to put the integrated brigades out in the Wimmera area.

You can then maybe put them somewhere else and maybe put more staff in a staffed station that is already staffed. I did hear the gentlemen from Ballarat City saying that they have got six trucks, they can crew three trucks and they need more numbers. They need more staff. Well, instead of putting them in Horsham, you can then put them in Ballarat City, for example. They have got more staff; they do not have to call people that are having their days off to cover when they are committed to other jobs.

The CHAIR — Thanks, Mr St Clair. That is very helpful. Gentlemen, thank you for your evidence this afternoon. The committee appreciates your attendance at short notice, and there will be a draft transcript provided to you in the next couple of days for any corrections you wish to make.

Mr O’Keefe, there was a document you indicated you would seek to provide on notice, and if you are able to provide that to the committee secretariat in the coming days, that would be appreciated. Thank you very much.

Witnesses withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Hamilton — 21 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Cesar Melhem

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Witnesses

Mr Peter John O'Keefe (sworn), CFA Assistant Chief Officer West, and

Mr Rohan Luke (sworn), CFA Assistant Chief Officer South-West.

The CHAIR — I declare open the Legislative Council select committee inquiry into the fire services restructure. I welcome this afternoon two CFA assistant chief officers, Mr Peter O’Keefe, the assistant chief officer for west; and Mr Rohan Luke, the assistant chief officer for south-west. Gentlemen, all evidence being taken today is protected by parliamentary privilege. However, any comments you make outside the precincts of this hearing are not so protected. All evidence is also being recorded by Hansard. You will be provided with a proof version of the transcript in the next couple of days for any corrections you wish to make. The evidence the committee is receiving is sworn evidence, so I would ask the Deputy Clerk to swear in the witnesses.

Thank you, gentlemen, for making yourselves available to the committee this afternoon for this hearing. The committee has allocated an hour for this session. We have roughly 5 to 10 minutes if you would like to make any opening comments before we proceed to questions.

Mr O’KEEFE — Thank you. I would just like to address the committee by way of introduction with a bit about myself, where I fit in and my experience. I had an early introduction to emergency services, with my father being an ambulance officer, an uncle a police officer and my other uncle a volunteer fire brigade captain. So from a very early age I had a fair exposure to that.

I joined CFA in 1978 in Beechworth in the north-east as a volunteer. After a period in the army of about five years I joined CFA in 1986, laterally as an assistant regional officer, initially in headquarters and then in later life up in the north-east where I spent most of my career. During that time in the north-east I performed most roles: managing integrated fire stations, officer in charge of districts, risk manager, acting regional director — a whole raft of roles, so a fair exposure to roles and responsibilities in CFA.

Then in 2014, when CFA restructured, I took up promotion to the west as the assistant chief officer, responsible for the delivery of service on behalf of the chief across the western part of the state, an area that encompasses 212 brigades and about 11 200 volunteers. It takes up around is 25 per cent of the state. I have been there for nearly three years doing a job I much love. That is my background. Thank you.

The CHAIR — Thank you, Mr O’Keefe. Mr Luke?

Mr LUKE — I grew up in Gisborne in Macedon Ranges and was a teenager during Ash Wednesday and lived 10 acres on the outskirts of Gisborne. So my introduction to the fire service was through that exposure, when my father and brothers signed a piece of paper on the day of Ash Wednesday and jumped on the back of a truck and fought fires in the Macedon Ranges area. Then in days after that, I worked with my father and the Rotary Club of Brunswick to help clean up houses, so I guess an early introduction to the devastation or the effects of fire.

I started as a volunteer at the age of 17, in Gisborne. I was a volunteer for about four years and then was successful to join CFA as a career firefighter. I did my recruit training at Fiskville and then worked through the process over a number of years, worked again back at the training college as an instructor and then took an opportunity to become an operations officer in rank restructure in the Mallee in district 18 in Swan Hill, where I worked for four years in remote-type country brigades, rural brigades that relied heavily on volunteers. At that stage and still now, the only integrated brigade was Mildura in that region at the time.

I transferred back to district 14 — or region 14 it was back then — as an operations officer in a time that growth was occurring into district 14 or region 14. At the time there were no integrated brigades. In a process to increase integrated brigades into district 14 I came on as one of the operations officers and have worked there on and off for a period of about 17 years, including a number of years as the acting operations manager. I moved into headquarters in performance improvement and then have picked up the position of assistant chief officer in south-west region. My office is based out of Geelong. So I have been involved in CFA for over 30 years.

I look after a region which encompasses four districts, so districts 4, 5, 6 and 7. We are actually in district 5 at the moment. The landscape is essentially from the Little River to the South Australian border, along the Hamilton Highway and further to the coast. In that we have six integrated brigades: Geelong City, Corio, Belmont, Ocean Grove, Warrnambool and Portland, with approximately 262 brigades in total, a little bit over 200 career staff, firefighters, around 10 000 volunteers and around 132 support staff that support the management of the region and districts — so in the functions of community safety, training, finance,

management of the brigades, support for the brigades and operational staff. So it is an interesting patch that has a variety of risks and responses to those risks.

The CHAIR — Thanks, Mr Luke. Gentlemen, thank you for your introductory comments. You indicated that between the two of you you have responsibility for or oversight of in the order of 470-odd brigades across the two regions. What do you see as the implications of this proposed restructure on those brigades in your respective regions?

Mr O'KEEFE — From my perspective in west region, we have one integrated brigade, which is Ballarat City, and you heard this morning from the OIC, Anthony Pearce. The rest of the brigades within west region are volunteer brigades, both provincial cities and rural areas. From my understanding and experience on talking to people particularly in district 16 and 17 — where there is no interaction on a daily basis with integrated staff members other than the district staff, which is the operations managers and operations officers — they are really not overly concerned from my experience. They understand there is a need for reform. But in regard to being concerned about the general context of the reform agenda now that it has been announced, they are basically in the head space: there has been an announcement; we will get on and continue to deliver the service in relation to providing support to the community. That is what they are there for. In that regard they will continue to deliver the service they have always done, with minimal implication from their perspective.

Ms SYMES — Excuse me, Chair. Can I just clarify, where is district 16 and 17?

Mr O'KEEFE — Sorry, my apologies. It is CFA jargon. The three districts I look after are district 17, which is Horsham; district 16, Ararat; and district 15, Ballarat. Sorry.

Ms SYMES — Thank you.

The CHAIR — Mr Luke?

Mr LUKE — From my perspective, again the integrated brigades or currently integrated brigades I see have the greater impact or contact with staff at the moment. The process across those six brigades will vary as well. Brigades that have strong support arrangements by neighbouring integrated brigades, how they are impacted — if you want to use the word 'impact' — or how they reflect on the reform will be different to a Warrnambool or a Portland, for example, because it will mean slightly different things to them. A Portland or a Warrnambool or an Ocean Grove to that matter has a stronger reliance on volunteer brigades surrounding it, whereas the integrated brigades in district 7, Geelong, for example, the majority of those are surrounded by other integrated brigades, so the impact or the change will be slightly different for those.

In relation to the remainder of the brigades within the districts, essentially the further away from the integrated brigade — the ripple effect, I suppose — you would assume where there is less contact, similar to what Peter is talking about, less impact to the change or not so much less resistance to the change but less impact.

However, there are some conversations particularly from the brigades that are not directly connected to integrated brigades about the change, and I think that is through a lack of information, particularly in the early days, and a lack of understanding of what it may mean.

The CHAIR — A big part of your roles or the CFA's operations focus on risk management. What are the risks of this restructure?

Mr O'KEEFE — From my perspective, our people being detailed people, they like to get into the finer detail of how this will actually work, and certainly with the announcement in some cases there is not a lot of detail in the announcement itself. That is still to be worked through, which is the opportunity for us to build that. I think because of the lack of that detail, people are generally a little sceptical of the concept itself, because it is not detailed, it does not provide the answers they are looking for. That is one of the risks.

One of the risks also is that certainly as this reform is rolled out it needs to take into account specific needs that are not the same everywhere. For example, as Rowan has mentioned, if we look at the needs of a brigade such as Ballarat City where it is the only integrated brigade, every other brigade that adjoins it is impacted by those changes in Ballarat City. That needs to be worked through. Whereas if I go to Horsham brigade or district 17, the issues there are very much around the seconded staff in relation to the operations manager and the operations officers, so it is a different level of issue that needs to be worked through in the context of those

brigades or those districts, because the issues are slightly different because of the impact. So once the detail is formed up I think people will be more comfortable with the approach.

The CHAIR — That goes to a lack of detail, a lack of knowledge at this point. From what you do know of the restructure, do you see any inherent risks in what is proposed?

Mr O'KEEFE — I think like any restructure or reshaping there are some risks. I suppose the risks are about people's ability to change, to go with change, to understand what it means. The other comment I would make is that with this change there will be some hard work that has to be done. There are some things yet to be built and understood and worked out. I think once we get that there will be greater acceptance and clarity of what is being proposed. So I see those as the risks I also see the opportunities in this as well.

The CHAIR — Mr Luke, do you want to add anything?

Mr LUKE — For me, I see a risk that we miss the opportunity. CFA as an organisation and MFB fire service sector need to make some changes to be agile into the future. One of my concerns is if we do not focus on how do we need to change for the future or how do we need to set ourselves up into the future then other people will fill that void and do it for us. So other people will dictate terms to us as an organisation on how we should structure, how we should organise ourselves into the future.

My concern is if we do not keep our eyes high we will miss those opportunities which in some ways will probably provide some I guess opportunities for people to say, 'Well, I told you it wouldn't work'. The doubters may say, 'It didn't happen because I told you it wasn't going to happen', because we have spent our time concerned about what it could be rather than designing what it should be.

Mr LEANE — Thanks for assisting us on our bill inquiry. You did mention that there were some concerns with some brigades because they have not had the chance to have briefing sessions and the like. I am happy for you to take this on notice too, but do you want to detail what briefing sessions you had in recent weeks in your responsibility area?

Mr O'KEEFE — Yes. From a west region perspective we have had the opportunity to engage a whole range of people in briefing and providing information about the reform. At the highest level our regional leadership team — so the functional managers that work in my team — have all been briefed about the detail. We have developed a briefing package whereby either the chief officer, Steve Warrington, or the CEO, Frances Diver, have visited the three district locations and briefed the Ballarat City staff at Ballarat — a separate briefing for them. There were some discussions at the three district locations whereby all staff had the opportunity to be briefed and get the information about the reform. We also ran a series of separate briefings or integrated briefings whereby volunteers had the opportunity to come along and hear about the detail. Have we been to every brigade and briefed every brigade in detail? Absolutely not; that is a big job by nature, and for brigades that have very little appetite for or very little interest in this, and very little impact, it is not high on the priorities at the moment. In time that will come, so a whole range of briefings to cover off most of the key stakeholders with the expectation that those people would then go away in an informed position, knowing the facts, and could provide dialogue to their teams about the detail.

Mr LEANE — With a city like Ballarat, that has become a city where people commute to Melbourne. The train takes over an hour — the train from Frankston takes 50 minutes, so it is not actually an outrageous thing for people to be doing. In the last decade that city has changed. Is that fair to say?

Mr O'KEEFE — Absolutely.

Mr LEANE — In Ballarat even the older houses in some areas are close together, but driving through there yesterday, there are some new estates on the outskirts that I went through. Even in Ballarat — the quarter-acre block stuff now in planning and in affordability — blocks are getting smaller, so people are living closer together.

Mr O'KEEFE — Yes, so the risk in Ballarat has changed. Some years ago it was a strategy put forward by the previous regional director, Don Kelly. It was called the *Eureka Strategy*. What it did was it looked at planning for future fire service delivery for Ballarat in a very forward-focused, visionary sense. That document recently has probably landed the potential building of, shortly, a new fire station at Lucas, which is on the

western side of Ballarat. That forecasting was in the *Eureka Strategy*, so it was a well-placed document. On the western side of Ballarat, as you know, there is huge housing growth. It will continue to grow. We know that the brigades that service that area at the moment are finding it increasingly difficult because of the infill of the housing stock. Certainly in the next 12 months or sooner we will have a permanently staffed location at Lucas whereby we can provide that response capability into that part of Ballarat.

The rest of the city is serviced by, as we know, Ballarat City, Ballarat, Sebastopol and Wendouree as the brigades that make up the rest of the brigades in Ballarat proper. They all service the needs of the community in a raft of emergency activities, whether it is structure fires, motor vehicle accidents, rescue or the sort of things that were spoken about by this morning by Anthony Pearce. That continues to be a service that is well delivered; however, we need to strengthen the roles of those brigades to make sure they continue to be viable into the future. And at some point in time through a process there will be some determination and discussion on whether we need the support that is required from career staff. That will be determined based on risk, based on need, through a process.

Mr LEANE — Based on community safety?

Mr O'KEEFE — Based on the community safety outcome; correct.

Mr LEANE — From reading a number of submissions to this inquiry, there seems to be quite a number of career firefighters that were volunteers for a number of years before they became career firefighters. I do not know if that is what you find as well.

Mr LUKE — It is consistent, yes.

Mr LEANE — Obviously because people have volunteered and know their way around a fire, that makes it attractive to actually get recruiting from that area — from volunteers. It seems to be an advantage when you apply if you —

Mr LUKE — Yes, there is. There is also an advantage to us in that particularly in some of our more remote locations attracting volunteers from that area will also help us encourage staff to move back to that area because their families are there. A lot of our recruitment picks up on volunteers, but it also picks up on non-volunteers as well.

Mr LEANE — And regional is attractive if you are a regional person?

Mr LUKE — Absolutely.

Mr O'KEEFE — Absolutely. I think by and large in the past our recruiting was focused around those people that had a volunteer background for the reasons that have been outlined, but I think now there is a move away to where current firefighters are employed from a whole raft of previous employment backgrounds — plumbers and tradespeople, professional people.

Mr LEANE — Electricians?

Mr O'KEEFE — Electricians, even. Volunteering is not a critical, must-have component but is desirable for a whole range of reasons.

Mr LEANE — My last question: there has been a lot of discussion around culture — a certain culture here, a certain culture there — and I have got to say I struggle with all of it. We have had evidence that a number of firefighters get seconded from the MFB to the CFA, so they are firefighters that may have been trained at the MFB, worked in the central Melbourne ring and then were seconded out to the CFA. I would imagine there would be the odd issue here or there, but there would be the odd issue with other staff as well. Do they struggle to get into the culture of the CFA?

Mr LUKE — At one of my stations I have got an ex-MFB employee who has, in my interpretation, fitted well into the brigade. He has brought the skills from his previous fire service — no different from the skills that our staff would bring, especially now with similar recruit training. He was at the MFB for a long time, decided to make a change and moved into one of our stations in Warrnambool. For me it is about their approach to volunteerism and understanding how CFA works, understanding the limitations in some areas but also the

strong benefits of volunteerism in the organisation. Where that is successful it is fantastic. We have MFB people come and go within the organisation from time to time. If I think about even on our firegrounds interaction between CFA and MFB has improved on the fireground in recent years in the parts that I am sure of. I think that is because where we have got integrated brigades on the border of MFB they have actually broken some of that cultural difference and shared the experience of working with volunteers, which has allowed that to grow.

The CHAIR — Thanks, Mr Luke. Mr O’Keefe, do you want to add anything before we move along?

Mr O’KEEFE — No thank you.

Mr YOUNG — Thank you, gentlemen, for coming in here and providing us with your time. I am actually not sure which one of you stated it before, but you talked about this process when we get into the detail and the need to be a part of that process otherwise other people will dictate for you, and that happens.

Mr LUKE — Yes, I said that.

Mr YOUNG — And other people will be designing what it should be. I would like to put to you that that has already happened. We have already had other people put forward to us a bill in the form of a major restructure of our fire services without you at the table. You were not involved in that process; other people have designed what is. Whether it is a high-level framework or a detailed piece of work, other people have done that. What are your thoughts on that given that you made the point that you need to be a part of this as it goes forward?

Mr LUKE — Absolutely; thanks. When I have been briefing brigades as I have moved around my region and talking to them about what the reform means or what it could mean I have used the analogy that the government of the day has set a framework, so they have given clear direction to the organisation on what they would like us to look at and how we go about that.

We are going through a process now of starting to then put the meat on the bones — that is one of the terms that I use. That is about trying to design our organisation, and we need to do that with FRV. If the legislation is passed, then that will be a critical component, that we actually work through this together. The other part is that we are actually starting to work, now that there is a bit more clarity around what the reform may look like, with the brigades, so the 35 integrated brigades, on what does it mean to them? What do they currently do, evidence based? What could they be doing in the future and what would they like to do in the future, and more importantly, what are the needs of the community into the future to work through on that? I think about if government, for example, had come out and asked the community, asked the fire services, ‘Clean slate; what do you want to do; how do you want to build your organisation?’, we probably would have had 60 000-plus different options. To my mind, we have now got the skeleton essentially, and it is an opportunity to build that and mould that in how we would like to see it.

Mr YOUNG — Mr O’Keefe, do you have anything to add?

Mr O’KEEFE — I certainly agree. The option that now presents to us is the ability to use the framework and to build the right model specific to the needs. For example, the way fire service is delivered at the three districts in west region is very similar but the three districts are uniquely different. For people in the Wimmera and district 17 at Horsham there is a different approach to things: different lifestyle, different land usage, different availability of time, different windows in the landscape. You know full well if we were to roll out something and it is cropping season, there is not going to be a big uptake because people are busy earning a living. If you go to district 15, it is a totally different approach in Ballarat. People are generally not broadacre farming. It is a slightly different view because they are a commuter suburb almost of Melbourne; they are different people. It does allow us the opportunity to build the model, taking into account the local circumstance.

Mr YOUNG — We move forward and we start putting that level of detail in. I understand how a framework can be a little bit removed from the expertise that you guys bring, but that detail absolutely casts it; it has to be with the CFA involved all the way along. What happens if we get to a stage where some of that detail does not fit within the framework, if we put are putting the meat on the wrong bone? Is that something that you feel at that time you would bring up and say, ‘Hang on a second, we need to go back and look at this’?

Mr O’KEEFE — I think from my perspective, the model that has been put forward, is it perfect? No model is perfect. Will there be some things in the current proposed model that need refinement? Absolutely. I think we

need to have a model that is certainly open to review and refinement over time; I think that would be a fair thing to do. That would enable certainly the best model to be developed to deliver the best possible service to the community. For me, if we come up against challenges or blockages or adjustments we need to make, the system should be smart enough and intuitive enough to allow us to make those adjustments as we move forward.

Mr YOUNG — The legislation is not through, the model is not set in stone. If you think it is not perfect, now is the first opportunity you have really had to put it to us. What are the things that need to be fixed that you have identified so far?

Mr O'KEEFE — From my view, one of the things I think needs to be very clear is that we talked about the proposition that FRV staff will be seconded back to locations to deliver the service — for example, district 17 at Horsham. From an organisational perspective we need to make sure the model has significant rigour and we are clear enough about what we expect the people to deliver at the locations, so that the chief officer and those that exercise the delegated powers can meet their legislative responsibilities. That needs to be very clear. Because if the system has any weaknesses or areas that are vague, then that is going to cause some issues for everyone. Legislative responsibilities will not be met, there is exposure and risk for individuals, and of course there will be the disconnect and disharmony at the local level — things will not work because it is unclear. It needs to be very clear, completely crystal clear for everyone, and we need to do that by articulating what the expectations are about the delivery of service at districts at fire stations, under what context, under what guidelines, under what standards, so it is clear for everyone about how the model is to operate.

Mr LUKE — There are also the components of CFA legislation obviously that do not change. We need to mature. If you think about the CFA legislation, it does evolve and has evolved over many years, and it needs to continue to evolve. But the structures for CFA are still consistent. There is no discussion of wholesale change in how volunteers work and how brigades work and districts work and regions work. It is pretty much getting on with the job as we know it now. I am encouraged by the fact there is some independency with the panels, that it will have some aspects to work with both agencies together with an independent to actually work through some of the issues that may come up as this goes on, because we will never get it 100 per cent right from the start. If we try to get it 100 per cent right, we are actually going to miss opportunities where we maybe could have got it 120 per cent right, which is obviously not possible. I think glass half full; it is an opportunity to try to build it if we can trust in the systems, and I think that will come through the independent components.

Ms HARTLAND — I was actually at two briefings that you did on Monday night at Caroline Springs and Hoppers Crossing. I was quite interested because I had actually expected a lot more questions. There were some quite technical questions, but people seemed to be quite calm about the process. Is that an example or was it more that they were urban integrated stations?

Mr LUKE — So both were integrated and it was an example. The two presentations that I did on behalf of the ACO for north-west region were not the first time that both brigades had heard that, although for some members in the room it was the first time they had heard the briefing, but obviously had read things. And there were differences; the two brigades have a different aspect around integration and how they plan to work or how they work today. I do not see that there was any difference. I think brigade members, particularly the integrated brigade members, are becoming more comfortable with the conversation and are using opportunities where they can to raise questions. Whether it is in a meeting, briefing process or through the CFA networks of the feedback process, I think people are generally comfortable and are using those opportunities.

Ms HARTLAND — How many briefings like that have you done so far, or at how many brigades?

Mr LUKE — I probably could not count them. Similar to Peter's answer earlier, we have done briefings both at the regional level for a number of regional staff and at each of our integrated brigades — I am thinking off the top of my head. I have been to all of those and have conducted briefings or assisted in briefings, either with the minister or the chief officer. I know the emergency management commissioner has also done some, so there is a fair amount of duplication in some cases across our integrated brigades. With Mr Purcell's visits in districts 4 and 5, I attended some of those which were more listening aspects. We have briefed DPCs — district planning committees — of which we have four in my region. So quite a number — I would have to go back to the records to determine how many.

Ms HARTLAND — Peter, you said that of course not all volunteers had come to the briefings but everybody was invited.

Mr O'KEEFE — It is a layered briefing process, as Rohan has just said. We have actually targeted specific locations — for example, we had a briefing for the Ballarat City staff and volunteers. We had a briefing for district 15 people, which was well attended by most brigades and most groups because it is of greater impact there. At district 16 it was more a layered approach; there was not detailed brigade briefings, but some brigades have been briefed at the higher level. The same with district 16. For some brigades, given the time of the year and given their appetite and interest, at some locations there is very little interest in it because there is no direct impact. But would they be across it? There has been information that has been pushed out through the leaders at the local level, so I think people now have got the facts. Whether they are interested in an appetite sense or not, it is a bit variable.

Ms HARTLAND — But they were invited?

Mr O'KEEFE — Every brigade invited? No, not every brigade. To get the 212 brigades to briefings for this, you would not get half if you invite them. Certainly that was not an intentional thing, that is just a system and process. That is not the way we normally communicate and push information out.

Ms HARTLAND — So how would the brigades who were not invited be informed? Would that have been via a newsletter?

Mr O'KEEFE — Well, the briefing process would be, for example, if we went to our Horsham district 17 example, we briefed with the chief officer and the group officers. Our staff go to group meetings, so there would be a briefing at the group meetings which brigades attend, so the brigade delegates then take information back to their brigades.

Ms HARTLAND — I see.

Mr O'KEEFE — We physically have not been to every brigade. It is a big ask to do. One of the other challenges in that space is that we have been slightly short of staff at the minute, which is another issue for us.

Mr LUKE — In my case, it is similar. But I actually identified some gaps where some brigades may have attended but did not. I asked each of the operations managers to make contact with their brigades through the captains and make sure that at least they had access to or a level of information or could answer questions. One of the feedbacks I have had from one of my operations managers is that his workload has increased just by receiving and talking to people. As he talks to a captain about an issue, they then talk about the reforms, so there have been a lot of ad hoc conversations as well, particularly at that brigade management level.

Ms HARTLAND — If the bill does not proceed or if the bill fails, what do you think the consequences will be for the fire service?

Mr LUKE — To my mind, CFA, VFBV and UFU have been struggling with the changes over the years, or the impacts of the EB. I am hearing from a lot of the volunteers and staff that, 'We just want to get on with it'. Not all of them, but a good number are in the headspace to say, 'We want to just get on and do our jobs. We want to be volunteers, we want to serve the community', and this is a significant distraction for them. My worry would be that if the distraction continues we start looking backwards again rather than forwards.

Mr O'KEEFE — I suppose for me it is in a similar vein whereby we now have a position, something to work with. If it does not get up, then what is the plan B? What does that look like? I think there is a chance then we go back into that negative inward looking issue where things do not get resolved, tensions escalate and we get back to a negative environment. The comments that people have put to me basically say, 'There's been an impact. We should just get on, doing what we are doing' or 'Let's just get on with it now'. There has been something put out there. It was probably one of the worst-kept secrets leading up to it, that there was something going on. That was a very tense, difficult period for everyone prior to the announcement. It was almost like something is going to happen but what is it. No-one knew, and then it happened. I think there was a bit of a leak in the announcement and then, I suppose: how does this then work and what are the questions that surround the announcement. For us there is a risk that we do become stagnant, become negative and we then go into another fire season in a space of uncertainty, not too sure what is going on, what happens next — and that is pretty draining for our people and it is the wrong start state to go into a busy summer season.

Mr RAMSAY — Thank you both very much for your time. Mr Luke, just out of interest, did you replace Bob Barry, who was sacked after 41 years of service to the CFA?

Mr LUKE — Bob Barry was my predecessor, yes.

Mr RAMSAY — And you are taking his current position now?

Mr LUKE — I am now the ACO south-west region, which he held before, yes.

Mr RAMSAY — He was, yes. I was wondering if you would like to respond to two questions I will ask. One is to deal with Mr Leane. I have some degree of support in that what he is saying is that rather than reforming the whole fire service, why not just reform the boundaries where we know there are growth corridors and a need for extra support through staff, both career and volunteer. Would that not be a simple way, if the integrated station system is working and other parts seem to be working, as indicated by others that have provided testimony here? Would that not just be the easier solution, as a simple reform to help with the growth corridors and community safety?

Mr LUKE — I am not quite sure what your interpretation is about redefining the boundaries, if you are talking about redefining the MFB-CFA boundaries, for example?

Mr RAMSAY — Correct.

Mr LUKE — I gather that is what you are trying to say. Under the MFB legislation you cannot have CFA brigades in MFB territory. So under the proposed legislation our current 35 integrated brigades, which would become FRV, still would allow a volunteer firefighting force, CFA, to be in that same district. That provides CFA with a role, particularly around surge capacity out of those 35 brigades, that would not technically be there or may not be there under the current arrangements with the MFB legislation. Is that where you are trying to head to with your question?

Mr RAMSAY — Well, I am just trying to understand that, because my understanding was there was criticism of the current system because the boundaries had not changed since 1960, was it — somewhere around that, the mid-1960s, 1968 — and I thought, being the sort of simplistic person that I am, that one of the easiest solutions would be to allow a reform of the boundaries where the growth corridors actually are able to be better serviced by more staff and career-based rather than volunteers but still have the capacity to have surge capacity from the volunteers when required, rather than have a whole new service or two different services.

Mr LUKE — The CFA has its current response arrangements integrated. We have not been doing vehicle-based crewing of stations. We would have a number of staff who would respond in a mixture with staff and volunteers, whereas the MFB component is simply staff response. To create an FRV footprint or boundary or assignment area and allow CFA to continue as an organisation allows that surge, that strength and that increased capacity to remain, as opposed to rolling out MFB boundary into the growth areas, which would pretty much limit that surge capacity. If you have a look at an MFB station, generally one, maybe two trucks under that arrangement, a pumper response, pumper tanker response. Under a CFA similar example, there may be three vehicles, so potentially a pumper and two tankers and a command vehicle. So you have got potentially four staff operating across that board and supported with each other, with volunteers, so there is actually an increased surge capacity or an increased capacity from a volunteer integrated brigade aspect than the MFB one truck or two truck response. So they are slightly different response arrangements.

Mr RAMSAY — Under the current scenario, though, can that not happen? Does that not happen now under the integrated model?

Mr LUKE — No. If the MFB boundary shifted to accommodate the growth areas of outer metropolitan Melbourne, for example, under the current arrangements with MFB, CFA brigades would not remain, because the legislation does not allow you to have a CFA brigade in MFB response areas.

Mr RAMSAY — That might just need an amended piece of legislation rather than a total reform. I am trying to think of a way of addressing the issues that have been raised here.

Mr LUKE — I guess 126 years of legislation with MFB I would have thought that if it was a simple one, it may have already happened.

Mr RAMSAY — I do not know about that. My last question is: just a scenario, so I can have an understanding of the questions that have been raised by the Chair actually about what impact the new legislation might have on the CFA, perhaps in the regions that you both service and manage. In the Wye River fire, if I can use that example, which I attended myself in a different capacity, you had the incident controller which came from the Wallington fire brigade, actually, oversighting that fire response and you had a lot of brigades — Wye River brigade principally being the first responder and then other brigades — and then you actually had surge capacity from pumpers and MFB were, correct me if I am wrong, also in attendance or on strike teams. Under the new system, does that line management of fire response to, say, Wye River and Separation Creek change remarkably from the way it would happen, under a new piece of legislation under Fire Rescue Victoria and secondment and CFA?

Mr LUKE — The arrangements for Wye River would have been managed and were managed as a level 3 incident. Level 3 incidents have an allocated incident controller and that role is essentially agency blind. There is still the control agency whose land it is in, but the incident controller may be from one of a number of agencies — in the case of Wye River, either DELWP or CFA. In that case, it was a CFA incident controller that you are talking about. It could well have been an MFB incident controller if an MFB controller was available and rostered on for that period or moved into that incident. So that would not change. There are still the reporting arrangements between the incident controller to the regional controller, who is essentially working on behalf of EMV, so agency blind again, and that could be someone from SES, CFA, MFB or DELWP, and they would obviously report to the state response controller, who reports to Craig Lapsley as the emergency management commissioner. So that would remain the same regardless of any reform arrangements that I would understand it to be.

Ms SYMES — Thank you, gentlemen. I live in a country area with high fire risk, that sort of thing, so I am quite interested in this surge capacity argument. We heard the volunteers representatives before talking about CFA having been very bad at nurturing volunteerism and encouraging volunteerism and they are concerned about volunteer sustainability even now. There seems to be a link with surge capacity, volunteer morale and integrated stations and this fear that the more paid staff we have the less opportunity volunteers will have to practice and therefore they may feel disengaged. I have a problem with that argument in that, yes, the more volunteers who get practice in the city are going to help my family. I am basically on the edge of where Black Saturday was. That might impact that, but why should the people in the urban growth areas, where they need paid staff, why should their safety be diminished because we want to give volunteers more practice, more time? They are going to need more time to get fires, and that kind of thing. I am just wondering if you could respond to that? That is the way I am understanding the argument, and I am kind of having a bit of difficulty with it.

Mr LUKE — Yes. So there are a couple of things within those integrated brigades that assist with the surge capacity. Sometimes we think the 35 integrated brigades are the only ones who provide surge capacity, and that is not true. Our surge capacity in responding to major events comes across the state, but it is true that a large number of those volunteers who respond to campaign fires will come out of metropolitan or those larger provincial cities. What we need to do as an organisation is foster them and support them to do a number of roles. I think where we have not been effective in the past, particularly around the integrated brigades, has been to clearly define the role of the volunteers in those integrated brigades in particular. So we have said to brigades, 'It's okay. You all are responsible for response in your area', and we have not targeted volunteers, particularly about the surge capacity. It is just another part of their job. I think again the reform or this opportunity will give us a chance to target that better so the volunteers understand they have a clearer role within the response of the state, interstate and within the community. I think we need to work on that a little bit harder than what we have done in the past. I am hoping this will give us that opportunity as well.

Ms SYMES — Yes, so supporting and nurturing volunteers in other ways, not just throwing them on truck?

Mr LUKE — Oh, we do not throw them on a truck. I think if a brigade member as an individual had more clarity in what their role was within the brigade, then I think that we would get a better outcome, that person would get a better outcome and better feeling of self.

Ms SYMES — And how their volunteering can — —

Mr LUKE — And how their volunteering and contributing —

Ms SYMES — supports the community, yes.

Mr O'KEEFE — I think that is a good point about the volunteering piece. We have a traditional volunteering model which is based around a response view, but there are many other roles that volunteers can play in the community and it is about us as an organisation giving the right framework, the right context and the right support to encourage those alternate models of volunteering. Surge is but one. Community education, part-time volunteering, incident-based volunteering, education — —

Ms SYMES — Preventative.

Mr O'KEEFE — There is a raft of other roles that volunteers can partake in for us to assist the community, but it is about us providing the right framework so they can volunteer effectively and provide leadership, and it is about us defining what that is.

Ms SYMES — Okay, great. Thank you. Just on another topic, we have had a submission from somebody who was a senior instructor. You do not need to be too specific, but we have not had any instructors give evidence yet, so I thought I would just test you guys because you would work with trainers, presumably.

Mr LUKE — Yes.

Mr O'KEEFE — Yes.

Ms SYMES — He just makes the observation — and for the benefit of the Chair, it is submission 1011 — but I am just picking up on a theme that he raises as opposed to anything else. His view is that the formation of Fire Rescue Victoria will provide the ability for the training and assessment to be 'consistent, fair and equitable to all members within FRV' and therefore basically picking up on the benefits of the one training model for that pool of employees. I am just wondering if that is a benefit that you also could see?

Mr LUKE — I think what the submission is trying to say is that that would align a greater pool of people in a similar training framework that could be utilised to provide training — within CFA, I take it. That is one of the models that we bring. If I use an example, Grant Kidd spoke earlier this morning about the opportunities for additional capacity to provide staff into Portland. If there is a similar training model and we are using that model to provide training within CFA and that number is greater, then we would have a better capacity of delivering training when it is needed within the CFA districts.

Mr O'KEEFE — I think that is right. One of the challenges, particularly this morning, is there was some dialogue around lack of training, structural training and trainers. One of the challenges for us as a region has been how do you attract people that perform those roles in remote locations — for example, the Horshams and Ararats of the world, where we struggle with having the right number of people to deliver that training. If we had a bigger pool to draw from, that would help perhaps with those numbers.

Ms SYMES — Great. Thank you.

Mr O'SULLIVAN — Thanks, gentlemen, for coming in and providing evidence to this hearing today. I want to just touch on a couple of things that have been brought up. Obviously where we are now is cloaked in division in terms of this debate. We have seen, from this committee's point of view, that we have got people at either end of the debate in terms of whether this is a good piece of legislation or a bad piece of legislation, and we have really had no-one in the middle. I am someone who always thinks that somewhere in the middle is probably where the reality is in terms of any type of debate, but this one is very clear in terms of people are either in favour of or against it. With such division in terms of where this is currently at, and where it has been and probably where it is going to go, I am just wondering if there was broader consultation — and we know that there was virtually no consultation in the lead-up to this reform package being announced — if you were asked to deliver your views prior to this being announced in terms of what you would have done in this reform process and you had a blank piece of paper, what would your model look like?

Mr O'KEEFE — I think the model, no matter which model you put up, needs to be I suppose authorised and taking advice from a couple of principles. The first one is, I suppose, that the state of Victoria — and I suppose the world and Australia — is a changing place. The traditional model of Country Fire Authority had been in place for a long time; it is basically a response-based model. It assumes a big red truck, a fire station and officers and firefighters going to fires. It is pretty traditional, it has evolved over the years and it still continues to deliver a great service to the community of Victoria. But in some regards there needs to be some reform and

some review based on some elements that indicate the world is changing. We have got an ageing population, we have got a change in land use planning, we have got urban growth, we have got decline in some areas due to agricultural practice, we have got generational shift and we have got people that are well connected with technology. Those things inform what sort of model would actually need to be delivered.

In fact in some regards my personal view would be that we would not put up a model that would be not prescriptive, I suppose in some regards a little bit like what has been proposed now — a framework in which to build on some common principles to allow us to develop a service that is best placed to service the community today and well into the future. I do not think we have been particularly good at being contemporary and evolving with the environment. I think we have had best endeavours. I think in some regards some of our systems process and in some regards our culture have restricted us from growing as an organisation. If we are to grow and to reflect the community that we actually look after, we have got to take into account the world is a changed place and we need to change and evolve with it. So I would not get into prescription. It either would be, ‘Here’s a model; it hasn’t got a lot of detail; it is underpinned by some very clear principles’, and then we engage with our people to fill that model in to build a contemporary, modern fire service delivery model for the community of Victoria.

Mr O’SULLIVAN — Mr Luke, do you have a view as to what you would do? If you were the Premier for a day, what would your model look like?

Mr LUKE — My model would be around community service — the service to the community at the front — so a model that would ensure that we are getting the best possible response to the community, and that will vary. It will vary depending on what the risks to the community are, what the frequency of calls is, what engagement the community may have done in the first place. One of the things is we keep getting — and Peter mentioned it earlier — focused on the response. Part of the model that we need to introduce, regardless of what the skeleton looks like, is also to focus on our engagement with the community and what the community does prior to the event or the emergency, because the more we can get the community to be resilient and prepare for or limit their exposure to fire, the more successful we are, regardless of what colour truck we drive or what sort of badge we have on our shoulders. I think sometimes we get lost in that, that we do not focus on the engagement with and the education of the community that can be done first.

I use the analogy of the ambulance sector and the work that they have put into first aid — the first responder, the bystander on the incident scene if someone has had a heart attack on the footpath. The work that they do in the first 10 minutes before an ambulance arrives is make or break in a lot of cases. Sometimes we fail to recognise that within the fire service and the work the community can do. I think there is probably some scoping there.

The other part is about respecting and supporting all of our fire service personnel, whether they are paid or volunteer. They all have a role to play. Some of the motives are different, whether people work because they need employment or they have a role to feed their families, or they have a role to protect their community, protect their own farms and protect their neighbours. Sometimes their drivers are different, but we need to acknowledge in any structure that we set up that that is a key component, particularly within a volunteer organisation that relies on the strength of volunteers and the strength of working with career staff and volunteers.

Mr O’SULLIVAN — I have got one last question. The question I want to ask is: we have had hearings right around the state — and this is the last of our hearings in regional Victoria before we get back into Melbourne next week. We have heard a whole range of information, views, opinions, facts, evidence in relation to the current roles of CFA career staff, CFA volunteers, paid staff from within MFB areas and so forth. One thing that I think I would like some reassurance on — and I would think the committee would like some reassurance on and certainly the general public would seek some reassurance on — is that under no circumstances would anybody be able to take out that if you live in an area that is covered by volunteer CFA as your fire service, that you get a second-rate fire service compared to those that have a fully paid fire service at their beck and call.

Mr O’KEEFE — I think that is fundamental. CFA delivers a service right across Victoria. There is no differentiation between the services delivered out of a Ballarat City and a Rainbow fire brigade. Some are volunteer; some are paid. They all deliver a great service to the communities they support. They provide the service in a response capacity, an education capacity, a surge capacity — whatever it may be. The people who deliver the service to people in the rural areas of Victoria are well attuned, they understand the risk, they have the connections and the relationships. That service is delivered consistently across the patch.

Mr LUKE — I agree wholeheartedly. The aspect of measuring performance on how quickly you get to an incident is one measure; we need to measure performance on how do our brigades engage with the community, how do they prevent fires occurring, how do they make those communities resilient and how do they support the rest of the sector before, during and after the event. Those measures are there through EMV, but they are not necessarily in the public eye. They are paramount in my mind about the effectiveness of the fire services.

The CHAIR — Gentlemen, thank you very much for your evidence this afternoon. That concludes our hearing here in Hamilton today. As indicated earlier, there will be a draft transcript that will be provided to you in the next couple of days for any corrections. The committee appreciates your attendance at short notice and your evidence this afternoon.

Committee adjourned.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 24 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Participating Member

Dr Rachel Carling-Jenkins

Witness

Mr Peter Marshall (affirmed), Secretary, United Firefighters Union.

The CHAIR — I declare open the Legislative Council select committee inquiry into fire services restructure. I welcome our first witness for the day, Mr Peter Marshall, the secretary of the United Firefighters Union Victorian branch.

All evidence taken in this inquiry is protected by parliamentary privilege. However, any comments made outside the precincts of the hearing are not so protected. All evidence is also being recorded, and a proof version of the transcript will be provided in the next couple of days for any corrections. The committee has been taking all oral evidence as sworn evidence, so I would ask the committee secretary to swear in Mr Marshall.

Just for the record, we have joining the committee as a participating member this morning Dr Rachel Carling-Jenkins.

Mr Marshall, the committee has received the UFU's written submission, and we have allocated 80 minutes for this hearing. I would invite you to make a brief opening statement, if you wish, to add to your written submission, of no more than about 10 minutes and we can then proceed to questions.

Mr MARSHALL — If I could, Chair. Could I actually hand up some documents for the committee members, just some extra information which I think will assist?

The CHAIR — And you are formally tabling them?

Mr MARSHALL — I formally table them.

The CHAIR — Thank you, Mr Marshall.

Mr MARSHALL — I would like to thank the committee for the opportunity to appear at the select committee inquiry. Can I say that first I want to place on record very clearly that our evidence is in no way to be construed as criticism of CFA volunteers. We would like to have a discussion about the issues that are important to the community — that is, the fire services and the fire cover. Unfortunately every time we try to have that discussion, it gets bogged down in either a political discussion or alternatively public relations. We just want to make it very clear that our submissions today in no way are a denigration of those CFA volunteers. They do a great job. As we said, anywhere on record if anyone can point to where we have ever denigrated volunteers, I would be pleased to have that pointed out, because we never have. I just want to make that opening statement before I go to a couple of points.

The committee has just been handed a folder with a number of documents. I will just go through them very quickly; I do not expect them to read them all. There is the index of documents at the front — just inside there is an index. There are the excerpts from the CFA and MFB acts. First of all, the committee would be well aware that 'country Victoria' is defined as anything outside the metropolitan fire district by legislation and that anything in the metropolitan fire district is defined by where a council requests that the Metropolitan Fire Brigade covers that particular area. I just want to point that out as a starting point, that we have two acts. One defines country Victoria; the other defines the Metropolitan Fire District.

There are the CFA annual reports and MFB plan extracts. They are about the key performance indicators. Every organisation has key performance indicators. The MFB has a key performance indicator of 7.7-minute response time, 90th percentile; 90 per cent containment to room of origin. The CFA actually have an 8-minute response time, 90th percentile; and I think 70 per cent containment to room of origin. Can I say very clearly that those are not just figures. They are actually set there for a reason.

One of the most important documents we have handed in that folder is tab 3, which is flashover. If I could just briefly take you to flashover. It is actually a graph that has come out of two inquiries and it has actually been well reinforced. It is the premise for a fire service's very existence. What it shows there is a time line in minutes in relation to the fire growth of a normal structure fire and the temperature increase in a normal structure fire. It shows that if a fire service can put in the appropriate crew, a fire truck, to respond within 7.7 to 8 minutes or just under the 9 to 10-minute period there, you are actually able to contain that fire to the room of origin.

Now that is so important, and that is the sort of discussion we would like to have. Those minutes there, those response time minutes, they are the key performance indicators for the fire services. Containment to room of origin is a national benchmark the Productivity Commission has looked at. Certainly the reason it is so important is that you can see the growth of the fire. If they are actually able to get there before 7.7 or 8 minutes,

the firefighters actually have a task that is not as dangerous as it would be after the expiration of that 7.7 or 8 minutes. In other words, it is a small fire, and they can actually enter that building. The chances of rescuing someone are greatly enhanced. The damage to the property is minimised. If it is a business, there is no business interruption. In other words, there is no flow-on effect to the community. So the very premise of the fire service's existence is in relation to flashover.

Some people will tell you that flashover is old science. It was reaffirmed in the 2011 Senate inquiry in relation to occupational cancer for firefighters and it has been reaffirmed in various reports overseas. They are right to say it is old science, because flashover is actually happening quicker. It is happening quicker because of the materials that are actually being used. So it is even more important for the fire services to get there quick.

The reason I say those are the key performance indicators is that it is not just a matter of having one firefighter on scene within that period. It is having the adequate crew numbers to be able to do the job. We are taught as firefighters to actually have seven firefighters on the fireground to commence firefighting operations, or alternatively seven firefighters being dispatched. The reason is that the initial appliance — the MFB, and the CFA for urbanised crews, dispatch two trucks to urban fires in accordance with the standard of fire cover, two trucks to the initial call. The officer on the first truck is tasked with making an assessment and giving word back and command and control. The pump operator, of course, is responsible for actually getting water onto the fire, and then you have the two firefighters who enter the building. Our procedures say that if you have two firefighters entering the building with breathing apparatus — they must have breathing apparatus on — you must have two outside or two coming on to ensure that the safety of the firefighters is maintained in the event, which is a likelihood because it is an uncontrolled atmosphere, that there is a roof collapse, a building collapse, one of the firefighters collapses for some unknown reason or alternatively the rescue is a difficult task. That is why there is an initial response required of two firetrucks, not just one. It is so important.

Key performance indicators are the very discussion we would like to have about the proposed reform. If I can go on there, also in the tabs, if we talk about the UFU submission to the PBRC, this committee here has the unique opportunity to try to rectify some of the matters that were not addressed in previous inquiries. In 1993 under tab 4 you will see the UFU submission to the Public Bodies Review Committee. Again that was in relation to response times and whether they were being met, because ultimately you have got to get there quickly. You have got to get there before flashover. That submission has never been made public for this reason: we did not want to embarrass the volunteer crews that it was actually looking at. We certainly did not want to be seen to be denigrating them, and we did not want to alarm the public. But now, with the passage of years, we can have a look at that issue because there is still the same sort of problem.

What that submission shows is that despite the evidence before the public bodies review — and it was a bipartisan committee, chaired by Robin Cooper and deputy chaired by Andre Haermeyer — and despite the submission of the CFA that said that they complied with the response times, they did not. It found that the CFA career stations were responding within 8.1 minutes and CFA volunteer stations were responding in around 11.8 minutes. That is critical — I am not going to ask you to read the document now — because every delay in minutes can result in that flashover occurring, damage to the property or damage to the firefighters.

Again, we would like to have this discussion without it seeming to be a criticism. It is not. It is easy for a career firefighter, being at a station, to respond out the door very quickly within the time frames required. A volunteer may be away from the area where they are volunteering and have to go to the station and get into the truck, and also whether they are available. That is a critical bit of information. The public bodies review, in a government report, pointed out that the data that was presented by the CFA was flawed. We do not say this as a criticism. If there is a problem, the problem should be fixed. The problem should be identified. It should not be swept under the carpet.

Going down there is the next one, the final report, which points out those recommendations, and that is on tab 5. I will not take you to it. What I have just told you is probably paraphrasing some of the recommendations, but it actually picks up flashover, it picks up the response times point and it picks up the fact that the data was flawed.

Recommendation 12 on tab 6 is from the Dandenong Ranges inquest — and again that was Graeme Johnstone the coroner — and again regards the issue in relation to standards of fire cover. Standards of fire cover are the very thing I have just been speaking about — that is, the fire flashover, containment to room of origin and response times of 7 to 7.7 or 8 minutes. Again Graeme Johnstone actually made recommendations that response time data be made available to that coronial inquest, because it was not. I think seven people perished in those

particular fires. Again, it is no criticism; people do the best they can. But again we need to have a look at the issues — the systems — and whether they are actually right.

There is one thing that I talked about and forgot to say about the annual reports and the MFB plan extracts for the key performance indicators. They go to the very heart of safe systems of work for firefighters. They were actually enshrined in their learning — in other words, being able to ensure that you have a backup crew in the event that you are unfortunate enough to be the first crew there when something goes wrong. That is enshrined in their learnings; they are taught that. In fact they are in breach if they do not comply with that. It is about safe systems of work for the firefighters as well as safe systems of work for the community. That is why it is absolutely critical. The seven on the fire ground is not a magical figure. It comes from the UK Home Office from a report called *Out of the Line of Fire*. It is based on a task-based analysis of how many firefighters are required in the event to combat a structure fire. It comes up with the figure of seven. I know I have not got much more time.

The CHAIR — Sorry to interrupt you, but we will have to move on to questions. You have got about 2 more minutes on your opening statement.

Mr MARSHALL — Yes, that is all right. The other most important areas are, in tab 7, the CFA annual plan 1997–98. That is a submission to the then government that says that regarding police districts A to K, which is a geographical area defined for fire purposes in the CFA, with the onset of Intergraph there was going to be an exposure to the fact that the community was not being serviced in those areas. This is a CFA submission to the government of the day — to the minister Bill McGrath — that says that those people are at risk and those areas were not being serviced. Again, that has not been made public.

For the Board of Reference decisions, we understand the committee are interested in this. There are actually a couple of border reference decisions. Contained within that document at tab 8 is data, comprehensive data, that the CFA collects that I doubt will be put before this committee, and that is why we are putting it before you. It is called JCK data, and it can tell you everything about what happens at that brigade — how many firefighters on the fireground, what type of day, whether there is containment of the fire to the room of origin and whether there are enough firefighters to actually respond. It is critical, critical data. If it is not produced, I urge the committee to ask to go and inspect it. It is readily available within the CFA data warehouse if you ask that question. The reason it is not produced is that it shows glaring deficiencies.

South Morang and Warrandyte border reference data shows you that the analysis of that particular JCK data, the CFA data house, resulted in the need to put permanent firefighters in those areas because the community was not being covered. There was a danger in relation to the community. There was a danger to the firefighters, both volunteer and career firefighters, who were coming from a further distance. It shows you the improvement as well. Those two examples, South Morang and Warrandyte, form comprehensive data that, we respectfully submit to the committee, you should ask the CFA to produce, because it tells you everything. It is critical data.

Then there is basically the UFU submission to the select committee, which is in four parts: parts (a), (b), (c) and (d). Part (d) has my résumé. We understand the terms of reference are not about presumptive legislation. I have a long history with presumptive legislation. I actually hold a number of positions; that is why my résumé is there. I am the state secretary, national secretary, also the chair of an international body of a firefighting union alliance. I have been to conferences in relation to presumptive legislation in Norway, Canada, North America. I have appeared before the Senate inquiry, and it is worth noting that no fire service appeared before the federal Senate inquiry in 2011 — not the MFB, not the CFA.

I have been following this issue for a long time, because personally every firefighter knows someone that has been affected by cancer. I appeared before the upper house inquiry in Tasmania in relation to presumptive legislation, appeared at the Queensland inquiry in relation to presumptive legislation and met with the minister in Western Australia in relation to presumptive legislation at the time. So I have a long history in relation to presumptive legislation, and the only reason we put it there is to assist.

The CHAIR — Thank you, Mr Marshall. We will have to move on to questions. The committee appreciates the additional material today, which you appreciate will take some time for the committee to digest, and obviously the earlier submission was provided by the UFU.

In starting questions can I ask you about the public campaign that the UFU has had — the ‘Fire Doesn’t Wait’ campaign — where the website invites people to put in an address or a postcode of their area and the website then provides a commentary on whether service provision in that area is adequate. By way of example, for Dandenong, which you appreciate has one of the largest integrated stations, if a Dandenong address is put in, the website says, ‘Because of extensive urban growth, and based on performance data, your area is in need of urgent fire service reform to improve community protection’ et cetera. How does a statement like that relate to the fact that the address chosen is within 500 metres of one of the busiest integrated stations in the state, and what is going to change under this legislation?

Mr MARSHALL — That particular website was actually being prepared for the fire preparedness report from the inquiry here. It was due to be released in April or earlier. It has been delayed a number of times; I do not think it has been released. For those members who were on that committee, we provided comprehensive response time data. That response time data shows non-compliance with fire stations in particular areas.

The CHAIR — That includes integrated stations?

Mr MARSHALL — The committee needs to understand there are a few things at integrated stations. There is the primary response and secondary response, so if you have a career truck and a volunteer truck, they would have their own area. Also the career trucks sometimes have to respond into areas. For example, Noble Park — and that is one of the reasons Dandenong was there — was unable to respond as a volunteer brigade. Essentially — and Mr Barker can tell you more about this — Dandenong career staff actually took over the response tables for that particular area. What will change in relation to the integration model of putting the career staff all together under Fire Rescue Victoria is that the problem is you do not get two trucks. Under the new Fire Rescue Victoria you will be able to utilise and deploy more resources around so that you have assignment rules that ensure the safe systems that work for firefighters. That is one of the reasons that Dandenong was put in there, and that is one of the reasons for putting in the reform.

The other thing is that Dandenong is not country Victoria, and that is the reason I pointed out the MFB and CFA acts. I failed to make this point, Chair, and I am glad you asked me. Up until 1968, you had the MFB legislation and the CFA legislation. One defined metropolitan Melbourne; the other defined country Victoria for fire purposes. That is why it is worded that way. You also actually had an enabling committee that sat over the top — a government committee that sat over the top — and that government committee looked at the urban growth, and as the urban growth occurred in relation to the risk occurring and that it no longer be country Victoria, it made recommendations to the government at the time and those boundaries were actually moved. That committee was abandoned in around 1968, and there was a Liberal Party inquiry into the fire service.

The point I am making is the legislation has lost the enabling mechanism. Fire Rescue Victoria, the actual bill before government, puts back in an independent body that does the very thing that that committee did back in 1968.

The CHAIR — Putting the change of boundary aside, how does simply the act of transferring the existing Dandenong integrated station from CFA to Fire Rescue Victoria improve safety outcomes? You referred to additional resources. What is the basis of that statement?

Mr MARSHALL — Absolutely. At the moment if you take the full complement of fire trucks in the MFB and the CFA, because you have essentially three fire services — you have MFB permanent fire service, CFA permanent fire service and CFA volunteer service — you cannot utilise those resources because of the artificial geographical boundary, or alternatively because it is a particular area that has not been designated as what that committee would have done. Under the legislation the fire chief or the chief commissioner will be able to deploy his resources to ensure that if there is a gap there, they can utilise those resources — in other words, apply a standard of fire cover. At the moment that cannot be done. On an ad hoc basis it can, but not on a permanent basis because you have three separate organisations — volunteers and MFB and CFA.

The CHAIR — Does that require a diversion of the resources that are currently used by the volunteer capacity in Dandenong to FRV? Is that it essentially?

Mr MARSHALL — No, no, not at all. The reform as I understand it — and I am not an expert — contrary to popular opinion is not our reform. Our reform was very different, if people read the history. There is no change — there would be no change, but what it would do is save the community money in having to allocate

more money towards a new career truck to ensure that the second truck responds. In other words the resources would be better utilised by the community. It would stop duplication. You would be able to have, if you like, the system that actually applies within the metropolitan fire district, absorb those areas and eventually be able to apply the same standards of fire cover. As I said, there is no point in having one truck there; you have got to have two trucks there.

The CHAIR — Can I take you to a different matter. In your submission you refer to the — —

Mr MARSHALL — On which page, Chair?

The CHAIR — On page 40 of your submission, which refers to the O’Byrne review. Paragraph 86 of the UFU submission refers to the O’Byrne review and highlights the comment from the O’Byrne review that — —

Mr MARSHALL — Sorry, Chair, I am just trying to find my own submission. Page 40 of our submission?

The CHAIR — Paragraph 86 — I will read it:

The resulting review report *Drawing a Line, Building Stronger Services* identified deep and systemic issues within both the MFB and CFA likening the employment relationship between management and employees as ‘trench warfare’ ...

Mr MARSHALL — I know what you are referring to, Chair. I am just having trouble actually finding the page.

Mr MULINO — Page 22.

Ms SYMES — I think the ‘page 40’ is for our purposes, Chair.

The CHAIR — Sorry, our page 40, your page 22, paragraph 86. I think you start renumbering part-way through. I am interested in that characterisation by David O’Byrne as trench warfare between management and employees in both fire services. I mean, obviously those employees are largely your members.

Mr MARSHALL — Yes.

The CHAIR — What responsibility does the UFU bear for that trench warfare as described by David O’Byrne?

Mr MARSHALL — It is a very good question, and it is a fair question. There has been a very long history, if you like. First of all, we represent 97–98 per cent of career firefighters in MFB and CFA. We are an industry union not like other unions, and certainly since 1991–92 there was a distinct change in the fire service. That is where things changed and the industrial disputation began. There is a very long history of continuing industrial disputation that started in 92–93. What happened then was that under the Kennett government the award was abolished. It was just totally abolished. The senior ranks above senior station officer — district officers — were dismissed, were made redundant overnight. There were 42 of those in the MFB. There were 36 positions created the next day. They had the same position — same job, different name. The 42 were asked to apply for the 36 positions. The six additional wages were carved up amongst the successful 36. At the same time there was an enormous attempt to remove conditions of employment that had been building up over a long time.

So essentially that is where it all began. The fire service was very much a family and still is very much a family in a lot of ways. The industrial disputation — which we want an end to, I can tell you; we would rather be doing more positive things — started in 93, continued right up until 97 when there was a report, KPMG and the MFB, and also the CFA. I will deal with the KPMG report. After 93 there was a long, protracted industrial dispute. Firefighters had not had a pay increase in five years. There was a demand for reduced firefighting numbers. There were contractual and redundancy issues I have just raised with you. In 1996 there was an arbitration, and the union was very happy with the outcome.

It is worth looking at Deputy President Bryant’s comments there. They say very clearly that to ask employees to climb over the skeletons of their workmates for pay increases is ill conceived; a human relations practitioner would not do that. I am paraphrasing, but they are as critical as that. It is critical of the union as well, but essentially that gives you an insight into how deep and divisive the industrial dispute was.

In 97, after the arbitration, there was an enterprise agreement reached, the first one with the CFA. It was to provide 36 new firefighters for those police districts A to K that I talked about, that are in that submission to the government. It was to provide increased pay and conditions. The CFA decided not to honour that agreement. It chose to enter into a contractual arrangement with Skilled Engineering — labour hire — rather than employ the firefighters. They were actually new firefighters. For ideological reasons — and I can corroborate that by a document — they contracted out to Skilled Engineering, contracted out the work to labour hire and put those people into what they called community support facilitator roles.

Again the industrial relations environment was getting worse, but this is one of the most critical and telling parts of that history. Through freedom of information we actually got the SWOT analysis from the then chairman, Len Foster, to the chief fire officer as to why. One of the most offensive comments was that one of the benefits of contracting out was to remove deadheads, to avoid award conditions, to avoid promotional opportunities, to avoid superannuation commitments. That document we will happily make available, and it might even be in the documents. You can see that the industrial dispute was not one of our own doing. It was one that had actually been brought on by an industrial environment where there was a desire, if you like, to reform the fire service into a contractual labour hire arrangement. So that is the CFA. Let me finish, please.

The CHAIR — Unfortunately, Mr Marshall, I am going to have to move on to Mr Mulino.

Mr MARSHALL — But this is most important, because the MFB at the same time — —

The CHAIR — If you are able to give a concise outline on the MFB.

Mr MARSHALL — These reports are public records. The MFB at the same time got a report from KPMG that said firefighters only spend 5 per cent of their time fighting fires — they are basically lazy — wanted to abolish the ranks, and recommended a purchaser-provider split for eight fire stations to drive reform such as they did in the prisons for eight of the fire stations on the perimeter. That was a KPMG report and the other one was also a KPMG report. Again, that was an enormous dispute, the work of firefighters. That leads up to 1999, and then there was a campaign to return the work of firefighters back to firefighters.

Before 1991–92 there was none of this; people joined fire services for a 30-year career. You had respect for your senior ranks. There was not that industrial environment and dispute of trying to ideologically remove conditions of employment. In 1999 there was a change of government — the Bracks government came back in. The traditional work was returned to firefighters. The government did not want to make those people redundant with the labour hire people, so they were employed in the CFA in administrative roles, and essentially there was some peace and harmony for a period of time. I am up to 2002 now.

The CHAIR — Sorry, Mr Marshall, I am going to have to move on.

Mr MARSHALL — You asked me why.

The CHAIR — Indeed, but unfortunately you have taken 8 minutes on that question.

Mr MARSHALL — The history shows right up until 2011 the CFA reneged on 342 extra firefighters. That matter cost the union a couple of million dollars to defend in the Federal Court. Those firefighters were critical of the government of the day. The Napthine government challenged the validity of those 342 firefighters. It went all the way to the full court of the Federal Court, and the union was vindicated totally on 15 January 2012, I think it was. You can actually see why there was — —

The CHAIR — Thanks, Mr Marshall. I will now have to move on to Mr Mulino, the Deputy Chair. Mr Mulino?

Mr MARSHALL — That is history, and it is on the public record, Chair.

The CHAIR — Thank you. Mr Mulino?

Mr MULINO — Thanks.

Mr MARSHALL — Can I just add we do not want that environment — we want to get away from that environment.

The CHAIR — I appreciate that, Mr Marshall. Unfortunately this hearing is very time constrained, and we do need to move through the committee on this. Mr Mulino?

Mr MULINO — Thank you, Mr Marshall, for your submission and also for giving evidence today. I just had a question around the context in which we are reviewing these reforms. You in your submission, and a number of other career staff and volunteers, have pointed to the growing challenges that firefighters are facing — population growth, the growing complexity of fires and operational issues, like the assignment areas currently meaning that often the closest available trucks cannot be despatched. I am just wondering if you have any comments to reinforce that set of challenges and how they are evolving at the moment.

Mr MARSHALL — Yes, I do. Thank you, Mr Mulino. I take you to tab 7, CFA annual plan 1997–98, a submission to the then government. It actually talked about the fact that volunteers were struggling. There was an ageing volunteer population in police districts A to K. It talked about how urban growth, and the complexity, frequency and diversity of the type of fire calls was putting enormous pressure on volunteers. Nothing has changed. That was back in 1997–98.

Currently Victoria is one of the fastest growing states in the country. We are seeing an enormous growth in the eastern corridors and western corridors. The ability to be able to respond to the increased number of fire calls and the increased number of complex and diversity of type of calls has put enormous pressure on the system. It is certainly one of the reasons the government allocated a number of firefighters at the request of the CFA. That was the Brumby government. That pressure is huge, and that pressure is not going away.

The problem is, you are stuck in a period of time where you have two pieces of legislation that had a critical enabling body over the top of it, being the boundary review committee that was removed, so there is nothing that can be done. It is stuck. The council is not going to request for that boundary to be shifted; it would be political suicide up until recently because of the funding arrangements, so that challenge is huge.

If you have a look at the compliance figures in our submission, we respectfully put them in there. As I said, anyone that disputes them, ask for the CFA JCK data from their data warehouse, and it will show them to be true, but that is not in the interests of volunteer firefighters or career firefighters, and it is certainly not in the interests of the community, and that is the discussion we want to have. That challenge is acknowledged by some volunteer brigades and also career staff. They know it, they feel it, they live it every day.

Mr MULINO — In light of those challenges, I just wanted to follow up on a couple of the questions Mr Rich-Phillips asked about how operations might change at, for example, an integrated station post the reforms. You have said that in practice it is almost like we have got three organisations having to interact at the moment in some areas. Post the reforms, if we move to Fire Rescue Victoria covering career urban firefighters under one umbrella, would you say that would lead to greater coordination of paid firefighter resources?

Mr MARSHALL — Absolutely. That was the point — and I did not do it very eloquently — I was trying to make in relation to Dandenong. MFB have a lot of resources. The artificial parochial boundaries and the fact that there are three organisations stop all those resources being used to their best ability. For example, the MFB have a system of greater alarm response. It is a predetermined response to certain types of fires — two trucks for a level 1. It then goes on to level 2, level 3, level 4. The resources could be better coordinated so that it is a seamless response into those areas that actually addresses the issue of the fail to respond or the delayed response. It would take the pressure off those career firefighters who are waiting for a backup truck that does not come.

Mr MULINO — Would it be fair to say that it would also in practice lead to greater interoperability between different resources being deployed?

Mr MARSHALL — One of the artificial barriers is the fact that the training for career firefighters in the CFA and the MFB are not the same. For the very first time this government has actually put in a single recruit course with the same terminology and same training. That happened last month. The coordination and the seamless synergy of the services would be actually put in one, as it was intended to do. The legislation was never intended not to have an enabling body.

Mr MULINO — Just two quick questions. So you are confident that the reforms would lead to better service delivery, better community safety in outer urban and regional centres?

Mr MARSHALL — Absolutely confident. If we have a look at the JCK data from the CFA — and that is why I urge the committee to look at that — it will show that there is noncompliance, a substantial period of time for that second truck or even in some cases the first truck. There are areas of outer metropolitan Melbourne that do not get a response sometimes. That is critical.

Mr MULINO — Just one last question: are you confident that the proposed independent fire district review panel is the right way forward in terms of reviewing how the system evolves?

Mr MARSHALL — I find it ironic, and that is why I said there is an opportunity for this committee to put aside political public debate and have a look at what actually was in place in 66–68, and that was the fire service boundary committee. It looked at the very factors that are being proposed by this legislation, and they are urban growth, the complexity and diversity — different wording at that time — of the type of calls, the frequency. The fact is that it is no longer country Victoria, and the wording is so precise in that documentation. Unfortunately it was abolished for some reason so the legislation has been stuck.

I have also had a look at the constitution of the panel, and we are very confident that it is probably right. I mean, it cuts us out of the picture because it says anyone with an interest in an enterprise agreement is not allowed to be on the panel. Anyone who represents volunteers is not allowed to be on it. So it actually has a panel — I think it is three people — that looks at objective data, data that will tell the story as to whether the community is being protected and whether firefighters are at risk, and that is really what we should be doing. That discussion has not been able to be had until this particular legislation was put forward in a forum where it could not be politicised or assertively used for public relations.

Can I say I am being critical of all previous governments? Those inquiries go across all governments — these different inquiries at different times, where the key issues were identified in the too-hard basket — and in the meantime the problems got larger and larger and larger.

Dr CARLING-JENKINS — Thank you for coming in today, Mr Marshall. I appreciate your time and I appreciate the extensive submission you have put to the committee. I also want to thank you for outlining your support for CFA volunteers in your opening statement. It was probably telling that you felt you had to do that, but I appreciate that you emphasise that you are not here to criticise the CFA volunteers.

I would like to follow up on some of the questions that Mr Mulino was asking around the fire district review panel. Some CFA members have put to me that this clause in the bill is a Trojan horse clause, and you have probably heard the same, where they believe that regular reviews within the legislation will simply lead to more and more FRV fire districts being declared. Several people have told me that the UFU have already identified between 45 and 60 additional fire districts which are currently served wholly by CFA volunteers as sites where you believe that the FRV will expand in the future. So I am just wondering if you could comment on those proposals that people have put to me, and also noting that in your submission you have put together some really lengthy analysis of different areas et cetera, which I understand may lead people to this conclusion.

Mr MARSHALL — Yes, thank you for the question. It gives me an opportunity to clear up some of the very things I have been talking about around misleading comments politicising the issue and public relations. The UFU has not identified any areas; the CFA has identified, through planning, areas where they need to increase staff. The JCK data will identify everything.

But can I say that it is wrong to construe that fire service panel — it would be a boundary review panel — as a Trojan horse to increase Fire Rescue Victoria's area of coverage. You have to have a look at the purpose of the panel, and this is why I actually submitted to begin with. We have never criticised volunteers, but we have never been able to have the discussion about what that committee will do, and that committee will look at whether the community is protected. Is there a danger to the people living in those houses because they will not get a response within the time required to maximise potential for saving life and to minimise damage to the property?

Also it has a look at urban growth, the very thing that the committee in 66–68 actually had a look at. That committee, as I understand it — the same as what the board of reference did — does not automatically say, 'Okay, you're not meeting your response time criteria' or 'You're not meeting your performance indicators. Off to Fire Rescue Victoria'. It actually also assists that volunteer brigade because the problem is identified and remedial action can be taken, and that is that it may be a recruitment issue. It may be that a recruitment program just has not been put in place at that volunteer brigade, so that is one of the things that panel can recommend to

do, and that has happened. Alternatively it may be a skill set issue. In other words, you may have 30 firefighters there but only two are trained in breathing apparatus, so it can recommend a training program and it can recommend a period of time for review to see whether those remedial actions can actually assist that volunteer brigade in continuing the service to the community.

Ultimately the only issue which should be under discussion is: is the community protected? But then after 12 months or so or whatever period it is, if there is still no improvement, then there has to be action taken because the government is exposed, firefighters are put at risk and I guarantee you volunteers would not want that situation to continue as well.

Dr CARLING-JENKINS — Thank you for your answer. Can I just clarify? So the union has not put out any districts that — —

Mr MARSHALL — No.

Dr CARLING-JENKINS — Okay, thank you.

Mr MARSHALL — I think I understand the one you are talking about. The Facebook page? Is that what you are talking about?

Dr CARLING-JENKINS — I have been contacted by a number of people, but thank you for that clarity.

Mr MARSHALL — I can give you that assertion, but Facebook is a very weird and wonderful thing at times.

Dr CARLING-JENKINS — It is. Social media can be a Trojan horse in itself. Can I just very briefly, in the time I have remaining, reflect on the bad blood or the cultural problems between the CFA and the MFB? The Chair has referred to this around trench warfare. Legislation obviously is not a magic wand to solve this kind of cultural change, so can you just briefly explain if you think that this will help solve this and perhaps comment briefly on the impact if this legislation does not pass, in your opinion?

Mr MARSHALL — We see this as a major catalyst for cultural change, and that is to end the ever ongoing disputation every time an enterprise agreement comes around. If you just take the CFA, for example, the volunteers are not employees, but they are operating in a heavily industrialised area which is an employee's right, and the CFA are caught between being an employer and looking after volunteers in a federal legislation that actually says, 'Look, you have the right to ask for pay increases' et cetera. So there is that issue.

Then there is the other issue about the fact that at the moment there is no other fire service in Australia that has a board there with the power of direction — no other fire service. Having an operational figurehead, if you like, who is an operational purpose, would be good. My understanding from the fire service statement is that some of the labour relationship programs that have been very successful that I have seen as part of my international role would be part of that, and that is to actually have an accord to stop the disputation.

But I suppose, in simple terms, the volunteers are not caught up in the middle of it, through no fault of their own. The CFA is not conflicted. You have one employer, with a respected fire chief, without a civilian board. So I can see major, major healing would occur in relation to that particular issue. That is originally what the legislation — —

Dr CARLING-JENKINS — And if it does not pass?

Mr MARSHALL — Well, unfortunately, there are going to be four years of disputation. That is not our wish. It is not the volunteers' wish. It has to end. It is a very brave move for this legislation to be put up because, as I have said, consecutive governments have looked at these problems — not just the disputation but also the fire cover issues — and have chosen not to act. So if the legislation does not pass, there will just be a repeat of more. In fact it will get worse, and unfortunately the federal government has made that worse by putting in a legislation amendment to the Fair Work Act that actually pits volunteer against career firefighter in an industrial and legal sense now. That was not there before. Did I answer that?

Dr CARLING-JENKINS — Yes, thank you.

Ms HARTLAND — Thanks very much for your submission and your presentation. We have obviously had a number of country hearings over the last two weeks, and the issue that has come up again and again is that we seem to have two groups of volunteers: one who are quite supportive of the reform, mainly who work in integrated stations and have a lot to do with career firefighters, and then a core of people who do not want the change and do not see it as being necessary. I think further to Rachel Carling-Jenkins's question is: how do we bring those groups of people together?

Mr MARSHALL — I think you will find it would be like a relief valve. Essentially the catalyst for the division and matters being caught in the middle of a conflict of being an employer, as opposed to a purely volunteer organisation, will be removed, so all those arguments will no longer exist. They may just have some arguments amongst themselves, like we do, but at the end of the day putting the CFA back to whatever it originally was, as I understand the government are committed to, making the CFA volunteer organisation, where the sole focus is to support, encourage and nurture those volunteers, not in a conflict situation — I see that as a healing issue. At the end of the day all the threats and misinformation that has been put aside, such as 50 or whatever it was — and I am not saying you said that, but I have heard that —

Dr CARLING-JENKINS — Sure.

Mr MARSHALL — they will dissipate into nothing because they do not exist. So I can see the healing happen, because essentially what you will do is now redefine the fire services to do what they were originally intended to do. You will take out the catalyst for disputation. You will take out the parochial arguments that have existed for a long time. You will take out all the issues that have been identified going back as far as 1985, 93, 97 — all those issues will be addressed, not straightaway but over a period of time.

So I can see a lot of healing happening, and in particular, if the CFA are focused on looking after volunteers only, they do not have to compete for budget. They do not have to get involved in actually negotiating enterprise agreements and then at the same time trying to look after the volunteers in their station. They do not have to do that.

Ms HARTLAND — Do you think part of that is also going to be the work that the implementation committee will do — that they will hopefully have some kind of role around engagement of people? Via Facebook and emails I am always getting these amazing theories about what is going to happen if the bill passes. Do you think that will be a role for the implementation committee — to actually sort out the truth from the misinformation?

Mr MARSHALL — Absolutely, and can I say change is always a good idea for the person who thought of the change. Implementation is a whole different thing, because if you do not bring people with you, it just does not happen, so the implementation committee — of course. My understanding is there has been extensive, with my members as well, information. Seven hundred-odd visits or something — I do not know how many — have actually occurred to try and dispel some of the myths people have heard. To actually bring people along with you of course you have to do that. To impose change without bringing people along is just a recipe for disaster. So the implementation committee, we strongly submit, would have a very important obligation — not just a role, an obligation — to ensure that happens.

Ms HARTLAND — As I understand it, with the review that will look at where areas need to change, that will address it every four years — the review.

Mr MARSHALL — That is right.

Ms HARTLAND — I am in the western suburbs. I have massive growth corridors. I actually wonder whether every four years is too long and whether there is going to be a complete review of all of those areas now, keeping a really close eye on some growth areas. Would that be appropriate?

Mr MARSHALL — I had a look at that too. Four years is a long time, especially with the growth in Victoria, but I think that was put there to give certainty to people and to allow time for the legislation. I think a royal commission finding said it will be three years, but my understanding of the legislation said that if there was a case of urgency — for example, that you identified an area that was not being serviced and that remedial action had been put in place and it was not successful — the minister could take action. My understanding is

from the recommendation from that committee. So in that sense there is a protection mechanism — a safety net, if you like.

As for the period of time we review, four years, I assume also there would be consideration in relation to the government's budget planning of whatever, irrespective of political persuasion. But four years is a long time. I understand probably why it has been put there, but with that circuit breaker I think it is probably a good thing.

Mr RAMSAY — Thank you, Mr Marshall, for your time. Thank you for your submission, which I read over the weekend with great interest. Could I ask respectfully, if you would not mind, in response to my questions to just try to keep them reasonably brief, because I have six or seven I would like to get through in the allotted time. One of the questions you have answered already is what percentage of UFU members make up the MFB career employees, and you have indicated 96 per cent. Is that correct?

Mr MARSHALL — No.

Mr RAMSAY — What is the percentage of UFU members?

Mr MARSHALL — We do not do a breakdown between MFB and CFA. What I said for the record is that we cover around 97 and 98 per cent of career firefighters in both MFB and CFA. I have not got a breakdown on what percentage.

Mr RAMSAY — And is your expectation with the new model, Fire Rescue Victoria, that you would represent a similar percentage of firefighters under the FRV model?

Mr MARSHALL — In my understanding there is no proposal for an increased number of firefighters, but I might just clear that up also. Just because there is a recruitment campaign, where there has been, there is no requirement to be a union member. There is no increased firefighting numbers in this proposal for the union. There is no increased union membership. That is one of those myths that has been put out there to say, 'The union's got an agenda to increase its membership'. Well, you cannot get much better than 97 or 98 per cent; that is phenomenal.

Mr RAMSAY — So that is the expectation, though, with CFA careers sitting under Fire Rescue Victoria — that they might well come under the UFU membership if it is 97 — —

Mr MARSHALL — Sorry, Mr Ramsay. I understand your question. They are already members; they are already part of that 97 per cent.

Mr RAMSAY — All CFA career firefighters are UFU members?

Mr MARSHALL — Yes, most of them.

Mr RAMSAY — Paid-up members?

Mr MARSHALL — That is a personal question. We do not disclose information in relation to people. When you say that, there is a union fee and they pay a union fee. To answer your question, we have a very high percentage of compliance with the rules of the union, and we think they get a very good service too.

Mr RAMSAY — A document produced by the UFU states that the proposed reforms would not affect the employment conditions. A new EBA for Fire Rescue Victoria would be finalised, combining the CFA and MFB agreements. That is what a document from your own association says. By way of better anticipating the employment conditions — —

Mr MARSHALL — What page are you reading from, Mr Ramsay?

Mr RAMSAY — I am not reading from a page. It is a document that was made public in relation to the UFU's position in relation to a proposed new EBA. I do not have the document with me.

Mr MARSHALL — What is the source?

Mr RAMSAY — The United Firefighters Union.

Mr MARSHALL — That is from our document?

Mr RAMSAY — It is a document that I am using, in your words, that is representing the organisation. By way of better anticipating the employment conditions of the proposal, can the UFU please provide on record all contracts, memorandums of understanding, accords, deeds of agreement, side letters, side arrangements or any other document pertaining to the current agreed employment conditions of CFA and MFB firefighters?

Mr MARSHALL — Say that again, sorry.

Mr RAMSAY — Do you want me to repeat the whole lot?

Mr MARSHALL — Sorry, Mr Ramsay. Can I just say I am not being difficult; I did not understand the question.

Mr RAMSAY — I am seeking any information in relation to documents, deeds, side letters that the UFU have negotiated in respect of the proposed new EBA under the Fire Rescue Victoria model.

Mr MARSHALL — There is none.

Mr RAMSAY — There is none?

Mr MARSHALL — None in existence.

Mr RAMSAY — So why would you make that statement initially — that the proposed reforms will not affect the employment conditions — if there is nothing indicated?

Mr MARSHALL — I need to know what you are reading from. You should say what document you are quoting from. Can I look at the document, and then I can tell you what the document is?

Mr RAMSAY — I will forward the document to you, Mr Marshall. So I understand there has been no draft documentation in relation to a proposed new EBA with FRV by the UFU.

Mr MARSHALL — You asked me whether there was any side agreement, contracts, deeds with the government in relation to the new proposed FRV; there is not — never has been. You asked me another question. Now, in relation to whether there is a document that would facilitate conditions of employment for FRV, there is a document that my industrial staff have been working on that actually puts conditions of firefighters together, and it is as simple as this. There is no increase in conditions. You have MFB, CFA; you have section 1, section 2. It is as simple as that. But very minor work has been done on that, but no agreement with the government at all.

Mr RAMSAY — So is that work, or that draft document, very similar to the current UFU EBA agreement between the MFB and the CFA, with the clauses?

Mr MARSHALL — Can I say to put that in context, we started that work 10 years ago because we thought it was ridiculous to have firefighters of the same rank having different conditions of employment. Is it the same? We have not made any extra claim at all with the government. We actually had an agreement with the CFA board and the CFA that was ratified, that was interfered with by the federal government — —

Mr RAMSAY — It is a similar type EBA as what — —

Mr MARSHALL — We have not made any extra claim. It is the same document.

Mr RAMSAY — Okay. So all the clauses are still in there in relation to a proposed new EBA with the FRV?

Mr MARSHALL — We have not made any claim for new clauses or alternatively — —

Mr RAMSAY — I am not talking about new clauses; I am saying ‘same clauses’. But I understand that is the case.

Can I also quickly ask, in relation to the 2015 fire service review — and the Chair actually quoted this, which I just want to get a response to:

... urgent need to improve the way in which they —

assuming ‘they’ being volunteers and career —

can work together in a strategic and systemic way.

But it does not actually talk about restructure. I am just wondering: when you quote the fire service review, can you indicate to me where the review actually indicated a significant structural reform, as the government is proposing?

Mr MARSHALL — Well, there are a couple of places where significant reform comes from.

Mr RAMSAY — From the fire service review, though?

Mr MARSHALL — The fire service review says it is not a case for the government to do nothing — that things have to change. When I get that document, I will take you to the clause, because there were some systematic and systemic problems in both the fire services, and what the review said is that it is not a case of simply doing nothing. Even the fire services commissioner’s submission says you cannot do nothing.

Mr RAMSAY — No, it did not talk about structural reform in the way that the government has been proposing.

Mr MARSHALL — The royal commission talked about structural reform.

Mr RAMSAY — The fire services review 2015 did not indicate significant structural reform as the government is proposing.

Mr MARSHALL — Well, it depends which way you read that document, I suppose.

Mr RAMSAY — Mr Marshall, can I just ask you my last question. In relation to presumptive legislation, are you supportive of career and volunteer firefighters being able to access presumptive legislation in the same way?

Mr MARSHALL — I am glad you asked me that question, because it gives me the opportunity to clear up some misnomers. The union has always been supportive of career and volunteer firefighters getting presumptive legislation. But you need to understand what presumptive legislation is, and I say this respectfully. With the Workers Compensation Act as it is you need to show causation and effect to make a claim. If you cannot show causation and effect, there is no claim; there is litigation. What has happened in the past is that you may go to a thousand, a hundred — whatever it is — fires and the cancer is slow onset and to show causation and effect is impossible. Presumptive legislation actually puts in the reverse onus — that is, if you are a firefighter and have served time and gone to fires, the studies for career firefighters say that these types of cancers, if you can track them, are likely due to your employment as a firefighter. That is what it says for career firefighters. So what you do is you flip the reverse onus of proof. It can be rebutted by the insurer — that is the safety net — but you have taken out the litigation and the court cases because it is accepted that in the course of employment and in serving the community, they have actually contracted a hideous illness — one of those cancers —

Mr RAMSAY — I understand that process, Mr Marshall — —

Mr MARSHALL — Yes, I am getting to the point.

Mr RAMSAY — The volunteers, if they have the same tick box opportunity — —

Mr MARSHALL — I am getting to the point. The problem is that for volunteer firefighters the federal Senate inquiry did not address volunteers, because there were no studies that confirmed that there was a higher incidence of cancer for volunteer firefighters. Even worse, the CFA participated in the Monash University study, as did the Queensland fire service, and what it said is that there is no elevated risk for volunteer firefighters for cancer-related illnesses. The problem that you have is that because that is the largest study of its kind of participation, unless you have a mechanism to actually defeat that study, you are enshrining a volunteer

into endless litigation. That is why in Tasmania they had the contacts, in other words. You have been to one hundred and whatever fires it is — —

Mr RAMSAY — But not in Queensland.

Mr MARSHALL — No, I will get to Queensland. Queensland had the same problem.

Mr RAMSAY — I am just asking whether you agree or not —

Mr MARSHALL — No, but it is important you understand this — —

Mr RAMSAY — whether career staff and volunteers should have the same opportunity to access presumptive legislation.

Mr MARSHALL — Exactly, and that is why the model being put up by the government does that, because — —

Mr RAMSAY — No, they are different

Mr MARSHALL — No. You will not let me answer the question. Because if you had the same model, it would simply be rebutted because of Monash University and there would be litigation. The committee system that is in Queensland is one that enables the evidentiary base for the volunteer to actually access the presumptive legislation.

Mr RAMSAY — Not the contact hours.

Mr MARSHALL — Because the Queensland fire service did not have data to collect. Tasmania had the data to collect. But without that committee or alternatively that requirement of contacts, there is no certainty for volunteers for presumptive legislation. In fact you are enshrining them back to the very thing they are trying to avoid, and that is endless litigation, because the insurer would simply put the Monash University report on the table and say, 'Sorry, claim denied', and then you would have to fight it out in the courts. What the government — —

The CHAIR — Thanks, Mr Marshall. That point is clear. I will have to move to Mr Leane.

Mr MARSHALL — What I commend the government for in Tasmania and in Queensland and in this legislation is putting in a mechanism to give certainty to volunteers that they will get a claim accepted.

Mr LEANE — Thank you, Mr Marshall, for presenting today. I just want to briefly touch on presumptive rights, given your submission and the work that the union has done interstate and internationally on a very important issue for all firefighters. Now, there has been this new passion from the coalition around presumptive rights in recent years. When they were in in the last term, when they had control of both houses, did that government approach you — that is, your union as a stakeholder in this — in helping form presumptive rights legislation?

Mr MARSHALL — Mr Leane, I thank you for the question. I am trying to avoid getting into that political environment, but in relation to this particular issue, the Greens member — the MLC over there, Colleen Hartland — actually put up legislation twice. It was knocked back by the Liberal Party twice — it was defeated twice. The legislation did not go forward because that government did not support it. Coming up to the last election my understanding is there was a change of policy. But to answer your question, not only was there no assistance, but they voted the legislation down.

Mr LEANE — Moving on to urban growth, the concerns are that it has been getting away from us for a long time.

Members interjecting.

The CHAIR — Order!

Mr MARSHALL — Sorry, I could not hear you.

Mr LEANE — That is all right. The truth hurts some people. Getting back to urban growth and how that could be getting away from us — it has been an issue for a long time — have there been a number of independent reports to previous governments, including the previous coalition government?

Mr MARSHALL — Yes, absolutely. Can I say very clearly that all governments of all political persuasions since 1985 have baulked at this issue. I can take you to the inquiries. There was the Public Bodies Review Committee inquiry in 1993. The recommendations are still not in place. That looked at the significant problems with the difference in standards of fire cover and the boundary issue and said it was ludicrous. I am paraphrasing.

Mr LEANE — So you are saying that your concerns and the community's concerns have not been acted on. You are saying that it is because of previous governments. It is not career firefighters, it is not volunteer firefighters, it is not the hierarchy; it is because previous governments squibbed it, whether they be Labor or Liberal.

Mr MARSHALL — I can say that the firefighters have been pawns in a political game because it has been put in the too-hard basket. That is why I actually started off in my submission saying that if we can just have a discussion about whether the community is protected and whether firefighters are at risk, it would be really good, because every time you get there it gets politicised somehow — or alternatively on social media. And, yes, there has been significant material that has been put before inquiries that shows that community firefighters have been at risk. The CFA's submission in 1997 to the government shows that in police districts, for fire purposes, A to K the community were not being protected. That did not get acted on. The Public Bodies Review Committee recommendations in relation to the standards of fire cover did not get acted on. The coroner's recommendation from 1997 in relation to response time has not been acted upon.

So, yes, there have been all governments of all political persuasions that have not addressed this issue. I say that without fear or favour. The issue is that firefighters have been pawns in this. It is very good to take a side for political pointscoring, but at the end of the day the real issue about whether the standards of fire cover are being met, whether you have got a firefighter who does not have a backup crew, whether there is actually containment to the room of origin to maximise saving life and minimise damage to property — is that being met? It has been lost in the political environment.

Mr LEANE — So anything that you have given evidence on in the submission, you are prepared to back up with the source. There was a question about some data that was being put out by the UFU in a previous hearing, and that data was around the response times. Where have you got that evidence from? Do you support that evidence?

Mr MARSHALL — Not only support that evidence; that evidence has come direct from the CFA data house. We urge the committee to ask — to go and actually inquire, not just ask for the documentation, but go and inquire. If you go to tab 09 of the folder here, you have got service analysis information. It has got critical information, detailed information — the number of fire calls, the number at time of day, the number of firefighters that arrive on scene within the time, whether you get four qualified firefighters, whether you get seven; I mean, it is critical information. That is the information that the boundary committee should be looking at to ensure the safety of the volunteer firefighters, the career firefighters and the community. This data has not been made available, to my knowledge, to government forums so they can make a complete analysis as to the extent of the problem. We back up 100 per cent, and I can attest that that data is CFA data.

Mr LEANE — In your verbal submission — and a number of submissions that have come to this committee — you talk about the seven firefighters at a structural fire. Has that basically come from world's best practice?

Mr MARSHALL — It is world's best practice. This is the employers' report, by the way, the Home Office in the UK. It was *Out of the Line of Fire*. They did a task analysis. The task analysis was how many firefighters were required to operate safely at a normal structure fire, and it was seven. And if there was a person reported trapped, it went up to nine. It is world's best practice. NFPA 17.10 has similar figures in it. NFPA, they are the national fire protection standards. It is world's best practice to have those numbers of firefighters on the fire. You cannot do the job — but even more importantly, what is the point of saying to a recruit firefighter, 'This is your training; this is what you must do', and then not provide them with the resources to be able to do that?

Mr LEANE — You mentioned they could be in breach of something.

Mr MARSHALL — They are in breach of their own standard operating procedures.

Mr LEANE — Can you get disciplined for that?

Mr MARSHALL — Absolutely. But it is worse than that. No firefighter — no volunteer firefighter or career firefighter — is going to stand on the street and say, ‘I ain’t got adequate crew’. They are going to go and do something. Unfortunately if they have not got adequate crew, they are going to be put at risk. That is wrong of management, to do that — to say, ‘Here is the safe system of work’ and then not give you the resources to apply it. That is very, very wrong.

Mr LEANE — In debunking, I think you said to a question from Dr Carling-Jenkins you are happy to be here to debunk some myths.

Mr MARSHALL — Yes.

Mr LEANE — There was a myth debunked last week about the Prime Minister saying that volunteers in Warrnambool had to use a different door to professionals, which was run out. There was a commentary piece by the Leader of the Opposition in the Daily Rupert, I like to call it, but the *Herald Sun*, and it says:

Among their claims, the union —

being you bad people —

is demanding that CFA volunteers not fight fires unless at least seven unionised firefighters are sent to supervise them. That means a volunteer cannot do a single thing until a unionised firefighter arrives.

Has that ever been a claim — has that ever been a position by the career firefighters via their union?

Mr MARSHALL — It is simply an untruth, and can I say it did a lot of damage, because it was put out there during a federal election. It had no basis whatsoever, and it was clarified time and time again. Unfortunately it got so politicised it became folklore as a reality. There has never been a case where a volunteer would actually have to stand by and wait for a career firefighter to turn up — or seven career firefighters to turn up — before they commenced firefighting. It was never the case that a volunteer firefighter in their area could not be in control of a fire. If they were the incident controller, they were the incident controller. Let me tell you, I saw a lot of federal politicians during that Senate inquiry. They were taken through that documentation line by line, and they still perpetrated that myth for political reasons.

Mr O’SULLIVAN — Thank you, Mr Marshall, for appearing today. I want to come in from a few different angles in terms of my questioning. The first one I want to start with is in terms of the bill. As we know, it is in two parts, with the presumptive legislation and then the fire services reform. I think it is widely agreed that everyone wants to see presumptive legislation go ahead, and there is still considerable debate in relation to the reform itself. Do you think it would be possible to proceed by splitting the bill and dealing with the presumptive and then actually talking about the actual reform of the fire services?

Mr MARSHALL — I think it would be an injustice to the firefighters, quite frankly. I mean, it is a matter for the government of the day, but they are both very important pieces of legislation that need to be enacted sooner rather than later, because otherwise what you are going to have is a continuation — as Dr Carling-Jenkins pointed out or asked a question on — of disputation. You are going to have a fire service that is outdated — —

Mr O’SULLIVAN — So if we got the presumptive through and dealt with, that would be a good thing, and then we can talk about the reform of the fire services levy?

Mr MARSHALL — They are both pieces of important legislation that need to happen now. I say that without any reason other than it is in the community interest and firefighters’ interest.

Mr O’SULLIVAN — You would not want to hold up presumptive legislation?

Ms HARTLAND — Well, you did last time.

Mr LEANE — You did not support it a couple of years ago.

The CHAIR — Order.

Mr MARSHALL — Can I say there is no reason why both of those pieces of legislation should not go through at the same time. It is not unusual for fire services to have a bill that amends a number of things at the same time. They are both important to firefighters — and for factual reasons — so there is no reason for it to be delayed. But again, that is a government decision, not my decision.

Mr O'SULLIVAN — The Department of Premier and Cabinet said that the UFU provided a copy of the new EBA for the new organisation. Would you be able to provide a copy of the new EBA to the committee for our records?

Mr MARSHALL — I am not sure we are talking about a new EBA — —

Ms SYMES — You cannot have a new EBA for an organisation that does not exist yet.

Mr MARSHALL — That is why I am asking; I do not know what they mean by a new EBA.

Mr O'SULLIVAN — Or a draft EBA for the new organisation.

Mr MARSHALL — We have, as I said before, the CFA enterprise agreement and the MFB agreement, and we have drafted the same clauses to put into one. There is nothing special about that. If you want a copy of it, you can have a copy of it.

Mr O'SULLIVAN — Can you provide that for the committee?

Mr MARSHALL — Absolutely. As a matter of fact, I think it is on the public record anyway.

Mr O'SULLIVAN — Mr Marshall, the take-up was something else that we heard about from the Department of Premier and Cabinet when they came in and spoke to us. It was in relation to consultation in relation to the new model that was being proposed. DPC confirmed that the committee putting together the reform model met with the UFU between 12 and 15 times prior to having any consultation with the CFA or the MFB in relation to the new model. Can you tell me why that has occurred?

Mr MARSHALL — That is just not true. Take me to that, because that did not happen.

Mr O'SULLIVAN — Are you saying there was no — —

Mr MARSHALL — We met with the government in relation to presumption legislation and our expertise in relation to presumption legislation. We actually explained the Queensland and Tasmania model, the Norway model and what is happening over in the European Union and in North America. By all means we spoke about presumption legislation, but I have never met this committee that you are talking about with regard to the legislation.

Mr O'SULLIVAN — It was headed by Mr Mullins, who will be appearing. He is next. How many times did the UFU meet with Mr Mullins's group to discuss the reform process?

Mr MARSHALL — I have never met the man. I never met with this group.

Mr O'SULLIVAN — What about anyone else from the UFU — —

Mr MARSHALL — Can I just say that I did not even know the committee existed until the press reports. But most importantly, as I understand it — —

Mr O'SULLIVAN — The deputy secretary of the Department of Premier and Cabinet gave evidence to us that they had met with the UFU between 12 and 15 times.

Mr MULINO — You are misquoting Tony Bates. He said he met with Tony Bates, not the committee.

Mr MARSHALL — I met with Tony Bates in relation to presumption legislation.

Mr MULINO — That is what Tony Bates said.

Ms SYMES — Which is the bill.

Mr MARSHALL — Australia is the only country outside North America that has presumption legislation for its firefighters. I have lived that for 15 years, so I have the expertise. I have appeared before the Tasmanian inquiry, the Queensland inquiry, the Western Australian minister and the federal Senate inquiry. I know that issue back to front, so it was not unusual. We were happy to help, because I dare anyone to show where we have actually said volunteer firefighters should not have presumption legislation. They should, but they should have certainty. But with the model that was being proposed in relation to exactly the same without that enabling mechanism, you are back to the cycle of litigation.

Mr O'SULLIVAN — Mr Marshall, have you met with the Premier or any of the Premier's senior staff in relation to this new model?

Mr MARSHALL — Can I just say to you — and I am sorry that I laugh — that I used to see the Premier occasionally, but since all the publicity I am not really on the invitation list, and the answer is no.

Mr O'SULLIVAN — His senior staff as well?

Mr MARSHALL — Who are we talking about?

Mr O'SULLIVAN — His senior staff.

Mr MARSHALL — I do not understand who his senior staff are. Who do you mean by his senior staff?

Mr O'SULLIVAN — The senior advisers: the chief of staff, the deputy chief of staff and advisers from the Premier's office.

Mr MARSHALL — No. Thanks to the *Herald Sun* they do not invite me anymore, so it is all good.

The CHAIR — Though we are just out of time, Ms Symes has a couple of questions.

Ms SYMES — I will keep it to one question, Chair. Thanks for your evidence today. We have travelled around the state and taken some really considered, thoughtful evidence from your members putting forward very good arguments for reform. But probably what has been disturbing is their retelling of the experiences of the past 18 months or so in terms of the interaction that they are having with the community, having to defend the myths and things like that, stemming back to a campaign around the EB. I want to just refer to your extensive experience as national secretary. I would be assuming that the Victorian EBA is not too much dissimilar to other states. Are any other states' firefighters experiencing this kind of disharmony in their communities?

Mr MARSHALL — Thank you for that question, because one of the casualties of this whole thing has been the firefighters themselves. They have gone from being held in high regard in the community to being vilified because of misinformation and because of being politicised. In no other state in this country have firefighters been denigrated in the way they have here. Can I say it is not unusual with the clauses in our EBA, by the way, because being a national union, we learn from each other. So they may not be exactly the same, but they are similar. But no other state — no other group of firefighters in Australia — have been vilified in the manner in which the MFB and CFA firefighters have been. Some children of firefighters were abused at school. They had to leave their community.

Ms SYMES — We heard that. Do you think that reform will restore the firefighters' pride and their families' pride in their role?

Mr MARSHALL — What I think the reform will do is actually take the politicisation out of this. It will give them a sense of purpose. As I said, we have got a very high percentage of membership. We know since the announcement that there has been an increase in morale because there is a beacon of hope. Certainly it will take away this ability for people with agendas to politicise it by saying, 'This is a union takeover', or alternatively, 'This is career firefighter against volunteer firefighter'. The legislation is a very good thing in that sense alone.

The morale has already been lifted by the fact that the government has taken the time to listen to the issues that have been not addressed in the past as well as the vilification.

Can I say that some of the stuff under parliamentary privilege has been disgusting. I am fair game, but when you say firefighters did not turn up on Black Saturday, that is wrong.

The CHAIR — Mr Marshall, thank you for your evidence this morning and also for the additional data you have provided. You did undertake to provide on notice a draft EBA document. If that can be provided to the committee secretariat as quickly as possible, that would be appreciated. The committee will have a draft transcript for you in the next couple of days for any corrections. We appreciate your attendance here this morning.

Witness withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 24 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Participating Member

Dr Rachel Carling-Jenkins

Witnesses

Mr Patrick Geary (sworn), Officer in Charge, CFA Corio;

Mr David Maxwell (sworn), Officer in Charge, CFA Craigieburn; and

Mr Mark Sinkinson (affirmed), Officer in Charge, CFA Belmont.

The CHAIR — I declare open the Legislative Council select committee inquiry into the fire services restructure. I welcome representatives from metropolitan CFA brigades: from CFA Corio, Mr Pat Geary, officer in charge; from CFA Craigieburn, Mr Dave Maxwell, officer in charge; and from CFA Belmont, Mr Mark Sinkinson, officer in charge.

Gentlemen, all evidence you give in this inquiry today is protected by parliamentary privilege; however, any comments made outside the precincts of the hearing are not so protected. All evidence is also being recorded by Hansard, and you will have a proof version of the transcript in the next couple of days for any technical corrections you wish to make. The evidence that the committee has been receiving orally is all sworn evidence, so I invite the committee secretary to swear in our witnesses.

The committee has allocated until 12.00 p.m. for this hearing. I invite you to make any opening statements you wish to make within 5 to 10 minutes before the committee proceeds to questions.

Mr MAXWELL — Good morning and thank you for the opportunity to present to the committee and show my support for the much-needed reform of the fire services. My name is David Maxwell, CFA operations officer, district 14, which extends from Christmas Hills and Warrandyte in the far east, around the outer metropolitan border with MFB, all the way to Werribee in the west. I am also the officer in charge of Craigieburn and catchment officer of Mernda, Doreen and Whittlesea brigades. The areas I am responsible for cover significant growth corridors of Melbourne.

I have been with CFA since the age of 16, when I joined as a volunteer in 1997. I became a career staff member in 2003 and have worked in provincial cities such as Bendigo, but I have spent most of my career in the outer metropolitan area. Throughout my time in CFA I have attended many fires and incidents, including rescuing casualties and unfortunately fatal fires. I am all too aware of having the adequate number and type of firefighters on scene and appropriate response times and the impact these factors can have on our brigades and the community.

I see the proposed reform as an opportunity to assist both volunteers and career staff in improving their ability to meet the standards of fire cover set by our agency and community expectation. The introduction of FRV will remove the unclear and unreasonable border between CFA and MFB jurisdiction and improve the safety in urbanised areas for the community and for firefighters. I have listened and read submissions to the committee from a vast range of volunteers and career staff across Victoria. Many opposing this reform are lacking in facts and doing so based on emotion. The impact on most volunteers — unless at integrated locations — will be minor or nothing.

The vast majority of the volunteers and staff I interact with daily support this reform. Victoria's fire services require significant change. I welcome this committee and its ability to influence improvement for the people of Victoria. I feel we all need to stop politicising our firefighters, to do what is right for the community, to put our political agendas aside, to implement this reform and let us get on with the job.

Mr SINKINSON — Thank you, Chair. Mark Sinkinson is my name, and I thank you for inviting me to attend here today and hopefully put my point of view across. I am an operations officer with the CFA and have been for about four years. I am currently the officer in charge of the Belmont fire station but also look after two volunteer brigades in Highton and Grovedale. They are in urban areas of Geelong.

I have been a member of CFA for 20 years, and 17 of those have been as a career firefighter. Up until October 2016 I was also a volunteer firefighter with CFA, and I resigned probably because of a few political points of view and the way things were going, such that I was hearing comments from the VFBV, and being a UFU member — anyway, I will not go into any of that.

My activity as a volunteer was a lot less in my role now, but I did attend the brigade meetings and training nights and helped out with those people. I still have a good relationship with that brigade, but unfortunately I am not an active member with them anymore.

The Belmont brigade is the 10th busiest in the state. We do around 1200 calls per year with just under half of those being what we call primary calls. The Highton fire brigade did about 258 calls in the last financial year. Only 39 of those were primary calls and 220 were support calls. The Grovedale brigade did 360, 67 of those being primary. That is in the last financial year.

I love my job, and I enjoy the challenges that it provides. It challenges me to be an effective leader of a very, very diverse team of career firefighters, volunteers and even the support staff that we have within CFA. We are truly a very diverse and dynamic team, and we provide a pretty good service generally. These challenges have really increased recently to the point where I have not enjoyed my job so much. For the last 17 years I have always enjoyed going to work. I have had to work Christmas days and all those sorts of things. I have missed time with my family, but I have never not wanted to go to work. Sometimes in the most recent 18 months that has probably been there a little bit, and it disappoints me greatly.

Generally the Belmont team operates well across all facets — training, social, operational; all regular positive experiences. The fire service reform will see an increase in these positive experiences across the board I believe. I am hopeful that the reform will reduce the workload of the volunteers in relation to expectations to respond to fires and emergencies. As I have said before, with those stats that I mentioned — with the volunteer brigades having so many support calls that they have to attend to, they are outweighed one to three primary calls compared to what they are doing support wise — potentially volunteer call rates may be reduced, but the actual requirement to provide assistance to the community and increase firefighter safety when called upon will be there.

I believe surge capacity will continue if not also be enhanced. Yes, it will require some strong leadership and commitment from all parties, but overall the firefighter and community will be the beneficiaries. As you are all no doubt acutely aware the topic of CFA and associated services we provide can and does promote an emotive reaction from some very passionate people. Submissions have been received that have been well researched and articulated through to 'it's the vibe' or it is in opposition to a particular political party or is despising of union thugs. We need to minimise the emotional aspect and focus on the overall intended outcome of the reform, that being improving community and firefighter safety, increasing efficiency and cost-effectiveness, changing the culture of our fire services and removing the adversarial nature of EBAs and the like.

I will just quickly finish up because I am mindful of the time. Volunteerism is struggling in some of our busier brigades. We have got a list on the wall at the Belmont fire station of the champion recruit firefighters. That goes from 1996 to 2012, and not one of those people is still active within our fire brigade, so the retention of all those members is an issue. It is the same in my local football club, in getting people to come in and work in the bar or to run the canteen. It is across the board, the expectation on our people.

Finally, the emotional thing is a big thing that I deal with. I look after a diverse team, and I look after a lot of people. My biggest focus is the people. If we cannot have the right people and the right people in the right mindset, we cannot do our job, both career and volunteer, even to the point that it affects my family. My daughter gave me a card. Probably 18 months ago she heard me on the phone talking about some work stuff. The card said, 'Dad, you're not a union thug. We love you', and all those sorts of things. There were a few swearwords in it as well; she is 15. It just shows the effect that this is having, not just on us as firefighters but on our families and in the community. We have had to take all the markings off our cars so we are not so recognisable in the community. You have heard about deputy chiefs being abused at service stations and things. Anyway, I will leave that up to you.

If I can, Mr Ramsay, I am a member of the UFU. Your question before of Mr Marshall was about UFU membership in the CFA. All career firefighters, or 97 per cent, would be members of the UFU currently, regardless of whether we go to FRV or not. Thank you.

The CHAIR — Thank you, Mr Sinkinson. Mr Geary, do you want to make some comments?

Mr GEARY — Thank you. I thank the committee for providing me an opportunity to present today. My name is Pat Geary. I am an operations officer with the CFA, currently an officer in charge at Corio integrated brigade in Geelong. I have been employed at the CFA for 29½ years, after being a volunteer. I wholeheartedly support the fire services reforms and believe that these reforms are in the best interests of Victorian career firefighters, CFA volunteers, the CFA itself and, most importantly, the Victorian community.

Although I support volunteers, I am tired of and frustrated with the bandaid 1950s approach to service delivery in the growing major urban centres of Victoria outside the MFB boundaries. The people who live in these growth areas are paying more for their fire services levy than the good people of Melbourne, yet are receiving an inconsistent, substandard fire service response.

The Victorian community, who I believe have been forgotten about in this issue, in the growth areas, pay for and deserve a guaranteed 90-second response with a minimum of seven fully trained, qualified and fit-for-work crews who will be on scene within 8 minutes. This is the internationally recognised response standard for fire crews in major urban areas. I have witnessed the never-ending failure of the CFA to meet these standards in growth areas. This failure places firefighters and the community at risk.

The evidence is overwhelming that to contain a fire to the room of origin, that fire must be attacked within 8 minutes. I continually witness CFA brigades — and I will be hurting some feelings with this statement — who fail to respond; respond with inappropriate skills and fitness levels; respond code 3, which is normal road regulations, because they do not have a driver; respond in incorrect PPE gear, which means they cannot partake in structural firefighting; or respond with crews of one or two. I am no longer prepared to be part of the culture that covers up these issues, and I am no longer prepared to keep quiet because I might offend some people. The CFA has to be accountable to the community and stop pandering to the feelings of some volunteers. CFA brigades continually fail to meet the accepted standards in growth areas. I wish to table a document that explains the importance of response times.

It is time to modernise the Victorian fire services. It is time to split volunteers and career firefighters. This will enable the volunteers to do what the majority of volunteers want to do — that is, to protect their communities without political or industrial interference. These reforms will enable the major urban areas to be serviced in an appropriate and professional manner, something that needs to happen now.

The CHAIR — Thanks, Mr Geary. The committee now has just under 50 minutes for questions. Can I start with you, Mr Geary, and with your opening comment that you believe the restructure is in the interests of volunteers? Can you outline why you believe that?

Mr GEARY — Certainly. I just want to indicate that we have been hearing and reading a lot on social media in regard to the absolute unrest with the volunteers that are complaining about these reforms. I have not seen that, and I have talked to a lot of volunteers. Most of the volunteers feel excited about getting their fire service back, because what most volunteers want to do is just look after their community. They do not want to be dragged into political or industrial — for want of a better word — shit fights, and I do apologise for the language. They do not want to do that. They do not want to be involved in that. This gives them an opportunity to go back and concentrate on what they want to do.

In my integrated brigade I have got 43 volunteers, I have got 12 juniors and I have only got seven people that are regularly turning out. The pressures that volunteers are under now just because of their work commitments and the time that they need to be able to give in an urban area — it is relentless on them, and it is very unfair that we are putting these volunteers under that pressure. They have family lives et cetera. These reforms will enable my volunteers to take a greenfield approach. They will be able to have a look at what they want to do for the community.

They may decide that they want to keep doing it and supporting Corio as an FRV brigade. They may decide that they just want to do surge capacity for wildfire. They may decide to undertake a niche role. One thing I can guarantee they will want to do is they will want to co-locate with the staff. We have a very good relationship between the staff and the volunteers, which most integrated stations do, because we understand the pressures they are under. We understand the demands that are being made of them. To be quite frank, the CFA and the community are not very fair to the volunteers and in the expectations of the volunteers. This is an opportunity for these people to give back to the CFA and to develop that the way they want to develop it.

The CHAIR — Thank you, Mr Geary. Mr Maxwell, you made a similar reference to the reforms assisting volunteers and career staff. Could you elaborate on that, particularly with reference to the volunteers?

Mr MAXWELL — Yes. I have got approximately 40 volunteers. Of those it would be only about 10 that turn out and attend fires on a regular occasion. Those volunteers are looking for an identity as well. Identically to Pat's brigade, Craigieburn are of the same thoughts — that is, the staff and the volunteers — in that they want to continue to be co-located together. They will have their identity back. They will be able to respond to calls out in the community and assist in the areas that they wish to assist in. It would be positive for them.

The CHAIR — Thank you.

Mr MULINO — I think all of you stressed that the critical underpinning of any evaluation of performance should be whether it improves community and firefighter safety. One of the issues that was discussed in the previous session and even before that indeed was the way in which having a single career firefighting service might improve operational capacity. I am just interested in your thoughts on the way in which moving from, in a sense, CFA career and MFB career to a single FRV can improve interoperability and coordination and the use of resources.

Mr MAXWELL — I can answer that question directly. I was, approximately two weeks ago, the deputy incident controller at the SKM Recycling fire in Coolaroo, which has had some heavy media involvement. I was the single CFA member in the incident management team involving majority MFB. CFA had approximately eight firefighting appliances there. Do not quote me on that; there may have been more that had come and gone throughout the fire fight.

My role as deputy incident controller was difficult, as I did not know any of the MFB people involved. I was directing MFB commanders, sector commanders and firefighters in certain areas of the fire fight who I had not met before. I was also liaising with my own CFA crews. The interoperability between those crews was quite difficult. We have different radios, we have different procedures, we have different standards of what we do in areas working around hazards and different arrangements that we set up for safety officers and for supervision of crews. My role was distinctly difficult, trying to be the deputy incident controller of a very large and going fire but also trying to liaise with my own crews, ensure their safety and look after their interests in their own section of the fire. Essentially what we had to do was separate the CFA and the MFB crews to different parts of the fire so we could manage them effectively, and that does not help with your strategies and tactics when trying to deal with a significant fire of that size.

Mr MULINO — And just a couple of quick follow-ups on that. So you are confident that moving to a single FRV approach would improve the capacity of firefighters and the organisation to protect the community.

Mr MAXWELL — Most definitely.

Mr MULINO — And that is in the context of particularly regional cities and outer urban areas. It is in the context of rapid population growth and the growing number of community assets like schools and hospitals and community service providers which are in need of protection.

Mr MAXWELL — Correct. In my area, my brigade and the brigades around us attend fires with MFB daily. We have been doing it for years. There are some issues on that border. When I used to perform the role of station officer, I had to carry three radios to be able to communicate with my crews, to be able to communicate back to our call centre and to be able to communicate with MFB crews.

I actually teach and assess station officers through their promotional programs within CFA, and one of the sayings I have is: do not have any more radios than you have got ears, because you cannot monitor three radios and ensure the safety of your crews while you have got three radios going on at the same time. I often disregarded that advice that I would give, because I had to; there was no other reason.

Mr SINKINSON — If I can just further add to that, with the effectiveness and efficiency of the services coming together, we have the scenario, for example, in Geelong where, for whatever reason, we need a station officer and we cannot get one within the CFA to maintain coverage of a fire station. That often can involve then the MFB being brought into the picture because they have some resources, but that would mean a whole MFB appliance needs to go into, say, Point Cook to release one person from Point Cook to come down to Geelong. If we can get together and have all of those things as one common operating picture, one commonality, we can just send that one person from the MFB, which is now FRV — we are all under the same umbrella; we have had those conversions and things like that — and that way we can actually save some significant money as well, thousands of dollars in that one example.

Mr MAXWELL — Currently it is one of our processes, and I have done it many times: if we have a leading firefighter that goes sick at Craigieburn for whatever reason, I have got approximately 8 kilometres down the road an MFB station, but I cannot call on the leading firefighter from that station. We call around, and it is a cost-effective means to get the closest stations to find a leading firefighter to fill that vacancy. Often it gets to the point where we call Mildura and someone drives down from Mildura, they perform that 10-hour shift and they drive back home, when I could have had a leading firefighter sitting in a position at Somerton about

8 kilometres down the road who could do that job. We do not do that now. That is a significant fiscal benefit of the FRV reforms.

Mr GEARY — I could just add from an operational point of view that if I am at the Shell refinery, which is now the Viva refinery, in Corio and I have a major structure fire going there, I will be the incident controller. I can call any resource on the radio across the state from the CFA by just calling for a [inaudible] fire. Forty minutes up the road I have got the MFB with all sorts of gear that would be so advantageous to me. I cannot call that on the radio. I have got to go through a process where I have got to go through the state duty officer, who then has to talk to the MFB and get approvals for that gear to come down the road. I could be calling platforms from Morwell and I could do that with my right, but I cannot call the platforms or the telebooms from Altona or the MFB area. It is just very inefficient.

Quite often nowadays, especially in district 7 in the Geelong area, when we get a going grassfire where it sucks all the resources of the integrated stations out of Geelong to fight those fires, we will call on quite often our pump strike teams and strike teams from the MFB to come down and step up into Geelong to do our role for us. Again, we have got to go through that process of getting the heads of the fire departments to tick that off before it happens. It is a very inefficient use of resources.

Dr CARLING-JENKINS — Thank you for attending the committee today. I really appreciate your time. I have just got a couple of really quick questions. I would really like to concentrate on the issue of secondment. But firstly, in the Victorian government's submission to this inquiry they have listed the brigades represented at briefings with dates and lists of numbers of participants. It has been brought to my attention that these have been regular meeting dates and they have not necessarily been briefings. I have even been supplied with the minutes of one meeting, which was listed as a briefing in that document, with no mention of the legislation being recorded. So I was just wondering — Craigieburn, Corio and Belmont have been listed in that document; can I just ask if you have received the briefings listed in that document?

Mr SINKINSON — Is that from the ministers and visitors to the station?

Dr CARLING-JENKINS — Yes.

Mr SINKINSON — Yes, we have.

Mr MAXWELL — Yes, Craigieburn has.

Mr GEARY — Corio has.

Dr CARLING-JENKINS — All three? Okay. Thank you very much. I just wanted to confirm that. Also, just very briefly, at a meeting I attended recently at an integrated station employees who were very keen to see this legislation go through were openly bragging about putting the names of people who had submitted to this committee through their database to check who they were. Is this something that career firefighters at your stations are engaging in as well?

Mr GEARY — Career firefighters cannot access or do not have the level of access to bring up someone's name, but we certainly do at our level. As operations officers we can access the RMS database to find out who a volunteer is, where he is, what brigade he is. I am not aware of any ops officer who has done that through that process, but no-one at station level has the security level to do that.

Dr CARLING-JENKINS — Okay, thank you. So you are not aware of anyone in your brigades that are doing that?

Mr GEARY — Absolutely not, no.

Dr CARLING-JENKINS — Great. Thank you very much. Now, onto the issue of secondment, this is something that a lot of people have raised as a concern, but I noticed in the two submissions I have read that both Mr Geary and Mr Sinkinson have addressed this. Mr Geary, you characterised this as 'scaremongering' and, Mr Sinkinson, you described it as 'no change to the service' that you would provide, with the exception of a difference in pay slip.

Mr SINKINSON — Yes.

Dr CARLING-JENKINS — Can you respond to the continued concerns that others, particularly CFA volunteers, have been saying around the secondment and their concerns that this will narrow the opportunity for practical skills development within the chosen field and diminish the CFA?

Mr GEARY — I do believe that there has been a lot of scaremongering going on about secondments. I have heard about and I have read some submissions where the FRV union people are going to come out of Melbourne and start telling volunteers in rural areas how they are going to run their show. That is pretty much what it is about. There are a couple of things that people really need to understand. Currently in the MFB and in the CFA there are a lot of firefighters and a lot of people at our level who have been volunteers. There are also a lot of staff members at the moment in both the MFB and the CFA who are currently volunteers. In the future, with FRV, there is no reason why this would change, and FRV will be sourcing some of their recruits, as required, from country areas, from volunteer areas, much as it happens now.

I think that with this secondment — and Mark will add to it — nothing will change. All it will mean is that my pay slip will be coming from another organisation. I see that there are absolutely some benefits in the secondment for volunteers. At the moment there are some areas out there in rural Victoria that have positions that are very hard to fill with people of our level. People just do not want to go there. By amalgamating the MFB and the CFA, from a staff point of view it actually triples that resource of people that may want the tree change, the country change, who may want to go out there and work in those rural areas.

The other thing is that if you are an ops officer now — and it is very easy, believe me, to get an ops officer position, because there are not a lot of people who want to do that — if you are a dud, it is very hard to get rid of you. The volunteers find that they go through a very onerous process to move those operations officers on. I can tell you now that if I went across to Craig Lapsley's department on a secondment and I turned out to be a dud, in a very short time I would be back in my substantive position. I believe that secondments have the ability — and people would need to go through an interview process with the CFA to be involved and to make sure that they met key selection criteria and that they were appropriate people. If they were not, I can see that there is an absolute escape clause for the CFA to say, 'This person is no good. We don't want them. Send them back to their substantive location'.

Mr SINKINSON — Yes, I would probably tend to agree with what Pat is saying there. There is an interview process for me to get the position I have got now. I need to sit down and interview with the operations manager, usually a couple of days — maybe the assistant chief. I could not see that that would be any different. It is a generic statement, I suppose, but why would a person who does not want to be involved with volunteers, who wants to be a pain in the butt — why would they put their hand up to go and work with wholly, solely volunteers? It just does not make sense. We are still going to be doing the same lot of work. We have still got the same parameters around us.

With recruit firefighters now, a high percentage of recruit firefighters are not and have not been volunteers. That pool is diminishing the amount of volunteers that are actually being employed as career firefighters. So as they move through the ranks anyway, the volunteerism background is not there, yes, but they will be still working with volunteers day to day as an integrated service, as we do now, and if we go to FRV in a co-location and even fire stations that are FRV, working on firegrounds with wholly volunteer brigades, there is still going to be that exposure with volunteers. And we are professionals. That is our job. We cannot go around and do that; we would not have our job for very long if we turned around and went the other way, if that helps.

Dr CARLING-JENKINS — Fair enough. Thank you.

Ms HARTLAND — Pat, can I take up some of the things you were talking about? If I give you a scenario — say, at Corio. The Shell refinery suddenly explodes. How long is it going to take you to get MFB backup to that site?

Mr GEARY — I would imagine there would be a delay, to put a time on that. I would imagine it would not be a massive delay. I think that if the Viva refinery, which supplies 50 per cent of Victoria's fuel, was on fire, there would be a lot of pressure applied to make sure that I got what I wanted. It is just the matter of the lack of efficiency — that I just cannot ask for and get that gear when I require it.

Ms HARTLAND — So how much time will you have to spend getting that backup?

Mr GEARY — It is probably not a lot of time that I would spend; it would be my ops manager, because he would be set up in the district control centre, and I would be saying to him, ‘I want MFB support and I want it now’. It would be up to him to ring the, say, duty officer to organise that support. It may take him 20 minutes, or it may take him half an hour.

Ms HARTLAND — But in a refinery fire, 20 minutes is huge.

Mr GEARY — Yes. You do not want to spend 20 minutes in a refinery fire — any 20 minutes.

Mr SINKINSON — You do not want to spend any time in a refinery fire.

Ms HARTLAND — I once lived very close to Coode Island, so I know exactly what you are saying. With your volunteers, are they sufficiently trained then to turn out to a major hazard facility fire?

Mr GEARY — In Corio that is one of our priorities — that we do train and we make sure that the volunteers do have the appropriate gear that they can attend that fire. We have set up procedures for when we get alarms in the refinery. One of the things we do is the volunteers do not drive directly to the refinery; they will come and stage at the Corio fire station and wait for word back. That gives us flexibility in utilising them. We may require them to stay in the Corio area to look after —

Ms HARTLAND — Everything else.

Mr GEARY — the rest of the risk for the Corio area. We may require them to bring some specialist gear from the station. The situation I have got at Corio is — and we have only gone to a minimum of seven crew recently — we have got five trucks, so seven people with five trucks. As you can understand, the turnout officer has to make the decision based on his pager and the information he has got which trucks he takes. Once he gets there he may need other resources, and we would rely on our volunteers to bring them on.

Ms HARTLAND — Because too then for volunteers, you will not actually know who is going to be able to turn out first.

Mr GEARY — The problem with the volunteer system is that we do not know what we are going to get until we get it —

Ms HARTLAND — In terms of skill?

Mr GEARY — so there is no guarantee that these people are available. They all work, they are shift workers; there is no guarantee. We are hoping that they are, and half a dozen of the Corio volunteers are very good and they are responding, but it is a big drain on them. But we do not know what we are going to get until we get it, and often that is too late.

Ms HARTLAND — In moving around the Victorian rural areas we have had a lot of evidence from volunteers, from people in the integrated stations, that they have a really good relationship with the career firefighters; they work well together. They gave evidence about limitations that they felt they had in terms of being able to turn out. What is the relationship like in your station with the volunteers?

Mr GEARY — The relationship between the staff and the volunteers, especially the operational volunteers, is very good. The problem that I have got at Corio is that the relationship between the volunteers and the volunteers is not very good. I have got seven different factions that have been identified in the brigade. It is very political, and that does cause some issues. Predominantly the staff do try and keep out of that, but the staff will automatically support the operational people because they are the people that they continually work with. At the moment I have got seven out of 40 that are active operational people.

Mr RAMSAY — Thank you all for your time this morning, and thank you, Mr Sinkinson — I appreciate the fact that there is 97 per cent of career CFA staff that are UFU members, as there are at MFB. I did not know that.

Mr SINKINSON — Yes. I sort of gleaned that that was the case from your questioning, and I just wanted to reinforce that.

Mr RAMSAY — I wish I had had that sort of membership when I was looking after a farmer organisation; I could never get that many farmers to participate in a membership like that. Look, I thoroughly respect the work you do from the firefighting purpose. I guess where I have reservations, and always have had, is when the UFU decided to become political at the last state and federal elections. I have not used the words ‘union thugs’, but certainly intimidatory actions through that polling period were seen by some members, which I do not think has helped the cause, to be quite frank. The issue I wanted to raise with the three of you is — —

And I agree there is a need for reform, and certainly a lot of the evidence we have heard that I have been involved in over the last few weeks has indicated that there is a general consensus about the need to reform the firefighting services in Victoria, except there are divisions about how that can be achieved. What has brought this to a head, as I understand, is the EBA. You cannot detach from it. Mr Marshall this morning confirmed that a new proposed EBA with Fire Rescue Victoria would be very similar in content and detail to the current EBA that is now with CFA and MFB. So I wonder what is going to change given the integrated stations. I understand the surge capacity and I understand the need to have resources for a response, but I am yet to be convinced there is going to be any significant change in this new model, particularly where the EBA is going to be the conflicting elephant in the room, given we have heard this morning evidence suggesting that it is going to be much the same. The clauses are going to be the same and the problems that Volunteer Fire Brigades Victoria had with those clauses in relation to its operation.

Going back to Dr Carling-Jenkins’s question about secondment, which has been an issue right through these hearings, you are now going to have career staff paid for by Fire Rescue Victoria seconded to a volunteer-based organisation. Well, suddenly it does not become a volunteer-based organisation when there are career staff from Fire Rescue Victoria being involved in providing management oversight. Can you just explain to me logistically how things are going to change under this model with a proposed EBA which has caused all the conflicts between the MFB, caused sacking of boards left, right and centre, that is now being proposed again?

Mr GEARY — If I could kick that off, I just go back with a little bit of a history of the CFA. I do feel for CFA management, because the CFA is a very hard organisation to manage, because there are so many conflicting priorities and there are so many conflicting agendas. It is such a diverse organisation: we have our Corios and Craigieburns looking after major structural environments to the little tin shed sitting out in rural Victoria that does 15 or five calls a year.

First of all, I would like to say that the reforms in themselves are not going to affect the integrated stations much at all, and there is not a lot of — —

Mr RAMSAY — Community safety?

Mr GEARY — Sorry, there is not a lot of conflict on the integrated stations. We find that the conflict is coming from people who, on advice, are making statements that they do not really understand from rural areas and also from the growth areas, from groups of volunteers who feel that they are being challenged and that they are actually letting down the community because they cannot provide the service that they would like to provide.

With these reforms, and the advantages of the reforms, it is not just about people getting on well together. It is about the CFA being able to do their business and do it in a way that they need to do it and the major urban areas receiving the service that they are actually paying for but they are not getting, and that is very important. This should be about the community. Us guys here are employed to look after the safety of the community; you guys are employed to represent the community, so we have got some common interests in that. These reforms should be about what is the best for the community. What is the community going to get out of this? What advantages are the community going to get?

Mr RAMSAY — Can I ask you, Mr Geary, why then would the MFB not support the current EBA that the UFU have proposed?

Mr GEARY — I cannot speak on behalf of the MFB, but I do know that the CFA signed off on our EBA. The CFA as an organisation signed off on our EBA.

Mr RAMSAY — Which EBA?

Mr GEARY — The last current EBA.

Mr SINKINSON — 2016, the proposed.

Mr GEARY — We are not in dispute with the CFA in our EBA; our EBA was signed off. We are in dispute with the federal government on our EBA because they brought in legislation to make it impossible for our EBA to be signed off.

Mr SINKINSON — Mr Ramsay — —

Mr RAMSAY — It took two different boards to do that though. Sorry?

Mr SINKINSON — I am just struggling to get my head around your question. You asked if the agreements come as one, the conflict — I do not know who the conflict would be with. Who is the conflict going to be between?

Mr RAMSAY — I am not talking about pay and conditions as part of the EBA; I think that is quite a separate issue and I do not think that is in dispute. The dispute, as I understand it and as it has been told to me, is in relation to some clauses where it actually impacts on volunteers' management and oversight in response to a fire event where there are certain requirements. We have heard today about the dispatch of seven career firefighters to a fire and how that might impact on volunteers. It might well be already on fireground they are required to wait or — —

Ms HARTLAND — It has been answered so many times. You are clearly not listening, Mr Ramsay.

Mr RAMSAY — There is no dispute, but there is dispute within certain sections of the EBA that to my understanding has not been signed off by the MFB.

Mr GEARY — No, to the best of my knowledge, I do not know if the MFB section has been signed off. The CFA agreed to and signed off the CFA EBA. It was signed off. It was to be ratified at Fair Work — —

Mr RAMSAY — With a new board. They sacked the old board that did not support the EBA and they have put in a new board, which has ticked off in certain parts —

Mr GEARY — No, the old board, the old chief and the old CEO did not support reform in the fire services.

Mr RAMSAY — They did not support the EBA, I am sorry, Mr Geary, and then a new board came in and — —

Mr GEARY — Because in the EBA — —

Mr SINKINSON — Presumptive legislation has not always been supported either.

Mr RAMSAY — That is the history; that is the reality.

Mr GEARY — No, the reality is that EBAs, since they have come in, have been a tool that has been used by the CFA to instigate reforms. When you look at our EBAs — and this is the problem that we have — with our EBAs the union has enforced change and reform. We have got better trucks, we have got better uniforms, we have got more crews on stations, we have had stations open up. They are all the result of the EBA. When we get those reforms through, or when EBAs are signed off, the volunteers and the volunteers association immediately take the opposing view, which I can understand because whatever is good for us is going to be detrimental to the volunteers. If we are getting paid more money, they are losing money out of their training budget. That is where it is impossible for the two, going forward, to be in the one service.

Mr RAMSAY — I am sorry, I am out of time. I would love to be able to get on record your response, but if I could talk to you afterwards, because it is a good question and I would like to hear the answer.

Mr MAXWELL — I think the first part of your question — I am sorry, Chair, if I could just answer it very, very briefly — —

The CHAIR — Just briefly, Mr Maxwell.

Mr MAXWELL — What improvements for volunteers come out of this was the first part of your question. I have brigades to the north of my area that currently when Craigieburn responds into their area we meet their service delivery requirements for them. As a result the data then gets affected and it does not show the inadequacies within that brigade. If we go to a FRV model, I believe we will no longer meet that requirement for them. Their real data will be shown and CFA will have the ability to put the training requirements and the resources behind them to improve the response of that brigade, so the volunteers will have very, very beneficial outcomes from this reform.

Mr LEANE — Thank you for your assistance today. I just want to centre on public safety. I represent a metropolitan area that has some MFB coverage and some CFA coverage. I want to talk about some specific standard operating procedures. I imagine that those two areas have different standard operating procedures. You have already touched on the fact that they have different radios, they have different other systems, so with the reform I hope for the people I represent that whether it is a better standard at CFA, the standard goes up or whether there is a better standard at the MFB, the standard goes up. So we are reaching for the higher standards. Is that your understanding?

Mr SINKINSON — Absolutely.

Mr GEARY — That would be my understanding, and I suppose the pertinent point you are making is that we will have a standard in major urban areas across Victoria, not just a good standard — the Mercedes standard for the MFB area and the old Holden wreck of a car standard for the CFA areas.

Mr LEANE — The standard operating procedure I understand from looking at the documentation the MFB sent us around a structure fire is where two appliances are called out and there are personnel with certain levels of training. If there are one or two people in that fire, they can hopefully get there in time to put it out but then retrieve the people in the fire and also retrieve the firefighters they have sent into the fire if there is an issue.

Mr SINKINSON — Correct. So we look for the seven on the fireground as the minimum, as in being one incident controller, a pump operator, a pair of BA wearers to go in and another two on standby outside as an emergency scenario. I can give an example recently in Geelong — I will not name any brigades — but there was a volunteer brigade that was unable to turn out to a primary structure fire in their own area. It came in as persons reported in the unit. Geelong City sent two trucks to that, which had, I think, five people all up on scene. They got there by themselves — five people. They did not have the preferred minimum that we would like to have, so there was some danger put around those crews because they had two people going in to try to find this person who was reported in the premises.

I actually went to that call as part of my role as the duty officer and there were actually more police on scene than there were firefighters initially for that incident. So there was a scenario where, through no fault of the brigade, they could not turn out. Eventually one young gentleman turned up in the brigade ute and helped us roll up the hose at the end of the day, but there was a scenario there where if something had happened within that unit, we did not have the people there to actually effect any rescues or provide extra support to the crews.

Mr LEANE — I understand that in the outer east there are a couple of voluntary brigades that actually seem to do a good job as far as response goes.

Mr SINKINSON — Yes.

Mr LEANE — There are some volunteer brigades. We had one last week that said they were struggling, but they asked for help and they lifted their recruitment and they are really proud of what they do. In saying that, if in an inner suburb of the east there is a structure fire, there is a certain standard operation procedure that will be enacted. If in the outer suburbs of the east there is a call to whatever brigade it is — whether it be an integrated brigade or a volunteer brigade — the standard operating procedure I understand for a structure fire, and I am happy to be corrected, is four firefighters on the ground.

Mr SINKINSON — The preferred minimum of four, I think the wording says.

Mr LEANE — The preferred minimum, but in the inner east is not a preferred minimum, is it?

Mr SINKINSON — No.

Mr GEARY — The preferred minimum refers to you not starting an internal structure fire attack unless you have got the preferred minimum four on the fireground. But that does not allow for your pump operator and your incident controller, and it does not allow for your rescue crew for your own workers who may get injured, so I guess a lesser standard.

Mr LEANE — So if there is a fire at a group disability home — and there are a lot of them in the outer east, where you have six people with a high degree of disability and one carer at night — in the inner east, they will get two fire trucks with appropriate firefighters, trained, with lights and sirens guaranteed, but if there is a fire at a group disability home in the outer east, that is not necessarily the case.

Mr GEARY — We cannot tell you what you are going to get because we do not know until we get them.

Mr LEANE — Do you know and does the CFA know the human resources as far as their volunteers go — who has the minimum accreditation to get on a truck, who has the breathing apparatus accreditation, who can actually jump in a truck and put the lights on and put the sirens on?

Mr SINKINSON — The CFA has that data — I think if you heard what Peter Marshall was talking about before, the JCK data. We have our service delivery that says, yes, we get a fire truck on scene in a certain amount of time, but it does not actually drill down into the CFA to say that on that fire truck there were four competent operators. I say this with respect, because it happens regularly. There are two 65-year-old gentlemen who turn up on that truck, but as far as the community is concerned the service delivery has been met because the truck got there. Should they have had to have done some work, then they would have been themselves in an unsafe situation, because there are two of them. Probably a 65-year-old could be fitter than I am — I cannot say too much — but there are those scenarios there.

We send people out to an alarm at the hospital. Have they done alarm and sprinkler training and know how to work the fire panels and those sorts of things? Often they do not. I have seen trucks turn up at a structural environment. Again, as Peter said earlier today, this is not a slight on volunteers and volunteerism, but they get out of the truck and they have got their wildfire or bushfire gear on, at a house fire — because they are not trained to be wearing breathing apparatus. It is great that they came along, but they are not going to do much for us in that structural environment.

Mr O'SULLIVAN — Thank you, gentlemen, for coming in and providing your time for us today. I just want to have a look at a couple of things. In terms of the secondment model that is put in place as a result of this model, we talked before about how that may work. One thing we did not cover — and I would like to get your views on it — is if you were employed by fire services Victoria and then had to go back and work in a CFA scenario, working with volunteers and so forth, one of the problems that we have heard evidence on from others in relation to that scenario is essentially if you come across from Fire Rescue Victoria you bring their EBA requirements across with it and then you are in a situation where you are working for a different organisation with essentially two bosses, with an EBA that is directing how you would operate within your own environment, your own workplace, but you are in another organisation. How would that work? It just seems to me to be a fairly complicated scenario.

Mr MAXWELL — I do not think it would be any different to how it works currently. CFA and MFB have a secondment program between them as we speak. There are a number of CFA employees working in MFB probably today. When they swap over, they swap over to that EBA, so they are now working under the current MFB EBA and they are seen as employees of the MFB at the time. It is exactly the same with the MFB employees that did the reverse swap and came over to the CFA; they are working under the current CFA EBA. So I do not think that would be a problem at all.

Mr GEARY — If I could just add to that, the EBA for operations officers and ops managers is a very, very flexible EBA, and it is designed that way so that we can meet the requirements of working in the volunteer area. That will be the part of the EBA that still applies for secondments.

Mr SINKINSON — Yes. I am struggling to see how it would be any different. Without knowing the detail of how secondments and things work, I cannot answer that question other than to say I believe it will be exactly the same as it is now. Yes, we have limitations on our hours of work. We always have that. The chief officer in my house is my wife, and if I do not come home and I am always out at work, then I am in a bit of strife. So we need to have those rules and regulations around that.

Ms HARTLAND — I am glad you have got that basic rule correct.

Mr SINKINSON — I know who the chief is. We need to have that documented, and I cannot see it being any different to what it is now.

Mr O’SULLIVAN — In terms of the reform process, we have heard many witnesses sort of talk about the need for reform. I think everyone agrees with that. But one of the other areas we have spoken about and heard information about is that in some areas that are currently CFA and do not have any career staff at their availability now, it might need to go somewhere down that path. Would you think the introduction of a day shift only model into some of those areas would be beneficial to addressing some of these issues?

Mr GEARY — That happens now under the EBA. Ocean Grove was crewed on day shift in the first 12 months of it opening. The ability and the flexibility to day-man stations is there now. There is also a clause in our award that states that any other shift pattern can be negotiated between the parties.

Mr MAXWELL — South Morang was also the same. It opened as day manning first.

Mr O’SULLIVAN — So the 10-14 requirements are not universal across the whole of the state.

Mr MAXWELL — I believe when the agreement is made, there is an end date to the day manning, but for that time period it is 10-hour day shifts.

Mr GEARY — I know with the opening of the Lara station in our area, which is happening towards the end of the year, it will be open on 10-14 because there is a need for it to open on 10-14.

Mr O’SULLIVAN — Would you think that, going forward, that sort of day shift model would be something that would be beneficial in a much wider area?

Mr GEARY — Quite possibly.

Mr MAXWELL — I think it depends on the risks in that community. There have been examples where we have had a day shift in there only, and then it has clicked over past 6 o’clock, that day shift has left, it has been back on volunteer response and the service delivery standard has fallen down because of that.

Mr SINKINSON — Portland is currently day shift.

Mr O’SULLIVAN — We know that volunteers at times during the day have trouble turning out because they have got other responsibilities. When they are not required at work, obviously they have more flexibility to turn out. But you are saying that once the volunteers come back — —

Mr MAXWELL — It is not guaranteed.

Mr O’SULLIVAN — It is a substandard — —

Mr MAXWELL — There could be various reasons why some of our volunteers are unavailable at certain times, and those periods can be during the night hours, after the day shift may have knocked off. It is very real. Most of the time there is a response during that period, but it cannot be guaranteed.

Mr O’SULLIVAN — In terms of the model going forward, how far should paid fire service be rolled out right across the state? Should it be everywhere?

Mr SINKINSON — Isn’t that the intent of the committee they are looking to set up?

Mr O’SULLIVAN — I am just curious.

Mr GEARY — My view would be that it is only where it is required in heavy urban areas. We are not going to get firemen sitting in tin sheds in rural brigades. We are not going to get firemen in areas on 10-14 when the volunteers are meeting their standards of fire cover. There is no need. As we have spoken about before, there are a lot of things you can do for those volunteers to meet those standards of fire cover under these reforms other than putting in career staff. We are not going to go out there and say there are 100 brigades that need career staff

tomorrow. There might be 100 brigades that this panel will look at with a whole range of options of implementation, the last of them being career staff.

Ms SYMES — Thank you, gentlemen, for appearing today. I just want to quickly go back to the evidence you gave before on Coolaroo. Frankly, unlike my colleague Mr Leane, I am a country MP, and until your evidence I had not quite appreciated the challenges and potentially very dangerous situation of the inefficient interoperability between the MFB and the CFA. Your evidence was very good, Mr Maxwell, and it gave the hands-on experience. Is that something that is reported somewhere so that we could seek further information?

Mr MAXWELL — The CFA have their own hazard reporting process. It is called CFASafe. I have received numerous CFASafe reports specifically about the radios and the interoperability between the MFB and the CFA.

Ms SYMES — This is a common thing for you, being in an outer area like Craigieburn.

Mr MAXWELL — It is very common. My brigade responds with what is called fire station 9 in the MFB. They number their stations; we go by our name. Craigieburn and fire station 9 respond together many times.

Ms SYMES — What is fire station 9?

Mr MAXWELL — That is Somerton.

Ms SYMES — Okay, I understand. Did you say CFASafe?

Mr MAXWELL — CFASafe reports is what they are called.

Ms SYMES — Thank you. I will ask the CFA about that. I just want to jump to another thing. Because you were so good at an area that had not been covered particularly thoroughly previously, I just wanted to pretty much throw you up emergency medical response, or EMR. I understand that it is being rolled out into integrated stations, and I am just wondering if you think there is anything in relation to EMR that the committee would benefit from knowing about.

Mr MAXWELL — I think it is a very good initiative. I started my EMR training last week, and I am back again tomorrow doing more of it. It is a very thorough course. It is in-depth learning provided by Ambulance Victoria. It gives us the opportunity to assist AV. We will not be responded without them. There will always be an ambulance responded to certain types of calls. Those calls are listed as priority zero calls — no pulse, not breathing — and essentially the person is deceased in some cases. We are there to try and revive that person through defibrillation, oxygen therapy and things like that.

It is a change to our job. It was never on the cards when I joined the CFA. It has been embraced by the majority of the career staff around the area. There are some people who have had terrible experiences with it and terrible losses of infants and other people, which can have an effect on our people. Overall, though, the vast majority of the people are accepting of it and it is a positive for the community. But it is more work.

The one thing I find quite strange about this debate and about the EBA debate is that we have got an organisation and a group of people that are actually asking for more work as a part of their EBA, and we are still getting knocked back for that and getting negative feedback. We are putting our hand up and saying, 'Let us do more. Let us respond with AV. Let us go and help more people', and we still get knocked back on that.

Mr SINKINSON — Right across the road from Belmont fire station is an ambulance station. They want EMR yesterday. They want it in Torquay, and they want it on the Bellarine Peninsula. Even Ambulance Victoria are saying, 'We want that, and we want it now'. From my perspective it is another area of post-traumatic stress disorder and mental health issues that need to be managed. Throw in all of the last 18 months of mental health issues and things that have accumulated over time, and that is what my job is becoming at the moment. I really need to get it back to being firefighting and looking after our people in other ways.

Mr GEARY — The only comment I will make about EMR is that it has been happening in the MFB area since 1996. We are only now just rolling it out into some CFA areas in those heavy urban areas. This is a classic

example of how, because of a line on a map, we have got two different standards and two different services that we are delivering. The Victorian community deserves better.

The CHAIR — Gentlemen, thank you for your evidence this morning. The committee appreciates your evidence and your attendance at short notice and also your written submissions. There will be a draft transcript for you in the next couple of days for any corrections. Thank you for your time this morning.

Witnesses withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 24 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Participating Member

Dr Rachel Carling-Jenkins

Witness

Mr Greg Mullins, AFSM (affirmed), former Commissioner, Fire and Rescue New South Wales.

The CHAIR — I declare open the Legislative Council select committee inquiry into fire services restructure. I welcome Mr Greg Mullins, AFSM, the former commissioner for Fire and Rescue New South Wales and the chairman of the implementation task force for this proposed restructure. All evidence being given today is protected by parliamentary privilege; however, any comments made outside the precincts of the hearing are not so protected. Evidence is also being recorded by Hansard, and you will receive a proof transcript for any corrections in the next couple of days.

The committee appreciates you making yourself available today at short notice. I understand you have travelled from Sydney to be with us this afternoon. The committee has allocated an hour for this hearing. I invite you, if you like, to make any opening statements. We allow approximately 10 minutes for any opening comments before the committee proceeds to questions.

Mr MULLINS — Thanks very much, Mr Chair. I will not take 10 minutes, but as an opening statement I will say some background on me, which I am sure you have. I have been a firefighter for 45 years. I joined as a volunteer in 1972 and, in 1978, became a career firefighter with what was then called the New South Wales Fire Brigades. I retired as commissioner; I spent almost 14 years as commissioner, which is both the CEO and chief officer, during a period of huge change within New South Wales fire services and emergency services generally, but particularly in Fire and Rescue New South Wales, in terms of culture, industrial relations — the whole gamut.

In 1995 I was on a ministerial task force appointed by the then minister to look into how the two fire services could work more closely together and came up with what we call the two fire service policy in New South Wales. I have retired from Fire and Rescue New South Wales, but I am now a volunteer firefighter in my community. I am very proud of that. My father is a life member of my local rural fire brigade at 93. When I was asked earlier this year if I would assist, I had to think very carefully about it because of the background of animosity, I suppose, that was pretty evident for some time, but I did not have to reflect for long.

If there is some assistance I can give to this process, I am very pleased to do so, because I do reflect back over the years on many major fires where Victorian fire services — firefighters from MFB, CFA and DELWP — have come to New South Wales at a moment's notice whenever we have needed help. We have returned the favour. I have a very high regard for Victorian firefighters. This is a landscape that only could be compared, I suppose, to southern California in its volatility. It is imperative that this issue be sorted out, so I did agree to assist.

I commend the changes to you. Firefighters are very passionate people. They will all have different opinions about different things. If you asked 70 000 firefighters what they thought a perfect model would look like, you would probably get about 40 000 different views. I understand there is consultation going on now. There had to be a model to consult on, so early in the piece when I was a member of the expert advisory panel we were still working out details on the basis of a proposal put together by staff. There was really nothing to consult on at that stage.

I would finish by saying something has to be done. I have looked with admiration at the Victorian fire services for decades, but I am very sad to see where it has gone. You have firefighters pitched against firefighters. The best armies in the world can lose wars if their morale is down, and I see firefighters' morale very low at the moment, and the status quo is not going to fix that. Something has to be done. This may not be the perfect fix, but nobody has put forward one that I can see that is any better. I hope this committee process will assist in bringing forward any improvements to the model or the process to reach that model. I do look forward to assisting to bring it in to land.

The CHAIR — Thank you, Mr Mullins. Can I start by getting an understanding of your role in the development of the model, please?

Mr MULLINS — Sure. I was contacted some time in January this year by the Department of Premier and Cabinet asking if I might be available to assist and had some conversations about that. I reserved my decision and got back to them and said yes I would. I think it was in early February that the expert advisory panel met for the first time. We were provided with a draft proposal, which basically talked about setting up Fire Rescue Victoria with all career firefighters and CFA reverting to a fully volunteer model. We have had, I think, eight or nine meetings since then dealing with different aspects of the changes and providing advice to government on those changes. I think it was on 18 May, from memory, that the announcement was made, and since then I

know a lot of consultation has gone on, and around 2600 people have been spoken to. Sorry. The last bit was more recently I was asked if I would chair the operational implementation committee, which has the commissioner EMV, chief officers from the three agencies plus police, SES.

The CHAIR — Thank you. Just to be clear, the expert advisory panel was presented with a proposal; it did not develop a proposal itself.

Mr MULLINS — There was a draft proposal, but it was made very clear that it was draft, and there was a request for expert input to that.

The CHAIR — Do you know where the draft proposal came from and how it was developed?

Mr MULLINS — I am not privy to exactly who worked on it, but it was via the Department of Premier and Cabinet.

The CHAIR — Are there any material changes between what has come forward as legislation and what was presented to the expert panel as that draft proposal?

Mr MULLINS — Not that I am aware of, no.

The CHAIR — Any changes at all?

Mr MULLINS — Sorry, from the initial draft proposal?

The CHAIR — From the initial draft that came to your expert committee.

Mr MULLINS — Minor changes and tweaks that were suggested by the expert advisory panel.

The CHAIR — Thank you. I do not know if you were here to hear the evidence given by Peter Marshall from the UFU this morning. He talked about reform and reform being a good idea in the mind of the person proposing it, but he went on to say that if you do not bring people with you, it is a recipe for disaster. One of the things that has come out in evidence that this committee has received across the state — we have had a number of regional hearings and engaged with career firefighters and engaged with a lot of volunteer firefighters — is that certainly among the bulk of the volunteers there is the view that they have not been brought along in this process. By Mr Marshall's definition, that is a recipe for disaster. So how do you see your role as chairman of the implementation committee in addressing what has set off down a path of disaster certainly in the minds of the volunteers?

Mr MULLINS — Thank you. I will not comment on that view, but I did say before that before you can consult, you actually have to have a model to consult on or you will get 35 000 different views on how things should be. Then you have hubris, and then nothing gets done; it stagnates. I would say that typifies the Victorian situation at the moment, from an outsider looking in.

The role of my group? So there are two groups. The expert advisory panel has no role in consultation; it is providing expert advice to government on matters referred to it. The operational implementation committee is somewhat different because it is dealing with the heads of agencies involved, particularly MFB, CFA, Forest Fire Management Victoria and Emergency Management Victoria.

There will not be direct consultation by me as chair. I am brought in from outside to assist the process, to call people to account if need be and to suggest some different ideas. The committee has only met twice, so as we flesh out a work program it is going to be imperative that that is communicated to career and volunteer firefighters and commented on, so that has already been raised in the committee process.

I am aware, for example, that Chief Officer Warrington from CFA has been in fire stations probably just about every night of the week for some time now, and he has been able to feed in a lot of views and suggestions that have come from the front line about how things should work. Similarly Paul Stacchino, the acting chief officer from MFB, has been feeding in information that he has received from the front line.

The CHAIR — Just a final question before I pass on to Mr Mulino. A lot of weight has been put on your committee. A lot of the witnesses that have come forward who are supportive of the changes have said, 'We'd

like to know more about the detail, but that's in the hands of the implementation committee'. This committee obviously has had no insight into what those details are. Are you able to give a thumbnail sketch of what your work program is as an implementation committee, what issues you have prioritised to work through and the direction they are heading in?

Mr MULLINS — Yes, certainly, but I will say we envisaged that we would start deliberations in May or early June. We started them this month. Part of that was out of respect for this process. We did not want to pre-empt what the committee may or may not decide or any improvements or suggestions that may come from this committee process. So we are very clear that we are coming up with draft proposals, and in terms of consultation there will not be consultation on those until this committee has provided its report to Parliament with the decisions made because I believe that would be inappropriate. I believe I would be failing in my role as independent chair if I allowed that to happen independent of process.

That having been said, we have some very clear riding instructions in terms of our terms of reference. We will be working on a heads of agreement between CFA and MFB primarily about the transfer of assets and people to the new entity. We will be looking at the secondment model of operational officers and training officers from the new entity, which would be the employing body to CFA so that they can continue to carry out their vital work.

The very clear instruction that I had was that the secretary of the department of justice needs urgent advice as to what should and should not occur prior to the upcoming bushfire season. The reason for that and the riding instruction is that there is to be no degradation in operational capability whatsoever as a result of changes, so we have to be very careful what we mess with. I am satisfied, with the experts we have around the table and their ability to draw from within their organisations, that we will be able to give that advice.

The CHAIR — Thank you, Mr Mullins. One of the challenges for this committee in recommending for and against legislation is not having the detail that your committee is working through.

Mr MULLINS — Of course.

The CHAIR — Are you able to provide on notice to the committee obviously the terms of reference but any material that you have developed to date that would give the committee a flavour of the direction the heads of agreement is heading in with the secondment model et cetera?

Mr MULLINS — Terms of reference are easy. So when I say we have had two meetings, we had one meeting just with the two chief officers, the EMV commissioner and I, and then two weeks later we had the full meeting where we had the police, SES and ESTA, and from that we have fleshed out a possible work program. So I am sure that we can give you a flavour, but we have not done a great deal of work for all the reasons I outlined.

Then the other proviso is we are very clear that the focus at the moment is on what should and should not happen before the bushfire season, so the first answer that comes out of the committee will be that.

Mr MULINO — Just to start with a process question to clarify something, did the expert advisory panel, in coming up with its recommendations to DPC, meet with the UFU at all?

Mr MULLINS — No.

Mr MULINO — Thanks. Just on the rationale for the reform and what the impacts of the reform might be, firstly, based upon your expert opinion built up after a long 45-year career and also the broader deliberations of your committee, did you come to the conclusion that change was needed?

Mr MULLINS — Yes. Look, I have to admit, as I have said, that I had formed a view. I was head of our Australasian peak body for some years. I was president of AFAC, and I know very well former chief officers, current chief officers, board chairs and CEOs. I would describe it as dysfunction — just descending into dysfunction. There was a real need to do something to change it.

Mr MULINO — And just to get a bit more specific, I do not know whether you heard the evidence in the previous session, but one part of that was evidence from an officer in charge in relation to a complicated incident where MFB appliances turned up and an CFA appliance turned up from an integrated station. It was

very hard for them to work together. He also talked about the fact that he had been to a number of incidents where he had to take three radios, and he said it was inadvisable to have more radios than ears. He talked a lot about the operational challenges. I would just be interested in your thoughts on how, operationally, will the model that is being proposed improve on what we currently have, particularly in outer urban and regional centres?

Mr MULLINS — Very significantly. It will improve things very significantly, I believe. You will have a single chain of command. It will be very clear. A serious incident, like the paper recycling fire recently, which — I am not sure if you are aware, but you had resources here, I understand, from New South Wales, South Australia and ACT, as well as CFA and MFB. So that is complicated. You need to know exactly who is in charge. We have a national incident management system, AIIMS — Australasian Inter-Service Incident Management System. Every agency subscribes to that, but you actually need to know who is in charge without any confusion whatsoever.

Radio systems — they are safety systems. Firefighters can be killed or seriously injured doing the work they do. The men and women on the front line are just extraordinary people, and they need to have the systems and processes to back them up, as well as the equipment, to make sure that they can be safe. So if there is a breakdown in that command system or there is a lack of surety about who is in charge, people can lose their lives. The new model makes it very clear in urban areas of the state that the risks will be treated in a certain way. The command structure will be very clear. It will not stop urban CFA brigades staffed by volunteers responding to the fires they have always responded to. It will be very clear how that incident will be dealt with. That has got to be a plus.

In the bushfire sphere these changes, I believe, will enable senior officers of the CFA to be freed up from industrial disputation and consultation ad nauseam, I would say — sorry — to concentrate on working with forest fire management and EMV to prepare for the bushfire season and to make sure that their volunteers are supported more properly in the field.

Mr MULINO — Two quick follow-ups; one is: in terms of a system which is under a lot of strain — population growth, the growing complexity of fires, the difficulty of retaining volunteers et cetera — do you feel that a single career service, as opposed to arguably two career services plus volunteers, is going to lead to more efficient deployment of current resources?

Mr MULLINS — I will give you an example. At the moment 47 MFB brigades — I actually did not realise until recently that they only look after 40 per cent of Melbourne, so 60 per cent of Melbourne is looked after by CFA integrated brigades and volunteer brigades. So there is a different risk treatment between the two, and then you have all the interface issues when they are working together. Sorry, your question was specifically —

Mr MULINO — When you move to a single career service with the integrated —

Mr MULLINS — One of the downsides of that —

Mr MULINO — They will have a bigger pool of resources.

Mr MULLINS — In October 2013 there were major bushfires in the Blue Mountains and around Sydney. The MFB sent 10 fire engines and crews, but they were not trained in bushfire fighting. That was fine, so they sat in Sydney fire stations and responded to structure fires, medical emergencies, car crashes and chemicals spills. They did a fantastic job. The CFA came in force. It released 10 of our fire trucks to go up the mountain, and our people are trained. The value of an integrated structure is that those MFB firefighters will now have the opportunity to work out in regional areas and be trained in bushfire fighting. It will enable CFA career firefighters to be trained in high-rise firefighting. They are taking on the emergency medical response model to give that same service bundle.

What we do in Sydney, Newcastle and Wollongong, on a bad bushfire day we reduce the response to urban hazards because we know the risk. We take our crews, firefighters and trucks and send them out to the peripheral areas because they are trained in bushfire fighting. They bolster the resources of the Rural Fire Service, so we can take out 100 trucks, but you cannot do that at the moment. You do not have the capability. But under the new model in a few years time you will have that capability, so on Black Saturday — if, God

forbid, you have something like that come along again, and unfortunately you will — you will have this whole new resource that you can throw into the field.

Mr MULINO — Just one last one. The fire district review panel that has been recommended — that is based in part on the New South Wales model, an independent panel. Has that worked well in practice, based on your experience?

Mr MULLINS — Look, it is an enhancement of the New South Wales model, and part of my job as commissioner of Fire and Rescue New South Wales was to be co-chair of the Fire Services Joint Standing Committee, which went back to the 1995 work I did on the ministerial task force. What did not work up there was that the objective criteria sometimes were not applied, and it became very emotive, and that gets down to arguments about who responds quicker and who are the best firefighters, which I do not think are helpful arguments whatsoever. It was an objective treatment of the risk to say, ‘It looks like this. This is the sort of cover that you need, but we’ll still use the dedicated volunteers who are in the area. We’ll supplement them, not replace them’. So it is taking all the good things from New South Wales but making it more objective in terms of the criteria and more at arm’s length.

Mr YOUNG — Thank you, Mr Mullins, for coming in today. I just want to go back to your involvement with New South Wales and the restructure there. Can you just run us really quickly through that? Because you mentioned that you were given a brief and that you wanted the two fire services to work more closely together. How did you play that out as far as getting to the point where you had the restructure?

Mr MULLINS — The catalyst for change in New South Wales was our 1994 bushfires. Again I was commanding operations. I looked over my shoulder and there were MFB fire trucks from Melbourne and then CFA tankers working together on strike teams, which I was very grateful for, I can tell you. We lost a lot of homes, some lives, and the fires burnt for about eight weeks across 800 000 hectares, I think. There was a coronial inquiry into that, and prior to that the then Minister for Emergency Services, Bob Debus, appointed a three-person review panel; I was one of them.

Coming from that — we had 142 local government bushfire brigade organisations; they were merged into the Rural Fire Service in 1997. That was not easy, but it was seen as a positive change by most because people knew that things had to change — they could not go on the way they were. Coordination of fires was streamlined. It was made very clear that the Rural Fire Service would take the lead in landscape fires, backed up by national parks and forestry, and that the New South Wales Fire Brigade, as it was called at the time, would take the lead on structure fires, chemical spills, road accident rescue and building collapse rescue. There were consultative processes put in place like the Fire Services Joint Standing Committee, which has the Fire Brigade Employees’ Union and the Rural Fire Service Association — —

I could go into a lot of detail, which would probably bore you, but radio systems, the government radio network, interoperability, joint training of the incident controllers and level 3 incident controllers, the situation is — —

Mr YOUNG — We do not particularly need all those details, but I imagine that would have taken quite some time. Over what period was that?

Mr MULLINS — Some of it is still bedding in, but it was accepted. Firefighters just said, ‘Let’s give it a go’. There was union objection to forming a single rural fire service at the time. They wanted everybody to be amalgamated into a single service, which I know has been mentioned in Victoria before. That probably would have been World War III.

Mr YOUNG — But it was looked at?

Mr MULLINS — It was looked at, but it was rejected, because the cultures of the career firefighters and volunteer firefighters are quite different and the motivations are quite different. They are similar in some ways — they are there to save lives and property, and they will put their own lives on the line for people they have never met — but volunteers are very much community-based: ‘It’s my community, I know the people I am going to help’. Career fighters have to commit to — and this is in no way disparaging volunteers — very deep specialist training, for example, in building collapse rescue, emergency medical response. They are constantly studying and going for promotions. They do not elect their officers; they are appointed on merit. It is quite different, and you mix them with peril, I believe.

Mr YOUNG — It is somewhat of a concern of mine that only one option was looked at here. I understand some of the reasoning for that — that you need a model to review. Is there anything you can say to alleviate that concern that we should have looked at more options, considering New Zealand is currently going to a completely different model in the same way that the New South Wales regional areas did — going from a number of different services into one?

Mr MULLINS — Yes, the panel and I specifically asked the question, ‘Did you look at amalgamation? What else did you look at?’ — well, no, I do not think I specifically said, ‘Did you look at the amalgamation option?’ — and I think I got a look of horror because, like in New South Wales, trying to mix up the two cultures — —

It sort of worked in Queensland but by keeping them separate; it sort of worked in Western Australia by keeping them separate, but you are probably aware that they are looking at splitting rural fire and council bushfire brigades away, because they do not really mix. They are dealing with different hazards, and they do it in a different way. So yes, there was questioning about, ‘Did you look at this, this and this?’, and reasons were given as to why — —

Mr YOUNG — It was put in the too-hard basket?

Mr MULLINS — Well, if by ‘too-hard basket’ you mean not practical and would create more problems than it is worth, then yes.

Mr YOUNG — Obviously there have been a lot of issues that have been brought up throughout this inquiry and previous to it. Did you pre-empt any of those issues during your review of what should happen? Did you pre-empt any of those and what was — —

Mr MULLINS — Issues such as surge capacity, for example?

Mr YOUNG — Surge capacity, secondment, training — all those kinds of things — the funding model. Did you have a list of things that you could see were going to be problems down the track?

Mr MULLINS — Absolutely. I talked before about the passion that firefighters have. Regardless of whether they are paid or not, they are professional in what they do and they are passionate about what they do. When you change something like that, I know full well through my experience that some people can take that as a criticism, and it cuts to the core, so they get very emotional and then down the track very angry about it. The surge capacity issue, for example: there are urban brigades in built-up areas made up of volunteers. On a bad day they can be put onto strike teams and sent to danger areas. There is no reason why that should change, but I know that some volunteers have said, ‘Well, I’ll withdraw my services’. I should not say this, because I am not disparaging those who have said that. I understand where they are coming from; they are upset. But I think when the smoke goes up, they will think, ‘Well, I’m here, I’m trained’. It comes from their heart. I think most of them will go. For everyone who will not, I think there will be nine who will.

Mr YOUNG — So the committee was aware of all those problems?

Mr MULLINS — We turned our mind to that; we turned our mind to the secondment model, and I will say that I do not think it is perfect. However, we have the federal legislation — OEM, objectionable emergency management terms. My understanding is that if we have career firefighters employed by the CFA, it could stop all future enterprise agreements and you would actually have to pay people for what they do and they need to be able to provide for their families, so if you hold up an enterprise agreement on the basis of something that might go wrong and it requires the removal of people to another organisation and then for them to be seconded back, then so be it. But we understand there will be issues about, ‘Are they directed by the chief officer?’, and the answer is: absolutely.

Ms HARTLAND — If I could take up surge capacity again, when you were describing what happened in New South Wales you said that you had MFB come and assist et cetera. Does that also mean that in New South Wales the issue around surge is actually more manageable because you know where your volunteers are, you have got dedicated service, you know that you can get them from Victoria? Because surge is one of the things that people keep on telling us about — that if this legislation goes ahead, surge capacity will be completely lost.

Mr MULLINS — I will probably upset some people by saying this, but I think that is a fallacy. Surge capacity is about your available resources and however many thousands of volunteers you have. What you lack at the moment is a surge capacity from MFB resources because they are not able to be used on bushfires to their full extent. That will improve under this model. No volunteer brigades will be closed down. You will have the same number of trucks, hopefully the same number of volunteers. In 1997 in New South Wales some volunteers did resign, but they were a very small proportion. We actually had — I think it was in 1997 — bad fires in Sutherland in Sydney. We needed strike teams from out of area, they came, and there had been talk about surge capacity.

So there is nothing structural or process based that would prevent the use of available resources; it would only be if firefighters decided, 'We're not going to play anymore'. From what I have been able to hear, yes, there are some very emotional people implacably opposed to this, but the vast majority just want to get on with it. Most CFA regions do not have any integrated stations. I think eight do not have any integrated stations; another eight only have one. So you have 48 brigades or whatever that do not even know what it is like to interact with a career brigade. I know a lot of volunteers in the CFA, and they are saying, 'We don't care; we just want to get on with it'.

Ms HARTLAND — If we do not go forward with this legislation, are we also then putting the community at risk by not reforming the fire service?

Mr MULLINS — I believe so. I said it before and I will say it again: morale is poor. Constant disputation is wearing not only on firefighters but on senior officers who can become separated from their workforce because they are perceived to be against them, so there are a whole lot of cultural issues that creep in. That detracts from operational effectiveness, in my view. We have a path here. There could have been others. I am not sure what they were. I think it is aimed at fixing the problem and increasing the capability of the fire services in Victoria. It is a bold move and it was always going to be difficult, but I hope that the committee can hopefully come up with some issues that we did not think of on the expert panel, or the people who were working on it, and say, 'Look, you need to fix these'. I think that would be very, very useful.

Ms HARTLAND — So your experience of New South Wales, where you have done a similar thing — you have said that some volunteers resigned but not large numbers. Did people just adapt over time? Because obviously there is a lot of ill feeling out there. It is going to take some time for people to recover, but once they recover they are back into it.

Mr MULLINS — That was my experience. The difference, I suppose, in Victoria is that the CFA is far more mature than the bushfire brigades in New South Wales were in 1997. They had standardised equipment coming in, but the training was not standardised, or the uniforms, so over time people saw great improvements. What you have in Victoria is an outstanding — I will call it — rural fire service that deals with not just bushfires but house fires, chemical spills, road accident rescues, and the government is putting a lot of money in. I do not have to be political, and I am not political, but I am impressed with the amount of money that is going towards volunteer development programs. I have looked at the age profile of CFA volunteers, and they are getting older and older and there needs to be more attraction and retention, so they are going to invest in that at the same time as investing in cultural issues. There is no room for bullying, harassment — up or down — in any organisation, but the current situation is sort of allowing that to happen.

Mr RAMSAY — Thank you for your time this afternoon, Mr Mullins. I just have a couple of quick questions. I just want clarification again in relation to your evidence to another committee in relation to the model that was proposed by the Department of Premier and Cabinet. You indicated to us that in fact there was only one model that was advanced to your expert committee. Is that correct?

Mr MULLINS — When I say 'one model' it did involve the creation of a career fire service. Part of the questioning was, 'Well, we have to avoid that federal legislation because we are at an impasse and while ever we are at an impasse, firefighters will be pitched against each other'. So career firefighters will be thinking, 'The volunteers are stopping us getting our pay rise'; the volunteers are thinking, 'They're going to change operational arrangements'. It becomes a them and us. So, yes, the model was about the creation of a career fire service, Fire Rescue Victoria, and CFA focusing on backing up volunteers, and in that space of an ageing volunteer workforce. So that was the model. We were given free range to ask questions and to delve into the detail of how that would work. Look, if you ask me right here — over those months quite a number of things were put forward which we recommended against, and if you ask me now I cannot remember, so much water

has gone under the bridge, but there were different models of how to do things. They were incorporated and then finally the government decided, look, we are going to announce this because we need to start the consultation process.

Mr RAMSAY — I will just come back to that commonwealth bit in a minute. I was just wondering — you talked about minor changes and I am interested from the expert panel's point of view and the suggested changes they made to the government — were there any changes that the government did not accept from the expert panel?

Mr MULLINS — No. Actually, I was quite surprised because I have been in not the same process but similar processes before where advice was given and it was rejected. What I found was the government was very open to whatever we said and responded. We would come to the next meeting and there would be a response. I think every suggestion we put forward was accepted.

Mr RAMSAY — I referred to the New South Wales model in a previous hearing in a regional area and I made the observation that in New South Wales, where there was not such industrial conflict in relation to the two services, it seemed to help progress the reform in New South Wales. The difference of course between Victoria and New South Wales, as you well know, is that there are career-based firefighters in the New South Wales bushfire service, which sits under a different act to Fire and Rescue New South Wales and which quite appealed to me because I thought it would move away then from all the secondment issues. Was that not canvassed by the expert panel initially, given your experience in New South Wales?

Mr MULLINS — Sorry, you said there are paid firefighters in the New South Wales Rural Fire Service?

Mr RAMSAY — They are career-based, as I understand it.

Mr MULLINS — Office-based personnel.

Mr RAMSAY — Yes, that sit under a different employment — —

Mr MULLINS — They are not on fire trucks.

Mr RAMSAY — Well, they are middle management, whether they are on a fire truck or not.

Mr MULLINS — Yes, so in relation to the secondment model.

Mr RAMSAY — Was that discussed initially as a better model for Victoria than the current proposed model?

Mr MULLINS — No, because it is quite different. The career staff in New South Wales Rural Fire Service are covered by an industrial instrument and the respondent is the Public Service Association, so they are seen as admin and clerical staff, not firefighters. So they are not covered by the New South Wales Fire Brigade Employees Union, meaning that that legislation theoretically would not be called up because any industrial instrument that covers them does not impact on operational arrangements for volunteers. So the chances of OEMT coming up are remote at best. It is quite different. There are no staff employed by the Rural Fire Service covered by the New South Wales Fire Brigade Employees Union.

Mr RAMSAY — I am just wondering — and you know well the history of why we are at this point in time and you talked about the commonwealth legislation being a catalyst for the need for a new structure rather than a better service delivery — and I am at a loss. My understanding is that the commonwealth legislation nearly provides certain protection for volunteers under a proposed EBA where there are clauses that impact on volunteers on the fireground. I do not see that as a catalyst for a whole new reform structure for the fire service other than actually tweaking around the edges of providing that sort of surety for volunteers, as against better service delivery, whether it is in fire response times, like the 8 minutes that have been talked about. Did you initially have that view of why we would structurally reform rather than sort of service delivery reform?

Mr MULLINS — Look, it is probably best I do not really comment on that as a reason because to be honest the two reasons I came on board were that there was a great deal of conflict here — —

Mr RAMSAY — It was more industrial than it was about fire service delivery.

Mr MULLINS — Whether it is industrial or otherwise, it has permeated the culture of MFB in particular. I know there is a lot of conflict within MFB between senior officers and firefighters, a lot of stress. But I believe that the model is an improvement in operational practices because you are dealing with risks in urban areas in two different ways. They are getting two different risk treatments and whether one is better than the other or worse actually does not come into it but it does not make any sense. If you have a particular risk, it should be incumbent on a government to deal with it in a standard manner. Having one organisation overseeing that will enable that to be done over time. It will not be able to be done tomorrow. Similarly with bushfires. You have EMV, Forest Fire Management and CFA looking after that aspect. That needs to be dealt with in a standard manner.

So I think the time for tweaking the edges is long gone in Victoria. I will be honest: if I had a magic wand, I would amalgamate the services but gee, would they not like me. I think I would have to jump on the next stage out of town. I think this is good, logical change and I hope that people will see the benefits of it. Frankly, the industrial side of things, I understand. It does not interest me that much. I am focusing on the operational improvements that I believe will come from it.

Mr LEANE — Thank you for your time. Since coming to this committee and reading submissions and educating myself as best as I can, I have a real concern that there are two different types of fire protection delivery or fire rescue delivery across the metropolitan region that I represent. Am I right in having that concern?

Mr MULLINS — Yes. Look, I am not saying one is better than the other, but as I just said before, for the same risk you are getting different risk treatments. The reform path, my involvement in that is that we need into the future to change that so that we are dealing with the same risk in the same manner. It will not be possible immediately but into the future it will be.

Mr LEANE — Given that in outer Melbourne there are different crews — there are integrated crews and fully volunteer crews — that interact with each other and given the submissions that we have got, the numbers and the efforts of some volunteer crews seem to stack up quite well and some do not. Some have actually asked for career firefighters to come because of their commitment to public safety. With the crews that are outside the integrated stations, the volunteer stations on the urban fringe, what is the process for them? They are concerned that they will be taken over and that there will be agendas run by all sorts of people, but what is the process for them if they ever do come into Fire Rescue Victoria?

Mr MULLINS — I do not know if they will ever become part of Fire Rescue Victoria in the future, but on the operational implementation committee the chief officer of the CFA has made it very clear that these volunteers give of themselves selflessly and readily. They are trained to wear breathing apparatus to do structure fire attack. Some of them have bought equipment through their own fundraising efforts to improve the service they give to their communities. There is agreement already on that committee that, if we deny the community that service that is being so readily provided now as a result of these changes, then we will have failed in our job. We need to make sure that they know that they are still valued so that they will still be responding and so there is no degradation.

What we want to see from this is improved response into the future. That might mean through a hazard categorisation process or a risk treatment process that there might be more career stations in future decades or years — I do not know — but this will create an organisation that can look objectively at the fire district boundary process and say, ‘Here’s a certain type of risk. Here’s how it needs to be treated, and look, aren’t we lucky that we’ve got all of these volunteer brigades in there who belong to CFA? They’ll still respond, and they’re available for surge capacity on a bad bushfire day’.

I live on the northern beaches of Sydney surrounded by bush, but it is built up. There is a rural fire brigade 300 metres from my home within Fire and Rescue New South Wales jurisdiction. They respond together when appropriate, and they back each other up. So if Fire and Rescue New South Wales goes out of area to structure fires, chemical spills or road accidents, as you come into Sydney Harbour, Fire and Rescue New South Wales does not have bushfire tankers at Manly, Dee Why or places like that, so the rural fire service comes into North Head to work with Fire and Rescue New South Wales. This can work. It takes goodwill, and that is a bit lacking at the moment. That is the culture stuff. There really needs to be a bit of healing take place. The longer this process takes, the harder that is going to be.

Mr LEANE — The Chair is looking at me; this is the last question. I want to ask some more, but they may be on notice. I would have to disagree with something the Chair said. We would not be politicians if we did not disagree. We would not be doing our job. The Chair said that the bulk of the volunteers are against this reform, but at integrated stations we have found that not to be the evidence whatsoever, and they are the ones where volunteers will be seen to be affected most by this reform in terms of their day-to-day volunteering. Regarding this reform and the changes to the CFA act, what is the effect on volunteers at rural brigades?

Mr MULLINS — My understanding is very little. Their operational practices will not change. The support they will receive from operational officers and training officers will not change, but there will be an injection of funding to assist with the attraction and retention of volunteers. There will be a fire station building program by the new infrastructure authority. I think there will be \$44 million to upgrade fire stations. There will be expenditure on fleet. I am not trying to market on behalf of the government; I just find it impressive. I wish I had got that before I retired — a whole lot of money invested in really needy areas.

I believe the CFA will be far better off in those volunteer brigades. It is a worrying and concerning time for the volunteers at integrated brigades or in the catchment, but part of my committee's remit is to make sure that they are still used, and the consultation will take place down the track. I do not think there will be a huge effect.

Mr O'SULLIVAN — Thanks, Mr Mullins, for coming in. I want to talk about cultural issues within the fire services, particularly in relation to bullying, harassment and sexual discrimination. As you are well aware, these issues are prevalent in New South Wales, where they were addressed by ICAC when you were the commissioner. Down here in Victoria they are being addressed by the equal opportunity and human rights commission. How will this new model, this reform program, actually solve those issues, which seem to run very deep?

Mr MULLINS — I know there is a desire to have not a heads of agreement — I have forgotten what the term is — but it is following a Canadian model. I think it is relationships by objectives, but it is having all of the parties come together, because you must get the union on board. You must get the VFBV on board.

The CHAIR — Is it the accord?

Mr MULLINS — The accord, thank you, Chair. It is about respect. In 2010 and 2011 in the New South Wales fire brigade we changed our name. Sometime after that we had revelations — I will not go into detail — about bullying, harassment and assaults in fire stations in the 1950s, 1960s and 1970s and even up to the 1980s. A police task force came to me and said, 'What happened in 1985? It just sort of stopped'. The answer was that women came into the fire service and it immediately improved the workplaces. Probably the proudest day in my career was 15 December last year with our first 50-50 male-female recruit class, and they all are now. The union came on board with that. It is having a more diverse workplace but making it very clear, from top to bottom, that bullying, harassment and disrespect in the workplace will not be tolerated. We remember Lieutenant General David Morrison and that famous statement, 'The standard you walk past is the standard you accept'.

That is what management needs to do in every workplace with every station officer and captain. You cannot do it from an office in Melbourne; it has got to be throughout. You have to have that discussion about values. Creating a single organisation — if I were doing it, I would say one of the first discussions is our organisational values — let us all commit to this. You also have to have a stick in your hand, and that is a professional standards office that is well resourced and has investigators. If people do not fit that culture, you need to get rid of them; they need to go. We did a lot of that in New South Wales too, unfortunately, but you can turn the corner if there is commitment.

I know there is money. Education of leaders — you will not find a senior officer in New South Wales who has not got a masters degree. They used to ask me, 'What do I study?'. I said, 'I don't care'. Tertiary study teaches you to learn and to listen.

The culture has changed but it has got a long way to go. I am confident the men and women who respond to the alarms in Victoria are exactly the same as in New South Wales. They want leadership, they do not want to be treated with disrespect in any way and they want to be led well. If this reform can do that and says that it will put resources into making sure and it will take time, it will be a very good thing for the people of Victoria.

Mr O'SULLIVAN — That flows onto my next question still in the cultural area. One of the frustrations that you have expressed publicly in New South Wales was the process and the role of the unions within the fire service. We have heard bits and pieces from evidence down here about some of the obstacles from an industrial point of view. Part of this whole reform is about modernising the fire services. Do you also believe that we need to have modernisation within the leadership of the fire unions to get through these EBA issues that are significant for us and part of the reason we are having this inquiry?

Mr MULLINS — I will turn that around a little bit if I may. I suppose you need to get to the basis of why a union feels that it has to be involved in the level of operational decision-making that seems to be evident in Victoria. I was a union official for 10, 11 years early in my career. I believe unions should be focusing on wages, conditions and safety of the workforce.

Mr O'SULLIVAN — I agree.

Mr MULLINS — I have had some tussles with the New South Wales Fire Brigade Employees Union and said, 'No, I'm the chief. I'll make the decisions, but I'll make them fairly and openly and transparently, and you have means at your disposal if you want to dispute that'. We had consultative processes and at the end of the day we were friends. We were able to have a stoush but shake hands afterwards and say, 'See you tomorrow' when we talk about this other issue. So respect has to be the basis of that relationship and I am not sure that that is evident at the moment. It is probably because of a lot of history down here. It is going to take a lot of work.

Mr O'SULLIVAN — We have seen that the EBA, the one in Victoria that we are having difficulties with right now, is more than 500 pages. Do you think that if we restructure the way that operates — modernised the industrial aspect of how we were trying to resolve all of these issues and go back to exactly what you say, have the EBA revolving around wages and conditions, issues you have dealt with in many other areas — do you think that would be a much better way to go forward?

Mr MULLINS — I would hope that through the reforms at some stage in the future there is a building of trust, a building of respect, and issues like that will cooperatively be solved. Again it would be like if I suggested on the expert panel, 'Look, we should change this EA because it is not the same as in New South Wales or South Australia; let's get rid of all this stuff', I know what the answer would be. There would be no support whatsoever for the substantive change.

I think it needs to be an evolution, not a revolution, because we can see the very reason you ladies and gentlemen are here is because there have been concerns raised just about the level of change we have already, let alone putting another layer on that. We do not have an industrial agreement like that in New South Wales, but that is because we have built trust and respect between the parties.

Ms SYMES — Almost unanimously there has been support for some type of reform, as we have heard from nearly every witness that we have had. Along with that has come criticism that there is not enough detail or there has been lack of consultation on the one hand, but then on the other hand people are very clearly saying that not a one-size solution will fit every scenario. That is where I think the framework that is being provided has opportunity through your committee to be implemented, having consideration of those individual community issues. I am just wondering from your perspective, and it might also be a question for Steve Warrington, what focus on volunteers will there be in overseeing the implementation of the reforms?

Mr MULLINS — Thank you for the question. Very clearly a huge part of our deliberations will be based on volunteers and retaining volunteers, and making sure that the things that they are concerned about are addressed, such as how volunteers in integrated stations remain a part of CFA and are still called out and the urban brigades in the catchment of a career brigade are still called out, even though they might be in a FRV district. Chief Warrington is bringing all those issues to the table very clearly to Commissioner Lapsley. That is a huge focus of our deliberations and I am confident that we will be able to deal with specific issues as they arise.

I actually thought that it changed, but not a great deal of detail, as a positive because otherwise it would have been a package saying, 'Here it is; take it or leave it'. But what has happened here is, 'Here is the broad outline and here are the things that are not negotiable. We will form two organisations and have fire districts et cetera, but we are going to consult now. What are the issues you are concerned about?'.

I think Steve Warrington has been to 67 different fire stations over the last few weeks, with the Deputy Premier to many of them. I think 2600 people have been spoken to, and that feedback is coming back to us. You have got these professionals who I admire — Stephanie Rotarangi with forest fire management, Steve Warrington, Craig Lapsley, Paul Stacchino and others. They are totally dedicated to making sure that this works because they know the price to the community and to firefighter safety if it does not. You have got that commitment from me also because firefighters are family.

The CHAIR — Mr Mullins, thank you for your evidence this afternoon. The committee very much appreciates your attendance today and making yourself available from Sydney. Obviously this is a very important body of work the committee is looking at and your evidence has been very helpful. There will be a draft transcript for you in the next couple of days for any corrections. Thank you very much for your time.

Mr MULLINS — Thanks, Mr Chair. Thanks, everybody.

Witness withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 24 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Participating Member

Dr Rachel Carling-Jenkins

Witnesses

Mr Rohan Stevens (affirmed), First Lieutenant, and

Mr Robert Saitta (affirmed), Captain, Country Fire Authority Epping; and

Ms Diana Ferguson (affirmed), Captain, and

Ms Kim Phillips (affirmed), First Lieutenant, Country Fire Authority Bayswater.

The CHAIR — I declare open the Legislative Council select committee inquiry into fire services restructure. I welcome our witnesses this afternoon from CFA brigades at Bayswater and Epping. From Bayswater brigade we have the captain, Diana Ferguson, and Kim Phillips, the first lieutenant; and from CFA Epping brigade we have the captain, Robert Saitta, and the first lieutenant, Rohan Stevens. Thank you very much for your attendance this afternoon at short notice. The committee very much appreciates your efforts.

All evidence that is being given today is protected by parliamentary privilege; however, any comments you make outside the hearing are not so protected. The evidence is being recorded by Hansard and you will be provided with a proof version of the transcript in the next couple of days for any corrections that you wish to make. The committee has allocated until 3 o'clock for this particular hearing and around 5 to 10 minutes for any opening statements you wish to make. So I invite you to do so if you would like to make any opening statements before the committee proceeds to questions.

Visual presentation.

Mr STEVENS — We do have a short presentation and a handout of those if we could pass them around. First, by way of introduction, Rob, if you would like to introduce yourself.

Mr SAITTA — Robert Saitta, the current captain of the Epping fire brigade. I have been a member of CFA for over 20 years and as I said am the current captain of Epping. I have held numerous positions in my time, going from third lieutenant up to first lieutenant and am currently captain. I also hold other positions in the state rescue executive on the executive team. Basically that is about it.

Mr STEVENS — Rohan Stevens, the first lieutenant at Epping. I have been with CFA for a bit over 20 years and this is my third station and third district. I also hold a dual role. I am also deputy group officer with the Hume fire brigades group, which covers eight brigades in district 14.

Ms FERGUSON — Diana Ferguson; I am currently the captain of Bayswater fire brigade and have been for over six years. Bayswater fire brigade is a fully volunteer fire brigade in eastern metro Melbourne. I have been a volunteer member of the CFA for the past 24 years. Prior to moving to Bayswater fire brigade I was a volunteer firefighter out at Boronia fire brigade, which is an integrated fire station. I am currently an operations officer at Victoria State Emergency Service. In 2001 I commenced employment with CFA as a support officer in the State Emergency Coordination Centre. I spent 12 years working for CFA in various roles within headquarters and within the regions. In 2011 I took up full-time employment in SES. Given my volunteer and employment history in the emergency services I feel well qualified to give informed opinions on this fire services bill.

Ms PHILLIPS — Kim Phillips, currently the first lieutenant at Bayswater. I have been at Bayswater for 16 years. I worked my way up from fourth lieutenant up to first.

Mr STEVENS — Just a quick introduction to both the brigades so the committee has some appreciation for where the brigades come from and what they do. Starting first with the Epping brigade, which was established in 1944 with a fairly rudimentary rural tanker and wet beaters and has evolved now to quite a modern station, with both an urban pumper appliance, tanker, road rescue and a couple of support vehicles. Quite a number of members are qualified in structural fire response and surrounded quite heavily now by both CFA and MFB career staff and respond with each other on quite a regular basis.

We have seen quite a steady increase in our call rate certainly over the last 10 years, averaging around about the 460 to 470 calls a year, and that area has also changed quite largely in terms of its risk dynamic from a fairly semirural property area back quite a few years ago to now fairly heavily low and medium-density housing and urban estates. In terms of our response tables, in terms of the mapping there — it is a bit hard to see on the slides there — it shows the primary response area being in that Epping area, supporting MFB to the south and vice versa; career staff at South Morang supporting both South Morang and vice versa; at Craigieburn and Wollert, which is a wholly volunteer brigade to the north.

Ms FERGUSON — Bayswater fire brigade was established in 1969. Our original vehicle there was an Austin tanker and a front-mounted pumper. We are also surrounded predominantly by volunteer brigades, with MFB to the north and the integrated brigade out at Boronia with career firefighters. Our response is fully supported by staff for what you would know as your code 1 calls.

We also have a really unique position in Bayswater. We own the only volunteer-operated breathing apparatus support vehicle in the state. This vehicle is currently considered one of the busiest in the state. It supports both CFA and MFB at incidents, and we do attend regular training and support many CFA brigades in respect to training and joint training nights in regard to the filling of breathing apparatus, known as BA. We currently have a modernised medium pumper, a 3.4C tanker, a slip-on and the now new BA van, which has been supplied by CFA and is currently becoming operational as we speak.

Over the last 10 years we have had a very steady call rate. This has been between 400 to 500 calls a year. We are in a very what you would consider urbanised area. We have industrial risks, we have a rail network through the area and high transport usage along Mountain Highway. Our brigade response tables have career staff supporting into all calls, as I have said. We have a very strong response capability from the volunteer ranks. In Bayswater we have 87 members on the books, and of those 87 we have 50 operational firefighters. We are a very strong, well-versed brigade and have good relationships with our local crews, both with MFB and CFA.

I would like to continue by highlighting just a couple of things before we proceed to questions, if that is okay, Chair.

The CHAIR — Yes.

Ms FERGUSON — I would like to start with highlighting my concern on the fact that the presumptive compensation has been placed together with the fire services reform bill. I feel these should be totally legislated separately. I do not see anything in common for either of them. I would like to recommend to this committee that the proposed firefighter presumptive rights compensation aspect of the proposed bill be annexed and be the subject of separate consultation and consideration.

Under the proposed fire services model, CFA will operate hundreds of fire brigades that will be and currently are in built-up areas, operating things like urbanised medium pumpers. The new CFA must commit to and be resourced to train volunteers in the built-up environment and be able to provide this level of service going forward. The access to training is of concern. There has been recently, as you may well be aware, a Victorian Emergency Management Training Centre built in Craigieburn. This centre has not had the ability to accommodate volunteer firefighters to do the training, the reason being that as a volunteer we are generally available of an evening and a weekend. The facility has not got lights to accommodate firefighter training of a night-time, and it has not been designed to accommodate volunteers of a night-time.

The other concern I would like to address is the consideration around the boundary review. We must firstly engage with volunteer brigades. There is a real concern to us with the proposed changes and the effects this will have on the response capability and surge capacity of the CFA. We simply cannot afford to lose the metropolitan Melbourne capacity of volunteers, and I am more than happy to answer any questions going forward regarding that.

We must ensure that the staff and volunteers train together; that staff work under the incident controller whether the incident controller is staff or volunteer — we are all trained to the same level and are quite capable of managing incidents, and this is proven; that the integrated incident grounds have all services working together on the incident ground; that respect of all is absolutely critical; and that there is no division between staff and volunteers, men and women. This is a challenge I set you, the committee, going forward.

The CHAIR — Thanks, Ms Ferguson. That gives the committee a good overview on your perspective of those key issues. Can I actually take those issues up with the representatives from Epping as well?

Mr STEVENS — Certainly.

The CHAIR — Could you outline your experiences too? Ms Ferguson referred to access to training at the Craigieburn facility and that not being available to the volunteers in her brigade. Has that been the experience with Epping?

Mr STEVENS — It is. It certainly has been the experience, and also we are very mindful of the level of activity. That centre has also been fairly heavily populated by career staff and recruitment through there. Certainly night-time training has not been on the menu for volunteers to attend, and that has been further hampered by the closure of Fiskville as well.

The CHAIR — To your knowledge, why was the facility developed in such a way that it could not be used at night when the volunteers are available?

Mr STEVENS — I am not aware of any particular reason, no.

The CHAIR — And weekend access?

Mr STEVENS — We are set down training by way of calendar in terms of the training grounds used. Effectively we place a number of requests — twice a year, in fact — and we are told which training grounds are available and which courses are available to attend. As it stands now, for brigades in the district 14 area, which is where Epping brigade is placed, the south-east training ground, which is out at Bangholme in the south-east, is the allocated training ground until a new training centre hopefully comes online once built out at Ballan, which will be the replacement for Fiskville.

The CHAIR — Can I also ask about something that Ms Ferguson went to, which was activities on the fireground. Ms Ferguson made the point that an incident controller, whether they be a volunteer or career member, should be able to lead an incident and be respected in that role. Has it been the case or the experience that that is not respected where a volunteer occupies an incident controller role?

Ms FERGUSON — It would depend on the person at the time. The majority of the time, as it sits at the moment, that is not an issue. Certainly between MFB and the staff at Boronia at the moment, the situation has been that they are happy to obviously have a volunteer as an incident controller. The concern is the way that the bill is written. That may not be possible into the future.

The CHAIR — And Epping's experience on the fireground?

Mr STEVENS — To date we have not experienced any widespread issues at all in that regard. The incident controller role is predicated on who arrives first and assumes control of that incident, so if that is a career station, a station officer or a senior station officer assumes control, and at some stage during that incident they may transfer control back to the volunteer brigade or not depending on what the situation is. If a volunteer arrives first and vice versa, they assume control. But there are no specific issues that have been occurring in a systematic way at all.

The CHAIR — Mr Saitta, do you have a view on that from your perspective?

Mr SAITTA — My view on that has been as an incident controller on large fires that have come through Epping over recent times. For the initial call and everything like that, I have been incident controller until it has gone up the levels to the ICC and that, and then I become part of operations on the fireground. Once a lot of the fire fight has been done, there have been cases where staff brigades, as in MFB particularly, once most of the flames are out and they are blacking out, which is the work that carries on for days after the event, have sort of made their point and also their view that they are not there for that. And if they have sort of been asked to stay on and help out with that, they have, but that has not gone without any sort of argument to the point. That is basically the stuff with the fireground. Otherwise it all seems to work and be managed fairly well.

They respect us; we respect them. A lot of the guys around the stations that are close to Epping know what capabilities we have, and we know their capabilities, so we get trusted to look after some of their jobs in certain sectors, the same as we do with them. It is just the larger sorts of fires that bring in other people that do not know the culture and do not know the aspects of us and what we are capable of.

The CHAIR — Ms Ferguson, you have concerns that the new structure may undermine that incident control model that you have used to date. Can you outline why that is?

Ms FERGUSON — I think it is important that we are able to train and ensure that the same level of structural training and incident management training is offered to volunteers as it is to staff. Currently I can say that spots have been limited and obviously there are budget restraints as to how much we can obviously fund and train volunteers and staff, but the opportunity needs to be recognised and we need to ensure CFA is well budgeted for training to ensure the level of experience and training offered to volunteers includes incident management training as incident controllers, planning officers, logistics et cetera. At the moment that is limited, and that is my opinion.

Mr MULINO — Just on the issue of training — and I think a number of volunteer brigades and individual volunteers have talked about current limitations on training — one aspect of the current proposal is to put more resourcing into training. Some of the details of that will be figured out through the implementation process, but it sounds as though you are supportive of more resourcing for training in general terms.

Ms FERGUSON — Absolutely.

Mr STEVENS — If I may, my secondary role as the deputy group officer for the Hume fire brigades group is as the training officer responsible for those brigades with planning and coordination. One of the committees I sit on in district 14 is the district planning committee, on which all the brigades and the deputy group officers in the groups within the training sphere actually meet and discuss whatever issues we actually have going. From a structural firefighting perspective, one of the greatest issues we are facing right now is the lack of structural firefighting training for those volunteers. The current gap, as we estimate at this stage, is between 150 and 200 members.

To give the committee some perspective as to the issue that causes, each one of those courses will run for anywhere from 13 to 16 weeks based on some current planning. The issue we have with that is we can get a maximum of about 18 to 20 people through each time. One of the issues we are going to face ongoing from now is the amount of people we can actually physically train. They need these training facilities to fulfil some of the practical components of that training. Due to the shortage of those training facilities right now and in the foreseeable future until others come online, that is going to be a limiting factor that we have got. So when we start looking at the operational impact of that is when we start looking at the amount of operational and structurally qualified firefighters. That is a limiting factor as to why those numbers are not as high as they should be right now.

Mr MULINO — So just on some operational issues, we received some evidence this morning from an officer in charge of an integrated station, and that station works at times with CFA volunteer stations, sometimes with MFB and sometimes with both. He talked about a particular incident but said that quite often there were logistical complications in almost having three types of stations — paid MFB, integrated and volunteer — and he would often have to take three radios with him. I just had a more general question. Do you think that the current system is in need of some reform and strengthening?

Mr STEVENS — From a logistics and communications perspective? One of the challenges which we do have particularly as brigades on a border, be they CFA or MFB, irrespective of service, is there are two different radio networks at work. There is no difference within CFA itself between volunteer and integrated brigades — we are obviously on the same network there — but between agencies there is certainly a difference, and it is common practice to actually have to carry two sorts of radios at each one of those jobs. Given that there is fireground traffic, they use fireground communications that both agencies are running with. That gets more difficult the bigger that incident gets, because now there are more and more resources coming in, particularly — I talk firsthand from the CFA perspective — the further out from the metropolitan region that CFA gets. Those stations do not have MFB radios in their trucks as you get further out. That causes communications issues on the fireground, because now you are trying to chase separate units operating on different radios from one location.

Mr MULINO — We just heard from somebody who gave expert opinion to DPC in coming up with the details of this model that his experience from New South Wales and over a long period of time in working with Victorian firefighters, both volunteer and career, was that there was no difference between individuals, but he felt that the structure of the agencies of Victoria was in need of a refresh. What do you say to that in light of the fact that the state is experiencing such rapid population growth change and other change?

Mr STEVENS — Talking again personally from an incident control perspective and also looking at some of the larger jobs in our patch, one of the key issues that we do face, again, is that it is the communications structures which are actually causing us grief. Every job we go to that actually escalates, when we need quite a number of resources on site, we need additional positions on these incident management teams to actually coordinate resources. That is one of the bigger issues. Having the AIIMS ICS structure, which is the incident management structure, does give us the interoperability that we do need across agencies, and obviously I have not mentioned any of the other networked emergency organisations that come into that. But communications are really the biggest issue we do have.

Ms FERGUSON — We do train to the same level. Both MFB and CFA work under the same structure in incident management, so it is very seamless and it operates quite well under that structure.

Mr YOUNG — We have been touring around regional Victoria for the last couple of weeks, and what we have found is two very distinct groups of people that are for it and against it. It seems volunteers are overwhelmingly against this legislation, whereas full-time staff are seemingly overwhelmingly for it. I was interested to see what would happen when we came to Melbourne and saw a couple of brigades that are integrated and volunteer a bit closer to the city. I was just wondering what your thoughts were on why that is — why have we got such a division here? Why is one camp so for the legislation and one camp so against it?

Ms FERGUSON — I would suggest that perhaps there is a lack of education around the detail of what is going to occur.

Mr STEVENS — I think some of it also comes down to the familiarity of actually working with different groups. Obviously speaking from our brigade's perspective, we work with the MFB on a regular basis, and we work with CFA staff on a regular basis too, so there is less uncertainty as to how those personal relationships are going to be ongoing, because they are already developed; they are already there. I think one of the key things which we have been discussing, certainly in our brigade, is within the CFA the current ability to increase response capability by actually employing staff in integrated stations, which has occurred for quite a number of years now and, certainly in our view, should continue to occur in the future. As that risk dynamic increases, be it through residential or industry or indeed if a brigade is actually having difficulty getting out the door due to a lack of numbers or some other particular issue, there are escalations, and there are ways and means an agency already has to increase capability to make sure that, again, the community safety is actually upheld.

Mr YOUNG — I will come back to that point on increased capability, but first of all, in regard to the information or lack thereof that you have received, could you just run me through a bit of a time line and the content of what briefings or information have been provided to you about this bill?

Ms FERGUSON — We in district 13 — there was a briefing, which was about two months ago and which was conducted in Monbulk, where all brigades were invited to attend and hear the briefing. That is the only briefing we have had. In regard to being able to sit down and have the opportunity to be able to explore, probably at brigade level, exactly what this means for us, what the reform means and what the boundary review means — I think that lack of certainty in being able to know exactly how it is going to affect us going forward is what is creating a lot of angst.

As you can understand, change is always challenging, and the important thing is I think we need a level of comfort. We are talking about volunteers that work and give up their lives. It is a passion, and our motivations are very different to those of the staff. It is a way of living, and it is something we would not change. When that starts to become, I suppose, a bit threatened, obviously it is going to be the natural response to have a bit of resistance to change. And that is why I say let us, firstly, engage these volunteers. Engage us and talk to us so we can work through what it means for us. Change is good, as long as it is done with the right consideration and consultation.

Mr SAIITA — Just on your question there, the lack of consultation is a big concern for our brigade. We had James Merlino. He was at Craigieburn and would have driven through Epping to head over to South Morang and then over to Eltham. Predominantly he went to the career or integrated stations. I knew nothing about it. Our brigade members knew nothing about it until it was spoken about later on during the day.

I made an invitation to Bronwyn Halfpenny to come out to the brigade after the third time of her having cancelled due to reasons on her behalf. She finally met with the brigade after the bill had gone through the lower house. She came to the brigade, to one brigade meeting, with brigade members — probably between 38 and 42 of us — and we raised different questions about what was happening, what we had been hearing and how it was all going to work. Bronwyn took a lot of that away, and then a month later she came back to the brigade with Craig Lapsley, and he came out and basically told us how it is going to work, but there was still a lot lacking in the details. Everything that he brought up on that night was exactly what we have been seeing around with the whiteboard presentation, but it was lacking in detail on what was going on.

Mr YOUNG — So it is safe to say you are not happy with the amount of feedback that you have been able to give, so what I am going to ask you now is an opportunity to put aside this bill for a second and give us some

feedback. If we were to ask you, 'What is your number one priority? What do you need to deliver a better service to the Victorian community?', what would it be?

Mr STEVENS — I can give one example, which again is quite a wide one with our group of brigades, with those eight. One thing which we rely on quite heavily during that summer period is strike teams, which is five trucks and a command vehicle to go out to larger scale incidents to assist crews. One of the key resources we rely heavily upon is station officers or senior station officers at integrated brigades to perform that role — one, due to their experience and their operational capability, and also to make sure that we have got a guaranteed person all the time.

One of the things which, when Craig Lapsley did arrive at Epping, was a question that I certainly put to him — and it is just not there in the detail again as to what is going to happen — is whether that arrangement can continue if services split or whether it can continue through some other arrangement. Certainly the feedback I gave him straight off at that stage was, if that were to stop for whatever reason, that would have quite a significant operational impact certainly in our patch during that summertime period, given the reliance we have on having career crews actually staffing that strike team leader role and providing that command control, which we do need, with the trucks.

Ms HARTLAND — Thanks very much for being here today. It is interesting for me too, because I have been out at a lot of these country hearings, or all of them, and I have seen a division in volunteers — that there are a number of volunteers who are quite supportive of the change and actually think that it will actually bring more resources into the CFA. These have tended to be people who are in integrated stations as well, so they have got, as it sounds like with you, good working relationships with local people. I understand completely the issue about consultation. It has been put to us that if the framework had not just been put up, we would be talking about this in another decade and nothing would have changed. It is not perfect; it is what we have got. What is the meat on the bones that you need to see to make you feel comfortable with this going forward?

Ms FERGUSON — What we need is assurance that volunteerism will continue to be supported, embraced and grown going forward, that Bayswater and other urban brigades will not be threatened with being taken over. There have been incidents where staff members have made comment — Bayswater, for example. We are in the process of building a new fire station. We have had staff members saying, 'Once Fire Rescue Victoria comes in, they will be taking over'. This is the kind of stuff that has got to stop. We need to know that that is not the case.

Mr STEVENS — The other one from us, from Epping brigade, is going to be the ongoing level of respect that our members are shown. And I am not talking about the career staff; I am actually talking about it in an organisational sense and certainly from the state of Victoria. If I look at our members — and I obviously have been a member of CFA for quite a number of years now — you can always tell. The level of activity within a brigade is always predicated upon the morale within that brigade — how well they feel they are supported and how well they feel they are actually trusted to deliver that role. If that is impacted in any way and the mood is low, then I can tell you that the response is going to be low as well. So it is important to make sure that those members feel that they still play an active part in their communities in providing that arrangement.

Looking at our brigade area, we have a number of career stations in the area which actually support in. That joint relationship and that joint mode of active response can absolutely continue, but we need to make sure that those volunteers are actually supported.

If I can tell you very quickly about the journey of a volunteer to get them to a good level of response capability, generally in my experience it is a four to five-year journey to get that person to the point where they have actually got all the structure firefighting qualifications, they have got all the right gear, they know how to wear it and they are a good member you can actually get to perform certain risky tasks. If we cannot keep those members past that five-year mark and if we are having trouble attracting members into the ranks to stay for that period of time, we are going to see a reduction in capability over a period of time, which is really difficult to pick up. It is very different to a workplace sense where you advertise roles and you get qualified people taken in. This takes a long period of time, and it evolves in cycles. It does not happen in a very quick fashion.

Mr SAITTA — As volunteers, we have sacrificed a lot for our community because that is what we are here for — we are here for our community. And also in a way I can say for myself I feel a little bit of disrespect coming from the bill that we do not get the devil in the detail of it. We have got this bill, and it is sort of getting pushed without any level of detail, and that also goes back to being consulted as well.

Ms PHILLIPS — As much as Captain Diana has said: just the unknown future. Bayswater has worked for 10 years on this station. We have outgrown where we are and everything. So for 10 years we have fought for a new station, we are getting it and it really hurts to hear rumours that we will be pushed out by FRV. It comes down to the morale of the brigade when they hear that and everything, so it is no future for them.

Ms HARTLAND — It is that direct answer rather than the rumour that is what is really important.

Ms PHILLIPS — Yes. Just to hear bits and pieces so you do not know what is going on, but yes, if we were fully told — —

Ms HARTLAND — And I have noted the lights at the training centre, so when we have the CFA in we will ask them about that.

Mr RAMSAY — Thank you very much for your time this afternoon. I was going to cover the consultation issue as well given since the last hearing in Hamilton I have been besieged by texts from all sorts of brigades all over Victoria saying that the government has perhaps been less than honest and frank about the consultation process they went through, because many, many CFA brigades were not consulted in any degree in relation to the proposal. There are a couple of questions I want to ask. One is: the UFU have indicated the premise of this considerable structural reform is about particularly the volunteer brigades not meeting their 8-minute response times, so from your own brigades I would just like to get an indication of whether you feel you meet the required response to provide that community safety under the current structure.

Mr SAITTA — Under the current structure the mechanisms are there so that it does not matter which badge is on the side of the truck, a vehicle will be there within the SDS of 8 minutes, which is the customer delivery standard, whether it be a CFA truck, an MFB truck or some other sort of truck that looks like coming. Basically it does not matter which organisation it is, the customer is the number one priority, and it does not matter which badge is on the door.

Mr RAMSAY — So do you think it is unfair criticism that the catalyst for this structural reform is based on the fact that volunteer brigades cannot meet their response times?

Mr SAITTA — I can only speak for Epping. We feel that we do meet our response times. There might be one or two times where, out of our control due to traffic and the like, we might not be there within the 8 minutes, but there is a fire truck that will be there within the 8 minutes, whether it is from the neighbouring brigade or from the MFB. That works on the other side as well; sometimes the MFB might not be there within minutes and sometimes we are there within 8 minutes. It all depends on where the vehicle is at the time.

Mr RAMSAY — The point being, though, we do not need the structural reform for — —

Mr SAITTA — Well, the mechanisms are in place that if a brigade is lacking or there is a problem, the current structure that is in place now, where that brigade will become integrated — there is nothing wrong with that structure.

Mr RAMSAY — Does Bayswater have a similar view?

Ms FERGUSON — Absolutely. There is a customer service standard, and that is definitely being met, as I highlighted earlier. MFB and CFA staff support 100 per cent into Bayswater area, and we support into Boronia and the Heathmont area. Can I highlight that in the Heathmont area, up through Canterbury Road, Bayswater fire brigade — volunteer fire brigade — is at those jobs the majority of time as the second appliance on scene. There have been many occasions where we were actually first. I do not see an issue with the current service level standards; in fact I think the community is getting a great benefit. When we have large fires in Heathmont and Ringwood, which is an MFB area, the last one out at Dakota, there were three Bayswater vehicles there, all volunteers — 15 of them. Now, that fire also had South Warrandyte volunteers there and Boronia. It was well serviced by both staff and volunteers. This is the surge capacity of the built-up area that volunteers give both in MFB and CFA.

Mr SAITTA — Just on the recent fire at Coolaroo, Epping brigade was dispatched to that call. We also had a number of fire stations around the area that were dispatched to that call as well. Our second truck was dispatched to that call. Upon a phone call with the RDO of the day there was no coverage around Epping or around surrounding areas. Our vehicle remained in the station, and then we got a step up into our station and for

a good probably half of the day we covered about four or five other brigade areas while all the other trucks were down at the other job.

Mr RAMSAY — If the current system seems to be working, and we have heard this from some witnesses at other hearings, what is your view about why the government would then be proposing a whole new model, such as the Fire Rescue Victoria model? Do you have any views about that? If you are meeting response times and community safety is not at risk — we talked about the training obviously, and that needs improvement; I think most people recognise that but — why would you see the government wanting to restructure it in the way it has proposed with this bill?

Ms FERGUSON — Do you want my honest answer? I think this is the answer to the EBA issue.

Mr RAMSAY — Do you have a view, Robert?

Mr SAITTA — I am probably in line with Diana, that maybe this has come about because of the EBA.

Mr RAMSAY — Does anyone else want to proffer a view?

Ms PHILLIPS — I am pretty much the same way. I think that is what it has come down to here.

Mr STEVENS — If I could just make one comment about the service delivery standards — and I presume this would have come up in certain conversations — as it stands at present, CFA brigades actually work with tables. In the mapping that you can still see up there there are blue boundaries, and we, along with our catchment officer, decide which brigades actually respond. So we actually have a bit of a say about which trucks are actually coming in. In my personal view it is a bit of an antiquated system and I think it is certainly a system whereby we have the closest vehicles irrespective and search for those, like what happens with road rescue and maintenance right now, would certainly be a far better way of actually achieving that service delivery standard.

Ms FERGUSON — I would agree. We have an inclusion of a significant amount of funds for technology to enable that radial response model to have volunteer brigades, when they are on station, push a button and then the system recognises the fact that there is a crew on station. For example, we have a lot of people around during the day who are retired and also shiftworkers who are available to respond. With the way the current system and model is set up, it is on, as stated, an old system which is not built to ensure the best response.

Mr LEANE — Thank you for helping our committee today and thank you for the work that you do. There are volunteer brigades that have actually asked for career firefighters to come in because they felt that they have just not been able to reach the community safety standard that they would like to see because of commitments around community safety. Mr Saitta, I think there is one thing you and I agree on. I have actually said at these hearings that it is harder to get people to volunteer in this day and age. I saw a statement that you made in the *Leader* newspaper that it is harder in this day and age. I work with the Salvos, the Leukaemia Foundation and some mobs you would know like Nadrasca and Knoxbrooke. They are saying the same thing — it is harder. Is that what you are finding? It is not a reflection on kids this day and age; it is just the reality.

Mr SAITTA — Just with the statement that it is harder to get volunteers, back when Epping was — the rural sort of stuff, it was like your local club to go and join, but now we have done a lot of reworking and also a lot of recruitment. We have been running recruitment campaigns for the last four or five years. You get eight or nine applicants come through, they go through the training and we retain at least five or six of them. So we are turning over the numbers: some people are moving on out of the area or their family commitments or their work commitments do not allow them to give as much time as what they do, then the new ones are come through and then they get trained, so no.

Mr LEANE — Also in a *Leader* newspaper, there was a fire that there was a delayed response to and you were reported as saying that traffic is just building up, congestion is a problem. How many of the volunteers in your brigade have the accreditation to put the sirens and lights on?

Mr SAITTA — All of our drivers that are currently drivers.

Mr STEVENS — Do you mean for the trucks?

Mr SAITTA — For the code 1, to drive?

Mr LEANE — Yes.

Mr SAITTA — With that fire you are referring to, the customer SDS standards were met. Like I have said before, it does not matter what badge is on the side of the truck, there was a vehicle at that premises within the 8 minutes. Also, when there is a lot of congestion and it is around school times, it does not matter how loud the sirens are or how many bright lights you have got, if cars cannot move because of the congestion, no-one is going anywhere.

Mr LEANE — So are you happy to be judged on the standard response times, the SDS? Are you happy to be judged on that?

Mr SAITTA — Yes, I have got no problems with ours.

Mr LEANE — Because under the records you have got a 58 per cent fail.

Mr SAITTA — Fifty-eight per cent fail?

Mr LEANE — Under the CFA records.

Mr SAITTA — CFA records?

Mr LEANE — Yes. I mean, I am happy to dispute that, if that — —

Mr SAITTA — No, we are not — —

Mr LEANE — Okay.

Ms FERGUSON — That is service delivery standards, not customer. Let us make that clear. Customer service standard — —

Mr LEANE — Does it not have to be judged by something?

Ms FERGUSON — The customer service standard. That should be what is judged because that is the — —

Mr SAITTA — That is what is judged, the 8 minutes. It does not matter if it takes 6 minutes to get the truck out the door, as long as the customer delivery standard, which is the 8 minutes, is met.

Mr LEANE — But you are saying you have met that in a high percentage?

Mr SAITTA — Higher than what you are saying, yes.

Mr LEANE — Okay. So we have got different records? The CFA are logging something different to what you understand?

Mr SAITTA — I do not know which records you are referring to.

Mr LEANE — What we have been delivered as far as data. We have asked for a lot of data because we need to form a report on evidence.

Mr SAITTA — And what data is that?

Mr LEANE — That is the data we have requested from the CFA. I am happy to get back to you, Mr Saitta, and clarify that, but that is just the reality.

On integrated station volunteers, we understand that you say that volunteers should be respected, and we agree with you. The integrated station volunteers are a little bit upset that there have been organisations misrepresenting them in saying that they will leave in droves if this reform comes in and that will affect the surge capacity. They are not saying that as a whole and they are actually quite offended — that questions their commitment to their community. You would be offended if someone went out and put your position? I respect your position, but if someone put your position differently, you would be offended?

Mr STEVENS — Is there a question in that?

Mr LEANE — And find that disrespectful?

Ms FERGUSON — What is the question?

Mr STEVENS — What is the question?

Mr LEANE — The question is that there are statements even in this committee that say the bulk of the volunteers are unhappy with the reform. Now, the major part of the reform affecting volunteers is integrated volunteers. Do you accept that?

Mr SAITTA — We have not seen any details of that.

Ms FERGUSON — I cannot speak on behalf of the integrated volunteers. I am not one of them.

Mr LEANE — Okay, but you would be disappointed if someone reflected your views differently?

Ms FERGUSON — I would like to ask what the point of this is, because we are not disputing any of that.

Mr LEANE — Well, because there is a lot of talk about respecting volunteers, and I think everyone should respect volunteers. Do you think it would be disrespectful for individuals and groups to put our misinformation about what certain groups of volunteers think about the reform and public safety?

Ms FERGUSON — Very subjective.

Mr STEVENS — All I can say from Epping brigade's sense is we have been on record quite clearly that we respect all, whether they are volunteers or career service, and that service delivery to the community is certainly what we are all about. There have been no statements from our particular brigade to the contrary. I am not sure if there was a question in there, but it is the only statement we could make.

Mr LEANE — So your concern is around quality training and your submission is that that comes through more funding?

Mr STEVENS — Through funding and resources, but funding and resources are two different things. So the training ground issue I was talking about earlier, that is not a funding issue; that is a resource availability.

Mr LEANE — So you would be disappointed if governments cut funding? You want more funding?

Ms FERGUSON — Well, what would that achieve?

Mr LEANE — That is a good question.

Mr O'SULLIVAN — Thanks very much for coming in and appearing and giving your time. It is very generous. We do appreciate that. Evidence that we have heard previously to this committee in relation to the new model is that there will be an extension of the current integrated station numbers from 35 up to somewhere around the 42 mark, and I hazard a guess that your brigades will be considered very highly in terms of going to integrated into the future. But we do not know that because, as you say, we just do not know the detail of that as yet.

The question I want to ask is around surge capacity. Ms Ferguson, you sort of touched on that and I want to touch on some of your numbers, because you said you have got 89 volunteers and 50-odd who are active now. If you contrast that against some of the integrated stations, such as Bendigo, for instance, where the first lieutenant in Bendigo made the statement that when new volunteers come in they have to be given the information that they are not going to be driving the fire trucks, they are not going to be in frontline service requirements in terms of dealing with fires, and once they educate them in that space and give them the reality check in terms of what they will really be doing, then it sort of all beds down in terms of where they sit in the pecking order. If that sort of an arrangement happened in your station, what would happen to all the volunteers who are active now, when you have got 12 or however many paid firefighters at your station? What would the volunteers do? And I guess the flow-on, what happens to surge capacity as a result of that?

Ms FERGUSON — I think it is all about the culture and how we address the honesty and integrity in how we respond to calls. We are very open and up front about our expectations at Bayswater and have it very transparent. I have not come across that issue. It certainly was not the case at Boronia when I was there, and that was an integrated brigade. Those volunteers there — it is a very busy brigade, so when their pumper is out, they are the first point of call and they are first on scene and they are managing the fires. They are trained to that level to do that. So I personally, if that were to be the case, cannot see that being an issue, because I do not think that would be the situation.

Mr O’SULLIVAN — How does that go at Epping?

Mr STEVENS — I think it is an individual decision. Just to echo Diana’s comments, provided that the members there are crystal clear as to what their role will be with any change that may occur, it is a decision they need to make based on why they joined the organisation and what they wanted to achieve while they were there. If it was no longer aligned with what they wanted to do, they may make a decision to go and do something else, or they may be quite happy with the arrangements. I think it is a personal choice. It is somewhat influenced by the group of members that are their peers, but certainly it is an individual choice, I would think, and that is certainly the way I would view any change.

In relation to surge capacity, those integrated brigades as they are right now, those volunteer members are not necessarily always that second pecking order. There are quite a number of times when they will be the first vehicle there and will be required to actually manage that incident. They certainly do not do it with the frequency that they would do at a fully volunteer brigade, but nonetheless the responsibility would still lie.

Mr O’SULLIVAN — Another area I want to go to — and I sense a little bit of it here today; I do not want you to say too much if you do not wish to — is that I feel that there is a sense around some of the volunteers, particularly senior volunteers like yourself, of apprehension to actually speak out against this reform through fear of reprisals. We have already heard that there was a series of bullying, harassment and sexual discrimination issues in New South Wales that went to IBAC — in Victoria at the human rights commission. It is fairly well entrenched. I am just sensing that there is an apprehension around the place. I do not want you to speak on behalf of yourselves, but is that something that you see with some of the other volunteers?

Mr STEVENS — When the changes were first announced I think there was certainly a bit of apprehension. That comes with change. People were a little bit uncertain as to what is going on and where their positions were. If I look at the relationships we have got with both our local MFB and CFA stations, my view for almost all of those shifts — and this comes down to personalities — is that relationships are as good as they have been in the past, which is great. I think a lot of it, from our local experience, just comes down to the individuals, both in the volunteer ranks and also from career staff.

Mr SAITTA — Just respecting one another on the fireground is where it all happens. We seem to be getting the respect from the other side of the fence. What we are giving back to them, they are giving to us.

Mr O’SULLIVAN — I can understand some of the reluctance in wanting to speak out.

Ms SYMES — Thank you for coming in today. Just following on from Mr O’Sullivan quickly, I have got to say it is awesome to see two women from the same brigade presenting evidence. We have not had that the entire time we have been receiving evidence. Also, Ms Ferguson, I note you are the first female captain of an urban brigade, so thank you.

I just want to touch on two topics. The first one was in relation to the boundary review panel. I was just a little bit surprised. I hate putting words in your mouth, so I will just ask your view again, Ms Ferguson, in relation to why you do not think there will be volunteers’ views considered by the independent panel in relation to the boundaries?

Ms FERGUSON — It is not that I do not think that. It is more that I want to make sure that it is ensured that the volunteer brigades are well engaged through that process.

Ms SYMES — I think Mr O’Sullivan mentioned that he thought there would be 42, whereas my information is that there is currently 35 integrated, and they are looking at three new ones because the process has kind of

already started. The independent panel will look at it and then review it every four years. Is that something that you do not quite have enough information on?

Ms FERGUSON — Again, yes, it is the detail that I suppose we are unaware of.

Ms SYMES — Yes, okay. Through the experience that I have had as a member on this committee I have been privy to quite a bit of information on that, so I think that is good feedback that you need a bit more confidence in the panel. I think that is there, so I think I will make sure that I can get that to you somehow.

On the flip side, taking on your feedback that there is not enough detail in relation to the revised model going forward, the evidence that we have received is that that is quite deliberate. Were you here when Mr Mullins was giving his evidence?

Ms FERGUSON — No.

Ms SYMES — I would love volunteers to read the evidence that Mr Mullins gave today, because he was very firm. He is going to be heading up the implementation panel. He confirmed that a framework has set the guidelines for the combining of MFB and CFA career into one service and the enshrining and supporting of the CFA as a wholly volunteer organisation. His words on how he proposes to run the implementation were very, very strong on volunteers being engaged in that process, particularly through Steve Warrington. He was very clear. Your feedback has been very good in the areas that you have explained that you want more information from. I thank you for being very clear in those areas.

Do you see some positives from the reform, putting aside some details that you are concerned about not having? You talked about training and needing more training. Do you see that the additional resources and support for volunteers can be realised out this reform package?

Ms FERGUSON — Yes, I do.

Ms SYMES — As long as you are brought along?

Ms FERGUSON — We need to be brought along the journey, and like I stated earlier, the heart of Victoria is volunteerism. We have got so many passionate, dedicated individuals. At Bayswater we have got a waiting list of people that want to be part of this brigade. We want to assure our members and Victorians — our community — that we are here and we are staying, and that is what we want to know.

Mr SAIITA — Just on that, why does the reform have to happen for us to get extra money? Why can the money not be injected where it needs to be injected today instead of having a reform to get that injection of money to sustain what we have got now that works well and that can work well into the future?

Ms SYMES — It is an important point that you make, and I am certainly not the person that could answer that specifically. Rather than answer it, I will put it back as a question, because that is more what I am supposed to be doing. Is it not a fact that with the CFA being returned to its original purpose and focus as a fully volunteer organisation the CFA volunteers will not be competing with the CFA career for resources, because they will have their own dedicated bucket of money that is just for volunteers?

Mr STEVENS — From my particular perspective it has not been my experience. I have grown up in this organisation from a teenager and that has never been my experience, that we have been competing with career staff for resources, training, whatever the case may be.

Ms SYMES — Not so competing, but sharing.

Mr STEVENS — I have been around integrated stations for a period of time, and the relationships at those stations and the culture of those stations have really been all about that duality, if you like, of having both career staff and volunteers in the one spot.

Ms SYMES — It will be one bucket for volunteers, I guess, is the point I was trying to make.

The CHAIR — Ladies and gentlemen, thank you for your evidence this afternoon. The committee appreciates your attendance today and your forthright evidence reflecting your experiences. The committee will

have a draft transcript to you in the next couple of days for any corrections. We very much appreciate your participation.

Ms FERGUSON — Thank you for the opportunity to present.

Witnesses withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 24 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Participating Member

Dr Rachel Carling-Jenkins

Witnesses

Mr David Jochinke (sworn), President, and

Mr Simon Arcus (sworn), Policy Director, Victorian Farmers Federation.

The CHAIR — I declare open the Legislative Council’s select committee inquiry into fire services restructure, and I welcome our witnesses this afternoon from the Victorian Farmers Federation: Mr David Jochinke, the president, and Mr Simon Arcus, the policy director.

All evidence taken this afternoon is protected by parliamentary privilege; however, any comments made outside the precincts of the hearing are not so protected. Evidence is also being recorded by Hansard, and you will be provided with a proof version of the transcript in the next couple of days for any technical corrections that you need to make. All the oral evidence the committee has been receiving is sworn evidence, so I invite the Deputy Clerk to swear in our witnesses.

The committee has allocated 1 hour for this hearing, and we received your written submission earlier. If you would like to make any opening statements, we have approximately 5 to 10 minutes available for that before we proceed onto questions.

Mr JOCHINKE — I would like to do that, please.

The CHAIR — Thank you, Mr Jochinke.

Mr JOCHINKE — My name is David Jochinke. I am a farmer in the Wimmera, third generation, and have been a member of our local CFA branch, the North Wimmera branch, since I came home at the age of 18. After coming home and taking over the farm I got involved with the farming community, and that has led me through many different paths within not only the community but the wider district, and I have had the pleasure of not only representing farmers but also the Wimmera in numerous activities that I undertake, which has led me to being here today, being president, which I have the great honour to be.

The issue around why we are here today to us, to myself, is not a natural course of how I would like to be having this discussion. In many ways I feel that we are starting in the wrong spot when we are talking about fire protection and the needs of the community. I feel that the process that has led us here has created a great deal of distrust through different fragments of not only the CFA but also the current Metropolitan Fire Brigade and the associated fire union, and it has created an environment of adversity where it is very hard to not have a lot of these issues politicised. In many ways we want to park that. We want to move forward from the fact that we are not necessarily happy that we are here under these circumstances and we are here to talk about the future of fire services throughout Victoria, but we have to quite clearly state that the reason we are here to start with we feel could have been handled a lot differently, not only through correspondence but also engagement from the different sides of each of the relative parties.

But what we are interested in in this whole process is the respect of the volunteers, especially from the CFA, because not only in my role am I one and not only do I represent farmers between those roles but most of them are the same people that we are talking about within the community. I am here to really talk about improving the protection of fire assets, the ability for us to respond to fires not only within private lands but also public lands, how the volunteers are actually given the right equipment and training, but then also how they are treated not only as not being a full-time firefighter but also what they are expected to contribute to the fire service. So in many ways we are here to keep the politics out of it but get down to the meat and potatoes of what we are talking about, and that is about making sure that we can provide the best service with the people who are willing to volunteer their time and efforts at the most appropriate level.

The CHAIR — Thank you, Mr Jochinke. Mr Arcus, would you like to add any comments at this point?

Mr ARCUS — Not at this time.

The CHAIR — The committee will proceed to questions. Perhaps, Mr Jochinke, can I take you back to your opening comments that the process to date has led to distrust and an adversarial environment. What do you see as the implications of that for your members as farmers and your members as CFA volunteers?

Mr JOCHINKE — When we reach a decision point throughout this whole process, because we have not had good clarity around what was the outcome that we were trying to achieve in first place, it will make the operations of whatever comes out the back end of this not only a hard thing to communicate to the people who are actually going to be operating within it but then also to give surety that the service is the best possible service for the community and the volunteers themselves. So what we have heard and what we have seen not

only play out in the media but then also through the relative players not only at board level between the agencies, between the different commissioners that we have had, but the lack of trust in the process of how we have determined who those people are and how they have exited their equivalent roles does put a question mark over how we are going to achieve a good outcome without getting past that politics.

The CHAIR — Do those concerns precede the introduction of this legislation in May of this year?

Mr JOCHINKE — It is a combination leading up to the introduction of this legislation, and the amount of consultation is something that we hear constantly could have made this process more transparent and easier to understand. However, once again, we understand that this is the position we now face and we cannot go back through time to make those decisions any clearer. So we are interested about what we can achieve from here on to get the best service possible.

The CHAIR — Has there been any indication from your members since the introduction of the bill in late May — 24 May it was — that there has been reasonable consultation subsequently?

Mr JOCHINKE — There has been consultation. The amounts and the actual people consulted, the numbers may be somewhat dubious, just purely because from conversations had it does not feel like the whole brigade — only select people within that brigade might have been contacted and had their thoughts discussed, yet the whole brigade might have been counted. I think that there have been efforts to contact the appropriate people within the different levels of authority within each segment of the brigades. However, it is the grassroots firefighters, it is the volunteers themselves that feel like they have had very little impact and opportunity to have their voices heard in the lead-up to this.

Mr ARCUS — If I could just add there, Mr Chair, I think one of the issues is that change is always going to be challenging. The legislation itself obviously sets up a framework, but what we are dealing with, particularly with our membership in rural and remote areas, is the challenge of perhaps some of those questions that come along with not just the framework but the operational changes that are either fears or realities. That is a very real issue I think for people who are vested in this CFA world heart and mind, and I think the other aspect of that is you also get people who are concerned about fears that need to be dispelled, and obviously consultation is critical to that.

The CHAIR — I take it those are the issues you have set out in the written submission, one to five.

Mr ARCUS — They are.

The CHAIR — Is it the VFF's view that those concerns have been addressed or those policy priorities are being met in this process?

Mr ARCUS — Just further to what I was saying, I think some of these issues are obviously issues about the future operation of the services and that can be difficult to get certainty on. There is also a cultural overlay here which no doubt would have been an issue raised throughout this process — you know, the culture between the two services — and ensuring that the community gets the dividend, the best service possible from all of this, rather than, as the president said, a politicisation or chasing at shadows.

Mr MULINO — We have been told that one of the design features of the scheme is to have in the legislation an overarching framework but to allow some of the detail to be worked out through the implementation group, so that there can be horses for courses if you will or bespoke models for each community. Now of course one of the downsides initially of that is that there is a little bit of uncertainty as that implementation process is worked through, but do you see there being advantages to flexibility so that each integrated station and each district can have a bit of a say in how the reforms play out in each area?

Mr JOCHINKE — Naturally the transition period is something that we are very concerned about and that seamless transition from the current model into whatever the future model is — it is paramount that we get that right, because it is not only the deployment of resources through peak periods but also how people understand their roles within each organisation that needs to be clearly understood before we get to the situation where we need to deploy any resources. So I do see a benefit of there being some flexibility within the framework. However, until we can actually understand what the framework looks like, what the objectives are, it is very hard to comment on whether we would be satisfied with a certain set of outcomes.

Mr MULINO — So long as there is a consultative implementation process that is expert advised and so on and so forth.

Mr JOCHINKE — Absolutely. The key part is that consultation, and what we are hearing a lot of is the understanding of what is actually needed at different levels within the CFA so that it is understood what equipment is actually needed, not necessarily dictated to from an outside source. So there is some self-determination within that framework; however, understanding that there are different standards and guidelines that need to be applied throughout that process. Having clarity around what the outcome and objective is within such a framework would be beneficial.

Mr MULINO — On the issue of the boundary, the fire district review panel, Greg Mullins earlier gave evidence where he suggested that it was, if anything, an improvement on the New South Wales model where it was expert based but it was more evidential based, more objective. Is that approach of having an expert independent panel decide on those matters periodically something that you support?

Mr JOCHINKE — Not only should the panel be able to review current boundaries but also review how the panel's terms of reference themselves needs to be covered off and what parameters it determines as critical in its decision-making. I believe that when we try to determine boundaries, safety, the amount of appliances, the amount of resources that are needed within those spaces, you do need to take into account that we are in a moving environment, such as developments occurring, valuations of not only public property but then also the assets around those areas need to be considered as well. It would be very prudent that that panel itself does have some community knowledge, not just based on purely experts that may or may not live within the area actually doing the work within those different agencies.

Mr MULINO — Just one final question. Obviously the FSPL is something that you would have an interest in. Does the fact that it is going to be frozen for an initial period provide you with some comfort? I would just be interested in any other observations you have on how you would like to see that handled.

Mr JOCHINKE — The freezing of it should be commended. It is a good initiative to let everything settle down. However, as a person who owns property and who will be rated upon this, the short term is excellent as far as understanding where we are. It is the mid to long term that we have got major concerns over. Making sure that we can give clarity around what that service needs to have support in as far as financing is vital, so as we do go forward we understand the strategy and that we do not have any cost blow-outs, to ensure that that costing should be kept to that CPI status of what we see as the requirements for the CFA to operate, notwithstanding that unless there is a major change to the operations of the organisation, those costs should be restrained.

Mr YOUNG — Thank you, gentlemen, for coming in and providing us with your time today. I just wanted to start by getting a bit more of an understanding of the connection between the people you represent and the fire services. Could you give me an idea of examples where there is interaction between people in the farming industry and what is provided in our fire services?

Mr JOCHINKE — With regards to the CFA particularly?

Mr YOUNG — Either.

Mr JOCHINKE — As most people are aware, in rural and regional communities we have got a population decline in many areas. Traditionally the people who provide volunteering services to one agency are also the members of the fabric of society and provide volunteering to numerous different agencies. What we are finding within our membership base is that not only are people volunteers but there also can be multiple memberships to sporting clubs, to auxiliary clubs throughout the community providing those services. They understand what volunteering is, they understand what community is, but most of all they understand that if you do not show due respect that you can lose this very brittle thing called community.

Mr YOUNG — More specifically on the interactions between the industry, what comes to my mind is stuff that was brought up recently within the fire preparedness inquiry where we talked about preventative burning, burning off and things like that — something we see a lot from farmers burning off in paddocks. What are the interactions between the fire services and farmers in those instances?

Mr JOCHINKE — As far as fire itself goes, not only do we work equipment on hot days where we can have instances in cropping areas — fires that start, where lightning strikes can occur in dry tinder pastures of woodlands, where we see burn-offs occurring in state forests that may or may not then enter private land and then, vice versa, private land enter public lands. Fire is an integral part of the community as far as it is an occurrence that people generally live up understanding it. We use it as a tool to manage stubble loads. We use it as a tool to manage fire loads themselves so that we have got some prevention. But as far as the average farmer who is out there, they have either got a membership to the CFA themselves or they have actually been using fire throughout their farming career to manage certain aspects of their business.

Mr YOUNG — So in terms of fires that start on private property, that is an actual part of agriculture and farming, and we do that — we burn off paddocks. What is the process for that? Is there a formal notification between fire services that this is happening? Is there a bit of communication that makes sure everyone is aware of what is going on?

Mr JOCHINKE — With the introduction of the VicFire phone line, it has been easier than ever now to notify your local area, your local region, that you are having a burn-off to prevent people phoning in that there is a fire and so that they can understand that something is occurring. It is a very handy tool that they have got so that you can identify yourself and it is a controlled fire.

As far as then permit periods, that is a very closely negotiated period organised with the local council and the CFA to determine when they will allow fires to occur during fire season, so that summer period, and if you need to have a permit to act during the shoulder times. That generally is done with consultation from local brigade captains or their divisional officers.

Mr YOUNG — So that relationship is pretty important to make sure everyone knows what is going on?

Mr JOCHINKE — Absolutely. If there is a decision to be made in the current system of how councils work within that fire period, the CFA is quite heavily negotiated within that, and captains themselves have a lot of input into the standard of expectations for when things such as appliances that are needed to gain a permit. I know in my area particularly it is quite critical to have those discussions quite openly and try to get the best outcomes so that we can manage the fires both for the right reason and then, secondly, we have got the right apparatus where it needs to be.

Mr YOUNG — Just on a different topic, I want to draw a parallel between your organisation and a couple of others involved more closely with this issue. You have no doubt heard all of the talk about a lack of consultation and a lack of information being provided, and people are unhappy with that — they have just lobbed with this framework and are expected to make it work somehow. How would you feel if this was a piece of legislation on irrigation or electronic tagging for sheep or something like that, to find out that you are presented with a bill and the VFF have not been considered at all in the making of that bill or consulted with on how it got developed into a bill in the first place?

Mr JOCHINKE — I think there are two parts to that in many ways. The build-up to where we are today, the crescendo, really is this bill in some regards, but leading up to this the CFA discussion has been going on for months, if not years, on what should and should not be done. Like in my opening statement, the reason why we are here can be debated for numerous reasons. Is it to appease an EBA, is it to get a better outcome for fire services in Victoria or is it just so that we can get along, give the volunteers what they need and let the paid fireys do what they need to do in separate areas? So there are many different ways you can cut why we actually came to where we are today.

Would I be upset as a farmer if I was not consulted on an issue that directly affects me? Of course I would. But then also, as leadership within the farming organisation, I know I cannot contact every farmer in every area and please them as well, so I understand there is a need for leadership within this conversation. I understand that a decision needs to be made, but I also know the reality that to actually contact everybody to have a say is quite difficult. There needs to be some middle ground in there, and as long as the appropriate people have been consulted and have had the opportunity to discuss their issues, such as what we are seeing today, that is a good step.

Mr YOUNG — Well, I would draw the parallel between yourselves as a group that represents farmers and, say, the VFBV and the UFU, which both represent members of our fire service, neither of which were consulted prior to having a bill put in front of them.

Mr JOCHINKE — To discuss something, sometimes you need to put a position first. However, once again our belief is that we are here for a different reason from if we had been consulted, and we are trying to put that to the side as far as we understand that this would have played out a fair bit differently if the consultation period had occurred and we were debating it for a different reason other than trying to come up with a solution to the issues that we are currently facing. If this had been part of a review of the process of the numerous reviews we have had of the fire services, we may be still debating or discussing the same issues as far as, ‘Do we structure the organisations as such?’, but we also understand the political climate that we are in.

Ms HARTLAND — Mine is actually more of a comment. Thank you very much for the submission because you have outlined the fact that you have concerns, but you have also outlined how you think we can get around it and what sort of information the government needs to present to the community to bring them on board. We heard evidence this morning from Greg Mullins on the implementation committee process. With that do you think a number of these things would be well placed there? Do you think the government needs to be out in fire stations more? Especially for small CFAs, there is not going to be a huge amount of change for them except for the fact that it would appear that they are going to get a lot more training and a lot more funding. Is there anything else besides what is in your submission that you would suggest we should be looking at and seeking reassurances from the government that they will do?

Mr JOCHINKE — We will just start with the premise once again: respect for volunteers through this whole process. Where do you enable volunteers to get their training and enable them to achieve the same training status as a paid fiery may be able to achieve but then also on the fireground respect the skills of both individuals to the same level as well.

For us the true acid test, if this is to work, is that a volunteer can quite easily and happily work with a paid fire service member and they both have mutual respect. Not only is that something that we think has been lacking in the discussions to date around what we would like to achieve out of the new fire service provision, but also we have got a culture of that within both organisations I believe as well. I believe that through your consultation you may have heard of different areas where in those integrated stations that is not occurring. Those locations are a highlight.

It is something that we cannot let happen in this new structure. We want to make sure that there are processes in place to ensure that we have the best culture in that respect to occur and then also that we have the right equipment and the right training and that there is no cost blowout. So really if you can navigate those waters, a lot of the issues that we are discussing and have hopefully uncovered do come to the fore and we can manage them.

The only thing I would add that we have not necessarily gone over quite succinctly with this paper was the review process. What do we look at in two years time? How do we measure if it has been a success or not, and then how do we actually make any changes if need be — not only a review of how the two organisations work together but how the organisations work independently? Then also there are things such as the panel to determine integration. Have they got the right mix? Are they making the right decisions? Then in terms of the parameters of those performances, to discuss that prior to the bill being put I think would be really good to give people clear goal posts or milestones to work towards.

Mr ARCUS — And if I could just confirm that, the submission is very much a reflection of the kind of member questions that we are getting. We do see our role as a non-partisan conduit of information, so once the outcome of the legislation is settled we want to get that information through to members so those sorts of questions are absolutely critical to them being well informed in the community.

Mr RAMSAY — Thank you, David and Simon, for your time. There are a couple of questions. I have to say from the outset that a three-page submission from the VFF is one of the smallest submissions I have ever seen. If it was native vegetation, it would be about 360 pages, but three pages sets an all-time record bar, I would suggest.

Mr ARCUS — You have not said good or bad, though.

The CHAIR — Is it a good thing or a bad thing?

Mr RAMSAY — Well, sometimes you do not have to say a lot.

Mr LEANE — They used to be a lot longer winded.

Mr RAMSAY — They are interesting, your comments there, because typically the VFF, where they saw conflict in their members' interests, would intervene before legislation actually became law, so the commentary around 'We'll wait and see once the legislation is passed what impact that might have to the membership' is probably a little bit too late. The horse has bolted, and now is the time for you to actually raise your concerns, which you have done in your submission. The consultative and respect question I ask is: were you consulted at any stage by the expert panel when they were provided with a proposal in January, as indicated by Mr Mullins this morning?

Mr ARCUS — Sorry, Simon, can I just comment there, with an apology? I did not actually say that we were going to wait until the legislation passed to take a view, and the submission reflects our view. I did say that we want to be a conduit of whatever information our members need to receive.

Mr RAMSAY — Fair enough.

Mr JOCHINKE — And I think numerous media statements put out would indicate that we were uncomfortable with not only the decisions that led up to here as far as wanting to keep clear either consultation or direction — numerous media releases that also went on to discuss what the real issue is that is trying to be addressed here. For the record I concur with that.

Mr RAMSAY — Okay. We have corrected the record. Were you consulted by the expert panel when they were deliberating over the proposal put forward by the government back in January?

Mr JOCHINKE — No, I was not.

Mr RAMSAY — Secondly, do you have concerns around if in fact a new EBA for Fire Rescue Victoria is similar in detail and content to the current EBA, which is in dispute with the MFB and was through the previous board of the CFA?

Mr JOCHINKE — Once again, coming back to the point that I believe we were having this discussion to get around an EBA, in some regards I think that when we talk about the different elements within the enterprise bargaining agreement we do lose sight that there are a few things bundled up within that; there is pay, there are rights and there are entitlements. We do not discourage the fact that people need to have one or all of those aspects negotiated; however, when it has impacts on the whole organisation, then we do have major concerns, and in some regards the discussion around how to restructure the fire service agencies to accommodate that is not the smartest way to go around things, which is once again why we believe that today has occurred.

Mr RAMSAY — My question was, though: would your members be concerned if they knew that currently there is a draft EBA proposal by the UFU for the new Fire Rescue Victoria model that is based on exactly the same detail and content of the current EBA which is in dispute by the MFB and the previous CFA board?

Mr JOCHINKE — Once again I believe that if our members would see that the paid firefighters were being treated fairly, I think they would acknowledge that that should be the case. However, if it was the exact details that were present in the current EBA, there is a feeling of resentment that this is the reason that has caused this discussion — that we could have gone through a better process to achieve a review and then determine what the best way forward would have been. But I guess the short answer to your question is if they saw that the two EBAs were exactly the same, whatever the process, and that they would be affected the same as well, such as it would not change with the new system in place, it would not change how they are affected in daily life. That is probably more their concern than the actual details within the document.

Mr RAMSAY — Thank you. The last question is: have you done any scoping work in relation to what impact funding the new Fire Services Victoria model would have on your constituency, given that there might be new integrated stations, that boundaries might change and that there might be more financial burden put on regional Victoria in relation to funding more career staff and a larger and more resourced fire service?

Mr JOCHINKE — At the moment the CFA areas have a higher rate than what the urban areas do, and we believe that that is a burden that should not be carried on landholders to the degree that it is, because not only does CFA protect property, it also protects public assets, which we believe in the metro areas does not get recognised as far as it is in the country. In metro we do see buildings being protected; we do see public buildings being protected. But in rural areas we see parklands being protected, we see bridges, we see roadsides, additional to the actual private property itself. For the rate to be higher in those areas we think is not only disproportionate but also unfair. So when we do talk about the fire property service levy, we want to make sure that not only is it reduced to acknowledge that and not only to take into account that we think the footprint would be smaller but also for the fact that a lot of the volunteers do more than just private property, and that should be acknowledged for the public good that it is.

What we would like to see is that when we do have reporting on the agencies, both the CFA and any other proposed fire service — Fire Rescue Victoria, which is being proposed — those volunteer hours are taken into account and not only are they taken into account but also the assets that they are being managed to fight for as well are protected in any firefighting activities. So we do feel like the volunteers in that number game have not been adequately measured and given credit for the deeds that they do.

Mr LEANE — Thank you for assisting our inquiry today, Mr Jochinke. A lot of people say that you are the best VFF president in the modern era. You know why I am saying that?

Mr JOCHINKE — I have heard that before!

Mr LEANE — Yes, good! I am glad. In the last couple of decades as a minimum. Anyway we had a really good description about a rural brigade from a volunteer at one of the regional hearings, where he said — he was not one of the farmers, but he is one of the people who is part of the brigade. He said, ‘Look, we’re 40 farmers, and we have got a designated area. We always train. We turn up’. Would that be the sort, or a similar sort, of brigade that your membership would fall into in CFA brigades?

Mr JOCHINKE — I know personally in our area we have got brigades ranging between 30 and 100 people on the list. The actual active people within that who can dedicate time away from their business at any one period is usually a quarter of that number, but when you have got big campaign fires, that is when people can really dig in, understanding too that with the declining rural population there are challenges out there to not only maintain the amount of people within the fire brigade but also give them the opportunity for training. If people are giving up their time, things like first-aid courses or even chainsaw accreditation give them the ability to get something back for the volunteering time that they do put in.

Mr LEANE — So the reform as far as the new FRV would go, that would cover the existing MFB and the integrated stations, so a lot of your members — the brigades that they would be in remain under the current CFA act.

Mr JOCHINKE — That is correct, but the operational staff that they interact with on a daily basis would change as far as their employment, and understanding what that employment status is and understanding that those people that they are interacting with — not only, once again, that respect for the volunteers, because that is quite crucial, that they are acknowledged through that process and that they are not treated as any less throughout this whole procedure. That is really front of mind for a lot of volunteers. Having that demonstrated through any proposal or the transition period is something that we have not seen yet fully stepped out.

Mr LEANE — The reform is geared towards not a lot of change to the CFA act. A lot of your members would be members of brigades, and a lot of your members, even if they are not members of brigades, would have a concern around the delivery around the CFA. The purpose around the reforms to the CFA act is to strengthen the CFA’s objectives and add a new third objective: to support the effective and sustainable recruitment, development and retention of volunteer officers and members to deliver capability in the provision of the authority’s services. I would imagine your members would welcome that sort of improvement to the act.

Mr JOCHINKE — I would suggest that if it can be carried through, once again making sure that the culture is right, making sure that they are treated right, making sure that they are getting the proper equipment, in a general whole I would say most people would be comfortable, obviously taking into account that the amount of levy that they are paid is reduced accordingly with not only the footprint but also the fact that we believe we do a lot of good service that is not calculated out fully. However, the part about integrated stations is the point that

they are still members of our organisation, of the CFA, and that those volunteers giving up their time, if they are treated in a certain way, that actually represents the culture that both organisations — not only the CFA but the proposed Fire Rescue Victoria — need to address.

I believe that if there is a volunteer that is currently within one of those integrated stations and still wishes to remain, that is an actual test of how good this proposed bill is. If that person would like to still provide their skills on the fireground, they should be allowed to. They should not only be able to have their skills recognised for the level that they are but also be able to operate within a similar structure to what they do now, if not out of the same building at least on the same fireground. That will be how the interaction of both agencies work at more of an acute level, because you will see it on more of a daily basis than out in a regional area, where you will see it on a campaign basis.

But if you cannot have the metro example working, the rural one will also struggle, I believe, because the respect — and we bang on about it because that is so crucial to making this work — for the volunteer, their skills and abilities, needs to be acknowledged through this whole process. If you can get that right, I believe that you are a long way down the track to whatever reform will take place working.

Mr LEANE — I think you would take comfort from the evidence we have had from volunteers at integrated stations that they are happy to give the reform a go. They have a commitment to the community, but they have also got a very good working relationship with career firefighters to the point that they are actually defensive of career firefighters with some of the things that they have had to face as far as community backlash from constant media attention around that career fighters might be very bad people, which we all know is not true.

Mr JOCHINKE — I have some very close personal friends who are career firefighters, and they do an absolutely fantastic job. They too feel that way about being let down by broad statements and accusations that clearly are not true of the people that they try to work with. Once again the real test is if you can make it work with that mutual respect with volunteers, that is the organisation that we should aspire to for both sides, be it metro or regional. That can be demonstrated in many ways. It is not only on the fireground: it is how we train people, it is how we communicate with people and it is how much we actually let them have involvement in making determinations of what kind of organisation they want to be part of, so giving them leadership roles and then taking on their advice.

Mr O'SULLIVAN — Thanks, gentlemen, for giving up your time to address the committee today. I want to take up and build on some of the comments that you have already made, Mr Jochinke. Many of the CFA volunteers in your area and in regional Victoria more generally are most likely members of the VFF as well, who then make up the local community, as you were talking about, and you were talking about how important that is. In your submission one of the headings is 'The role of volunteering must be valued and supported'. I am sensing at the moment that you are feeling that that is not the case, and you would not be alone in thinking that, because we have had evidence from those in other areas of the state talking about our volunteers and how valued they feel and how this proposed legislation makes them feel, to the point where we have had them say they will go to fires at a local level but they will not form a strike team to go somewhere else in the state to fight a fire, because they are a bit disenchanted in terms of where this legislation has taken them. Are you hearing those sorts of things as well when you go around the state?

Mr JOCHINKE — Yes, to a degree we are always hearing noise about ensuring that volunteers are treated appropriately within the CFA itself and a discussion around whether the organisation has been too city-centric in its focus. Actually, a grassroots focus is another common theme that we are hearing and that they should have an appreciation that whatever the fallout is of this bill, whatever the next direction is, there is going to be a healing process that needs to go on to not only give guarantees or sureties that they are valued personally but also at that brigade level so that they have that confidence that if they go on a campaign fire they will (a) be looked after and also acknowledged that not only are they playing a valuable role and not just given the blackout jobs — the hard yards — and have other people come in to do all the glory jobs but also that when they are forming a brigade, when they are operating, they have the self-determination to choose what type of equipment they want, what type of training they want to be involved in, and not just be dictated to.

So in some ways the feeling that they might be undervalued is the fear of becoming a second, poorer cousin to another entity. That is where we think that having the right people in the right places, so a balance between volunteers and the CFA sitting at tables to make decisions about resource allocations and negotiating funding deals to ensure that proper operations can be carried out and making sure that that is constantly reviewed to

ensure that the right processes are in place, will give some surety. But that unknown is the real part that is causing people to have the most concern. It is, 'What does this look like? How will it operate?'. That is where that vacuum is causing a lot of angst.

Mr O'SULLIVAN — One of the earlier witnesses we had today, Mr Mullins, was one of the architects of drawing up this piece of legislation or the model itself. He made the comment in answering one of our questions that he would prefer to see a single fire service for Victoria rather than splitting what we have to create two organisations. In terms of a model going forward, would something like that be a better starting point than what we are facing now?

Mr JOCHINKE — I would have to say that we had not considered a single operating unit because the objectives or the needs of both organisations would be quite different and to manage that not only keeping an eye on metro versus rural might pose a challenge. It is something that we have not considered.

Mr O'SULLIVAN — In terms of the bill itself, you talked about presumptive legislation and how important that is for volunteers, and I think we all agree with that. Would the VFF agree that it would be best to split this bill and deal with the reform model of the fire services separately to the presumptive legislation that I think we would all like to see?

Mr JOCHINKE — We are definitely on the record that that should be the case. If this was to stand on its own two feet and if we were to take away the politics of not giving compensation where it should be given, putting it back to the discussion of the idea of what is the best way to service our communities for fire control and prevention is the area we want to play in. Combining the two muddies the waters and gives the ability for political games to be played. We believe that not only should volunteers enjoy the same respect, the same judicial processes that a firefighter should if they have been exposed to dangerous goods or have contracted disease from carrying out their service to the community; that should be the same for both paid and volunteers. We believe that in the legislation itself, once again, that respect for volunteers needs to shine through, and separating the two bills would be one way of demonstrating that.

Ms SYMES — Thank you for coming along today. I just wanted to come back to your submission. There was one statement in there I wanted to get some clarity around, and it is on page 2. I just want to know if you still hold that view. Your submission says that:

The VFF considers the cost of replacing CFA volunteers with career firefighters remains unclear ...

and you seek further clarity on this. My understanding is that that is not part of the proposal. I notice that your submission is a couple of weeks old. I am just wondering if you are still concerned about that element.

Mr JOCHINKE — The comment there refers to the fact that none of the fire services in Victoria can be carried out fully by paid firefighters and that volunteers are an integral part of making sure the system works. For us it is about making sure that we do not have any cost blowouts and that it is affordable into the long term. That statement is there to keep everyone focused. You cannot allow costs to get to the stage or allow resources to build up to the stage where essentially you are building a fire service that is basically a paid fire system. So it is to ensure that volunteers are not only acknowledged for the fact that they are making the service affordable, and to make it affordable they need to be trained and given the tools to achieve that.

Ms SYMES — Okay. Thank you for the clarity. So you are not suggesting that the government wants to replace volunteers everywhere with paid firefighters.

Mr JOCHINKE — No, absolutely not. We are here to make sure that volunteers are acknowledged for what they do and given the right respect. It is about — and this is probably more the costing side of it — ensuring that we can contain the cost and ensure that it is at a reasonable level and also giving that surety that those costs are going to be capped or maintained moving into the future.

Ms SYMES — Great. You note the regional decline in terms of population and the difficulty for volunteers in turning out. You might want to take this on notice: does the VFF have any views on recruitment activities and things that could help in rural and regional areas?

Mr JOCHINKE — Examples have been given, and we are hearing similar stories that this has caused great angst. Whatever happens at the end of this period, there has got to be a healing process, not only to ensure that

we do not lose any volunteers out of the current system but then also to attract the next wave of volunteers to come through. For me it is about demonstrating that the organisation has got the best intentions at heart to give volunteers their rightful place in helping to run the organisation. If they are dictated to, if they are told what to do, if they do not have any ability to be a part of any decision-making process, that is the easiest way to turn volunteers off any organisation, and for us those are some of the fundamentals that you need to do now to ensure you have got the service going forward.

Ms SYMES — Do you think that would be assisted by returning the CFA to a fully volunteer-focused organisation?

Mr JOCHINKE — Regardless of whether that is a statement or the reality, there will always be paid staff within the CFA. We do need them, not only for administration but also for support work and operations. Where the funds actually come from should be in correlation to the work that is needed. However, the more effort you put into volunteers having a say in running their own fire service, the better off we will be.

Ms SYMES — I appreciate your time. Thank you.

The CHAIR — Gentlemen, thank you for your evidence this afternoon and for your written submission on behalf of the VFF. The committee very much appreciates your attendance and participation today, and we will have a draft transcript to you in the next couple of days for any corrections.

Committee adjourned.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 25 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Participating Member

Dr Rachel Carling-Jenkins

Witnesses

Mr Andrew Ford (sworn), Chief Executive Officer,

Mr Nev Jones (sworn), State President, and

Mr Adam Barnett (sworn), Executive Officer, Volunteer Fire Brigades Victoria; and

Mr Jack Rush, QC (sworn).

The CHAIR — I declare open the Legislative Council select committee inquiry into fire services restructure. I welcome our first witnesses this morning, from Volunteer Fire Brigades Victoria — Mr Nev Jones, the state president; Mr Andrew Ford, the chief executive officer; and Mr Adam Barnett, the executive officer. We also have with us this morning the Honourable Jack Rush, QC. All evidence being taken today is protected by parliamentary privilege. However, any comments made outside the precincts of this hearing are not so protected. All evidence is also being recorded by Hansard, and a proof version of the transcript will be provided in the next couple of days for any corrections. Gentlemen, the committee has received your written submission and obviously previously heard evidence from you, including an opening statement. However, I will ask you if you wish to make a further opening statement before the committee proceeds to questions.

Mr FORD — Chair, I have made an opening statement and am quite comfortable. Perhaps we could allow Jack Rush to make an opening statement in lieu of me.

The CHAIR — Thanks, Mr Ford. Mr Rush, would you like to make an opening statement?

Mr RUSH — Thanks, Chair and members of the committee, for the opportunity to address you. I tried to do it independently of the volunteer fire brigades, and I speak independently of them.

I firstly indicate that my interest in firefighting services was generated by my appointment to the 2009 bushfires royal commission as senior counsel assisting. In that role I came into contact with career firefighters, volunteer firefighters and what were then the DSE firefighters — those who had been impacted by bushfires over 18 months. It also meant a detailed investigation and the calling of expert evidence concerning the role, function and performance of those fire service agencies.

As a farmer and a family member of my local CFA Molyullah brigade, I also have some understanding of the way in which the CFA operates in rural Victoria. In January 2007 our farm was impacted by what was then one of the most intense bushfires in Victorian history, and it was the Bendigo brigade that saved our farm. The Molyullah CFA was represented by north-eastern region, who appeared before the committee on 10 July.

Apart from that I hope I bring something further — it is experience and an understanding of organisational structures, control and command dealing with emergency response. I have over 30 years experience in the Royal Australian Navy reserve. I hold the rank of commodore. I have conducted inquiries, been counsel assisting and been an inquiry officer in a number of inquiries that have looked at and investigated command, control and culture of the three defence services.

Further, I was appointed commissioner of the State Services Authority in 2011 to inquire into the senior command of Victoria Police on behalf of the state government. The principal term of reference of that inquiry was to inquire into the extent to which the senior command structure of Victoria Police provided future capability to develop best policing practice. In that inquiry, every former chief commissioner that was able was called to give evidence, every acting or deputy commissioner was called to give evidence and we took evidence from senior police and chief commissioners in New South Wales, South Australia and Queensland. Each one of the recommendations that were made as a consequence of that inquiry has been put into place. They were recommendations designed to achieve workplace flexibility, performance management, discipline and, where necessary, cultural change. They have achieved that aim with a minimum of disruption.

The one overarching lesson from all that experience is that change needs to be based on thorough, detailed investigation and analysis, with a full understanding of what is desired to be achieved by the change, the repercussions of the change on existing structures and the cost of the change. Without being able to comprehensively justify and explain the need and desirability for change, you are off to a very bad start.

I have read the legislation. I have read many of the submissions to this inquiry. I have read the submissions of the Victorian government, the UFU, the volunteer organisation, career firefighters and the many submissions from volunteer firefighters across the state, and I would strongly submit that the case for change has not been made out. I read the Victorian government submission and compared it with the whole-of-government submission made to the royal commission in 2009, just seven years ago. The whole-of-government submission to the royal commission was, in effect, boiled down to two key points in relation to structural change: a change to the metropolitan fire district boundaries would have a significant reduction on critical surge capacity of the CFA, and the cost of CFA integrated stations was significantly less than comparable metropolitan fire brigade stations. That was part of the submission of the Victorian government to the royal commission. Surge capacity

and cost are just two fundamental issues demanding rigorous examination before adoption of what I perceive to be radical change.

The importance of surge capacity was demonstrated by a large amount of evidence before the royal commission. Let me give you but one example. In what was formerly region 8 of the CFA, the Westernport region, 986 volunteer firefighters responded to 172 fire events. In addition, 492 firefighters from region 8 responded to five major bushfires outside their area. This is just one region. Five hundred volunteer firefighters from one region provided just an element of the surge capacity on that day.

Fire Rescue Victoria will take over integrated CFA stations in this area. The impact on morale, the self-belief of volunteer firefighters, does not need me to describe it. Co-location in really bad stations turns a proud and effective force into second-class citizens. CFA staff and volunteers who train together, share facilities and work for the one organisation, its values, goals and procedures, are split, impacting on effective firefighting.

Numbers are important. These are 2010 numbers, admittedly, but the evidence before the royal commission demonstrates something important. In Boronia, 20 career firefighters, 76 volunteer firefighters; Craigieburn, 13 career firefighters, 67 volunteer firefighters; Cranbourne, 15 opposed to 96; Hoppers Crossing, 15 opposed to 79; Shepparton, 15 opposed to 98; Sunbury, 6 opposed to 94 volunteers. Ballarat City and Geelong have more career firefighters than volunteers, but overwhelmingly integrated station after integrated station rely on volunteers and volunteers are the predominant feature of those stations. Now those stations are to be rebadged and the organisation divided.

The royal commission heard from three leading world experts on organisational change and structure of emergency services: Professor Leonard from Harvard University, Professor 't Hart from ANU and Major General Molan, formerly chief of allied operations in Iraq. All three warned of the dangers of radical change to organisations. An analogy was given of corporate takeovers. Over half fail in terms of value creation and many end up exacerbating rather than erasing tribal identities. Incremental change, they said, often produces far better results than radical change. Molan's evidence was that radical change more often failed.

I can find no proper or reliable investigation into the impact of co-location on volunteers. I can only imagine the evidence of these people — 't Hart, Leonard and Molan — when it talks about splitting up the workforce of the CFA, putting those that have provided service to the CFA in different uniforms, separate command structures, different communications systems, different equipment. They will refer to the silo effect and the impact that will have on organisational structure. It will reduce effectiveness, it will create inefficiency and in the end it will impact on emergency response. The idea that CFA employees — a training officer, a community safety manager, an operations officer — who work with the CFA at the moment, go off to another employer and are seconded back to the CFA does not make any sense. I would say it is unfathomable.

The Victorian government's submission provides no explanation. I tried to look for and assess what is the possible justification for the dismantling of a world-class service. To me there is but one in the Victorian government's submission: the CFA is to be dismembered to achieve some sort of industrial outcome. It cannot possibly be and should not be dressed up as being in the interests of emergency services or a proper firefighting outcome.

Apart from general motherhood statements in the Victorian government's submission concerning the value and contribution of volunteers, the legislation really makes no reference at all to the different cultures of the CFA and the MFB. They are significantly different cultures. They were referred to by David O'Byrne in his 2015 report. He referred to the CFA volunteers coming from their communities, that the CFA station is part of their communities and through that organisation the CFA brigades have a sense of independence and autonomy. MFB firefighters join the organisation, are assigned to a station where they may not live. They will form strong bonds with their brigade but not necessarily with the community. Most certainly, as O'Byrne said, they are different cultures that result in different approaches to the community. It is this community association that is vital to constructive firefighting in integrated stations and across Victoria.

I speak for myself but I truly believe, based on the submissions, the people that I have kept in contact with since the royal commission, so many are bewildered and the effect on morale through the CFA is great. I can speak for my local Molyulla CFA brigade, where the local captain has recently resigned — not because of overwork or anything of that nature but because of disillusionment in relation to what is going on.

I read David O’Byrne and part of what he said concerning the relationship between volunteers and paid firefighters is this:

The review heard different accounts of the relationship between volunteer and paid firefighters, whether the latter were from the CFA or MFB. The majority reported that on the fireground, or at other incidents, the relationship was very good, with everyone working together to do what was needed to get the job done. Some commented on how each needed and benefited from the other, exchanging expertise and local knowledge.

Surely what we should be working on is creating that environment, because he also reported as follows about integrated brigades:

In some instances, volunteers are not paged and paid firefighters respond on their own. In others, volunteers turn out with the paid firefighters but are not fully involved in the response and might be left with less meaningful jobs such as rolling up the hoses and re-stowing vehicles. This has an enormous impact on volunteer morale, as well as on the ability of volunteers to maintain their skill sets. It is also disrespectful of the time and commitment that volunteers freely give to their communities.

Ms SYMES — Excuse me, Mr Rush. I am sorry. I just missed who you were quoting.

Mr RUSH — David O’Byrne, 2015. They are very material things that I think this legislation will gravely impact on. Rather than working on radical change, we have integrated stations which I feel work and work pretty well but can be improved. So I would ask the committee to reflect on that.

The CHAIR — Thank you, Mr Rush. I have allowed your opening statement to run a bit over the time normally allocated, so I will take that off the time that I will have for questions accordingly. I would like to ask you just a couple of matters that arise from your opening statement and also the written statement that you made, which has been quoted extensively in the media in the last couple of weeks. The UFU’s submission to this committee states that the comments made by you in this two-page document misrepresent the findings of the royal commission. Would you like to comment on that, please?

Mr RUSH — Yes. I have read the opinion of Kris Hanscombe in the UFU submission. I do not say I have mistaken or taken things out of context. Without going to it I could direct to this committee to paragraph 10.5.5, page 378:

The commission acknowledges the importance of volunteers in Victoria’s fire and emergency management ... The model it proposes respects and preserves their contribution while introducing changes ...

Then it goes on — and I will not quote it — to recommend that consideration be given to a change of the name of the CFA to the community fire authority, representing the work that the CFA does in integrated stations and acknowledging that work. Significantly, at paragraph 10.6.2, when the commission deals with boundary changes it acknowledges that regarding the CFA integrated stations the existing model can deliver the service the community expects to continue being delivered. This provides social capital for local communities and a depth of operational capacity. It went on to say it should be maintained on the information that was before the royal commission.

The CHAIR — You reject the suggestion that your statement misrepresents the royal commission.

Mr RUSH — I reject it.

The CHAIR — Before I pass to the Deputy Chair, you indicated that the government’s submission to the royal commission indicated that if there was a change of the metropolitan boundary, critical surge capacity would be diminished and also that the government at that time stated that integrated stations were a cheaper way of delivering fire services than MFB stations. What has changed since the royal commission so that the government no longer has that position?

Mr RUSH — Chair, I have reviewed every investigation — and there is almost fatigue in relation to investigations, I think, across the community — but there is nothing to justify, on what I have read anywhere, that as far as impact on surge capacity or cost that there would be any change. There is nothing to justify a change.

Mr MULINO — I have some questions on some specific aspects. You have said you do not recommend radical change and that you would support incremental change. I think one could characterise a lot of changes in the current proposal as incremental changes — and we can get into a debate about that — but let me go to

specific issues. You said in your submission to the royal commission that the current model is unlikely to provide a suitable framework for dealing with the needs of Victoria's expanding population and that there is a real need to implement a system now which will be capable of coping with Victoria's changing urban profile. We have had evidence from a lot of experts around the fact that population growth is very rapid in regional centres and outer urban areas. You went on to recommend a single Victoria fire services board. Do you support the aspect of the current proposal that provides for an independent board of experts that periodically reviews where career firefighters are stationed?

Mr RUSH — Let me make it very clear: I am not against change. What I have indicated as a background is for change, but change has to be properly investigated. Change needs to be considered in terms of the manner in which it may impact on matters such as surge capacity. Do I agree with that? I have no reason to disagree with it as long as it is properly managed. What I would say though is that from my experience, until it is demonstrated that integrated stations fail in some material way, I would absolutely support them. I note that no council using the facilities and the legislation that is available has ever, because of a lack of service, moved to change integrated stations.

Mr MULINO — You say on the one hand that there is reform fatigue, that there is review fatigue and that we do not need yet another review, yet the current proposal is based upon extracting findings from previous reviews plus building on specific expert advice from people like Greg Mullins who have direct expertise in organisational change. Greg Mullins has given advice that a fire services review board is important. He has given advice that an incremental change towards a single, paid service is appropriate and would not affect surge capacity. Do you think that an incremental change based on the advice of people like Mr Mullins is appropriate?

Mr RUSH — Not necessarily. I do not think it is necessarily appropriate. I have not read the submission or the evidence of Mr Mullins. What I can say and what I rely on is that I have read every report since the bushfires royal commission, and there were any number before it. I have not seen one that indicates integrated stations should be changed in any material respect. You say Mullins, but from my perspective, the Victorian government's submission and everything that relates to the evidence before this inquiry, surge capacity is threatened as a consequence of the proposal of the FRV. Also the CFA, I think, is threatened by a potential dismemberment.

Mr MULINO — In your submission to the royal commission you and the VFBV both advocated against a single fire service. Is that fair?

Mr RUSH — I believe that is fair.

Mr MULINO — Your submission and the VFBV submission.

Mr FORD — Our submission did advocate against a single fire service, and we argued very strongly that making a radical change of that nature to a single fire service when there were very distinct and large cultural differences in the fire services would be taking the focus to the wrong thing. Changes needed to be made in terms of interoperability and changes to the focus of the collective fire services on greater community awareness and community warnings, and if there were resource caps, they could be done within the existing structure. We did argue very strongly that if there was ever going to be contemplation of moving towards a single fire services, there were a number of precursors that would need to be put in place first to get the culture right and to get the work practice arrangements right. If you work seamlessly as one as your focus, you will get better advantage and more progress than simply changing the structures. That was very consistent with the analysis of Professor 't Hart and other experts that approached the royal commission.

Mr MULINO — So Mr Rush and the VFBV do not support a single fire service. Mr Rush, with all due respect, you keep saying that you do not necessarily oppose what Mr Mullins is saying, you do not necessarily oppose the fire district review panel, you do not necessarily oppose certain parts of the bill. But it just comes across that what you are really trying to say is that you do not want to say that you are stuck with the status quo but you do not strongly oppose what is currently being proposed. It is almost like you are saying, 'I don't want yet another review', yet you are not willing to support elements of this proposal which are entirely consistent with what you proposed in your submission.

Mr RUSH — Let me make very clear: I do oppose what is set out in this legislation. I would not be here if I did not. Let me also make clear that the fatigue in relation to this affected me. I was retained by the volunteers to

provide an advice in relation to this specific cancer legislation. I was not interested up until that stage. That caused me to read the legislation and caused me to make the public statement that I did because of my concern about what this legislation would do to the CFA. That is my only motivation for being here. I do not think I could have been clearer in what I oppose in relation to my opening statement.

Mr MULINO — Just one last question: we have had expert witness from Mullins, we have expert witness from senior officers in MFB, in the CFA, that change is needed. We have also had expert witness that you are not going to get unanimous agreement on change, no matter what the model is. You seem to be saying that you do not want another review from square one and yet you do not want this proposal. What is it that you want?

Mr RUSH — No. I think if you had listened to what I said in my opening statement, what I said is before you adopt radical change — and this is radical change — you need proper investigation. If that means another review, go ahead and do it. But before you — —

Mr MULINO — So you want another review of structure?

The CHAIR — Let Mr Rush answer.

Mr RUSH — Before you radically change something, you need to know the consequences of what you are about to do. What I suggest to you is if you go back — you quoted the counsel assisting royal commission submissions — what we did was analyse everything that ‘t Hart, Leonard and Molan said, and what they were opposed to, if you read it, was the sort of single operation that is being spoken about: a monolith in relation to bureaucratic structures that is ineffective. What I quoted in the opening submission is exactly what they said: radical change will not achieve the sorts of results that everyone may want. What we would say is you have got something; do not throw the baby out with the bath water. It is a simple process. That was a heading in counsel assisting submission.

Mr MULINO — You want another review before organisational change?

Mr RUSH — Before you go on the sort of change that is contemplated by this legislation, you need to know the impact it is going to have on a world-class organisation, and that is not provided, in my respectful submission to you, by the sort of evidence that is before the committee.

Mr YOUNG — In the brief time that we do have I just have the one question for Mr Rush. With your experience in the military, with both our Victorian police and our fire services, you have got a unique oversight on a chain of command and that kind of structure as well as the culture within our fire services. I was just wondering what your thoughts are on what the implications would be with the management structure proposed in this bill and how that would affect the chain of command on the ground?

Mr RUSH — With the management structure, in relation to the FRV fire services commissioner deciding what staff go to the CFA, in consultation with the chief fire officer, and potentially 1000 to 1200 people being rebadged into a different uniform with a different employer and with different responsibilities, is a disaster to a proper and concerted organisational command. That is something that in the military, indeed in the police force, would not be tolerated. All I can say is — I was thinking about this last night — if the boot was on the other foot and the CFA took over the very same people from the MFB, there would be hell to pay because it interferes with the culture and the nature of the MFB, and no-one wants that either. This is a disaster.

Dr CARLING-JENKINS — Thank you for coming this morning, gentlemen. I did not realise, Mr Rush, that you were going to be here this morning until I got here, so that is quite a bonus. I actually want to follow on from some of the Deputy Chair’s line of questioning and draw it to the submission made by the VFBV where I was really interested with the idea of an independently chaired all-stakeholder fire service improvement task force being established to commence and actively facilitate organisational culture and positive relationship shift. I note Mr Rush’s comments — in your opening statement — that a case for change has not been made. I would like you to comment on that, I guess it is a review that you are proposing, but also comment on the fact that I do not think any of us can deny that there is a really toxic culture at the moment within integrated stations and within the fire services and whether you have a short-term response to what could be done. If this legislation is not passed, in the short term what should be done, in your opinions, around that toxic culture, around volunteer morale, so that we do not have the example, Mr Rush, that you gave to us that a CFA officer has resigned because he just cannot handle it anymore?

Mr FORD — Rachel, can I just start. I think you referred to — in your words — the ‘toxic culture’, and I think that can be overstated. The committee, I am sure, have seen transcripts, and we know from our own contacts that both the paid firefighters and the volunteers at integrated stations work well together. They have reported openly to the committee that the integrated model works well. Whilst there are tensions and there will be spikes of tension in some places or at some times or between some individuals — there is no denying that — overwhelmingly the message is that the integrated brigades model works well and people respect one another and work well on the ground. I think it would be wrong to depict a toxic culture at integrated brigades. As David O’Byrne recognised, integration could and should work better.

All of the major reviews, contrary to the proposals being put forward in this reform, have recognised the importance of the integrated model, have recognised the strength of it and the contribution of it, as Mr Rush has said, for the state’s capacity. All of them have said there needs to be focused work on strengthening how well integration works in integrated brigades at the fireground. I think Mr O’Byrne’s recommendation was to look for the best practices of the most successful integration and integrated brigades and proactively share those and embed those across the rest of the brigades. That sort of work is not complex. It does not require structural reform and certainly should happen immediately and in the short term.

Some of those tensions are born of the tensions that come around from reviews such as this. I think I spoke last time — I did speak last time — about some sense of an invented crisis. People have latched onto this, ‘It’s got to be one way or the other’, and, ‘People have got to be for or against this change’ and I think in the very short term support to integrated brigades to overcome those sort of tensions.

I have talked in our submission about a focused effort on addressing some of the cultural issues. We urge the committee to do whatever you can to hear from the Victorian Human Rights and Equal Opportunity Commission, who have done a major review into the cultural and human factor issues into the fire services. Surely there will be some insights in that review that could help us work together in a collaborative, calm and open way to improve what needs to improve. That ought to happen before anything else, and it is amazing that that is being delayed, so I think that could happen in the short term.

Finally, we talked about if there is a desire for some change, if there is a view that there is some problem to be fixed, let us be really clear on what the problem is — be very clear. There has been a lot of talk in some of the submissions about response times shortfalls being a driver for this change. There is nothing in the proposed organisational restructure that adds additional resources. There is nothing in the proposed restructure that adds additional flexibility to what exists already in CFA to fix service gaps. If there are service gaps, the answer is to diligently understand those gaps, either provide additional resources or build additional capability within the existing systems to do that.

If there is a view that there is a change needed to the standards of fire service and fire cover in Victoria, well let us understand that. That would require analysis. It does not require a lengthy review, but it would require detailed understanding of what is the standard the Victorian community wishes to pursue. If there is a shortfall in the current system’s ability to pursue that, then that would call for some change and that ought to be done in a transparent, objective and bipartisan way. That could be a more medium-term issue.

The CHAIR — Mr Ford, unfortunately we are going to have to move on to Ms Hartland.

Mr FORD — Okay. I will wrap with just 5 seconds. The preoccupation with response time performance that is underpinning many of the submissions to this review I think is failing to recognise that the existing system has all the capability you need to address response time gaps. It is a resourcing issue, not a restructure issue.

The CHAIR — Thanks, Mr Ford. Mr Rush, do you want to add anything to Dr Carling-Jenkins’s question before we move to Ms Hartland — briefly?

Mr RUSH — Very briefly, thank you, Mr Chairman. Say in the navy, sexism, inequality was rife, and a top-down direction, management education constant theme completely changed culture. I believe with that sort of involvement and that sort of commitment, these things can change.

Dr CARLING-JENKINS — Culture can change within the existing structures?

Mr RUSH — Absolutely.

Ms HARTLAND — The question is for you, Andrew. We have been out in the country the last two weeks and we have had evidence from a lot of people, both volunteer and career and volunteer in integrated stations. Nicole McGrath, who is from Ballarat City volunteers — she is the secretary and the Treasurer — has written to you and she has asked me to ask a question on her behalf:

Ballarat City volunteers are affiliation fee paying members of the VFBV and also have made it very clear to them via our district 15 representatives and other avenues that we feel the VFBV doesn't adequately represent or support volunteers at integrated stations and doesn't consider the impact on us when planning media campaigns.

... since I joined the Ballarat City in 1998, and during the last five years that I have been brigade secretary we have not once been individually consulted by the VFBV and that the actions and campaigns they develop often place us in a very difficult position.

There have been a lot of complaints from your organisation about the lack of consultation on this issue, yet we heard from a number of volunteers. Nicole took the time to write back to me, saying they are not being consulted about the campaigns and it is causing real distress in the community for both volunteer and career firefighters. Why has that occurred?

Mr FORD — First, when you ask, 'Why has that occurred?', it depends on what it is, why has it occurred? Ballarat City are an affiliated brigade. They have delegates to the VFBV and to their local district council. I think what Nicole is misunderstanding is that part of the consultation chain and part of Ballarat City's input to VFBV decision is via those delegates who attend their local district council. I know they have been part of that meeting, they have been in the meetings that discuss even, for example, our views and position on this issue. I understand that there will be times when there will be delegates from a brigade at a meeting that will not necessarily agree with the view and opinion of the majority of the meeting, and that may well be the case in Ballarat City's circumstance.

I think it would be fair to say that there have been some pretty strong attempts from the local delegates to work closely with Ballarat City, and there has been some resistance to that as well. There is no question they have had a difference of view on some of the VFBV's opinion broadly. We do not always have 100 per cent unanimous support for the view, but I would say to you on this issue — this fire service restructure — it is the broadest support for a position that I have witnessed next to our campaigning along with yourself on presumptive legislation.

Mr LEANE — Not in the integrated stations.

Mr FORD — No, there are differences of views amongst integrated stations.

Ms HARTLAND — Very strong differences.

Mr LEANE — All of it is unanimous.

Mr FORD — Sorry, Mr Leane?

Mr LEANE — Thirty-five — —

The CHAIR — Mr Leane, order!

Mr FORD — I did not hear Mr Leane's question, sorry. Nicole wrote to me on Sunday. I have to confess I only had a chance to have a brief read of the beginning of her email. It is several pages. I have not had a chance to read the full message, and I think there may have been a message that came in again yesterday which I have not had a chance to respond to, but I will be following up with her.

Ms HARTLAND — Nicole was very impressive at the hearings, and to say that you have overwhelming support from volunteers, that is not what we are hearing in these hearings, that every volunteer supports this, especially in the integrated stations.

If I could go on to talk about some of the other things. You just said that you thought the issue around response times was being misunderstood. I live in a totally urban area that has five CFAs. We are getting evidence about a lot of brigades in integrated stations and the volunteers not being able to respond in a timely manner, and this is not a reflection on the volunteers. These are people who work hard. They give a lot, but they no longer work where they live. They have problems responding, so this for me is about community safety. If response times

are failing, I think we have to be honest about that and figure out a way of fixing it. I just felt like your comment was, 'It's not as bad as people are saying'.

Mr FORD — If I could go to that, Colleen. First up — and the point I think I was making and I will make again — if there are gaps in response time performance against accepted standards, then they need to be addressed, and no-one would argue that. We are completely in agreement on that point. The solution may be to build volunteer capacity, it may be to establish additional infrastructure or it may be at times to establish and allocate additional paid firefighter resources, as we see regularly happen, and nobody argues against the need to address service gaps. That is point one.

The second point is, if there are response gaps or a desire to increase response performance, you do not need this structural reform to do so. If there is a brigade in your area that is struggling to meet service performance standards, CFA's legislation, CFA's capability and the current CFA structure have the capacity to either build volunteer capacity, add additional resources or add additional paid firefighters to support those brigades, and that should be happening. We actually argue that the flexibility and agility of CFA to be able to make those resource decisions will be diminished, not enhanced, by this restructure.

The other point that needs to be made very clearly — and I urge the committee to do your own investigation into some of the performance stats that have been put to you — is that there are representations of brigade performance that are being bandied about, particularly in some of the documentation that is put about by the UFU, that is misusing and misrepresenting the performance according to the agreed standard and not briefing in their reports, certainly to the media in some of their campaigns, on the accepted standards that the fire services are structured, resourced and motivated to perform. If there is a view somewhere that the standard ought to change, do that through a systematic review and people will work towards it, but whilst there is a standard in place and an agreed performance management system in place, that is what people should be judged against.

I would ask the committee to not rely on any other performance data than you can get verified from CFA. If you are concerned about whether people are covering up service performance, then get independent assessment in to do that. Do not take it from me; do not take it from anybody else. The data and the analysis of that performance data is the domain of CFA, and Emergency Management Victoria has the standard setting role. I think what you need to do is be very careful that you are not being given cherrypicked or misrepresented performance appraisals.

Ms HARTLAND — We are actually quite smart people. We can actually figure that out.

The CHAIR — Ms Hartland, I want to move on.

Ms HARTLAND — I have only had two questions.

The CHAIR — I am sorry, you have had 7 minutes.

Mr FORD — Colleen, this is not a comment on whether you are smart people or not. It is a comment of fact that the publicly stated performance of certain brigades, including brigades in your patch, by the UFU is not in accordance with the established standards and not in accordance with the CFA's official figures.

Ms HARTLAND — We will be seeing the CFA this afternoon.

Mr O'SULLIVAN — Thank you, Chair, and thank you gentlemen for coming in and giving us your evidence today. Mr Rush, I would like to ask you a question to start with if I can, and I want to pick up on something you mentioned in your preliminary words to us in relation to surge capacity. I am starting to form the view that this legislation will actually have a detrimental impact on the ability to have surge capacity go to campaign fires, and we have heard from volunteers from around the state saying that, yes, as a result of this they will certainly attend fires in their local area, but they will be hesitant to go to campaign fires or fires in the other part of the state. In your view, if that was to be the case, is that going to have a detrimental impact to the safety of Victoria?

Mr RUSH — The bushfire response on Black Saturday relied on surge capacity and without surge capacity the response would have been inadequate, and that has been with every major fire that has been since the founding of the CFA. The ability and the preparedness of volunteers to leave their own areas despite the bushfire risk, form task forces and go into other areas is critical. It is recognised time and time again with every

major fire. One of the people that I have kept in contact with fought in the Grampians fire a couple of years ago, and his brigade had been on duty for 24 hours and he spoke of the joy and the relief when they had people from integrated stations coming into their fire area to relieve them. That is what is threatened as a consequence of what could potentially happen with surge capacity. Reduce it at the risk of proper response to bushfire.

Mr O'SULLIVAN — Back in the royal commission, through your findings, what would have been the outcome, and would it have been a different outcome on the day if there had not been the capacity of the surge that we did have from around the state to go to those fires?

Mr RUSH — On the day that bushfire, as the evidence discloses, could not have been fought. Just take for example the Kilmore fire. The Kilmore fire was a fire still on its own. Never in history have we had a fire like it. But as far as the saving of lives on the outskirts and around the fire, particularly with the south-westerly wind change, the role of volunteers, surge capacity and getting numbers to the fires was critical.

Mr O'SULLIVAN — In this legislation itself, in terms of what you have read about it, is there anything that is discriminatory towards volunteers?

Mr RUSH — I am sorry, I missed that.

Mr O'SULLIVAN — In terms of this legislation, is there anything in it that is discriminatory towards volunteers?

Mr RUSH — If I look at the prescribed cancer legislation, that is discriminatory against volunteers.

Mr O'SULLIVAN — How so?

Mr RUSH — There is a different test in relation to whether volunteers will fall into a category that is entitled to the same compensatory benefits as career firefighters. It is completely different. It is not only that, it goes to an undisclosed expert panel for an opinion, and that opinion can be rejected by WorkCover. They are matters where there is a different test for volunteer firefighters and for career firefighters.

Mr O'SULLIVAN — And would that legally stand up in terms of having these clauses or this part of the bill that is discriminatory against volunteers?

Mr RUSH — That is the legislation that is proposed to be enacted, and it is discriminatory against volunteers. If it is enacted, it will remain discriminatory. I guess there is some potential for some form of challenge under rights legislation, but in my opinion it would go nowhere.

Ms SYMES — Mr Rush, I am raising my family just outside of Kilmore, and my brother and his wife will be raising their family in Molyullah, soon to build a home there, so I have a very personal interest in surge capacity and any threats to such a thing. I note that fortunately the Bendigo brigade were on hand to help your property in Molyullah at a time when it was under threat. They are an integrated brigade. Throughout your looking at the legislation, have you had much interaction with integrated brigades?

Mr RUSH — Have I had recent interaction with integrated brigades? The answer is no. Did I have it during the royal commission? The answer is yes. If you want my opinion as to the culture and the nature, it seems to be very similar to what was found in the 2015 inquiry. It was said by Mr Bibby, a former CEO of the CFA, to the royal commission that 90 per cent of integrated stations work well, and it is the 10 per cent that we need to work on.

Ms SYMES — Sure. What I was interested in from your opening statement too was that you said integrated brigades are not saying that they want to be rebadged and the organisation divided, so that is not from your recent conversations with integrated brigades, that is from a time when there was no proposal to separate them.

Mr RUSH — That is just looking at the impact of the legislation.

Ms SYMES — Okay. This is probably a question for the whole panel. Just coming off the back of what Ms Hartland said, we have spent many hours in the car travelling to all areas of the state, and most of the integrated brigades that have presented at our inquiry have had their first lieutenant or captain next to them, so you have got the CFA paid person and the volunteer that heads up the integrated brigades. Unanimously they

support reform, and they say that the VFBV do not represent their interests. The evidence in every single case has said, 'We actually think the reform will enable us to bolster our resources'. So this suggestion that the 35 integrated brigades will have an impact on surge capacity is a furphy, and they are actually quite offended that there are people out there saying that they are going to leave.

Mr FORD — Obviously we have not been at all of your hearings, but I understand, for example, at the hearing on Friday last week you were talking to the brigade from Portland. The report I have had is that the OIC talked in support of the reform. The volunteer representative from that brigade gave you a very strong message that there was very strong concern from that brigade against the reform.

Ms SYMES — That is probably a unique situation in that they are a very new integrated brigade. But I would say Wodonga, Traralgon, Morwell, Wangaratta, Dandenong, Hallam, Warrnambool and Ballarat — and Hallam even suggesting that they actually want to separate and be co-located — all confirmed that surge capacity will not be affected. They actually think that they will be able to bolster their members because of being separated into the volunteer organisation that is completely dedicated to their purposes.

Mr FORD — Jaelyn, the reason I took you to Portland is, firstly, because it was a recent one. I am not aware of all the rest, but you did make the point that it was unanimous support for the change, which it clearly is not.

Ms SYMES — Almost unanimous I think were my words, Mr Ford.

Mr FORD — What you have been able to speak to in the committee is a first lieutenant in most cases or a senior volunteer and an OIC. If you dig deeper and talk to all of the volunteers from those brigades, you will find there will be mixed views. You will also find that there are views that are talking in support of the change on the basis of the information to be given about how the change is intended to work as opposed to how it is legislatively structured to work. There are many people making assumptions in the hope that the brigades will be able to continue to work in a certain way.

We are cautioning you, A, it is not as unanimous or as strong support as you think, and B, that a lot of that support or a lot of the size about concern against reform is because people are not prepared to speak up, I guess, for a desire to keep their noses out of it — and I am trying to avoid the word, but I cannot — but for fear of criticism for speaking in any way other than the general company line. We are also cautioning you that there is a very strong concern that if you take away the primary suppression and prevention role of the volunteers in those existing integrated brigades, over time they will not have — —

Ms SYMES — Who is saying that they will be taken away?

Mr FORD — Your legislation takes the primary suppression and prevention role for the integrated volunteers away. The legislation excises those areas to an FRV service area, invites the volunteer brigade to remain as a co-located brigade or an adjacent brigade delivering services under an administrative agreement. They do not any longer in the legislation have a primary prevention or suppression role.

The arguments that are being put to you in many of the submissions — and I think it is a paradigm shift that you are seeing in many of the paid staff submissions — are starting to discount the volunteers, whether they are available or not, as counting as part of a legitimate crew. Now if that paradigm takes hold in the new FRV system, and volunteers are disempowered, disregarded, disrespected and treated as second rate, we are cautioning you that you will not sustain volunteerism. Whether or not the existing volunteers understand that and see that or not, we are cautioning you not to make a change that could be a very serious detrimental impact to Victoria.

Mr RAMSAY — My question is to Mr Rush and to Mr Ford. Yesterday we heard from Mr Mullins that as a representative on the expert panel he was provided with a document from the Department of Premier and Cabinet in relation to this proposed legislation and new structure. From your evidence, Mr Rush, you have said there have been no reports, reviews or inquiries that would indicate such a structure. Mr Marshall yesterday in evidence said that the federal legislation was a catalyst for the proposed changes as indicated in the legislation. In fact Mr Marshall admitted to me that he had already drafted a new EBA for Fire Rescue Victoria and it now sits with the government. So I would like a response from the two of you in relation to how or why did you think the Department of Premier and Cabinet saw fit to put this proposal forward given all the evidence to suggest that the machinery is not broken, it just needs some fine-tuning? I pose the question: do you think it is

actually because of the stalemate in the industrial EBA that has caused this legislation to come forward? Do you think in fact that the commonwealth legislation has been a catalyst for the new reforms as being proposed?

Mr RUSH — I said in my opening submission that the only valid reason that could be generated in relation to an explanation of this legislation is to achieve some form of industrial outcome. I firmly believe that. I am really not qualified to say whether the commonwealth legislation has caused that, but it seems to have certainly been a provocateur.

Mr FORD — Mr Ramsay, I read back through the transcripts from our hearing and Mr Melhem was very strong on the fact; he talked about one of the key drivers being the EBA and the Fair Work amendment. So no doubt it is a driver. It has been talked about quite openly by the minister as one of the drivers for this reform, and we have argued in our submission that that is the wrong motivation to restructure the fire services. There have also been claims that the Fair Work amendment would make it impossible for — I think these are the words that have been used — any EBAs or any pay deals to be finalised through the Fair Work Commission. We strongly dispute that. We find it amazing or absurd that that claim could be getting made when the EBA has not even been put to the Fair Work Commission under the new Fair Work arrangements, including contemplation of the impact on volunteers, and yet that judgement is being made.

We find it further amazing that in the Senate inquiry hearings into the consideration of the Fair Work amendment the union were asked: do they think EBAs should have the capacity or be allowed to — and I am not quoting directly, but it would be very close I think you will find — limit or restrict the provision of support or equipment to volunteers? Should they have the capacity to restrict or limit an organisation's ability to value, respect and have regard to or utilise their volunteers? The union's answer was no, they should not, and no, they do not, and there has been a very strong argument from the government and the union over the past year that the proposed EBA has no impact on volunteers. Now the Fair Work Act amendment is only a test to ensure provisions of an EBA, such as that proposed for the CFA, do not restrict or limit an organisation like the CFA's ability to equip or support or utilise, recognise, respect and value their volunteers, or consult with volunteers and make decisions on the basis of that consultation. So how can you have an EBA that is professed to having no impact on volunteers, have a Fair Work amendment that only provides a test to check against an impact on volunteers, now being used as an excuse that no EBAs would get through?

It is further challenged, I guess from our view, in that recently an EBA was finalised through the Fair Work Commission under the new Fair Work Act amendments with regard to volunteers for the SES. So it can be done. We would also put to you that if you were putting an EBA such as that which exists today for the New South Wales fire brigade, for example, it would probably get through, because it does not overreach into issues that go far and beyond pay and conditions into those matters that affect volunteers.

Mr RAMSAY — Mr Ford, I do not want to cut you off, but I know the Chair is going to cut me off. I have only had one question and I do want to ask you this one, because it is quite important. In relation to the proposed secondment of middle management from the proposed Fire Rescue Victoria to the CFA, can you just explain to me very briefly how you see the implications of having a paid Fire Rescue Victoria career firefighter being seconded into a CFA station and his or her ability to provide oversight independent of the proposed EBA and the Fire Rescue Victoria employee's status would be?

Mr FORD — We have covered this issue pretty extensively in our submission and raised concern. Our understanding is the proposed legislation strips out the middle management of operations managers, operations officers, training instructors and some others from CFA to FRV, employs them through FRV through an FRV-negotiated EBA and then seconds them back to CFA. We see that arrangement as highly deficient and concerning; we do not think it will work.

Mr LEANE — I have got a number of questions for Mr Ford, but seeing the time, can I put them on notice to Mr Ford? They range across a number of things, from the Prime Minister's statements to privatisation and other things that your members said. Because Mr Rush is here I would like to actually direct my questions towards him. Call me a socialist if you want, but I believe in equality too, and I believe that there should be the same level of fire protection for someone who lives in Toorak, in an urbanised area that has got schools, hospitals and so forth, as for someone who lives in the outer suburbs and vice versa. This reform is about standardising services. Where there is a better service in some areas by the CFA, I hope it goes up. Where there is a better service by the MFB, I hope that it would go up too. You are on the record in your submission to the royal commission into Black Saturday, where you said:

There is a real need to implement a system now which will be capable of coping with Victoria's changing urban profile and predicted growth in its major regional centres.

The problem I see, Mr Rush, is: you are going to be the poster boy for this not to happen. The *Herald Sun* and people down the end there are going to use your evidence today for that not to happen. You spoke about consequences before. Are you prepared for that consequence?

Mr RUSH — When it comes to fire services you can call me a socialist too, and the consequences that you speak of — and you quote me from the royal commission. If you are talking about standard service delivery, we also made submissions on that, and we also looked at the UFU position, the volunteers' position. We criticised the CFA for not providing proper information in relation to that delivery, but we also said that what the UFU was doing was comparing apples with pears, and there was not any evidence in 2009–10 to support the submission that they were putting forward. I would say, do not have me as your poster boy, but if — —

Mr LEANE — You will not be mine.

Mr RUSH — But at the other end of the scale, if that is some sort of veiled threat to say, 'Are you prepared to wear the consequences?', what I would say is: I am prepared to wear the consequences, and what this committee needs to ensure it is doing is that the consequences of the 2009 bushfire are met with the same sorts of resources that they were in 2009, and that is what I cannot say will happen as a consequence of this legislation.

Mr LEANE — So you criticise the information available to you from the CFA.

Mr RUSH — No, no — —

Mr LEANE — Would this document be able to be passed to Mr Rush?

The CHAIR — What is the document, Mr Leane?

Mr LEANE — It is a CFA document that was given to us yesterday.

The CHAIR — Given to us by?

Mr LEANE — Given to us by the UFU. It is a CFA document. It can be verified today by the CFA. If you look at that document, Mr Rush — let us not talk about the name of the brigade — this is a turnout of crew numbers. If one person turns up to an event in their car, that is not a response. If two people turn up to an event in their car, that is not a response. This is a structure. This is a breakdown on 50 structure fires.

When you look at the crews that turned up to actually address this fire, you will see in the first column, where it says, '1 x pump operator, 1 x crew leader', this is a turnout of two. See that grey column? This is 50 events. In that grey column, 28 times 'never'. When you look at the three on the fireground — when you look at three at the fire, a pump operator and a crew leader — out of the 50, nearly 40 times they never turned out. When you look at seven on the fireground — that is the last column, and we have had expert advice about why there should be seven on a fireground when there is a burning house and there could be people inside — when you look at that column there, out of the 50 instances from this crew it has got 45 'never happens'. Does that concern you like it concerns me?

The CHAIR — Mr Leane, the committee does not have the benefit of having in front of us the document you have referred to. I do not know, Mr Rush, if you are in a position to respond to that document.

Mr RUSH — I will not say. I am not sure. The print date of this is September 2008, but putting that to one — —

Mr RAMSAY — It is irrelevant!

Mr LEANE — We will get current ones. You did your report in 2009.

Mr RUSH — Putting that to one side, we analysed the information that was put forward by the UFU and the volunteers Victoria in the royal commission. You quoted from the recommendations. You will see exactly what

we said: that this sort of material we found unconvincing because we were comparing different response times and the different nature of urban response. The definitions are in our submission. Just 1 minute — —

Mr LEANE — Are you okay with different response times?

Mr RUSH — One minute. What we also found was that the MFB was failing to meet its allocated response times. So you talk about Toorak and outer suburban Melbourne. What we found in relation to it was the response times that the MFB were putting forward were also not being met.

Mr LEANE — I do not know if you think the biggest stakeholders in reform are the volunteer firefighters or the professional firefighters. To me the biggest stakeholders are the people I represent, so I will keep educating myself. I will get up-to-date analysis. I will make sure we do, and I will make sure that I am the most educated MLC on the different types of fire protection towards the inner city, where people are quite affluent, and the different types of service they get with that.

Mr FORD — Mr Leane, to your example — I will not use the brigade name — are you aware that this proposed fire structure reform will add no additional resources and no additional capacity to fix the service gaps espoused there? This reform makes no change whatsoever to that brigade's support capacity than exists today under the CFA model. Are you aware of that?

Mr LEANE — No, I am not aware of that, because the act actually — —

The CHAIR — This is not an opportunity for a debate with Mr Leane. Wrap it up, Mr Leane.

Mr FORD — Sorry.

Mr LEANE — The CFA act strengthens that those brigades need to be supported in their recruiting. Do you understand the change to the CFA act?

Mr FORD — Absolutely. The point that I want to make to you if there is a service gap potentially there or in other brigades, and if there is a gap against a standard, it should be getting fixed. The CFA model today not only has the capacity to do that, it has an obligation to do it. That is not the fault of that brigade, as I am sure you would agree — —

Mr LEANE — It is not the fault of the brigade — —

Mr FORD — No; I am agreeing with you.

Mr LEANE — It is not the fault of any firefighters. The fault is in the government.

Mr FORD — You do not need a structure — —

Mr LEANE — The fault is in government squibbing it.

Mr FORD — You do not need the proposed structure reform to fix that service gap. It can be fixed under the existing system more effectively than what you are proposing.

Mr LEANE — What if there are many service gaps?

Mr FORD — Then they should all be fixed.

The CHAIR — That concludes this hearing this morning. Mr Rush, Mr Ford, Mr Barnett and Mr Jones, thank you for your evidence before the committee today and indeed for making yourselves available at short notice. The committee will have a draft version of the transcript to you in the next couple of days for any corrections. We appreciate your efforts this morning.

Witnesses withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 25 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Participating Member

Dr Rachel Carling-Jenkins

Witness

Mr Jim Higgins, ASM (sworn).

The CHAIR — I declare open the Legislative Council select committee inquiry into fire services restructure. I welcome this morning Mr Jim Higgins, ASM. All evidence being taken today is protected by parliamentary privilege; however, any comments made outside the precincts of the hearing are not so protected. All evidence is also being recorded by Hansard, and you will be provided with a proof version of the transcript in the next couple of days. Mr Higgins, the committee has allocated an hour for this hearing, and we have been allowing up to 10 minutes for any opening statements. Would you like to make an opening statement before the committee proceeds to questions?

Mr HIGGINS — Thank you, Chair. I do not have a presentation. However, I would make just a few introductory remarks before I move to the invitation to answer any questions that the committee might have of me. I would just like to make note of the fact that I come here as someone with over 30 years' experience in the emergency services environment. I was a frontline paramedic for a large proportion of my career. I have held leadership roles in emergency services over many, many years, including six years as the commissioner of the Queensland Ambulance Service and the last three years as the chief executive of the Metropolitan Fire and Emergency Services Board. I have worked in a number of jurisdictions — New South Wales, Victoria, Queensland and the UK — as an emergency services professional, so I come to this committee with significant experience in the emergency services environment and as a leader in emergency services.

I have spent the last three years, as I mentioned, as the CEO of the Metropolitan Fire Brigade, and I have a deep admiration and respect for the work of firefighters and their commitment to our community. I have worked in that organisation. The contribution that the organisation makes to our community is quite outstanding, and I want to reflect on that.

As a public sector leader with many years of experience, I note with significant disappointment the evidence that was provided to this committee earlier in the presentations, in particular the evidence of Mr Bates from the Department of Premier and Cabinet. He indicated that consultation did not occur with the Metropolitan Fire Brigade in the circumstances around this particular legislation because of concerns that that information may leak. I was personally offended by those remarks, and on behalf of the board of the metropolitan fire and emergency services, I think that those remarks are quite disappointing. I will leave that there.

I would like to state for the record that I am not opposed to reform of the fire services environment. I would just like to ensure that the reform is driven by the right motivation to deliver the best possible outcomes for our community. I am happy to assist the committee to answer any questions that I am able to assist in your deliberations.

The CHAIR — Thank you, Mr Higgins. The committee recognises your long service in emergency services. Indeed I understand the awarding of the ASM is a reflection of the long contribution you have made in emergency services over many decades.

Mr HIGGINS — Thank you.

The CHAIR — Mr Higgins, you attended before the committee on 3 July in a private briefing in the preliminary stage for this committee, before we commenced formal hearings. The first hearing was in fact the one you referred to, with Chris Eccles and Tony Bates from DPC, on Friday, 7 July —

Mr LEANE — On a point of order, Chair. That evidence was in camera, wasn't it?

The CHAIR — I am not referring to evidence, Mr Leane, but to the fact that Mr Higgins has been before the committee for a private briefing.

Mr LEANE — Okay.

The CHAIR — The evidence you referred to, Mr Higgins, was the public evidence of Mr Bates and Mr Eccles on Friday, 7 July. Later on 7 July it was announced that you had resigned as chief executive of the MFB, which certainly for me, having been briefed by you earlier that week and having had the secretary of DPC in that morning, came as somewhat of a surprise — that that was suddenly announced, seemingly with immediate effect. Can you inform the committee please of the circumstances of your resignation on 7 July?

Mr HIGGINS — I am still currently the chief executive of the Metropolitan Fire and Emergency Services Board; I have not yet formally concluded my appointment as the chief executive. I am currently on a short

period of leave until such time as those arrangements are concluded. It is my intention to depart the organisation, and that is a position I have reached with the board of the metropolitan fire and emergency services.

The CHAIR — Was that departure initiated by you or the board?

Mr HIGGINS — It has been a matter of discussion. As a professional in the emergency services environment and as a leader, it is my view that I need to be able to make a significant contribution to improving the outcomes for our community. My assessment of the current circumstances is that I am not the right person to lead this organisation into the future. There are a number of things which are a matter of public record about my views around the current arrangements that exist for fire services in Victoria that are unlikely to change, in my assessment. It is a pragmatic decision that the board and I have reached that, in order to take the organisation forward, new leadership is in all likelihood required.

The CHAIR — Were you surprised that when your resignation became public there was no acknowledgement from the Minister for Emergency Services of the service you had rendered to the MFB? In fact the minister's statement was that it was a matter for the board and yourself.

Mr HIGGINS — I did not pay a lot of attention to the media, Chair. I think, however, that the minister may have reflected on my contribution to the public sector over a number of decades and, you know, that is a matter for the minister.

The CHAIR — You said before that your focus as chief executive was on improving outcomes for the community. Had you reached the conclusion that implementing this package, as you would continue to see implementing this package, you would not have been able to do that?

Mr HIGGINS — If the legislation proceeds, my role no longer exists under any new arrangements. So let us take as a theoretical exercise that the legislation proceeds. There is no role for me in those arrangements. My assessment is that should the legislation not proceed, my views and the views about reform that I have mean that it is unlikely that I am the right person to contribute to leading the organisation forward. That is a philosophical assessment from my point of view about what is required in terms of leadership and being able to support the organisation to move ahead, and it is my candid assessment that I am not the right person to do that.

The CHAIR — Thank you, Mr Higgins. You indicated that you found the statement by Mr Bates personally offensive. Mr Bates said, and I will quote his evidence on 7 July:

And to be frank, my concern was that the fire services leak information very openly.

Did you see any evidence of that while you were chief executive, of your fire service leaking openly?

Mr HIGGINS — Look, it is fair to say that information within the organisation is not necessarily treated confidentially. I would make the clear point, however, that there has been cabinet-in-confidence information that I personally dealt with, that the board has dealt with, and in my career as a senior public official over many years I understand and absolutely respect the requirements of cabinet confidentiality. To suggest that they might be breached by either the board or myself are an unreasonable characterisation, hence my remarks that I found them offensive.

The CHAIR — And you are not aware of any past practice while you have been chief executive?

Mr HIGGINS — To the contrary.

The CHAIR — When Mr Bates made that comment, I asked him whether that reflected a lack of trust between the Department of Premier and Cabinet and the MFESB. Would you characterise the relationship as one lacking trust?

Mr HIGGINS — Well, all of the evidence suggests that that is the case. I am not sure, and it is not my view, that the MFB board or the leadership of the organisation contributed to that.

The CHAIR — What did contribute to it?

Mr HIGGINS — I am probably not in the position to answer that. The observation that was made that information would leak is quite unusual and indeed disrespectful. It is my view that discussions could have occurred with the board in a confidential way and that that would have been respected.

The CHAIR — You have had a very long and rewarded career in emergency services over multiple decades. Given your experience as chief executive of MFB, do you believe that the model as proposed by this legislation is the correct model for Victoria's fire services?

Mr HIGGINS — In my earlier appearance informally before the committee I made the observation that structure in my view is not necessarily the underlying issue here. I am not opposed to the concept of reform and I would argue, and the MFB board and myself have argued very clearly, that change is definitely required in this space, that the environment is characterised by very difficult industrial relations and relationships and that clearly needs to change. So my view and the board's expressed view through the fire services review and other forums is that very clearly there needs to be change, and I would argue that if the legislation is to proceed, it should be supported by corresponding change to other arrangements that allow for the organisation to deliver on its accountabilities around decision-making, around consultation and around managing the environment. Leaders need to be able to lead and manage their organisations. The current arrangements mean that that is extremely difficult.

The CHAIR — You say current arrangements. Do you refer to the EBA?

Mr HIGGINS — Indeed. The current arrangements are not — in fact, they are inimical to the interests of both parties to those arrangements to deliver an outcome that is in the best interests of the community and the people that the organisation serves. My view is that should this proceed, if there is a genuine opportunity for these very difficult relationships to be healed as part of a reform process, then they should be accompanied by similar gestures around moving to contemporary arrangements for decision-making. If a new fire services commissioner, a uniformed titular head of a new organisation, is to work successfully in a new environment, then that person and that team should be given the opportunity to work with contemporary decision-making and consultation arrangements, which is the case in the rest of emergency services around the country, and indeed, in my experience, around the world.

The CHAIR — It has been put to this committee that one of the rationales, if not the key rationale, for this legislation is in fact to facilitate that enterprise agreement or one mirroring that enterprise agreement to be introduced across all career firefighters — those who are currently in the CFA and would transfer to Fire Rescue Victoria. If that were to occur, would that be a good outcome?

Mr HIGGINS — The position of the MFB board has been very clearly that that is not the view of the organisation, and that is a matter of public record. The MFB board is a skills-based board looking at these arrangements over a long period of time. There are many other people who have the view that those arrangements are not the best for this organisation or indeed for any future organisation.

The CHAIR — So any legislation that facilitates those arrangements is not in the interests of the fire services or the Victorian community.

Mr HIGGINS — It is my observation that the two are indeed separate arrangements. An enterprise agreement is something that should be negotiated between the parties to reflect an outcome that delivers in the best interests of the community and supports all of those things that everyone in this room would want to support around the safety of firefighters, our frontline professionals. That should be a matter that is not something we disagree about. Very clearly in my view and in the view of the board and as expressed publicly through the fire services review and other forums change is required in that area.

Mr MULINO — Thanks for your time, Mr Higgins. I have some questions around the rationale for reform more from an operational perspective, and I would be interested in your views on some of these aspects given your extensive experience. One of the elements of the reform which we discussed yesterday with Greg Mullins was the establishment of a district review board to review where career firefighters might be placed, given changing needs. I am just wondering what your views are of establishing an independent board with expert members to periodically review boundaries, something which the royal commission also supports. Is that something you think is a sensible reform?

Mr HIGGINS — I think that makes reasonable sense. My advice to this committee is that wherever there is an interface there will be interface issues. They need to be considered carefully, and they need to be constantly assessed and reassessed to ensure that the service that is provided to the community is consistent with the needs and the expectations of the community and, reasonably, the cost that should be borne by the community to deliver on those outcomes. With all of those criteria in mind, something that delivers effectively on those arrangements would have my support.

Mr MULINO — Another aspect of the reform from an operational perspective that was touched on both by the officers in charge of some integrated stations and Mr Mullins was the capacity to respond to complex events around the boundary of the MFB and the integrated and CFA areas in urban areas. One incident that was referred to was Coolaroo, where there might be paid CFA, volunteer CFA and MFB all responding. One integrated station officer mentioned having three radios and two ears. Mr Mullins was pretty clear in saying that he thought a single service that covered all paid career firefighters would have more operational flexibility and be able to deploy assets more effectively. What do you say to that assessment?

Mr HIGGINS — I would be interested in how he arrives at that conclusion. That may be his experience; I do not know. As I have already indicated, wherever there is an interface there will be interface issues, and there will be a requirement for collaboration, cooperation and interoperability to occur across those areas where the career firefighting service adjoins with the volunteer firefighting service.

Those issues will continue to occur, and as always there should be an absolute commitment to collaboration and interoperability and arrangements that support the delivery of best service outcomes for the community. That will change as Victoria grows. As the periphery of the metropolitan area expands those issues will continue to change, and they will need to be constantly assessed. We have been working over a number of years in a determined way to achieve interoperability. The MFB has worked with both the CFA and Emergency Management Victoria to deliver on those sorts of outcomes. That work should continue.

Mr MULINO — As you say, wherever there is a boundary there are going to be interoperability issues and coordination issues, but you would support reforms which were an attempt to reduce any unnecessary interoperability barriers or coordination barriers.

Mr HIGGINS — Is it your question that a structural arrangement facilitates that?

Mr MULINO — If a structural arrangement could be demonstrated to reduce any interoperability issues, would that be something you would be open to exploring?

Mr HIGGINS — My proposition is simple: wherever there is a requirement for people to work together where they can be improved or advanced, enhanced by improvements to interoperability there should not be multiple sets of different types of equipment. My simple proposition has always been that there should be standardisation across fire services in Victoria except where there is a demonstrable requirement that it is not required. Otherwise things should look and feel the same. But it would be, to use an extreme example, unreasonable to suggest that an urban fire appliance would be suitable to operate in rural bushfire settings. That everything should look the same in that space is quite patently ludicrous. It should be horses for courses, but as a matter of standard there should be harmonisation of those arrangements.

Mr MULINO — Just one last question. One thing that Mr Mullins raised yesterday, based on his experience in New South Wales, was that if calibrated correctly, organisational restructure — in their case merging a lot of small rural brigades in one instance; and secondly, rationalising urban services — can improve organisational capacity and service delivery standards. It sounds like you are not opposed to change so long as it is structured appropriately.

Mr HIGGINS — I do not quite understand what you mean by rationalisation of urban services in that context. Again, I am not philosophically opposed to reform, provided that it demonstrably delivers better outcomes for the community.

Mr YOUNG — Thank you very much, Mr Higgins, for coming in today and providing us with your time. The line of questioning that I want to take is actually very similar to what Mr Mulino has just brought up. I take you to some of the comments in the conclusion from the O'Byrne review in 2015, a document which you just mentioned — I would imagine you would have a fair knowledge of it — where it says:

Appliances, equipment, training, systems and procedures should be standardised to the extent possible to allow CFA and MFB to operate together seamlessly, and in the greater metropolitan area, interchangeably.

That is very much in line with what you are saying, and it seems to me that you are of the same opinion. Has there been any pushback from anywhere within the MFB to doing that, to standardising with the CFA?

Mr HIGGINS — No. There are the general issues around change management that occurs in this environment that are somewhat unique, but I think that there is largely a view that interoperability is a commonsense thing to achieve. The MFB board's submission to the fire services review was absolutely committed to interoperability and the position that I suggested earlier: that things should look the same unless demonstrably they should look different.

Mr YOUNG — In your past experience has there been any pushback from the CFA in that kind of work that is done in conjunction with the MFB?

Mr HIGGINS — I think that there are some differences in some areas that mean that there is sometimes not a one-size-fits-all solution. The CFA perhaps has some more complexities around some of the issues that they deal with. For example, their fleet size is significantly larger than the MFB fleet, and they have a whole range of requirements to meet different solutions in different areas of the state. A one-size-fits-all is not necessarily the answer, but those things that are common have largely been progressed or are being progressed in a sensible way.

Mr YOUNG — It is fair to say that the CFA is a very unique beast. Would it be also fair to say that any attempts to do that work in conjunction with the two organisations has been done in good faith, has been done for the best of the two organisations? Given there have been so many reviews that have recommended that the two organisations work together and become more interoperable, has it been collaboratively effective?

Mr HIGGINS — I think that has been progressed more successfully in the relatively recent past. There was a period of time, I suspect before I joined the organisation, where the organisations were very separate and did their own thing to a large degree. It is my view that there is now much closer consideration, collaboration and cooperation around issues where there is a requirement for things to look similar.

Mr YOUNG — I just want to bring up something that came up in the evidence from the previous witness. Mr Rush presented this morning and put an interesting perspective to me, and I thought about this quite a bit, that if the shoe was on the other foot, the MFB would not accept the loss of such a large portion of their structure, particularly when talking about their command structure. Do you have any comments on that as to whether, if this was the other way around, the MFB or certain members of the organisation would have a vastly different opinion of it?

Mr HIGGINS — These organisations have a long history. The MFB is 126 years old, so it has very significant traditions, symbols and artefacts that are a part of what the organisation is. Change is often difficult in an organisation with that deep history. I think it would be reasonable to assume that if there were significant changes proposed to the MFB that did not look like they were consistent with the people in that organisation, that would be challenging for them.

Ms HARTLAND — You talked earlier in the questioning today about your deep respect for firefighters. What we have heard a lot about in the hearings is people have felt that they have been vilified as firefighters and that this campaign over several years has taken a very profound effect on their mental health, the welfare of their families. I just want to go back to 2014 in terms of the case that you were involved with at the MFB in the termination of the firefighters agreement. As I understand, that case was in Fair Work for 20 days. So my question to you is: why did you think that it was necessary to do that, and what was the cost of that case?

Mr HIGGINS — The board of the Metropolitan Fire Brigade had made a decision to proceed down the path of a termination case prior to me joining the organisation, so that was well advanced when I joined the organisation in 2014. The clear rationale for the termination case was about the fundamental need to change the arrangements that exist around consultation, dispute resolution and some of the elements of the enterprise agreement that made the organisation look like what it does.

The board made an assessment, and it was approached on that basis, that those issues remain as issues today, so there is fundamentally in my view still change required from that point of view. The termination case was not

about removing the conditions or the arrangements that supported firefighters and their capacity to support their families to do all of the things that they needed to do. When you suggest a campaign of vilification, that is not something that has been undertaken by the board of the Metropolitan Fire Brigade.

Ms HARTLAND — Did the MFB lose that case at Fair Work?

Mr HIGGINS — The case was withdrawn at appeal, so the first resolution of the case was that it did not proceed.

Ms HARTLAND — What was the cost of pursuing that?

Mr HIGGINS — I do not have those details in front of me.

Ms HARTLAND — I am just wondering whether that money would have been better spent on actually working with firefighters rather than against them.

Mr HIGGINS — My position on this has been absolutely clear from the outset that I joined the organisation — that money spent on lawyers to resolve issues within the fire brigade is not money well spent. I would much prefer to spend the money on delivering services to the community. The board's assessment at the time was that fundamental change was required. These are independent members of the community who made that assessment on behalf of the community to say that these arrangements do not deliver the best outcomes for our community, and it was driven on that basis.

I understand the characterisations around the termination case. It is my view that it is regrettable that an organisation gets to the point where that appears as the only course to resolve what are significant challenges for the organisation. For the most part I could agree with you that money is absolutely better spent elsewhere, but it was a very determined view by the board — and it remains the position of the MFB board — that change in those areas is still required.

Ms HARTLAND — But did MFB lose the case at Fair Work?

Mr HIGGINS — Yes.

Ms HARTLAND — So there was not a case that Fair Work thought was fair.

Mr HIGGINS — I am not sure if you have read the decision.

Ms HARTLAND — I have got it in front of me.

Mr HIGGINS — The decision ultimately was that the commissioner who heard the case made a finding that, whilst it may be in the public interest to terminate the agreement, it would change the balance of the power in an enterprise agreement negotiation — and I am paraphrasing — too much in favour of the employer, so he made the decision not to approve the enterprise agreement. But if you read the decision, what it does say is that there is a requirement to change the agreement to change model because it has no likely prospect of success in the organisation. In terms of that decision, as I say, it is a regrettable position that an organisation finds itself in that it has to think that terminating an enterprise agreement is the only way forward. I agree with that assessment. Would the money have been better spent elsewhere? Yes. Is change still required? Yes.

Mr O'SULLIVAN — Thank you, Mr Higgins, for coming in and speaking to us this morning. Mr Higgins, we have heard about culture within the fire service being a significant problem, and we have heard that over many, many days. Currently at the moment the Victorian Human Rights and Equal Opportunity Commission is undertaking a report into the culture in relation to the fire services. Would the outcomes of that report shed some light for the committee in terms of our path forward in understanding the cultural issues within the fire services?

Mr HIGGINS — I am sure it would. I do not know what is in the report. I have not seen it, so I do not know what the VHREOC findings will be when ultimately that report is tabled. But if you look at the history of these organisations, as everyone has observed, including the minister and the Premier, cultural change is required in this environment. I think given those observations that it is something that should be considered as part of any consideration of these arrangements. That review will have information or advice, recommendations, findings that will be helpful to this committee and to the people of Victoria to take these arrangements forward.

Mr O'SULLIVAN — I want to touch on something that Mr Rush brought up earlier on in relation to his view. He gave evidence to the committee that from his reading of the government submission he believes that the only substantial or one of the only substantial areas of reform that it justifies is in relation to the industrial area of this reform. If you look at some of the senior people who have had an influence in terms of shaping this legislation — if you look at the former minister, Jane Garrett; the former CFA board; the former CFA chief officer, Joe Buffone; the former CFA CEO, Lucinda Nolan; the former MFB chief officer, Peter Rau; the former MFB deputy chief officer, David Youssef; the MFB board and now you as the MFB CEO — is it fair to say that if you do not agree with this legislation, you get sacked?

Mr LEANE — The legislation only just came to the Parliament.

Mr O'SULLIVAN — Or this reform.

Mr HIGGINS — A strange question.

Mr LEANE — The reform only came to the — —

The CHAIR — Order, Mr Leane! Mr Higgins, would you like to comment on that?

Mr O'SULLIVAN — And you may not wish to answer that — you may not be in a position to answer that — but it seems to be the case.

Mr HIGGINS — Personally I have not been sacked. I am still currently the CEO. The experience of other people I cannot necessarily give evidence about. I would make the observation that change is notoriously difficult in the space that we are talking about, and if change is to occur, it should be comprehensive and encompass the issues that I have raised and others have raised as part of the challenge of moving these arrangements forward. I argue strongly that change is absolutely required, that change needs to ensure that the best interests of the community are served and that whatever arrangements are in place the people charged with the responsibility of delivering on those statutory obligations that are in front of the organisation — whether it is MFB, CFA or a new organisation — should be able to do that in a way that is contemporary.

Ms SYMES — Thank you for your evidence today, Mr Higgins. I just want to give you an opportunity to share with the committee your experiences of the secondment of MFB firefighters to the CFA. We have heard a lot of evidence from CFA brigades about welcoming MFB folk to share their experiences, and I am interested in your perspective.

Mr HIGGINS — I have a view that it is not enough. If I relate my experience as a Victorian paramedic going back to 1983, I had the choice as a paramedic in Victoria back then of choosing where I might like to work in Victoria and being able to apply to do that, notwithstanding that when I joined the ambulance service in Victoria there were 16 separate ambulance services. So I was able to move freely between those services, apply for promotion and other roles, which I did. I worked in a number of the services across Victoria in a variety of roles.

It is my view that firefighters in Victoria should not be constrained in terms of the choices for them and their families about where they might like to live and work as a career firefighter in Victoria, so my view is that those arrangements should be just a normal feature of the operating environment — that if a firefighter from the MFB wants to go and work in Portland or Mildura or somewhere, they should be able to do that. Similarly, if a CFA firefighter wants to come and work in a metropolitan area of Melbourne, they should be able to do that as well. There should not be any artificial barriers in the way of those people and their families from doing that.

Ms SYMES — Yes, and we have heard evidence that the current situation does have lots of barriers and therefore there are quite a few firefighters affected, including the OIC at Portland in particular, in that under a new FRV model it will reduce those barriers and a paid firefighter will be able to put their hand up much more easily to make the tree or sea change from Melbourne or outer Melbourne.

Mr HIGGINS — My simple observation is that can happen under any arrangements, so it is not necessarily dependent on a structural solution to achieve that. As I have indicated, my experience as a paramedic in Victoria was that people could move freely across boundaries, and it is my view that that should be an option irrespective of the arrangements for firefighters in Victoria as well.

Ms SYMES — So why haven't we dealt with those barriers previously then? Because I think there have only been 24 — or 34, sorry — in recent times, and they were saying it is a bit hard because you have got to go through a few hoops.

Mr HIGGINS — There are no provisions for lateral entry, and most emergency service organisations have provisions for lateral entry based on recognition of prior learning, recognition of prior experience, and they are not currently the arrangements that exist in Victoria for firefighting. It is in the other environments or has been.

Ms SYMES — And will be under FRV is my understanding.

Mr HIGGINS — Under a new arrangement where there is one employer there certainly should not be an impediment. My observation is that that should be something that firefighters and their families are free to choose irrespective of the structural arrangements.

Ms SYMES — Yes, perfect. I understand that, and thank you so much for your service, and — just noting your statement — thank you for coming to give evidence today. I know you are looking forward to your break that you have not had for quite some time, so I wish you well.

Mr HIGGINS — I am indeed. Thank you.

Mr RAMSAY — Thank you, Mr Higgins. I also want to congratulate you for your long service in emergency service work. The question I raise — and you raised it this morning, which actually prompted my question — is about the sort of mistrust that seemed to exist between the Department of Premier and Cabinet and the MFB board. Was there any pressure put by the Department of Premier and Cabinet on the MFB board to accept the current EBA in its entirety?

Mr HIGGINS — The normal process for enterprise agreements in the Victorian government, including statutory authorities like the Metropolitan Fire Brigade, is that those organisations are required to get the approval of government in terms of the bargaining framework that exists for enterprise agreements. Those arrangements are defined by the government. The MFB has always operated, in my experience, within the framework that has existed for the MFB and approved by the government. Those arrangements have significantly shaped what the enterprise agreement might look like for what is the Metropolitan Fire Brigade, so there are only a few remaining outstanding issues in terms of an enterprise agreement for the MFB. They relate specifically to matters that the board has held a deep concern about. They include the consultation and disputation arrangements, the code of conduct and the statutory powers of the chief officer. Those things are at the core of the outstanding matters for an enterprise agreement in the context of the MFB.

Mr RAMSAY — Thank you. I will actually come back to that question if I have time, because it was not quite the response I was expecting. Following on from the Cotton review into the MFB, which revealed cases of bullying, sexism and drug issues relating to mental health within the MFB, what measures have you sought or did you seek to undertake to resolve those issues? And if I may, pending that question, I have read a report where more women being involved in fire services actually reduced some of the issues around bullying and sexism. I also want to have your response in relation to the promotion of women within the fire service and whether in fact the EBA is actually prohibiting that.

Mr HIGGINS — At the MFB, and personally as the chief executive, we have been very committed to a framework that improves the diversity of the organisation. Currently only around 3.3 per cent of the operational workforce at the MFB are women. It is my view that that is way lower than it should be, and it does not compare favourably to some of the organisations that might exhibit what you would call best practice.

Mr RAMSAY — Why is that?

Mr HIGGINS — Very clearly it is a matter of public record that increasing diversity has been a significant challenge and one that has involved a significant amount of disputation. In the Metropolitan Fire Brigade circumstances, the MFB plan that was approved by the MFB board set a target of 5 per cent for a gender increase in the Metropolitan Fire Brigade. That has not been achieved, and it is a significant disappointment from my point of view that we have not been able to advance that for the organisation. I fundamentally believe that improving diversity will assist with some of the issues that the organisation confronts. The evidence is very clear across all organisations, including emergency services, that increasing diversity delivers better outcomes

for the community and for the organisation itself. It is disappointing that those targets have not been reached, and I would prefer to see significant improvements in those arrangements into the future because it will deliver a better organisation for the community.

Mr RAMSAY — Just following on from that, Tony Bates from DPC said in PAEC recently that the bans the UFU imposed on negotiations with the MFB on the EBA costs anywhere between \$20 million to \$25 million. It actually goes back to Ms Hartland's question around wastage of money in relation to the sorts of legal machinations. Can you confirm if that figure was correct? If it is not, could you identify what the correct figure is?

Mr HIGGINS — The impact of protected industrial action, which I think is what you are referring to, on the MFB — I cannot speak about the CFA; I do not know those numbers —

Mr RAMSAY — I am talking about the MFB.

Mr HIGGINS — For the MFB the impact of protected industrial action in a revenue sense has been around \$12 million per annum.

Mr LEANE — I do not want to take up too much time. Thank you for assisting our inquiry today. You mentioned in your opening statement the right motivation for change. You spoke a number of times of the need for change. The right motivation surely is community safety.

Mr HIGGINS — Absolutely.

Mr LEANE — Thanks. How many operational firefighters does the MFB have? A ballpark figure if you do not know the exact number.

Mr HIGGINS — It is about 1987.

Mr LEANE — Very good. There has been a lot of evidence in rural towns about concern that someone might come and have a bad culture. I think the issue is someone that might come from the inner city of Melbourne and have a bad culture. I will not requote the figure, because I have forgotten already, but do they have a bad culture? The 1987 firefighters, do they have a bad culture? As individuals do you think they have got a bad culture?

Mr HIGGINS — Personally, as I have expressed, I have a deep admiration for firefighters and the work that they do. The organisation is 126 years old, and it has a whole range of symbols and rituals and other things that are associated with emergency service organisations. By and large I think the people individually are dedicated, committed people who do great things for the community.

Mr LEANE — So on that 'great things for the community', I suppose that is a critical aspect of your employees that do that work — that they are good; they are good at putting out fires; they are good at taking people —

Mr HIGGINS — Without question.

Mr LEANE — And whether they, when they are off shift, drink almond lattes and eat mung bean salads like inner-city-type hipsters, to you, you do not care. You just want them to be good at their job.

Mr HIGGINS — When we talk about the motivation being community safety, alongside that and equal is the safety of firefighters — the people doing the work. There are a number of things in the organisation that would stand improvement, and they are a matter of public record for me. I have been clear about things like addressing the issues of mental health in an organisation like the Metropolitan Fire Brigade. As a paramedic I have a deep understanding of the impact of frontline emergency services work on the people who do it. So there are significant changes that are required in that space.

The Cotton review that was undertaken for the MFB board in respect of three firefighter suicides that occurred early last year and late the year before was on the basis of concern for the occupational health and wellbeing of firefighters. There is a clear requirement to make sure that we have fitness-for-duty arrangements that support the long-term health and wellbeing of frontline emergency responders, irrespective of the organisation that they

work in. They are not currently features of the organisation that I have led to this point. That is a matter of significant regret from my point of view. Those sorts of changes are needed as part of a contemporary organisation meeting the challenges that firefighters and emergency responders need to meet into the future.

Mr LEANE — Just one last question to follow up. I think it is a shame that you feel it has not been achieved, and I understand why you were trying to give it importance. What is compounding the mental health issues is that it seems now career firefighters are free game — that is not the right terminology. They are like pot shots for the media or pot shots from other areas, where they have got to the point where we have had a number of submissions and a number of people give in-person evidence where they describe feeling demonised and they feel that in a lot of situations they do not want to wear their uniform. So that must compound exactly what you were talking about.

Mr HIGGINS — Yes. I understand the concerns that firefighters and their families have about how this has been represented in the media. My concerns are that it takes two to dance. There is a significant need for change in terms of the adversarial nature of the relationship that exists. As the fire services review pointed out very clearly, it made absolutely clear that there is a requirement on all of the parties to commit to reducing the adversity and improving relationships. That is fundamentally required, and contemporary arrangements that support that are fundamentally required in whatever arrangements, organisational or structural, that result from these deliberations. My strong advice is that if there is a genuine opportunity to heal the adversarial relationships, then there should be a bipartisan commitment to moving to contemporary arrangements that allow the people who lead the organisation to do what they need to do and deliver on their statutory responsibilities.

Mr LEANE — Just one last issue. I applaud you and other leaders in that there was an email of 2 March 2015 where you and other leaders said:

We respect all our people. We are proud of our firefighters and all of our employees for the essential service ... Unfortunately this is not the perception we have given people.

That was over, I think, a dispute or something like that. That was signed by a number of people. You probably remember it.

Mr HIGGINS — I know it well. That was my assessment post the termination case. I provided my views. I understand why the termination case was run. The fundamental conditions that contributed to an assessment that that was required still exist. It is regrettable, in my view, that an organisation finds itself in the position that it sees that as the only way forward in order to deliver a better outcome for the organisation, its people and the community. My strong advice is: make sure that that is understood, and any arrangements that go forward need to be contemporary and to allow the people who have the responsibility — who will be new people, presumably; hence my decision to leave. Let us have a fresh start. Let us make it very clear that if the place is going to heal, then it needs all of those conditions, and that is not a one-way street.

The CHAIR — Thank you, Mr Higgins. The committee appreciates your attendance and evidence this morning. We will have a draft transcript for you in the next couple of days for any corrections. Thank you very much.

Witness withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 25 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Participating Member

Dr Rachel Carling-Jenkins

Witness

Mr Craig Lapsley (sworn), Emergency Management Commissioner, Emergency Management Victoria.

The CHAIR — I declare open the Legislative Council select committee inquiry into fire services restructure. I welcome Mr Craig Lapsley, the commissioner for Emergency Management Victoria. All evidence taken by the committee today is protected by parliamentary privilege. However, any comments made outside the precinct of the hearing are not so protected. All evidence is also being recorded by Hansard and you will be provided with a proof version of the transcript in the next couple of days for any corrections. Mr Lapsley, the committee appreciates your attendance this afternoon. Obviously this is the second occasion on which you have spoken to the committee. There was the in camera briefing early in July. This is now a public hearing, so the committee appreciates you making yourself available again. The committee has allocated an hour for this hearing, so I would invite you to make a brief opening statement if you wish, and then we will proceed to questions.

Mr LAPSLEY — Most certainly. I thank the committee for the invitation. This presentation is short. It has got a little bit of background information that I thought was worthwhile to be submitted. The first slide is the legislative role of the emergency management commissioner. I will not go through that, but I will just make the point that the last dot point is about my role, and the role of volunteers in the performance of emergency management functions in Victoria is a key part of it. The key functions include to oversee coordination, control, consequence and recovery for what are class 1 and class 2 emergencies, which is everything that CFA and MFB do, as well as SES, and extend across the chief health officer and the chief vet — so animal health and human health emergencies.

I will leave that and go to the next slide, which is headed 'The reform journey'. I made reference in the first two dot points about recommendation 63 of the bushfires royal commission in the sense that I was originally appointed as the fire services commissioner, and that has been referenced a number of times about recommendation 63. I am sure you are aware recommendation 63 in the main has been implemented. There is one part of recommendation 63 that talks about boundary reviews; that has not been implemented and is obviously a point of discussion in this proposed reform. Then obviously we evolved to be the emergency management commissioner as a result of the 2011 floods, and then with a change of legislation in 2013 we were activated as emergency management commissioner in 2014 to have that broader remit.

One of the key things we have got to lead is obviously interoperability, and we can talk about some of those challenges about interoperability, particularly between fire services, which gets into standardisation of equipment and procedures, and even the people. One of the examples is the CFA and MFB joint recruit course that we have just finished, and we are moving to a joint recruit course. The other one that I make comment about here is diversity and inclusion, and I have brought with me a copy of the diversity and inclusion framework for the state for emergency management, which picks up nationality, race, gender, sexuality and the issues of how we actually are more inclusive to meet the community norms of the future.

I have also got with me, and I can certainly hand up, the volunteer strategic priorities, which are about volunteer capabilities. To support that is a survey of volunteers that we recently led. I did not bring them with me today, but they are available, the community resilience framework, the preparedness framework of the state and the recovery frameworks. They are looking at systems approaches to the way in which we deliver emergency management.

There is a diagram in the next slide that simply shows the drivers of change for what we see as important in emergency management: population change both in growth and in decline, depending on where you are in Victoria, but aggregated, as there is significant growth occurring in Victoria and it will continue; community diversity and how communities will look in the future; the challenges of climate change and what that means in emergency management; urbanisation, where 90 per cent of the community will live in urban areas; and the global issues of technology and trends about agriculture.

The next one, which is important, is headed 'Our people'. I pay particular interest in, and, Chair, I took the time when I was in last time to talk about the need that we have respect and a workforce that is not causing harm to each other and also to the extent of making sure that we have got career and volunteer workforces that can actually work together in a harmonised way. It is critical to understand the role of career firefighters in this instance but also the role of volunteers and to make sure that they are critical. In particular the surge capacity of the state around volunteers is one of those key issues.

I have been very strong about integrated service delivery on the ground, at the letterbox or at the car accident or wherever they may be working together, so integrated service delivery on the incident ground, and that we understand the responding patterns to have volunteers work. We have done further work, but I have not got it

with me today, about that we are not reducing the number of volunteers across our agencies. We still claim there are about 100 000 volunteers across the agencies such as SES, CFA, Red Cross, the council of churches, coastguard, Life Saving Victoria — and it goes on. But what we are seeing is the availability or the patterns of engagement of volunteers is changing and is something we need to be very mindful of — work-life balance and pressures within the community in general, and also generational change.

A diversity issue that some of our more recent, and I say that in quotation marks, immigration strategies have brought about are that some community groups do not fully understand how we operate as a volunteer system within Victoria and the need to work harder about what that means in our traditional first responding agencies. To support that we have got a volunteer consultative forum, and we have done some significant work with that group about what that means.

The next slide is ‘The case for change’, and I will summarise that very quickly by saying we have seen the societal changes, physical changes in communities and the increased complexity of communities. That leads to the point that the status quo is challenged and therefore change is necessary. It goes into the issues around interoperability and alignment of service, and we have pursued that very strongly over the last number of years. Obviously the next logical step is about alignment of organisations, roles, responsibilities, structures and operating systems. The key to it, though, is about community-centric service delivery, with integrated service delivery that I mentioned before, and that the community itself is over the fact of worrying about a brand or a badge on a truck or a badge on a uniform. They want the service to be delivered by whoever is the most appropriate. The future models need to be respectful of volunteers and career men and women to make sure we have got a diverse workforce.

The last slide is my attempt — I have been questioned a couple of times around how I have almost oversimplified what is a proposal by the government. It has got CFA brigades today moving to the future, where the same number of brigades exist within CFA, and that CFA needs to be a new, refreshed organisation. It cannot be seen through this transition, if approved, to just be the same. It has to look at things differently, it has to do things differently and it cannot be the same old CFA.

It is a volunteer-focused organisation, the groups and brigades remain in place and their roles in urban and rural firefighting, rescue and hazardous materials response remain the same, whereas the new organisation, called Fire Rescue Victoria, will have 82 stations, which is the bringing together of the 35 integrated stations and the career staff from CFA and the 47 MFB stations into one organisation, a new organisation that focuses on fire response, medical response and specialist response, with a single career path and a single employer.

That is my simplest way of describing the proposal, and it is almost oversimplifying what is seen to be by many as complex. I suppose I have tried to simplify it again with the simplest things on the very right-hand side. This proposal is about community-focused service delivery, integrated incident grounds, interoperability and inclusive and diverse workforces. I will leave my presentation there, if I may.

The CHAIR — Thank you, Mr Lapsley. The committee appreciates those introductory remarks. Can I firstly take you to a process issue. Were you involved in the development of the legislative proposal which is now before the Parliament?

Mr LAPSLEY — No, not in the development. The development was led by the Department of Premier and Cabinet and even above that was a ministerial task force. The first I was involved was close to 20 April and more formally on 24 April, when I was briefed in detail and was able to take away the draft legislation, or the draft explanation note of the legislation, to understand it. From that I did my own assessment of what it meant and hence why I provide that diagram at the end of the presentation. Basically part of what I did was to say: what is there now, what is the future model, what does it bring?

One of those key things that I thought I may have been asked to look at was a mass change of the metropolitan fire district, where it moved out and covered potentially 30 or 32 municipalities in and around Melbourne, whereas obviously the proposal was not for that at all. It was about moving what I will call islands of service delivery, maintaining CFA. In the proposal, under — and I hope I am correct in saying this — section 48 for the first time it documented where a CFA brigade could operate within the Fire Rescue Victoria area. That is certainly not a provision of our current legislation. If I go back to a CFA brigade being able to operate in the metropolitan fire district, that is not a provision for today. So section 48 was quite clear, and I took a lot of interest in that.

The other part that I took a fair amount of interest in was section 42, which talked about the boundary. There are three definitions there of what would be described as the elements of change in the boundary going forward. So that was late April, and obviously from then I was able to brief the Minister for Emergency Services, who had the lead on it, about my opinions of the proposal.

The CHAIR — Were there any changes as a result of your expressing your views on that matter?

Mr LAPSLEY — Clarity alone. It was still in development, and DPC still were putting some further work to it. I do not believe there was significant change by my contribution. A point of clarity was whether there was a retained firefighter system within, and the question was: was there a retained firefighter system being proposed? The answer was no. So it was easier then to understand that we did not have another classification of firefighter in the system. So it was more clarification than actually I think pinning and changing the legislation environment. Some of those are examples of what was the structure of CFA, that it will remain the same, with a board, the representative board was the same as we know it, a CEO and chief.

So clarification I think is reasonable, but I do not believe there was anything that I noticed from my questioning that saw additional clauses. But I think I was able to hopefully fine-tune their thought process about what it was at that point.

The CHAIR — The reason given by DPC for not engaging the fire services, and presumably you, in this process was the belief that the fire services leak openly. Has that been your experience?

Ms SYMES — That is a stretch.

The CHAIR — I will quote the transcript then, Ms Symes.

Ms SYMES — You said ‘presumably’ — presumably extending to Mr Lapsley. There is no evidence of that.

The CHAIR — Order, Ms Symes!

Mr BATES — My thinking at the time, Chair, was we were working — again I do not want to go into the details of the cabinet process — fairly regularly to a cabinet committee. And to be frank, my concern was that the fire services leak information very openly.

So, Mr Lapsley, has that been your experience of the fire services?

Mr LAPSLEY — Look, I am not sure I would say ‘leak’; ‘leak’ is an interesting word. I think what I am hearing is the intent. I have experience where it takes little to have a proposal that seems to be then spread broad and wide. I am not sure that is malicious. I think it is the type of passion that is in the organisations and the type of structures of how people get it. It does not add to your question, but I will say this proposal was the tightest proposal I have seen in my time around government of something that was being proposed and held tight.

I had been questioned by people outside to say something was happening and I had taken steps to say, ‘Is there something I should offer to this discussion if it is being had?’. In defence of my position, I think I was being respected to be an independent under a Governor in Council, that I could use my independence to advise at the appropriate time. Whether the appropriate time should have been 21 April, 24 April or 25 April, there was not a time. I have explained here before, Mr Chair, that I take very seriously my independence under a Governor in Council to make sure that I do provide the government of the day advice that is fair, it is fearless and it is done in a way that is mature and evidence based. Also I believe that I have been around this industry long enough that I have got a level of expertise in the place as well to be able to give those judgement calls of things that might not be weighed up by evidence as such but need a judgement call in the middle. So I was not overly fussed by the time line.

I also took particular care myself not to share that with people, because I knew it was very sensitive for the government and that the government had a strategy for how they wished to engage. I was not being asked to communicate it at that point in time; I was being asked to provide advice on something that was extremely sensitive. I have been on record to say, and I would say it again, that this is a bold piece of reform. Any government touching the fire services is a bold piece of reform because they have been untouched for years and find change challenging — not in a negative way — because they are so passionate. Whether they are career or volunteer, they have a passion — you would have experienced it on your journey around Victoria — and a

belief that what they are contributing is something that is of a high personal value and a high organisational value. They sometimes will put the organisation equal to themselves in the way in which they see that.

The CHAIR — Thanks, Mr Lapsley. Having regard to the fact that you do hold a statutory independent office, do you regard this model, as proposed by the legislation, as the best model at this point in time?

Mr LAPSLEY — On record I have got a submission to the fire services review committee of early 2015.

The CHAIR — The O’Byrne review.

Mr LAPSLEY — The O’Byrne review. In there, if you took time to read it, it talks about there being no political — I think it says — desire or need to change the fire services. I have been a believer that at some point in time, like with the police force and the ambulance service of the state, there would be a single fire service that could have divisions or streams within it. I reluctantly put that forward in the submission to that review, but I did put a governance structure that joined the two of them together. I put an overarching board that had overall management of the CFA and the MFB.

I have been very strong about there being a point in time for a single fire service in some way, shape or form. This proposal — what was given to me — did not offer that up, so therefore I went back to some base fundamental principles about what it did offer and what it did not offer. The last 12 or 18 months has been a very testing time within the fire services in terms of relationships — person to person, person to management, management to industrial bodies or representative bodies and so on. It has been an extremely testing time, and it has been well documented. As we all know, we have seen senior leaders, not by one or two but by many, depart their roles and positions because of how they have had to deal with the issues that are around us.

I took it that the government had come through a process. I need to say that I have got the utmost respect for Greg Mullins, who I had the pleasure to work with almost 20 years ago when I was on secondment in New South Wales. Once I found that Greg was part of the process before I got to view it, there was a sense of ‘There has to be something in there that is worthwhile, solid and will address the issues that are on the table today’.

I suppose what I am saying, Chair, is that I had a different opinion in 2015 than I do today. I should not say I had a different opinion; I still hold the belief that a single fire service would be the best result for Victoria, but it is unachievable politically and given the structures of organisations where we sit in 2017. Maybe that is a future issue.

I tested the structure that was put to me. For those reasons I said, I believe there is a proposal that could work and would work with the right support around it and the right commitment from the people. We can write any legislation. We can write as much policy as you would like, but we need the hearts and minds of volunteer and career people to move this forward, and that means change management and leadership — and strong leadership — about how this is implemented. It has to be accepted that it is change. I reiterate the words I said before: it is not the same CFA; it is a refreshed, new CFA. FRV is a new organisation, and it needs to be. There are behaviours, there are structures and there are daily activities that are not conducive to good outcomes today. People may be challenged by that, but it is a fact that there are harmful things occurring within our workforce that need to stop.

The CHAIR — Thank you. I would like to examine that further, but I need to move to Mr Mulino.

Mr MULINO — I have a quick clarification on process and then a couple of questions on the operational impact. You received draft legislation on 20 April. If I remember DPC’s evidence correctly, they indicated that they had before that date requested expert advice from you and other senior fire service officers on particular technical points to inform their deliberations, even though they did not provide you with the overall framework.

Mr LAPSLEY — There were two points prior to that. The 20th is the first time that I was aware of a package of information, and the 24th was the detailed briefing. The reason I can remember the 24th so well is because it was on the eve of Anzac Day and it was difficult to get the right people in the room.

They were there. There were two other points where questions were asked of me but not in the context of the proposal — single elements, ‘What would that look like?’, knowing that there was something or that someone was thinking about something. I was aware that Greg Mullins had been engaged prior to that, but I had not spoken to Greg at all, and in particular I made sure that I gave him the space. I think he did the same back the

other way to make sure that we were not cross-pollinating issues of pieces of work. But it was not until the 20th that I knew we had a proposal that was on the table that was prepared to take the next step.

So there were two elements prior, which were both operational. One was about whether a commissioner in an organisation would work and whether you could collapse the chief executive and the chief. That was one discussion. Another one was about how an urban fire service might work in the state. They were single elements, but I was not given the other part of the strategy. There was a bigger piece being done.

Mr MULINO — Just on the operational impacts: firstly, in terms of the impact in outer urban areas and larger regional centres we heard some evidence from integrated station officers in charge yesterday and also from Greg Mullins around some of the complexity of multiple agencies interacting. Greg Mullins flagged that it was almost like having three agencies at times in certain areas around the boundary in urban areas. The officer in charge yesterday talked about Coolaroo and having three radios and two ears. Do you see this model providing greater operational flexibility and greater potential for existing assets to be deployed more effectively in outer urban areas and regional centres where it simplifies the overarching command from multiple entities having paid career firefighters to a single overarching umbrella?

Mr LAPSLEY — The answer is: it has to. We have worked very heavily and very strongly in regards to interoperability over the last number of years, and that has been procedural-based; it has been the way in which we act and behave between leadership groups. I am prepared to hand up a letter that I wrote to both chief officer Warrington and acting chief officer Stacchino about interoperability and setting priorities of how that would work. It is an issue today. It is an issue tomorrow. It will be an issue with whether we have three fire services, two fire services, a single fire service, because the background of the design shows that we have not got single radio systems or we have not got single of this. So no matter what structures we have, and even if you took to the model I suggested before about a single fire service or whether we stayed where we are, interoperability and the investment of the future has to be designed together, acquired together and applied together. So the answer is: absolutely. I cannot see any restricting factors from the model on the table, but it means that we still have to understand the history and the application and the future to get it right.

Mr MULINO — In terms of the CFA, do you see the potential for the CFA to become a more effective organisation, given that it will be hopefully free from a lot of distractions in the IR sphere? Do you see that it could potentially improve the functionality of the CFA and the effectiveness of the CFA for a given set of resources?

Mr LAPSLEY — Absolutely. I think it is time to get CFA back to being very strongly focused about its volunteers and build the capacity that is needed. In my journeys, in both a formal and an informal sense, I hear all the issues about ‘We volunteers don’t get access to the training we need in the locations we need it at the time we need it’. I think this is a real opportunity for CFA to refocus itself, refresh itself, rebuild itself and get focused on and back to the people that it was traditionally built for.

Mr MULINO — Just one final question. You have said that we can all come up with a perfect model but more often than not in any sphere of public policy the perfect model is often unobtainable for all sorts of reasons. But you would argue that this model is likely to deliver improved services for the ultimate stakeholder here, which is the community, in both urban areas and regional areas.

Mr LAPSLEY — The opportunity is the change. The missed opportunity is doing nothing. It is time. Believe me, it is time for change, and the model that is put on the table that I have actually looked at I believe does do all those things. We will have to work hard about the hearts and minds. We will have to work hard about the right policy and the right implementation.

Dr CARLING-JENKINS — Thank you for coming in today, Commissioner Lapsley; we appreciate your time. I just want to ask a technical question about the bill, for your opinion on that, and I note that in your response to one of the Chair’s questions you talked about your independence as a commissioner and the importance of that for your role. Within this bill it seems to be creating a command and control model over fire services. The fire rescue commissioner’s role seems to be a lot less independent than your own role and most other commissioner roles in the state. Can you comment on whether you think that might be a flaw within this legislation or how that might work?

Mr LAPSLEY — I have looked at it in the sense that there has been debate whether a two-person leadership model works — that is, a chief executive and a chief officer. To collapse it into one has worked in other states, and Greg Mullins — he may not have talked about this but I will talk on his behalf — has led an organisation called Fire and Rescue New South Wales with the model that is being described here, where there is a single commissioner with deputy commissioners and obviously responsibilities about the administration and the health and wellbeing, the hygiene issues, around an organisation to be wrapped around it. I can see it can work. In a command and control sense the commissioner would be equal to that of the CFA chief officer. It is not hierarchical between two organisations. They are a leader of an organisation that has a structure and the CFA chief has the organisation of the CFA in the country area of Victoria — beside each other. Then there will also be the need that they will support each other, but in particular Fire Rescue Victoria will support CFA in a number of specialist areas. That is probably not described that well in the legislation, but the outworkings —

Dr CARLING-JENKINS — No, it is not very well described. It seems to be that the commissioner is responsible to the minister within this legislation, and a commissioner's role generally is independent of government.

Mr LAPSLEY — Yes. I should say it is very clear that it is reported to the government in this proposal — absolutely.

Dr CARLING-JENKINS — Very.

Mr LAPSLEY — So the answer to the question: yes, the commissioner is a direct report to the minister. Obviously I have not seen that and I have not overanalysed that, but not having a board would see that the minister and minister's office would have a direct relationship with that commissioner.

Dr CARLING-JENKINS — It is an unusual aspect of the bill, considering every other commissioner position in Victoria is independent, so thank you for your comments on that. I also wonder if you could make some comments around your description of the case for change. We heard from the Honourable Jack Rush, QC, this morning, and he said very clearly that the case for change has not been made. That is obviously something that this committee has to grapple with, and then Parliament will have to grapple with that as well when this comes back to the upper house. Should this legislation not pass — and whether that is recommended by the committee or whether that happens within Parliament we will see — what is your opinion of the impact of that within the broader space of emergency management in Victoria?

Mr LAPSLEY — I think it will be extremely difficult to get these organisations back to where they are. The morale, the concern, is deep. I think one of the members mentioned before that almost up to 1500 submissions have been submitted. I was aware of probably around 900, and I have not read those, so I am not advised of the types of issues or concerns that people are putting forward. If this does not go through, it is a missed opportunity to reform two services that need to be reformed. They both need to be reformed.

Dr CARLING-JENKINS — It is a missed opportunity.

Mr LAPSLEY — It is a missed opportunity.

Dr CARLING-JENKINS — So do you think the cultural change that needs to happen within these organisations can occur without this legislation?

Mr LAPSLEY — I have not seen it, and I have not seen the ability for these organisations to address the types of issues that they need to address.

Dr CARLING-JENKINS — Do you think it has gone to the point of no return?

Mr LAPSLEY — I do not think I want to be on the record to say a point of no return. I think it is at an absolutely volatile position of how we manage out of this issue without significant change.

Dr CARLING-JENKINS — Thank you for that. Can I quickly ask about the issue of secondment. That one is something that comes up quite often in my discussions outside the committee. A lot of people are concerned about how that is going to work. I am looking at your diagram here about today and the future, and the secondment issue is something that a lot of CFA volunteers are bringing up. They are concerned, for example, that they will have employees over them that are not actually devoted to them, that will not have the skill set that

they currently are able to negotiate in employing their own people. Can you make some comments on that, please?

Mr LAPSLEY — The question I asked in the process in April-May was: how would this work if we had a single employment mechanism and the classifications — and there are more than two classifications, but two primary classifications — in the agreement, which is the operations officers and operations managers which have got the daily oversight of districts and regional responsibilities, without being annexed out of that agreement or removed from that agreement? My understanding is that in an employment sense most, if not all, would not want to exit that agreement because of the provisions of the agreement and what it means in the employment and their superannuation provisions, so there is not a massive desire for the individuals to leave that agreement. Park that up for a moment.

I had a look at the other thing — and the words are very important — about these people being under the direction and control of the CFA chief officer and they would wear CFA uniforms and would operate in CFA as CFA operatives, and the only difference is they would be paid by another organisation. I have also had that put to me about the complexity then of: if someone lodges a grievance or if someone has to renegotiate a clause or make an interpretation of a clause of an agreement that is living with a principle in another space, how would that work? I think that is that issue about how do we get the policy, because you cannot change that with legislation. If you have got an all-encompassing agreement and these classifications and those people appointed to those classifications do not want to leave that agreement, what do you do?

We did look at other ways of doing that, but it came back that the agreement as it stands would be the best, and the secondment model. I looked at other words about secondment, because it could be seen that secondment is for a period, which is normally a short period. Some of these people will be, 'I'm employed with CFA for the next 10 years'. It is not a secondment in and out. It is actually, 'I'm over there, and I'm staying over there'.

Dr CARLING-JENKINS — It does sound very temporary.

Mr LAPSLEY — Yes. That is why a definition around the word 'secondment' will need to be done. If I have got a family and I live in Casterton and I have worked for CFA for 20 years and I want to stay there and that is where my family wants to stay, this term 'secondment' needs a little bit more work around that it is not short term. It is an employment opportunity that you are with CFA under the control and direction of the CFA chief — really important words — wearing a CFA uniform, executing the roles of what CFA need you to do, and it just so happens you are being paid by another organisation.

I have explained — I do not want to go on — I lead an organisation called Emergency Management Victoria. Not one of the persons that works for Emergency Management Victoria is paid by Emergency Management Victoria. It is written that there is an obligation that the Secretary of the Department of Justice and Regulation provides me all of the people I need, and they are all employed by Justice. I do not call them secondments, but they are not my people. They live in EMV — EMV email, EMV, EMV, EMV — but yet they are employed and their pay cheque comes from another place. Is that the same model? It is not exactly the same model, because I am not a statutory authority and I do not do the service delivery to the same extent and I do not have my people spread over multiple locations. They are in a couple of locations. So, there are some differences, but I have tried to work this secondment model to be a positive to get over the line and understand the employment provisions and protect the employment provisions of the officers and ops managers, which is an important issue.

Dr CARLING-JENKINS — It is very important. Thank you.

Ms HARTLAND — You talked about a survey that had been done. This was for volunteers in CFA?

Mr LAPSLEY — This is a survey not only for CFA. It was across the sector — coastguard, CFA, SES, Red Cross, the council of churches. It was a sector approach to understand volunteers. It is the first year we have done it or completed it. It was sponsored heavily by Volunteer Fire Brigades Victoria because they had a structure to it, so we utilised a tool that they had sponsored previously and brought it across the sector, and we have made a commitment to do that in 2016, 2017 and 2018 to try and get an understanding of a cohort — 100 000 people — knowing that a large number of them are CFA.

In the statistic analysis — and there are better people than I to explain this to you — it is then making sure it gets balanced by the organisations, that it is not then weighted by the biggest organisation in how the figures

come out. It is about a sector approach to understanding volunteers, and then obviously the agencies do their own surveying of what the CFA, SES or whatever else might be the case — or Life Saving Victoria. It is about a welfare survey across a sector.

It does give you some themes, but it is the first time, and as we well know with surveys it would be good that you have got a number of years of data, and that is why we have committed to three years of this type of survey to give us an understanding of the health and wellbeing of the volunteer emergency management sector in Victoria. That is available if you want it.

Ms HARTLAND — That would be great. During the evidence we have heard over the last two weeks it is fairly clear that people are feeling depressed, undervalued, that there has been a great deal of vilification that has gone on — via newspapers, by local members of Parliament — of career and volunteer firefighters. Do you see this structure as a way of putting a line in the sand, starting again, a new kind of structure that actually respects both career and volunteer firefighters and, especially for volunteer firefighters, gives them some pride back in what they do as volunteers so that they are separate?

Mr LAPSLEY — Everything you have said I would support in totality about a new model needs to do those things, and when I say that, these organisations are people organisations. They are large in numbers. They are well connected. It needs to be said that the CFA brand is a well-respected brand and well understood, and we are seeing all of what you described about being on the front page of the paper, about an industrial dispute, about concerns of not being able to deal with diversity and inclusion in the workforce in an appropriate way, the issues around Fiskville closure, and it goes on, having a significant toll on both career and volunteers, and whether it is a volunteer of five years service or whether it is a volunteer of 45 years service it has had far-reaching negative impacts. That is why I say it is time to move on. It is time to go to a new structure. It is time to refresh CFA for what it should be and allow CFA to be strong again in what it should be, in its principles as a volunteer organisation, and it is not at the moment.

Ms HARTLAND — When you talk about refresh CFA, what are the kinds of things that you would want to see happen there?

Mr LAPSLEY — Some of it is back to the basics and some of these are almost too basic: training, access to training has got to be critical; clarification of role and responsibility; clarification that they do have a command and control role in the areas in which they operate; understanding that we have got to move them to be a more inclusive and diverse place. Fire services traditionally across the world are seen to be very much a boy's club, and you will even see, as we wander through today, that it is still very strong in male leadership across our fire services — not so much across the emergency services but certainly fire. It needs to be next generation. It needs to step up in technology. It needs to look for what a youth member, a 17-year-old, a 27-year-old wants in order to be a volunteer, and they do not look that way. That is why I use the word refresh. We do not need to lose the good, but we have got to make sure we take the opportunity to regrow it, refresh it, revitalise it and give it what it needs to be a vibrant organisation that it is not today — and it has been before.

Ms HARTLAND — Clearly some of the evidence we have heard from volunteers is that I think there is a lot of fear and there is actually a lot of grief that they are going to lose what is a pivotal role in their lives. How does changing the fire service assist those people?

Mr LAPSLEY — I think it gives clarity back to the CFA that it is still an urban and rural fire service. It gives clarity back that the people that are leading them are dedicating their time to lead the volunteers. The growth that has been in CFA with the recruitment of the 350 firefighters that is currently on now has taken a huge commitment from CFA to get that over the line, and they have done exceptionally well to get it to where it is, but that means some of the training facilities have been locked up that are not there for volunteers and senior management are spending all of their time dealing with career integration issues. As we have seen, a volunteer brigade transitioning to an integrated brigade takes a huge amount of energy, and that has been happening in CFA now for the last number of years and the last decade has seen — and I will get the numbers close to right — just under 300 career firefighters this time 10 years ago to now reaching over 1000 and the management structure around it.

And CFA management, I am sure the CFA chief would explain to you the amount of time that he himself would spend on industrial relations. I spent my time in CFA as a deputy chief, and I had industrial relations for a period of time. It was fully involved every day of the week to deal with the issues of change, of moving it

forward, and we were increasing numbers at the time as well, and that was 10 years ago, and in that period it has even got more so and more involved with managing the staff. That is appropriate, but if you get CFA back to be a core volunteer organisation, the groups will be strong, the brigades will be strong, the people will be strong about their roles and responsibilities.

Mr O'SULLIVAN — Thank you, Mr Lapsley, for your time today. Mr Lapsley, I want you to come with me for a moment. Is Jack Rush a credible witness? I assume you would say yes.

Mr LAPSLEY — Absolutely.

Mr O'SULLIVAN — That is a problem. We have got a problem. This committee has got a problem. Everyone in this room has got a problem. Everyone in this state has got a problem. We have had Jack Rush sit there no more than an hour ago and absolutely with conviction contradict everything that you have just said. The next problem is you have come in here and made your case and contradicted everything he has said. In my view you are the two most credible witnesses this committee has had.

Mr LAPSLEY — I do not know what Mr Rush has said today. What I will give you about my conviction is that I have experienced it face to face, hand to hand and right now. I do not think I need to say anything more. That is not questioning Mr Rush at all. It is simply saying that I am in there. I deal with it every day. I have the letters over my desk. I have the emails. I have the face to face. I have seen the people. I have had a group officer in the outer metropolitan not so long ago walk up and say, 'Craig, fix it. We need to get this done, move it on'.

Mr O'SULLIVAN — Mr Lapsley, I agree. You are both right, that is the problem. That is the problem that this state has got in relation to this reform. This reform process is fundamentally flawed when we have got Jack Rush and yourself talking about exactly the same issues, trying to get the same outcome and coming at it from a completely different point of view. If you want to take that further in terms of the reform process, you have told us here today — Mr Mullins has told us prior to this — that a single fire service might be a better option and is probably what you would prefer to do. Yet here we are. We are looking at a model that is not probably 100 per cent supported by you, although you are doing what you need to do as an independent officer, and we have had a process in terms of the way this is developed where you said you were informed about this on 20 April, the CFA, MFB, about that same time, where the UFU were consulted between 12 and 15 times prior to you, the CFA or the MFB actually finding out about it. That is a fundamentally flawed process. How can we have confidence that we are trying to reform the fire services that keep Victorians safe when that is the scenario that we have to deal with?

Ms HARTLAND — On a point of order, Mr O'Sullivan has repeatedly said that the UFU were negotiated with 12 to 15 times. The union and also various authorities have said it was around presumptive legislation. I think it should be clarified that it was about presumptive legislation.

The CHAIR — That is not a point of order.

Ms HARTLAND — Mr O'Sullivan has repeatedly done this, and it is not true.

Mr LAPSLEY — I will be interested in Mr Rush's statements this morning, and like I said, he is a respected and well-measured person. I go back to where I was before. To do nothing is a very dangerous, extremely dangerous position where we are. I believe we are in a volatile position, that these organisations as we know them could even collapse. I think we have got to be very strong leaders about change. We have got to be very strong leaders about the new direction. One of the strengths that I have seen is that the CFA will build from its previous strengths. It might be weak now, but it is not on the ropes. It is actually down, it is suppressed, but it has got something to build from. I am sure that your visits to country Victoria would have seen group officers and captains that have commitment to get back on and make this place work better than we have done before. That needs to be a volunteer organisation to do it.

The other one, to have two EBAs across two organisations, is counterproductive in my mind. To go to a single career model with single employment provisions and an enterprise agreement that is attached to it is appropriate for the time. I do not think it is achievable at the moment to get a single fire service. That is not a 2017 issue. I think you have got to take this step, which is bold reform, timed reform, committed reform and build CFA strong. If we leave CFA, CFA could disappear. You might think it is strange that I say that. That is my worst fear, to see an organisation that has had strength and has a community connection and brand that is gold. But we

need the people, we need the revitalisation of it and we need to give it new strength to take it where it has got to go — and youth has got to be part of it.

Mr O’SULLIVAN — Mr Lapsley, I think the biggest job you are going to have is rebuilding the public’s confidence in our fire services after this. Whatever happens next, that is going to be the biggest challenge you have got for the next five years.

Mr LAPSLEY — Yes, and strong organisations will do that. Weak organisations will not.

Ms SYMES — Thank you, commissioner, for your evidence today. There is lots and lots of support for reform, and I think many members of this committee have acknowledged that there are not many people that dispute that there needs to be change. The evidence in relation to the model that we have got before us and that is subject to our deliberations has received support from paid firefighters, integrated brigade volunteers and the VFF, and contrary to what the VFBV will tell us, many, many volunteers from the volunteer brigades have supported the reform as it is on the table.

Where the opposition comes from is we have witnesses that say, ‘We do not support this reform’. But then they go on to express the concerns that they have about the reform, which reflects current problems or the unknowns. Even yesterday — and because of the tight time frames we do not have the transcripts available to us from the last two hearings — we had Bayswater brigade, who were at the start of their evidence opposed to this model but by the end of our discussions were admitting that if they were brought along in the implementation and had genuine confidence that their views would be listened to, then they had much more comfort with it. I urge them to read Mr Mullins transcript when it becomes available because he was very strong on this point. So what I am asking from you is your commitment to volunteers and involvement in the implementation of the reform model that is on the table.

Mr LAPSLEY — The answer is yes, an absolute commitment to not only the volunteers and career but also the management. I think we have got to actually really seriously look at our management support and how they do that. If we do not bring all our people together and have an implementation plan, a program that has all of those key influencers on the board, we will not get where we need to get. But when I say that I also know that not everyone will come with the same level of commitment on the first instance. We need to build that. We need to build the conviction of change and the journey. I should also declare for the record that I am a volunteer member of the Bayswater fire brigade, so I understand Bayswater exceptionally well. I have got to say that if you want a model brigade, take time to go and have a look at Bayswater in the sense that it has got female — —

Ms SYMES — A female captain, female first lieutenant.

Mr LAPSLEY — Not only a female captain, it has got 50-50 membership that are female and males. They operate with MFB, they operate with CFA and they certainly know what is morally right. They have had instances where people have been rude to them on the incident ground because of this conflict, this lack of clarity and this time of industrial concerns. And they have stood strong because they have got morals and values that underpin what they are and who they are. Pick up that and take that across 1219 other brigades and our career brigades; that is what we have got to get to.

I should not overstate Bayswater, but Bayswater is the exceptional model that will stand up in the future because they are strong and they will build from their strengths. They have got community, commitment and their community represents them and respects them. That is a fantastic model. So volunteers have to be in there. It is also about not having just, ‘This is the book of implementation’. It is something that has to be negotiated, discussed and implemented to get the right outcome. It is not prescriptively written there. There is opportunity in the future to guide it the way it should be, because it is not prescriptively written at this stage.

Ms SYMES — That has been the really strong feedback, that if government had presented a detailed prescriptive model, then it could not actually work in practice because it needs to be worked through, it needs to be applied and different communities will amend it to suit themselves.

Mr LAPSLEY — Yes. Even yesterday, and I do not know the detail because I have not seen it, two brigades — a northern suburb Epping fire brigade and Bayswater out down the east — both as volunteer brigades, different challenges, but their commitment is second to none, and they are exceptional at what they do. Do they both need career support? Yes, they do. And do they look for it? Yes, they do. So with MFB Epping on

the incident ground they work hard to have respectful relationships that are ongoing, and Bayswater does the same. That is the model of the future; it is about integrated fire grounds.

Mr RAMSAY — Thank you, Mr Lapsley. Can I say at the outset I have known Craig for a long time and thoroughly respect the work that he has done in his different roles. The thing that is troubling me is that you talk about bold reforms in relation to this legislation. We know it was necessitated by the fact that an EBA could not be concluded with the MFB, and was concluded at the CFA with the sacking of the board, so the premise of this legislation to me is concerning from the start.

Andrew Ford sat here and said we can reform and we can provide better service delivery and fill the gaps that are missing without having the structure. Mr Mullins, Mr Rush and also Mr Ford have all indicated their preference for another model. You said that you were first consulted in April, as I understand, in relation to this proposal. Mr Mullins indicated to us yesterday that in fact in January he was provided with a proposal document as part of the expert panel. My understanding was, yes, the UFU was consulted during that stage between January and April. Basically you were out of the loop while everyone else seemed to be having some chatter about this.

So I guess your document here indicates to me that we do not need this proposal to be able to provide the sorts of outcomes you are looking at under your role as emergency services commissioner. I guess I am asking you to provide me with some confidence that this really is a means to an end to deal with an EBA that has not been concluded. The bullying and sexism that has been past history within the MFB will not change because of this model. The union, the UFU — and I am getting to it, Chair — have indicated that they have already got a draft proposal for another EBA for Fire Rescue Victoria. So tell me how things will change given the clauses may well be similar to what has caused all the problems. I am not yet convinced by you, Mr Lapsley, that in fact this structure and proposal is going to do anything to alleviate the issues that you are raising.

Mr LAPSLEY — I take with interest all of those things you put on the table, and there has not been one of those that I have not thought about at some point in time through this journey, including the engagement of 20 April and why not 19 April or 19 May or 19 March? So, park that for a moment. Go to the EBA. I will be pretty strong in this: I think we have got an unworkable position with two EBAs in the one industry. To bring it to a single EBA I think is going to be one of the change processes that will see us move forward. To have a single employment provision with a single career structure for career firefighters in the state is a good thing.

At the moment if you are a career firefighter you cannot move, like your brothers and sisters in the police force or ambulance service, across Victoria. If you want to move from MFB to CFA in a career provision, you have to resign from one organisation and move to the other. We have put in secondments over the last number of years to allow people to move to Mildura from MFB or vice versa, and some of those have actually liked it and resigned and stayed, but they have to resign. We have not got a career organisation in this place; that is an opportunity. The opportunity also is a single EBA that is not bogged down in the CFA world. CFA has lost its momentum to drive and look after the welfare of volunteers because they are dealing with career staff all the time. Let CFA be CFA as a volunteer organisation; that is what I am saying.

I think the proposal is solid for 2017 to take us forward, because it separates the career people from the volunteers. It is not the model that I would have thought would be the next step we take logically to a single fire service, but it is what we need now, because these people are not getting on. Management does not get on with unions, VFBV does not get on with management, VFBV does not get on with unions and vice versa. That is no criticism of any of the leadership of any of those; they just simply do not get on. I have had meetings where I cannot bring them together. I was meant to lead an interoperability committee that had the two chiefs — the secretary of the UFU and it would have been the chief executive of VFBV — but it never got off the ground, because no-one will come together to do it. They cannot. And it is a recommendation of the fire services review for me to lead that.

It is too simple to say leaving it together is okay; it is not okay. It is time for change. Believe me, it is time for change, and my heart comes out of CFA because I grew up in CFA. I am telling you, and I will tell this committee very clearly, it is time for change.

Mr RAMSAY — No-one is disputing the time for change and reform, but the reforms that are proposed in this legislation are not necessary to provide these sorts of service delivery gaps that have become apparent —

Mr LAPSLEY — I think it will.

Mr RAMSAY — And also the other thing is it is not going to change. The UFU will still dictate through an EBA some of the roles of Fire Rescue Victoria, as it does with the MFB. I do not see that you can make a case — —

Mr LAPSLEY — Well, if that is a concern, let us write the policy that helps make sure that is not the concern. I am not sure you can answer that with legislation, but let us make sure we write the arrangements that work around it. If that is a concern, we have got the control of how we do that and the way in which we do it. My understanding is there will be an accord between Fire Rescue Victoria and the UFU that sees the behaviours and the interaction between management of a union and management of an organisation work better together.

We have had now for decades this class distinction between volunteer and career people. I have grown up in it. It has got worse in the last 18 months than I have ever seen before; this is the worst I have ever seen it. This is not a proud statement for me to say, and I would not have said this two years ago: the Victorian fire services are looked at across the nation as the worst fire services in Australia. I sit on commissioners and chief officers forums — I have just finished chairing one — and I take away with a deepened regret to actually have to say to this committee that Victorian fire services as they currently are structured are the worst in Australia. Hence why we need change.

Mr LEANE — Thank you, Mr Lapsley. You are a public figure who actually does not get touched up in media, and actually a lot of people admire the new role you have. It is a very busy position, so how would you feel about another fire service review?

Mr LAPSLEY — I would rather be into the implementation and stuff to get people on the journey of the way forward. That is where I would rather be.

Mr LEANE — I asked Mr Mullins a question about there being different fire services in Eastern Metropolitan Region, and they have different dispatch models. They have different standard operation procedures. They have different communications. The more I have educated myself in the last two weeks around this issue, the more I get concerned by that fact. Am I right to be concerned?

Mr LAPSLEY — Yes, it goes off what I have just said. There is a concern there. I have not seen that any of our career or volunteer firefighters through the last 18 months would compromise community safety, and that is important. I give the credit to our career and volunteer firefighters that they are still on the trucks providing the services, and they will not miss a call. However, the harm that is underneath — the lack of harmonisation — is of concern. When you have got that, you cannot get the interoperability bits working as well as we could or should, so we are delayed in some of our interoperability provisions because of that lack of trust and understanding between groups of people.

Mr LEANE — I think, reflecting your submission, I want Victoria's fire services to be the best in Australia. I want the best fire service across all of Eastern Metropolitan Region. There might be better practices in the integrated stations, and there might be better practices in the MFB area, and I hope that with this reform we go to the highest level.

Mr LAPSLEY — Yes. Like I said before, I do not think we have compromised safety. What we have got to do is make sure that the service delivery is matching the needs of the community. For example — and you have not gone there today — response times will run out as a key issue, and response times are critical to the service delivery for both fire services and any emergency service in this state or anywhere else. That is a constant issue for the chief officer to manage daily — to make sure that the trucks are on the road doing what they have got to do.

I have not seen the service delivery to the customer not be delivered, but it is delivered through multiple trucks and sometimes with different badges on the trucks. So if I live on the border of MFB and CFA, we have got an interoperability system that MFB and CFA will be going to the calls and in a street. I live on the border. In my street it will be a CFA truck and an MFB truck that pull up to deal with an incident. That is how it operates today. We have got to keep that working into the future, but we need to reform the internal structures of the organisations about their health and wellbeing. The hygiene of the organisations is about this proposal to make sure they keep delivering and meet the future challenges to deliver what is needed of the future.

Mr LEANE — I think, in line with your response, I mentioned dispatch. You know much better than me. That is why you are in the position that you are and you are here helping us. If a call goes out to a brigade and they do not respond to their pages, how long is it until another — —

Mr LAPSLEY — If there is a non-response from a brigade, it is automatically every 4 minutes that it clicks over and the next one comes up. The critical part in the modelling that has gone on over the last number of years is to put the integrated career station, the career pumpers, in the position to support multiple volunteer brigades — or, better still, multiple communities is the best way to describe it.

If I use South Warrandyte, South Warrandyte only recently has got stuff to supplement the volunteers, and that truck out of South Warrandyte is badged CFA and owned by CFA. In this proposal it will become Fire Rescue Victoria. It responds within a footprint that is a broad footprint, so it is back in Heathmont, it is back in Ringwood, it is back in North Warrandyte and it heads up towards Eltham, so it has got a broad footprint. That footprint of those career staff members is further as a bigger footprint — so, a bigger service delivery footprint than if it was volunteers. They have further to travel, better service delivery and a broader service delivery, and that is why what they were putting was to supplement the volunteers to do that work, particularly in increasing call rates.

Mr LEANE — So 4 minutes elapses. That career truck What is the personnel in that career truck?

Mr LAPSLEY — It is either three or four. Three or four career people are on each of those appliances.

Mr LEANE — I have used Toorak as an example, but Toorak is not in Eastern Metropolitan Region. Let me say around Kew. I ring 000. Within 90 seconds — and correct me if I am wrong — two vehicles are dispatched, and it is a house. Two vehicles are dispatched, and they will have a minimum of seven firefighters. That will meet this standard operation procedure.

Mr LAPSLEY — Absolutely. So the call is in. The call goes to stations. If it is in MFB, there will be two stations if not three — but definitely two — and it is 90 seconds before they are out the doors. They will travel 6½ minutes to get there, or the first one will and the other one will travel a little bit further. The aim is that either there are four on the truck or three on the truck, but MFB operate with seven on the fireground. In the informal discussion we had in here we had a chat about the seven on the fireground, which is a safety system of work presented by the UFU about a decade or more ago about a system of work about numbers on the fireground.

In CFA, if it is on the border between CFA and MFB, if it is a career brigade at CFA, they go out the same as MFB — 90 seconds out the door and travel 6½ minutes. If it is a volunteer brigade, they have got 4 minutes to travel out the door and travel 4 minutes. What I am giving to you now is a mathematical equation that you need to work through, because it is all 7.7 minutes or 8 minutes, depending on the service, but there is a reduced travel time for volunteers than there is for career pumpers, so the career pumpers get further in the period.

Mr LEANE — But all that has to be backed up by what is actually happening on statistics.

Mr LAPSLEY — That is right, yes, and the chief officers can report on how that is achieved. I have overseen and even formally communicated to the two chiefs on 1 December last year about what their response profiles were, and the discussions have been ongoing since then.

The CHAIR — Thanks, Mr Lapsley. The committee appreciate your evidence this afternoon and indeed your earlier in camera briefing and your engagement in this process. We will have a draft transcript for you in the next couple of days for any corrections. Thank you very much for your engagement in this process.

Witness withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 25 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Participating Member

Dr Rachel Carling-Jenkins

Witness

Mr Paul Stacchino (sworn), Acting Chief Officer, Metropolitan Fire Brigade.

The CHAIR — I declare open the Legislative Council select committee inquiry into fire services restructure. I welcome Mr Paul Stacchino, the acting chief fire officer for the Metropolitan Fire Brigade. All evidence taken at this committee is protected by parliamentary privilege; however, any comments made outside the precincts of this hearing are not so protected. All evidence is also being recorded by Hansard, and you will be provided with a proof version of the transcript in the next couple of days for any technical corrections you need to make. Thank you for making yourself available to the committee this afternoon. The committee has been the beneficiary of in camera briefings with you earlier in its proceedings; today of course is the first formal hearing with you as the chief officer at MFB. The committee has allocated an hour for this hearing and approximately 5 or 10 minutes for any opening statements, so I would invite you to make any opening comments that you would like to make before we proceed to questions.

Mr STACCHINO — I will not make any opening comments; thank you.

The CHAIR — Thank you, Mr Stacchino. I would like to ask you about the consultation process, firstly, that went on between the government and the MFB with the development of this legislation. Can you advise the committee when you were first aware of the legislative proposal the committee is dealing with?

Mr STACCHINO — I was aware of the proposal on 19 May this year, and I informed myself of the proposal from the issuing of the government's fire services statement.

The CHAIR — But you have had no internal role in its development prior to 19 May.

Mr STACCHINO — No.

The CHAIR — That was roughly a week before the bill was tabled in Parliament. Did you have any input into the final legislation which ended up in Parliament a week later? Was any consultation undertaken from the 19th that resulted in any changes?

Mr STACCHINO — No.

The CHAIR — Thank you. The committee received evidence on 7 July from the Department of Premier and Cabinet — Mr Eccles and Mr Bates — where Mr Bates indicated to the committee that the reason the fire services were not engaged in consultation through the development process was, and I quote:

... to be frank, my concern was that the fire services leak information very openly.

Has that been your experience as the chief officer of MFB?

Mr STACCHINO — No, it is not my experience at all.

The CHAIR — Do you know why Mr Bates would hold that view?

Mr STACCHINO — No.

The CHAIR — Are you concerned that that is the official view of the Department of Premier and Cabinet?

Mr STACCHINO — I am concerned about that view, as expressed about the MFB, that we as a service would be undertaking leaking of information that is commercial in confidence or otherwise.

The CHAIR — Thank you, Mr Stacchino. Can I take you to the specifics of the legislative proposal that is before this committee today or before the Parliament at the moment. How will this restructure proposal improve fire service delivery in Victoria?

Mr STACCHINO — The proposal itself is about bringing a fire service that has got a predominantly urban response profile together as one. I will just explain what that means to me. The Metropolitan Fire Brigade is an urban fire service. The CFA is an urban and rural fire service; it actually has the ability to deliver service in both the built environment and the rural environment. In its 35 integrated stations their predominant service delivery is in the built environment. The proposition before us is bringing the career firefighters of the two fire services together as one.

On the issue around bringing greater community safety, currently both fire services are delivering fire service suppression and other emergency service delivery commensurate with the risk in the community itself. On the issue around the built environment, whilst we are talking about 35 integrated stations and 47 MFB stations, there is in fact a greater amount of fire brigades that are delivering service in the built environment itself. Within CFA today there are 204 brigades that deliver service in the built environment, and 35 of those are integrated brigades, and as I said, MFB has 47. The current proposition is that those brigades are delivering service to community needs today. We deliver to the risk profile that exists — the CFA and MFB — and we have particular service delivery models that actually deliver that service. Therefore both brigades are delivering a public value proposition around service delivery.

The CHAIR — When the MFB made a submission to the fire services review — the O’Byrne review — the MFB made the point that there were impediments in the industrial relationship that the MFB has with its firefighters which, to quote the submission:

... impede the MFB in achieving excellent performance in a sustainable and efficient way. These are:

the broad scope of the consultation clause;

the effective right of ‘veto’ by the UFU of management decisions in relation to any proposed change under the consultation clause; and

the ‘status quo’ provision in the dispute resolution procedure.

How do those provisions impact on your role and your decision-making capabilities as chief officer?

Mr STACCHINO — The 2010 industrial instrument for operational staff and also assistant chief fire officers is in place and has been in place since 2010. It has a number of provisions with respect to consultation, and those provisions are all-encompassing around all the employment relationship that MFB has with firefighters. With respect to any change around their employment tenure, any change to do with technology or any change to do with anything within the instrument, they need to be consulted on. The consultation provision is one that requires consensus, and that mechanism is managed through a committee structure. Proposals for change on any matter pertaining to employment, as I have made mention, need to be consulted on and consensus reached. If consensus is not reached, the matter is therefore not endorsed and therefore the change cannot be effected.

The CHAIR — So it is effectively a right of veto?

Mr STACCHINO — What it does is clearly give the ability, through the instrument, to bring a process of non-consensus and therefore, in your words, a veto.

The CHAIR — Will the proposed structural change to the fire services in any way address that impediment that you have as the chief officer in making operational decisions?

Mr STACCHINO — On the new entity itself and its form and function, I do not have any concerns with what is proposed. What will be the concern for me in the office of chief officer is that the new Fire Rescue Victoria will not have within its governance structure a board, a CEO or a chief officer. The powers within the MFB act, which clearly are statutory powers that provide for duty and function for service delivery of a fire and emergency service, will in fact translate straight into the bill itself. Those powers will be the powers that the new fire services commissioner will have to deliver public safety within the area that Fire Rescue Victoria will operate in. The concern for me is that the current industrial instrument does affect those statutory powers in the ability for the organisation to continually bring about an efficient and effective service while at the same time delivering a strong public safety proposition before, during and after an emergency itself. The chief officer’s role is to ensure the readiness of the brigade and its people — the firefighters and the organisation — so that when an emergency takes place the powers can be utilised and effected.

The actual instrument itself goes to all elements of equipment and decision-making, therefore from the readiness of the brigade associated with the type of equipment it has, the type of protective clothing, the type of appliances and the type of stations where we house our people to elements associated with the mechanism of running the organisation, those being a rostering mechanism, the crewing of our appliances and the training that we undertake. They are all subject to the provisions of consultation and also subject to the provisions within the EA around a dispute process.

Where we have concerns about delivering our statutory responsibilities and the elements of running a fire service, they lie in when we are actually trying to make change and when we are trying to effect efficient and effective operation. Through the consultation process under the instrument we do not get consensus. If we undertake an action that is contrary to a position of the union in particular, what will happen is the dispute resolution processes are enacted which bring about a grievance that maintains the status quo and then we need to work through a disputation process to effect the change itself.

In the context of the chief officer, we have had examples, utilising the 2010 instrument, where it has actually not delivered effective or efficient outcomes in support of the statutory officer, the chief officer. Those examples are examples we have worked through with the assistance of Fair Work, but that sort of disputation around the decision-making of the chief officer is not timely and it is not effective. It is a whole range of process that does not allow the office to be effective. That is the 2010 EA, as we know. We have many examples. Those examples are on the record through the fire services review and also other activities, particularly in disputation around the Fair Work tribunal.

As recently as 3 July the board of MFB wrote to the minister and provided legal advice to the effect that the chief officer's powers are in fact subject to limitations by virtue of the current 2010 EA. For me, in the context of a new entity being formed and the transmission of business and of the powers of the CEO and board in particular and also the chief officer, for the instrument that exists today and the experience we have had, is it does not feed and it is an impediment to that efficient and effective service. As late as 3 July the board has taken the opportunity to write to the minister and provide the legal advice that was received by us on this particular matter.

The actual 2010 EA is what it is. Advice being given to me is that there is already a contemplation of the enterprise agreement and its workings for the new entity, Fire Rescue Victoria, that it will be based on the in-principle agreement of the CFA that has been struck and that people are working on that as a position to be put forward to the new entity for their industrial relations agreement. The concern that I have got with that, having looked at the CFA in-principle agreement 2016, which was actually a final document at that point of time, is that a number of provisions that are in the 2010 agreement of MFB have in fact transferred into this agreement.

The sorts of clauses that exist in there include the consultation clause. Again, I have talked about the mechanism — it is by consensus. Again, another clause is one associated with the introduction of change; the introduction of any legislative change requiring consultation; technology change, consultation; the same dispute resolution process; matters pertaining to all employment relationships; any changes around the emergency management system or its structure will need to be consulted on; multi-agency drills. It goes on and on through the document itself. Safe systems of work is locked in. There are issues around diversity and a dispute panel.

What I say to you is that in the transmission of business from one entity to another it is really important to look at the issues that may or may not exist with the transfer of the enterprise agreement and its conditions for the workforce and employment. I just want to bring you to one clause that is actually in this CFA in-principle agreement. It is clause 41 and it sets CFA policies. It says:

The CFA currently has a range of policies that affect employees covered by this agreement. Any policy that affects the application or operation of this agreement or the work of employees covered by this agreement may only be made or varied by agreement.

'By agreement' means actually a complete agreement by both parties. If it is not agreed, it can in fact, with the provisions within the EA, have a veto effect.

The CHAIR — So what would that clause not cover? What would be excluded from that clause?

Mr STACCHINO — Can I just read the clause in its full encompassment, for understanding:

Should the CFA seek to modify, delete or add to any new or existing policy that so affects employees then any change or addition will be the subject of consultation and agreement pursuant to clause 21 of this agreement. Should any policy be inconsistent with a term of this agreement, then it will be invalid to the extent of any inconsistency.

Here is the issue, the definition of policies:

For the purposes of this agreement, policies include any document that contains provisions that affect the application or operation of this agreement or the work of employees covered by this agreement or their representatives, inclusive of procedures, business rules, directions, standing orders, SOPs —

standard operating procedures —

operational work instructions or any like document kept or promulgated by the CFA to their employees.

So the 2010 EA that MFB has today to operate under we say is an impediment to the efficiency and effectiveness of the service. We also have legal advice that says it also impinges on the chief officer's statutory responsibilities and powers.

What is proposed here, if we look at the in-principle agreement of the CFA that was struck — and it has now been a proposition that conversation is taking place that will utilise this instrument — is we have a clause in there that affects the whole notion of running a fire service in every single facet of it from direction and its operation itself. The ability for a chief officer or in the future a Fire Rescue Victoria commissioner is impeded by that very clause and the instrument enshrining a mechanism that brings a need for consultation on all matters as subscribed by 36 and delivered with agreement — and if it ain't agreed, it cannot be done.

So what I say in this context is the form and function proposed around a fire service made up wholly of career firefighters is something that can actually be enacted. It can be something that brings change to the fire service landscape that we have in this state, but then transferring potentially a transmission of business that exists and that looks like today off an EA and then the challenge of taking up potentially a principle-based agreement with CFA that transitions across the whole of that workforce, I say that offers a whole range of issues for consideration that need to be dealt with.

The CHAIR — Thank you, Mr Stacchino. That is a very good overview of the challenges that apparently will be evident if we see a CFA-style EB implemented at Fire Rescue Victoria, as evidence to date suggests is the intended course of action. I am conscious of the time for that session. We will balance it up in the allocation of questions across government and opposition.

Mr MULINO — Thanks for coming in to give evidence today. I just had a couple of questions around the environment in which we find ourselves and in particular some of the challenges that all of the fire services currently face, such as population growth and the growing complexity of the built environment. We are seeing a lot of issues springing up in recent times, like certain materials being of higher risk than thought originally and the difficulties of volunteer retention in certain areas, given the nature of modern society. I am just wondering what your thoughts are. Do you think it is a fair thing to say that the challenge of delivering fire services in a range of environments is increasing?

Mr STACCHINO — Sure. I have made mention of the significance of the size of the built environment and the service delivery. Remember we are talking about 204 CFA brigades that are delivering service in the built environment and 47 MFB stations that are delivering that service as well. The challenge is obviously change of risk profile and change of demographics in the growth corridors that sit around Melbourne and provincial and rural Victoria. I welcome the notion of a career fire service and the delivery across 82 stations. It is a model that can actually be delivered. The challenge will be that we will need to deliver that model of service in the built environment with two fire services going forward.

The CFA will still need to deliver a service with a risk profile in another amount of brigades that are in the built environment. The notion will be that we will be delivering one service delivery proposition in one built environment area and we will be delivering another proposition in another built environment area. I give you an example: St Albans, one of our stations, does about 450 calls a year. Werribee is a volunteer station and does around 1300 calls a year. That brigade is delivering a service to its community with the challenges of a significant call rate and the demographics and sociographics, where I have got a career firefighter station at St Albans delivering against 450. So if we are going to look at an ongoing community safety value proposition with two fire services in the built environment with two different fire service delivery and capability, we need to ensure that we get some sort of equity around the homogeneous risk we have got in place and we need to ensure that we have got the same sort of service delivery itself.

A volunteer service is delivering its service delivery model, as it does, to a standard, and a career fire service is delivering currently to another standard, which you are probably very mindful of and there has been evidence

before you accordingly. The proposition of creating another fire service is that we still have two fire services operating in the built environment, and we need to work through that issue to manage the risk that is there.

Mr MULINO — Just as a follow-up on the operational side of things, we heard some evidence from some officers in charge of integrated stations yesterday around some specific incidents. They mentioned Coolaroo but also talked about this having arisen on a number of occasions due to the complexity of some career staff MFB stations interacting with volunteer stations in the built-up area. This particular person said he would often take three radios with him. Obviously while we have more than one service, as you said, there are going to be interoperability and coordination issues, but he was confident that moving to the model proposed in this bill could improve operational delivery within the built area, and that was backed up by evidence from Greg Mullins and Craig Lapsley. Are you broadly aligned with that assessment?

Mr STACCHINO — Absolutely. What I would say is that Victoria would be best served, in my view, if it had one fire service; however, that is not what is being contemplated. It is another fire service with another model, being wholly career, and CFA being wholly volunteer. The notion that we can work together is right. We work together now, but by bringing the 35 integrated stations into one service you can bring about working together across those areas, because what we have got going forward are another 35 areas of fire service delivery that we need to cover in the same manner. It can be done and it will be done, and there is actually a whole range of goodwill to bring about the planning to ensure that this model can take place.

But the issues on the boundary that exist today with the MFB and the CFA will still exist with Fire Rescue Victoria and the CFA across, now, 35 new stations that will come together as part of a career firefighter service. The issue is that it is a bit patchworked. There are lots of areas around that patchwork — I talked about Werribee as an example — that we still need to work with, responding into that area collectively. We will have issues around two different services in that space. If you go to Geelong, there will be three fire rescue stations there and a number of CFA stations in the same area that will need to deliver the full suite of fire and emergency services before, during and after — so we are talking about even in the fire safety space and the resilience space as well. We have still got the same issue with two agencies working together. There will always need to be coordination, and there will always need to be the ability to work through the issues of standardisation and interoperability.

Mr MULINO — I have one final question just on that issue of the boundary. If I remember correctly from when you previously gave evidence, you have got quite some experience with the New South Wales model and the way that they handle boundary issues. My question is really focused on the proposal here, the fire district review board. Is it fair to say that what is being proposed here, which is a more independent, more expert-based process where there are periodic reviews, would be an improvement and one that you would welcome?

Mr STACCHINO — I think the need for a review and improvement process is really important, based on the growth of this state and the demographic and sociographic changes, the pressures of service delivery and volume, and the ability for career and volunteer service to physically work through who is best served to deliver the service through growth.

Mr YOUNG — Thank you very much for coming in today — a little bit of déjà vu in the line of questioning from Mr Higgins earlier. Mr Mulino touched on the interoperability stuff, so I just want to follow on with a similar question that I asked before, and to assist I also before quoted from a part of the conclusion from the O'Byrne review of 2015, which states:

Appliances, equipment, training, systems and procedures should be standardised to the extent possible to allow CFA and MFB to operate together seamlessly and, in the greater metropolitan area, interchangeably.

Has it been your experience that there is a reluctance within MFB to do that, to work collaboratively with the CFA in achieving that?

Mr STACCHINO — What we have been working on in recent years is a process of working through the issues of interoperability and standardisation. Both agencies and the union have actually worked to look at the issues that can actually get us the best outcomes working interoperably. We have had conversations around appliances and the type of appliances that we need and their functionality. There will always be a need to match appliances to the risk environment that exists. CFA appliances need to match a different risk profile than MFB.

But in the context of the model going forward — FRV and the 35 brigades coming forward into the FRV as an agency — we would actually have a standardisation going forward on the type of appliances. Equipment: over a number of years we are getting closer and closer to the same protective equipment and protective clothing. Training: we have struck our first Victorian recruit firefighter program with the same curriculum for training, in particular for the career side of firefighting, and I am sure that will progress. Training will have a whole range of interoperability and standardisation. It is not that the two agencies have not got the desire to bring standardisation and interoperability; it is about the mechanisms and about continually focusing that intent.

Mr YOUNG — Obviously it is not an easy thing to do.

Mr STACCHINO — It is going to take time.

Mr YOUNG — You have given examples. The equipment is getting there and the training opportunities are becoming more aligned. Is this bill because you are not doing it good enough or quick enough, and this restructure is to fix it and solve all those problems in one hit?

Mr STACCHINO — I think the bill is all about the issues of risk in the community and delivering a career firefighter service model commensurate with that risk.

Mr YOUNG — You talked about having boundaries, and boundaries are always going to be there. To me this is a big change but it is also just shifting the boundary of interoperability. There is always going to be that boundary; now it is just with two different entities. What we have talked about a lot is the cultural issues within the CFA, not so much any cultural issues within the MFB — that has been a topic that has not been raised so much. Those boundaries and that boundary area is where the cultural issues within the CFA are happening. Are you concerned that possibly you are taking on some of those cultural issues, because what you are taking is one side of the argument — that is, in full-time staff from the CFA and you are taking them on board into a FRV? Now we have MFB ingrained in that conflict against those same boundaries.

Mr STACCHINO — I think the proposition of the new entity is an opportunity in the context of the two cultures. Bringing through the good things on both of the services — the cultures, the traditions, the knowledge and their capacities. Bringing it together and taking the opportunity to mould and bring forward a new culture with a new entity, but ensuring that the threads of culture and tradition from each of the services — those good elements — come through as well. So I see it as an opportunity to reset elements of culture for both services for the good.

Mr YOUNG — Since the announcement of the bill and obviously more information being provided, have you had any information provided from anyone about the funding arrangements? Because this is going to be quite a big shift in the way the two services individually are funded. Obviously MFB will be taking on a large portion of what was funded through CFA in the new service. Have you had any conversations on how that would work and how that arrangement will take place?

Mr STACCHINO — No, and I cannot comment on it.

Ms HARTLAND — Over the last two weeks we have gained a huge amount of information. One of the things that keeps on coming back to me and is raised with me is around how you ring 000 and you ask for fire services, and depending obviously where you are you will either get MFB or you will get CFA. The things that have been raised with me that I find concerning, and I just want to confirm that I am being told the right things, are that if I ring 000 and it is a CFA area, it is 4 minutes, and if there is no response, then the next brigade is rung. No response, and then the next brigade is rung. Is that the way it happens?

Mr STACCHINO — I am aware of the 4-minute timeout and then another brigade will be selected by the CAD to respond. I do not know the ongoing sequencing, but I know that it is a time limit of 4 minutes and then the next one is rung.

Ms HARTLAND — Considering the standard is around 8 minutes turnout time and that that is what is probably going to save a dwelling or make a successful rescue, does that then put the community at risk if for whatever reason a volunteer brigade cannot turn out in that time?

Mr STACCHINO — It is not an issue of community at risk. What it is doing is delaying the response. Obviously the quicker the response in speed and concentration, the amount of appliances and manpower of

firefighters, and also the timing is really important. The timeout is there — it is part of the system — and the response is different by virtue of the metropolitan district and where the CFA integrated station is. There is 90 seconds we ask our people to get out the door and to respond, so every ability to lessen the response time potentially is a greater outcome in a community safety proposition.

Ms HARTLAND — So by having the services quite separate, how would you see then that improving response times? Because obviously fire rescue would have a much bigger coverage than what it does now. Would that mean that those communities would have a much quicker response?

Mr STACCHINO — It is a matter for CFA how they undertake their service delivery and against their standards if there is a view that they are not meeting those standards how they bring about that issue. Within the 47 stations of MFB and the 35 of CFA, the expectation will be that we respond in a particular manner and a particular time. For CFA, as I said, in the built environment there is more than the 35 integrated stations of the CFA. There is a total of 204. It is a matter for Chief Officer Warrington to address their service delivery.

Ms HARTLAND — I suppose what I was really trying to get to was if this change happens, presumably then we also have a more streamlined 000 process. The other thing that I am being told is that if there is an issue where there is an MFB or CFA integrated station on the border with a CFA volunteer station, the volunteer brigade can actually say that they do not require career firefighters even when they do because they prefer to fight the fire themselves. Is that something you have encountered?

Mr STACCHINO — I have got no visibility of that. All I say is the issues that we have on the boundary today, MFB and CFA with the integrated stations and the volunteer stations will present itself across 35 other locations now.

Ms HARTLAND — If this legislation does not go forward, what problems can you see in the future if we do not actually take the bold step and fix what is clearly a system that has problems?

Mr STACCHINO — I would speak in the more positive to say that if this model gets up, between Chief Officer Warrington and myself we would work through the issues of service delivery commensurate with whatever the statute responsibilities are undertaken through legislation, we would work through our current doctrines and we would ensure that we can actually deliver the expectation of a direction from government and Parliament.

Ms HARTLAND — Sorry. That might have sounded quite negative, because I have only got high regard for both career and volunteer firefighters. I think they do an incredible job, so I thank you.

Ms SYMES — Thank you for your evidence today. I really took to your description of the new entity being able to bring forward the positives from both services, and it is certainly the optimism that we are hearing from many. We have also heard that after the announcement of the creation of FRV the morale of firefighters almost lifted instantly in terms of a way forward — ‘This is great. Let’s get on board and get on with it’ kind of thing. I am just wondering, one, have you noticed an increase in morale amongst your staff as a result of this reform being announced? Also, do you consider this as an opportunity to reset the relationship between management and employees that you described earlier in terms of the lack of trust et cetera?

Mr STACCHINO — Career firefighters would have a view, and it has been expressed to me, that this is a way forward and change — and a way forward in a positive manner. Most, I am sure, would sign up to this as a way forward because the current state that we are in with issues of morale requires a way forward. This proposition that has been put forward is in fact a way forward.

The only elements that I have concern about, which I have put on early in my evidence, is ensuring that the new entity has the ability to bring about the change and the ability to deliver on its statute responsibilities, considering that what is proposed is quite a different shift of governance for fire services within Victoria, because both fire services were statutory authorities. In the context of no board, CEO and chief officer going forward, the ability for that individual to lead in a positive manner that is free from conflict in the workplace, that is free from the at times inability to bring accountability to workplace behaviour and at times the inability to manage some of the elements of change needed for the wellbeing of firefighters — that is my point.

Ms SYMES — Yes. That is sort of where I was getting at in terms of consultation clauses are nothing new. Yours, I agree, are very prescriptive. Twenty years ago I was involved in negotiations for the MFB and CFA EBAs for the admin staff, so I was quite familiar with the level of detail even 20 years ago. Your EBAs were very prescriptive. I think what has been described to us is that the reason that your consultation clauses and the need for agreement on so many things is because of this mistrust and combativeness that has emerged between management and employees, and I guess I am asking: does your optimism for the merging of the two organisations extend to an opportunity for an improvement in the relationship between management and employees and getting things done?

Mr STACCHINO — My optimism is always there, because I think it is important to lead with that optimism. The issue of conflict has been around in the services for the last 20 years, and a lot of that conflict is tied up within the industrial arrangements. It enables that conflict to take place and that challenge between management and firefighters around bringing change and bringing contemporaneousness around the two services. So the actual instrument itself has underpinned a whole range of the conflict. What I say to you is to ensure that that conflict falls away and that management and firefighters are working together for the absolute proposition that we look after public safety and service delivery we need to ensure that some of the elements that sit within the EA today around consultation, disputation and the limiting of chief officer powers do not transmit from the current EA into the governance arrangements for a new Fire and Rescue Victoria. The proposal where we are looking off the back of an in-principle agreement with CFA — about which I gave you some evidence around my concerns — just exacerbates what is in the 2010 agreement. That is a worse scenario around the ability to bring about direction.

Ms SYMES — Just in terms of your concept of transmission, the EBA is quite separate to the legislation.

Mr STACCHINO — It is.

Ms SYMES — And I guess our committee is confined to the legislation for our deliberation purposes, but in terms of this transmitting, it would still have to be negotiated anyway.

Mr STACCHINO — I am hoping so, but here is the issue with setting up a new service. You can set a strategic intent, you can build a structure and form and function to deliver on statute responsibilities, but a fire service is around people, and if you have enshrined a whole range of how people work in an industrial instrument that brings around restrictions and concerns around consultation and disputation, what you end up doing is transferring into a new entity the same old. Then if the planning processes and the processes of how the entity operates are also enshrined in an instrument to a prescriptive manner, what happens is you do not have the ability to flourish into something new. You are just transferring the ability of two agencies to be constricted, and nobody wants that at all. Everybody wants to look at this model to say this is something that we should change to. This is something that career firefighters can be a part of as a new entity, and it could be an entity that is very strong within the fire services and emergency management landscape, but in setting up any organisation and a new entity there are some clear principles.

You need a strategic objective, you need a structure, form and function, and you need to actually have an understanding of how your people are going to conduct business and work, and if an industrial instrument is in place, because it is a requirement under law to have one, and it is such that it is in the same shape that existed at 2010 and a proposition to actually be a more plus-plus model of restriction, that is not going to serve the entity well. What I am interested in is going forward with an entity that actually delivers a good outcome as a public safety and a public value proposition for Victoria.

Ms SYMES — And brings the positives of the two organisations.

Mr STACCHINO — That is the positives, and a new culture that has got the ability to absolutely flourish by two entities coming together and working in a positive manner, because that is what we are doing;— we are getting the career firefighters from both entities to come together to work as one.

Mr O'SULLIVAN — Thank you, Mr Stacchino, for coming in and chatting to us today. I have got a concern in relation to this whole reform process. It is becoming more evident to me that there is a cultural reform occurring here rather than a fire response reform to solve an industrial issue, and in terms of that it has become very divisive. You have people at one end of the argument, you have got people at the other end of the argument and there is almost no-one in the middle — almost nobody. In terms of where this is going to go, this

committee has got to write a report, and there is every chance it will probably be split. Then it has got to go into the Parliament for a vote on the floor of the Legislative Council, and who knows what is going to happen there. Again there will be some division I have no doubt. If this is a genuine fire reform in terms of talking about those things that you were speaking about in relation to risk profile and demographics — they were the words you used — would not just changing the CFA and MFB boundary to go into those areas of growth go a long way to solving this issue if it is a genuine fire response issue?

Mr STACCHINO — It is a proposition you put to me that is hypothetical by nature, because all I have got the ability to comment on is clearly a model that has been put forward, which is a government policy position, and the model is what I comment on rather than your providing a proposition to another model. Fire service delivery can be done in lots of ways — emergency service delivery. This model here is one that can actually work, and it actually can work with the right intention, will and the agencies working together, ensuring the elements around the governance of running the fire service to be more efficient and effective. We are always striving for that because that is the public safety and value proposition. So as I say I am looking at the model going forward and I am providing some advice to the committee today around some things that they need to think about in the model, but I think we can as a state work through the issues.

Greg Mullins is here supporting the conversation and the way forward, with in particular the two chiefs, me and Steve Warrington. We are looking at all of the issues of operational matter that need to be addressed so we can actually bring about the two entities going forward, and we are working through any risk concerns around the ability for the two entities to operate. We will actually endeavour to transition into a new organisation with mitigating risk to public safety and otherwise.

Mr O'SULLIVAN — We have heard in evidence comments from Craig Lapsley, where he said that if he was designing this, he would probably have it into a single fire service. This current model in front of us probably would not be his choice, but he said there are a whole range of circumstances. One, he was not asked to provide input up-front. Secondly, he said politically it would be difficult to achieve in the current climate. Even Mr Mullins indicated that he thinks a single fire service would be a reasonable outcome as well if it was ever to go that way. I am just starting to think that we are going through a lot of angst. Everyone is going to go through a lot of angst in relation to this to solve an industrial and cultural issue. Is that what we are really dealing with here?

Mr STACCHINO — I go to my first answer with you. You are providing a hypothetical situation and proposition to me. I have a personal view for one fire service for the state. That is a model. There are many states that run that model. The proposition in front of us under this bill is a career fire service and a wholly volunteer fire service. The career fire service will not be the only fire service delivering a fire service response. It is not just a response but also before, during and after services of incidents in the building environment. The CFA will still be delivering services in the building environment. We have already indicated that. What the proposition is is putting career fire services together in the areas where the most volume of work is based on risk and demographics. However, there are a number of other areas outside the 35 that need that attention. That will be brought about through the fire services review — the district review committee that is there. That has the ability every four years to look at the changes within the risk profiling and bring about advice of what service delivery needs to take place.

Mr LEANE — Thank you for helping us in our bill inquiry. Other jurisdictions in other states have a chief commissioner in the fire services and not a board. In looking at standardising and I suppose the way that the MFB operates, have you ever looked at operating a similar model that the CFA does in urban areas? So you might set up a volunteer brigade in Malvern and then a volunteer brigade in Brighton, and then you will have career brigades around them to support them, so if those volunteer brigades in Brighton and Malvern do not respond to their page within the 4 to 6 minutes, which is debatable, then those career brigades can assist.

Mr STACCHINO — I have not looked at that personally because it is not an issue that affects the MFB. I direct that question to chief officer Steve Warrington.

Mr LEANE — I am talking about the MFB. I am talking about your area. Have you ever considered embracing the way the CFA protect urban areas?

Mr STACCHINO — The answer is no.

Mr LEANE — The answer is no. It would be pretty hard to sell I would imagine too.

Mr STACCHINO — Well, we are a totally career service delivering a service across a homogeneous risk profile, and we have got a service delivery model that meets that risk profile. The MFB does not have that proposition that you have just put to me.

Mr LEANE — Okay, so you never considered it either?

Mr STACCHINO — No.

Mr LEANE — And I would imagine it would be hard to sell to the communities that you protect now.

Mr STACCHINO — Because I have not given it due consideration, I do not know what it would be, hard or otherwise.

Mr LEANE — On the response to this building, a few years ago Matthew Guy unfortunately burnt his toast, but let us talk contemporary times. I burn my toast in my office. What is the response to this building — to this workplace — if it sets off an alarm? I burn my toast and you get called.

Mr STACCHINO — The likelihood is you will get three appliances. We have a whole range of response rules to particular assignment areas. For that scenario you present to me the likelihood is three appliances.

The CHAIR — That brings us to the conclusion of this session. Mr Stacchino, thank you for your evidence this afternoon and indeed for your earlier in-camera briefing. The committee very much appreciates your engagement in this process and your evidence. We will have a draft transcript to you in the next couple of days for any corrections. Thank you.

Witness withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 25 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Participating Member

Dr Rachel Carling-Jenkins

Witness

Mr Steve Warrington (affirmed), Chief Officer, Country Fire Authority.

The CHAIR — I declare open the Legislative Council select committee inquiry hearing into the fire services restructure. I welcome Mr Steve Warrington, the chief officer for the Country Fire Authority. All evidence being given today is taken under parliamentary privilege and is protected from review; however, any comments made outside the precincts of the hearing are not so protected. All evidence is being recorded by Hansard, and a proof version of the transcript will be made available in the next couple of days for any technical corrections. The committee has allowed an hour for this session, with 5 to 10 minutes if you wish to make an opening statement. Do you wish to make any opening comments?

Mr WARRINGTON — I think I can save you at least 5 minutes. Perhaps I will just spend a couple of minutes introducing myself so you understand my background if I may. I commenced with the CFA in 1978 as a volunteer. I joined the career staff as a career firefighter on shift in 1983 and then progressed my way through the ranks. During that time I continued my service as a volunteer. So I had been a volunteer within the CFA for just on 18 years. I am currently not a volunteer in the CFA. I have been to numerous fires along that journey — as a volunteer back on Ash Wednesday in 1983, obviously Black Saturday, major bushfires, factory fires and house fires, so I have had numerous operational experiences. I have been deployed to New South Wales. I have studied in the US at the fire academy in Emmitsburg, where I completed the executive fire officer program. More recently, as of this year, I was appointed chief officer on a permanent basis at the CFA.

The CHAIR — Thank you, Mr Warrington. Can I also place on record the committee's thanks for the in camera briefing you provided to the committee in our first session in early July. Mr Warrington, I would like to ask you first about the whole-of-government submission to this inquiry. Did you see this submission prior to it being sent to the committee?

Mr WARRINGTON — I would have been provided with a copy before it was sent to the committee, I think — I cannot recall.

The CHAIR — Any input into it?

Mr WARRINGTON — No.

The CHAIR — Are you aware of any reason for any inaccuracies or any misleading statements or false statements in this submission?

Mr WARRINGTON — Yes, I am. There is an appendix at the rear of the document that talks about the amount of consultation that has occurred. Unfortunately there was an administrative error within the CFA that occurred in providing that information to the government. We are now aware of that error. As a result I have asked our assistant chief officers to go back into their field to validate the proper consultation that has occurred. In my understanding we have now written to the government, particularly DPC, and we have offered our apologies and resubmitted what we believe is accurate data. Probably tomorrow now I plan to put out an apology through our social media to our people for that error.

The CHAIR — So this appendix to the submission — —

Mr WARRINGTON — This is the appendix that talks about the consultation that has occurred since the Premier announced the reform package.

The CHAIR — And that particular attachment, attachment D, claims that there were 35 699 volunteers who had the opportunity for consultation. So that is incorrect?

Mr WARRINGTON — Correct.

The CHAIR — When did you advise DPC of this error?

Mr WARRINGTON — That would have been in the last couple of days; it was fairly recent.

The CHAIR — DPC has advised us that there is an error in its submission. Are you aware of any other inaccuracies in the submission?

Mr WARRINGTON — No, I am not.

The CHAIR — Thank you. Prior to your hearing Mr Stacchino was giving evidence to the committee where he spoke at some length about the impediments that exist in the industrial environment in his fire service under the MFB industrial instrument, and he also expressed the view that were the proposed clauses in the CFA industrial instrument to be replicated in a future Fire Rescue Victoria industrial regime, that would impose considerable difficulties on the Fire Rescue Victoria commissioner in exercising their statutory powers to control operations. Do you share that concern of Mr Stacchino's?

Mr WARRINGTON — I will not speak on behalf of Fire Rescue Victoria, but one of the advantages I see with the reform package that has been put on the table is that it essentially excises the career staff and with them the employment agreement out of the CFA and into Fire Rescue Victoria, so in a sense we see those issues moved to Fire Rescue Victoria, away from the CFA. So we see the advantage in the reform as attempting to get an autonomous, independent volunteer organisation, the CFA — that it removes any impediments that may have been there in the past.

The CHAIR — But if those impediments continue to exist with Fire Rescue Victoria-engaged staff who are subsequently seconded back to the CFA, which is the model we are told is to be in place, how is that going to work?

Mr WARRINGTON — Obviously the secondment issue is the big issue on the table, and I think there is room for movement in that space. The point that I come from is clearly I am advocating for an independent, autonomous CFA. Having said that, I have already been assured that were an operations officer or ops manager — so senior operational people — seconded back into the CFA, they will wear the CFA uniform, they will be tasked by the CFA chief officer and they will report to the CFA chief officer, and for all intents and purposes they will pretty much operate as they do today. So in that sense there will be more change. We will be seeking clarity in that space to reinforce some of those issues, particularly around recruitment and selection, as we work through the implementation process — obviously should the legislation get up — and we will do that in a collaborative effort with the Fire Rescue Victoria commissioner.

The CHAIR — Those Fire Rescue Victoria staff will be under the Fire Rescue Victoria EBA presumably?

Mr WARRINGTON — My understanding is that everybody currently employed under the operational staff agreement will go from the CFA. If you are currently employed under the CFA operational staff agreement, you will in the future be employed under the Fire Rescue Victoria operational staff agreement. There are two groups here: one, if you are a station officer at one of our 35 integrated stations and indeed an ops officer and below, you will remain in Fire Rescue Victoria; and two, if you are an ops manager, an instructor, you will then be seconded back into the CFA. As I understand it, the secondment will be under the current position description. They will wear the CFA uniform and report to the CFA chief officer, not directly necessarily, but through the chain of command. They will be tasked by the CFA chief officer and the like. Having said that, we will be seeking to get more clarity into that space, and it is one of the areas that we think could certainly have more analysis or review as far as the legislation is concerned.

The CHAIR — Do you feel that staff seconded back to the CFA under this model will not be subject to those clauses of the EBA which have been problematic?

Mr WARRINGTON — Clearly if they are employed under an enterprise agreement, they will be required to work with the terms and conditions set in that enterprise agreement, so clearly, yes.

The CHAIR — If those problematic clauses are in the Fire Rescue Victoria enterprise agreement, those seconded staff will still be subject to them.

Mr WARRINGTON — Again I have been given assurances that they will be tasked by or report to the CFA. There is a component in the legislation that says Fire Rescue Victoria's role is to support the CFA and provide training to the CFA. My expectation is that working in a strong relationship with the Fire Rescue Victoria commissioner we need to put up what our expectations are for our people moving forward to ensure we are still able to support volunteers. Again, when we move to implementation we will be looking for those sorts of sureties as we move forward.

The CHAIR — You do not have them currently? You do not have certainty?

Mr WARRINGTON — I think the entire document at the moment provides a framework. It says, as you know, there will be a fire rescue, there will be a CFA, there will be emergency service infrastructure and there will be presumptive legislation. I have approached the minister on a one-on-one basis and requested that any further implementation be done by the agencies themselves. I am clearly saying that it is my responsibility, as chief officer, to work with my peer in Fire Rescue Victoria to ensure that we do not compromise service delivery and we are able to continue to support both volunteers and our service delivery moving forward. I see that as a role we should be playing. It is not the role — no offence — of the politicians or the legislators. The legislators set the policy, the reform and the agenda. We will implement it, but let us get on and implement it.

The CHAIR — We do need to be assured, though, Mr Warrington, that it is going to be a workable model and that we are not simply transferring a problematic industrial relations environment to a new entity which continues to have a problematic industrial relations environment.

Mr WARRINGTON — Absolutely. So it is incumbent upon me to reassure you and the rest of the Victorian community that we, the CFA, as a service will continue to provide that service to the high standard that we currently do today and that we will do tomorrow. If you are asking a more general question about reform, I think there are a couple of layers to this. The reality is that in CFA land most people are looking at this as if it is a CFA reform. The reality is that this is not a CFA reform, this is a sector-wide Victorian reform for the MFB and the CFA, so it is much bigger than the CFA.

If I can, I will start at the highest level. The CFA has a budget of \$500 million. The MFB has a budget of \$500 million. The MFB look after 40 per cent of Melbourne and have about 1200 to 1500 career firefighters. The CFA has about 1000 career firefighters, soon to be 1200, and 58 000-odd volunteers, half of which are operational. In this state we can be far more efficient, far more effective as a fire service than we are at the moment. It is embarrassing to say that our traditional past here, and we have improved in some of these locations, is where hoses will not connect, our breathing apparatus to this day is still not the same and our systems of approach and systems of work are not interchangeable.

We saw out of the Black Saturday fires the definite view that we, the CFA, cannot do things on our own. It is not just the emergency services agencies; it is about the broader community and how we fight fires so we can absolutely get better in that space. If I then cut down, just within the CFA, my ability as a chief officer at the moment, and I have 1000 career staff that equally and rightly want a say in the future of our organisation, and I have 58 000 volunteers who are represented by the VFBV, my ability to get a tripartisan agreement on just about anything is nigh on impossible. Whether you talk about truck design, whether you talk about uniforms, systems of work or safe systems of work, I can tell you I now have to get agreement from two other bodies, which is nigh on impossible. Let us be frank about this. If I was to remove one as the chief of the CFA, and I was able to deal with just one organisation, that being the volunteer representation, then it is going to make our ability to make decisions and get on and do things much easier. I say that in the spirit of interoperability — —

The CHAIR — Why do you think the other organisation will be removed from your environment when you will be seconding staff?

Mr WARRINGTON — Well, most of our career staff will go to and remain in Fire Rescue Victoria. There is a small cohort that will be seconded back into the CFA under the current proposal. That is what I am saying. Even in that space, we are looking to get more clarity into that seconded model as well. But you would have to say that for us to have the ability to make decisions in the spirit of interoperability — even I would not sit here and advocate in the future for hoses that do not connect or systems that do not work — we need to get past that in a sense. Clearly an independent, autonomous CFA that is volunteer led, volunteer driven I think is in the best interests of the state.

Can I say finally in this space, to answer your question, the blueing that is occurring has to stop. We have got good people against good people at the moment, and it is not just staff against volunteers. The staff do not all agree and the volunteers do not all agree with each other, so it is at all layers. I think this has served to erode public confidence in us as an organisation and in us as a sector. For me, that has to stop. We live in one of the world's three most bushfire-prone areas, and we need to give the public the confidence that we can save lives and property in what is a really dangerous part of the world that we live in. The longer this continues, the more destructive it is. We are on the front page of some of our mainstream media for all the wrong reasons. I mean, we have got people on the ground in Canada as we speak. We were in South Australia last year and we were in Tasmania last year. People should be very, very proud of what we have here in this state in the way of an

integrated volunteer/career staff service, but the whole attention has been driven by what I think is a completely political industrial debate. It just has to stop.

Mr MULINO — Just following up on that issue, it sounds as though you are approaching the secondment issue broadly in the same fashion as Mr Lapsley, who preceded you by a couple of witnesses. He basically said that EMV currently has a model where their staff are notionally seconded in the sense that their pay cheques are provided by Justice, I think it is, but they are under the daily direction of EMV. If I can just try and summarise your approach, it is that there is a lot of devil to be worked out but you are confident that the secondment model can work in practice.

Mr WARRINGTON — What I will say is that it is, again, your job as politicians, the politicians' job, to set the policy framework. It is my job to implement it. I have heard the debate about a lack of surge capacity or there will be an erosion of volunteers. I almost take that as a bit of an insult to our volunteers. The reality is that most of our volunteers are there to support their local community. They are not there for the industrial reasons or whatever. We have got proud, passionate-type people. So I do not accept some of the things that you have said.

Whatever you come up with, I am arguing we have got 58 000, we have got 1000 career staff, MFB have got 1200 or 1500 career staff as well. That does not change tomorrow. How they are employed or how they operate does not change. It is actually up to myself, the emergency management commissioner — sorry, the Fire Rescue Victoria; Freudian slip — and the Fire Rescue Victoria commissioner to make it work, to give the confidence in the public space that we are here and able to do a job. And we will do that. Whatever you do, we will make it work. We have to. We owe it to our Victorian community to do that and we will continue to serve our community.

I think the secondment model is one that does need to be reviewed and have another look at it. Certainly it is the passionate issue that is out there. But already it is being made clear to me that even under what is currently proposed they will be seconded back into CFA. They will wear CFA uniforms, they will report to CFA chief, they will be tasked by the CFA chief, they will be there to support volunteers. We will be advocating for a recruitment and selection process that we have a say in who they are. If that is the worst-case scenario, then absolutely I can look you in the eye, put my hand on my heart and do whatever you want me to do to say we will not just make it work but it will work and it will work well.

Mr MULINO — Just on the issue of the surge capacity, we heard evidence from Greg Mullins yesterday about a restructure that occurred in New South Wales a while ago that was not exactly the same but similar. Around the time of the restructure there were some similar concerns raised in New South Wales. What happened after that change was that volunteers did not leave in droves and the surge capacity was maintained, and he was confident that the same would happen here. I am interested in your thoughts on what you think will happen here.

Mr WARRINGTON — There are a couple of things I could say there. I remember that it was almost this time last year when my message to our community — so internally within CFA — was not to focus on reform but to focus on preparing yourself for a fire season. That was 12 months ago. So you would suspect that if people were going to resign in the masses, it would have already happened. I absolutely would look you in the eye and say there is absolutely emotion and passion, and that is the strength of CFA. People love our organisation and are passionate around it. But we do not have evidence that people have walked away in masses. They are still there. In fact I have been in a number of places around the state where it is quite the opposite, where our people are saying, 'We are there to support our community'. They might not like me, they might not like you or the committee or, no offence, anyone in Spring Street.

Mr MULINO — They probably like you more than me.

Mr WARRINGTON — Well, maybe. I can tell you that some of my people do not like me, either. So I can tell you they do not love us but, by Jesus, when it comes to their community they are parochial, passionate people and they will give, and they are giving people. We have some fantastic Victorians that work and live and breathe in CFA, and I am really proud of that. I would put to you that they will be there supporting their communities tomorrow as they do today. Yes, they might not be happy at the moment, but if we get an autonomous, independent CFA, all volunteers in one organisation, we are masters of our own destiny and can

make our own decisions, then it has got to be better than where we are at the moment. There is no doubt this sector needs reform. We are living in the 1950s here.

Mr MULINO — One last question. We had some evidence yesterday from three officers in charge of some integrated stations. Indeed, as you know, we have had evidence from a number of integrated and volunteer stations on a number of the hearing days. Yesterday I found it quite compelling in that one of the officers talked about a very complicated incident but mentioned that the kind of issues that arose had arisen on a number of occasions — the complexity of many different operating systems and so forth. He expressed a confidence that these reforms could actually improve operational delivery, particularly in fast-growing outer-urban and regional areas.

Mr WARRINGTON — My response to that is to say that I am of the view that CFA, irrespective of these reforms, needs to improve, modernise — I am trying to tone it down a bit — our service delivery model as it is now. So I think we absolutely could do it much, much better. I think we need to update or review our service delivery model, and this does provide us an opportunity to review that model. That is it.

Dr CARLING-JENKINS — Thank you, Mr Warrington, for coming in this afternoon. Something that has been disputed here today is about the case for change. Jack Rush, QC, this morning said very clearly the case for change has not been made in regard to fire services. Then Commissioner Lapsley came in just before lunch and he actually presented his opinion around a case for change. It seems as though from the comments you have made already that that might be where you are sitting, since you described the service as operating in the 1950s. I wonder if you could talk about whether you do think there is a case for change and also, in relation to that, what the implications for the CFA are if this legislation fails to pass the Parliament, because that is a reality that we are facing.

Mr WARRINGTON — Probably the easy one is your second part, if I may. Again I would put to you that whatever decision is made in a reform sense — so in other words, whatever legislation is passed or not passed — we will still have 58 000 volunteers, 1000-odd career staff at MFB, and we will continue to work collaboratively. We will continue to provide the best. Our people have been sought after all over the world. We are a well-respected fire service not only in this country but also overseas. We have had people on the ground in a number of different countries over the years, and we have been sought advice. With that expertise and that skill set we have got some battle-hardened volunteers that I would stand beside every day I go to a fire, second to none. We have got some of the most professionally trained career firefighters that again are second to none. That does not change.

What changes in any legislative reform is potentially who they report to and maybe their systems of work et cetera, but the experience and expertise is not lost, and to be frank, cannot be lost. Whatever you do, I will be advising strongly to ensure that particularly in fire season — obviously we are a 365, seven-day-a week fire service. I am trying to say it is not just the bushfire; we are urban, we are hazmat and we are car accidents. That does not change, so really that is my — —

Dr CARLING-JENKINS — So the service will not change.

Mr WARRINGTON — That is right.

Dr CARLING-JENKINS — And service reforms can continue whether the legislation is passed or not.

Mr WARRINGTON — That is right. In the other scenario, if the legislation does get up, our priority would still be the same, so I would give you the same answer whether the legislation got up or not. It is incumbent upon us to make sure that Victorians are safe coming into summer and more broadly. And your first question? I apologise.

Dr CARLING-JENKINS — It was around whether there is a case for change, because we have heard disputed evidence around that.

Mr WARRINGTON — That is a really good question. It is interesting you say Jack Rush had a different view. I do not think too many people are disputing the need for reform in the sector. We spend a billion dollars in this state on fire services per annum between the two fire agencies. We could be far more effective than what

we are now, should we get reform. The main point for me is to give CFA autonomy and independence to make its own decisions, where volunteers can get on and do their stuff without intervention or interference et cetera.

Dr CARLING-JENKINS — So without the industrial overlay.

Mr WARRINGTON — There are a number of players in this space at the moment. Just give us autonomy, and we will not only continue but I think you will find that we will deliver an even better fire service than we have today. Potentially it is an exciting future if we can get some of the detail right.

Mr YOUNG — A case for change is an interesting concept that we have talked about a lot here. I thank you for coming in again. I challenged you with a couple of things when we had the in camera briefing, and I am going to do it again. I can feel your pain when you talk about this whole issue: ‘I’ve been on the front page for all the wrong reasons when we’ve got so many good things going around in the CFA, so many things that we need to be proud of, so many things we should be putting out instead of what we have got here’.

Mr WARRINGTON — Absolutely.

Mr YOUNG — To be honest I do not see any conviction from you in this model. I see someone who has resolved to do the best with what we have got. Your wording has been evidence of that when you have said, ‘We will make it work’, not, ‘It will work’. You have had to correct yourself a couple of times on that. You are really trying to force that theme, ‘We will make it work’. Then you used again the term you used in the in camera hearing about being the masters of your own destiny. That was the bit I challenged you on at the time, because what in fact we are seeing is a situation where you are becoming the master of your own destiny against your wishes, because this is not something that everyone in the CFA wants.

Mr WARRINGTON — Thank you for giving me the opportunity. If I have not been clear, let me be really clear: this sector, including CFA, needs reform. I am an advocate for reform for the aforementioned reasons. The reality is at the highest level it is not CFA reform, this is MFB, so this is sector-wide reform. We have two organisations with career firefighters with different recruitment, different development and different training. I can tell you that it is this bizarre in Victoria — and I am probably embarrassed to put it into the public space — that we put up ladders differently. We do stuff differently. That is not good enough. That is not in the best interests. We need reform in this state.

If I then take you down — I know I probably repeating myself. That is the sector. Just within CFA, my ability to make decisions, to get on and drive change in the organisation is driven by the fact that I am required to consult with two bodies. I have got to tell you in my experience if one says black, the other one will say white. If one says red, the other one will say pink. They do not agree with each other, and so it is very, very difficult to design a truck — and I can give you some examples if you want them — or a uniform or a system of work at that very level.

The third point that I would make in this space and very clearly is that I am sick to death of good people being put against good people. Our good name has been eroded in a public confidence sense. We are on the front page of papers and in the public space, and even this will put us back there, not for the good work that we do and for the good work that our community should be proud of but for all the wrong reasons. Bring on the reform. Give us independence. Give us an autonomous, independent fire service, and we will kick you goals to say, ‘Hey, this will be the best fire service in the country’. Yes, I am a proud, parochial, passionate CFA person, but let us get on with it. Let us get this behind us, and let us get on with it.

Mr YOUNG — Why is it not already happening? That was my question to the MFB just before. We have had reviews that have said we should be standardising things between the CFA and the MFB. Why is it not already happening? And if we are going to go down this path, we are still going to have two services.

Mr WARRINGTON — The current boundary, if you look at it, is a small boundary around metropolitan Melbourne and then the rest of Victoria. We look after a substantial part of Melbourne, all the regional centres and the rest of Victoria. It does not require us to have good consultation with the MFB when I am talking Bendigo, Traralgon and Geelong, to be frank.

The other thing is that I think everybody still looks at this through the lens of the CFA and MFB and visualises Fire Rescue Victoria. For me this is probably the only opportunity we have to change the culture of the services

in the state — sector reform culture. You cannot look at this through a lens that is current culture in CFA and current culture in MFB. This is an opportunity to reset that whole balance.

The vision I have, and I will take you to a couple of places. I used Bendigo before. In Bendigo we would have a Fire Rescue Victoria pumper — it is a type of fire truck — and I will have a CFA pumper. Both are urban-type fire trucks. They will have different badges. One will probably have Fire Rescue Victoria career staff on; the other one will probably have CFA volunteers on. The one that turns out will be out the door in 90 seconds; the other one will be out the door in 4 minutes. They will both attend a house fire. Their hoses will connect, their systems of work will operate together, they will all work on with a healthy degree of respect, go back into the shed. The important thing in my story is the person that gets the service, the punter at the Bendigo house fire, does not know any difference between the badge, whether they are paid, whether they are from that side of the fence or this side of the fence. It is seamless service delivery.

Mr YOUNG — What you have just described is an integrated station.

Mr WARRINGTON — That is exactly right, but there is — —

Mr YOUNG — We already have integrated stations that do that.

Mr WARRINGTON — The difference being now it would be co-located. The big advantage here is all our career staff and all MFB career staff will be in one organisation. So they can go and have their argument about their EBA and their terms and conditions and ‘go your hardest’ — that is going to be a Fire Rescue Victoria problem. All the issues that we talked about, which are the powers of the chief officer and the veto clauses and all the smoke and mirrors that were there, they have all been gone with the EBA, gone to Fire Rescue Victoria. CFA is a volunteer organisation. We are essentially a volunteer organisation. That is the strength that we bring to the table.

Ms HARTLAND — Thank you for that information. How many meetings have you personally been to in the last few weeks?

Mr WARRINGTON — If you want the specifics, I will take it as a question on notice, but I have literally driven from Warrnambool, Portland, Mildura, Wodonga — I am doing the map around — Morwell, Traralgon. I have done most of the career stations because the most impacted in the CFA are our career staff and the volunteers at our integrated stations. Then I have done a number of what we call district planning committees. I have done lots. In fact pretty well since the announcement, day and night, weekends — yes, I have done lots.

Ms HARTLAND — You have just said that you think the main impact is actually going to be on the integrated stations, on the career staff. For the actual volunteer CFA brigades, what impact do you think that this legislation will have?

Mr WARRINGTON — I have said there are four groups of people in CFA that will be impacted. They are in this priority order, and this is part of what I have been communicating to our people. Believe it or not, and some people do not like me saying this, but I think our career staff are the ones that will be most impacted by the change because you are bringing two cultures together. I have just talked about our different systems of work, how we need to do a lot to bring that together. When you are bringing cultures together, that is a difficult journey. I think the second group in this space is the volunteers at our integrated stations. For the exact reasons Mr Young just said, the reality is we need to do a lot of work, and that is why I have focused particularly at our integrated stations.

There is another group here that I think has been lost along this journey, which is our admin staff, because there is a thing called the Emergency Services Infrastructure Authority. My example to you would be clearly we have people in CFA that do rostering. If we do not have career firefighters and those career firefighters and their EBA and their veto and their powers — all are put into Fire Rescue Victoria; merry Christmas, happy new year — then the reality is that we do not need people doing rostering. I suspect some of those will go to Fire Rescue Victoria. Alternatively if we have people that just do volunteer staff, clearly they are going to stay in CFA. There are some in the middle, so the admin staff.

The fourth group here is the rest of CFA. The rest of CFA that I see is no change. Let us be really clear: the only change in an operational sense is that we are excising out of country area Victoria 35 primary response areas

into Fire Rescue Victoria. The rest of CFA remains exactly the same under the auspices of the CFA act, so remains country area Victoria. If there is a fire in those patches, they report to the CFA chief officer, so there is no change. The changes that people are concerned about would be the seconded people back into the organisation, and we are doing a lot of work to, A, see how we can make sure that works. The biggest issue in our organisation is training, but that is an issue we have now and we need to walk up to that in the future. Again, I would say to you, I think the biggest change and where we will need to spend most of our time and effort would be our volunteers at our integrated stations. Does that answer your question?

Ms HARTLAND — It does. On the issue of the numbers of volunteers, we have been told by the Volunteer Fire Brigades Victoria that there are 60 000. On the numbers that I have from CFA, it is 35 600 who are operational, 18 935 that are non-operational, so it is roughly 54 000 volunteers. On the issue of presumptive, because there needs to be some way of deciding who is operational and who is not, I am told that it will be a very simple tick box-type of exercise. What is your information on that?

Mr WARRINGTON — Thanks for the opportunity, because this has been one of the two emotive issues that are out there and there has been a lot of information. CFA has — and your information is right; I am not disputing anyone's data. I think we are all in the ballpark there; I do not want you to think we are disputing that. I would have said 58 if you were to ask me, off the top of my head, thousand volunteers. Probably half of those are operational and half of those provide support roles and do other activities. If you are a career firefighter, you are employed to go and fight fires. I think it is a fair assumption that if you are employed to fight fires, then you can access the presumptive legislation. If you are one of the 60 000 or 58 000 — whatever — volunteers, you have to demonstrate that you are an operational. Presumptive rights do not apply if you were not operational.

You do need to get through the gate to show that you are an operational firefighter, volunteer in this case. Once you get through that gate your starting point is exactly the same for career staff and volunteers, but you do need to demonstrate how that happens in a practical sense. It talks about a panel. You will probably have a better understanding of that than me, but the way it is explained to me is: demonstrate you are an operational volunteer and you will be treated exactly the same as a career firefighter.

Ms HARTLAND — But your presumption would be that it will be a very simple process; it will not be the complicated, horrible process that has been described by other people?

Mr WARRINGTON — Firstly I would very clearly say that I am an advocate for presumptive legislation for all our operational firefighters. I think that is a good news story and not before its time. Obviously the least amount of heartache that particularly our volunteers have to go through to demonstrate that they are operational the better. I would be hopeful that it would be as simple as the CFA records, which sometimes — I will again be frank — are not as accurate as they could be, being enough to demonstrate that this was an operational volunteer, and therefore the gate is opened and closed and away you go.

Mr RAMSAY — Thank you, Mr Warrington, for your time. I actually do not agree with you in respect of the criticism of the CFA. In fact nor do I agree with you in relation to criticism of career firefighters, either by the media or in public commentary. The criticism is of the Andrews government and the United Firefighters Union. They are the two main agencies that have been criticised for their behaviour or actions — not firefighters generally. I have heard the same commentary from others, and again I do not believe that. There has been no criticism directed at individual firefighters, either career or voluntary.

Mr WARRINGTON — Sorry, Mr Ramsay. Have I criticised our firefighters? Have I done that?

Mr RAMSAY — No, no. You said in your opening remarks — —

Mr MULINO — It is not a question. It is a preamble.

Mr RAMSAY — I was asked to respond, Mr Mulino. Would you like to respond instead?

Mr MULINO — I could.

The CHAIR — Continue, Mr Ramsay.

Mr RAMSAY — In your opening comments you said everyone is sick of it — the public toing and froing about criticism of the CFA. In fact you said the brand has been damaged. I am just suggesting to you it is not the

CFA brand that has been damaged; it is the criticisms coming from government and the union. I just make that point.

The question I actually want to raise with you is in relation to integrated stations. Greg McManus, the ex-captain of Lara, which is to be an integrated station, has resigned. He decided he had had a gutful of the hierarchy of the CFA and felt badly let down. Do you know why he would make those remarks, given he is a captain of a volunteer brigade that is to be integrated?

Mr WARRINGTON — They are matters for Greg. We have got 60 000 volunteers and all have very passionate, strong viewpoints. I can tell you that right across the board we have got people with absolutely different points of view, and on a daily basis people express their different points of view. I can tell you they do not all agree with me or other members of the CFA. We have said, and the mantra has been for some time — I respect people like Greg, and I do know Greg, and he has the right to have a different point of view, provided he does that respectfully and provided other members do that respectfully. That is what makes our society so strong and so great.

Mr RAMSAY — You raised the issue around integration being like segregation at Lara, where volunteers are not permitted to enter certain doors and certain rooms, and we heard similar evidence down in Warrnambool about the — —

Ms HARTLAND — It was then refuted.

Mr RAMSAY — No, it was not actually.

Ms HARTLAND — It was.

Mr RAMSAY — It was refuted —

Ms SYMES — It was passionately refuted.

Mr RAMSAY — then they came back and said they could not access certain rooms.

The CHAIR — Order! Continue, Mr Ramsay.

Mr RAMSAY — I use Lara as an example.

Ms HARTLAND — Bold-faced lies.

Mr RAMSAY — The other question I want to raise with you — —

Ms SYMES — You are going to get a letter from Warrnambool now.

Mr RAMSAY — We heard from the UFU. I think your turn is coming, Ms Symes, fairly shortly, and I will interrupt during your questioning as well.

The CHAIR — Continue, Mr Ramsay.

Mr RAMSAY — We heard from the UFU — and members of this committee, mostly Labor members — who criticised CFA volunteers for failing to meet customer service delivery standards. One of our members was very keen to show a 2008 chart that showed that one brigade was not meeting standards. In your view are CFA volunteer brigades meeting the standards and in the required turnout times? If not, what have you been doing about it? Do we actually need a total reform of the fire service to have those brigades meeting standards?

Mr WARRINGTON — What was the second bit of your question? I missed the second bit of your question.

Mr RAMSAY — Is this new proposed reform of fire services actually going to help or improve response times by CFA brigades, or can we do it without the reforms?

Mr WARRINGTON — I am of the view that we absolutely need to contemporise or modernise the current service model within the CFA, and I think we can absolutely do that much better. I think the reforms bring an opportunity to do exactly that, which we have not been able to do for quite some time. Secondly, if you look at

the CFA through the lens of the future of just being a volunteer organisation, then my ability to make, negotiate, support, recruit, retain, develop and train volunteers — again I gave you an example before of where I have had to negotiate industrial or agreed positions. If I am able to not only just negotiate but actually then provide — I have couched it from a negative; I will now couch it from a positive — that our focus moving forward will be to support an independent, autonomous CFA volunteer organisation, I think we can do absolutely much better.

Mr RAMSAY — But I will just get back to the question — do we need this structural reform to enable CFA brigades to meet their turnout times and standards?

Mr WARRINGTON — Sorry. I think you are looking at the reform through one lens — that is, the operational service delivery model. I think that one of the advantages here in what we are saying — and I have said this before — is that it does not matter what model we come up with. Our objective collectively with the Fire Rescue Victoria commissioner, or indeed if it remains the MFB chief officer, is to ensure we provide the best service delivery to our community. The structural reform provides an opportunity to do a number of other things as well along the journey. It is not just about response. Can we do it better? Absolutely we can do it better.

Mr RAMSAY — Would you support just a single fire service, as Mr Mullins, Mr Lapsley, the Honourable Jack Rush and everyone else has indicated?

Ms SYMES — They did not say that.

Mr WARRINGTON — If we were to start here with a clean slate, I would absolutely be advocating — and if there were a maturity in the sector — for one fire service, but the reality is we are not starting with a clean slate. We have career firefighters, we have an MFB, we have a CFA, we have volunteers. To start with a clean slate is just not an acceptable way to do it. Could we achieve that? Probably not at the moment, but ideally, moving forward, if you were to start again and you had a clean slate, having one fire service would be the optimal way of doing it.

Ms SYMES — Thank you, Mr Warrington. I just want to get some clarification, mainly for the other members of this committee, around this concept that in a utopia we would have one fire service. Every witness of similar calibre to yourself in terms of a long-term expert senior role has said that would be great, but we just cannot do it. We cannot do it tomorrow.

Mr RAMSAY — Did you try?

Ms SYMES — Can you just confirm that this committee should not be recommending that we should have one fire service?

Mr RAMSAY — It was not an option.

Mr WARRINGTON — The short answer is yes: it should not be doing that. The reality is that there is not the maturity in the sector to achieve that. The reality is that when we come to argue with the key representative bodies, as we stand here at the moment, it is near impossible for us, and I have given you that example today. You do not want to amplify that. You actually want to take that away. You actually want to create an environment where you give volunteers back to volunteers and give career staff to career staff, and let them get on to have standards.

I have couched everything so far from a CFA perspective. If I can be bold with you, from a Fire Rescue Victoria perspective, imagine that instead of us and MFB, or fire rescue, investing in different recruitment courses, different development courses, promotional courses, training and experience we were doing that as one — there would be efficiencies. There would be efficiencies operationally, because we would start doing certain things the same on what we call the fireground. There would be efficiencies in how we run the business side of it. There are efficiencies in having two independent entities — one for career staff and one for volunteers — but the reality at the moment is that our ability to achieve that within the CFA is problematic. I think I have given you some good examples in that space.

Ms SYMES — I agree. Thank you for the further clarification. Some of the things that stood out for me from your evidence today is this ‘masters of our own destiny’, the appreciation of the lack of detail in the reform and your acknowledgement that Parliament has got a role and operations has got a role, and you understand your

role is to go out and implement it and get on with it. A lot of the volunteers have said that they are concerned about the lack of detail, so I am interested in your consultation with volunteers: when you are explaining the benefits of a lack of detail in a piece of legislation from an implementation perspective, how is that going?

Mr WARRINGTON — Can I start by saying the general feedback is — and can I be a little bit crass, because it is just how it is — that people have had a gutful of it. They are just about over it. That would be the general feeling I get across the board. There are still people that are absolutely disappointed that there was not consultation. They are still disappointed that there is no detail and potentially that this is politically driven, but that is all about people focusing on the past. I think that where we are is where we are. Now is the time to focus on the future. The analogy I have used wherever I have gone is about: you have got two options here — you can stand in front of the bus and it will run you over or get on the bus and influence it, and this is where I come to answer your question. The framework is there. The policy and the reform is there, and I actually do not want anybody other than fire people — people that are respected around the world and certainly in this country — to get on and design the model. Now that is working collaboratively with our partners in Fire Rescue Victoria to get the best outcome for our community, and that is the lens that we come to the table with — let us design the rest of it. So I understand there is no detail, but the other option is that someone else puts the detail there for us. I have got to tell you that I do not want that to happen. I want to be involved in putting the detail together. No offence, but I do not want any politician or anybody in this room doing it.

Ms SYMES — It is okay. I would not dare.

Mr WARRINGTON — Leave it to us.

The CHAIR — Perhaps the detail could have been put together before the proposal came to us.

Mr WARRINGTON — There could have been more consultation, but the reality here is that I think we all would accept that since the announcement, if you were to try to bring the representative bodies together at one table, you just would not have achieved an outcome. So in a sense it is ‘coulda’, ‘woulda’, ‘shoulda’ — it is all past. I am not going to say we will get the best out of it, because I am very conscious of my words, but it is time to get this right, to be excited about our future. Give us autonomy and we can get excited about our future.

Mr O’SULLIVAN — Thanks, Mr Warrington, for coming in today to give us evidence, and my question is probably one that you may not wish to answer directly, but you might make some comment in relation to it. You mentioned that the sector needs reform, and I think everyone agrees that there needs to be reform in the fire services here in Victoria, and what you have said today is very similar to what we heard from Mr Lapsley earlier in relation to ‘something needs to happen’. I mean we all agree with that, and you are the chief officer of an organisation of 60 000 volunteers that are standing behind you, but unfortunately you have got a situation in front of you where you have got the wrong model; you have got the wrong reform that you have to try to sell. I feel for you and I feel for Mr Lapsley in having to do that. You are very passionate about what you have to do with this in front of you and you want to make the best of it, there is no doubt about it, but you have got a model that you were not even consulted on — the CFA was not consulted on it, the MFB was not consulted on it, the emergency management commissioner was not consulted on it.

So the question I am going to put to you is: you have got the wrong model, but you are going to do everything you can to try to make it work if it gets to that scenario. Imagine what it would be like if you had the right model. Imagine what it would be like if you had 60 000 volunteers standing behind you endorsing the reform, because at the moment the volunteers are not standing behind you and you are trying to sell this reform. So that is a real problem we have got in this state. I think we need a scenario where we take this off the table and start again and get it right for a start, and then let passionate people like yourself go out there and sell the right model. That is what is required in terms of the reform of the fire service.

The CHAIR — Mr Warrington, would you like to respond?

Mr WARRINGTON — I am sorry, I am not really sure what the question was.

The CHAIR — Would you like to restate the question, Mr O’Sullivan?

Mr O’SULLIVAN — I will try again. You are being asked to sell something that is not sellable, but you are going to do a hell of a job on it. You need something that you can sell.

Mr WARRINGTON — I think I get your question. My apologies. First of all I am an advocate for reform. The sector needs reform, and I think we all accept that. I am not sure there are too many people that do not believe there should be reform in the sector. As far as my position and so I am really clear — and I have probably been through that a couple of times — there is absolutely strong evidence of why that is required for us to continue to grow and be an even better fire service, and I think it is actually important, given the part of the world that we live in, that we absolutely have reform that allows us to grow. I think we probably have slipped in this state, and it is time for us to get back to where we should be.

As far as the legislation, I have said a couple of times it is absolutely up to you to make the legislation; we will make it work. I am saying here that I am not thinking, ‘We’ll make it work’, but ‘We can make it work well’. I think we can achieve a better situation than we have today out of this. Give our career staff in one organisation — they are professional, intelligent people — autonomy and independence to make their own decisions. Give the volunteers autonomy and strength to make our own decisions, get on and be leaders on our own. I think if we would give those guarantees in this space — and you absolutely will have our volunteers on board, and you will have our staff on board — I think we can achieve that. But at the moment there is a degree of anxiety out there. We need to, and I will continue to say that we will not only make this work but we will also provide a great fire service to this community.

Mr O’SULLIVAN — But the problem we are going to have is we do not know whether you are actually going to have the opportunity to do that, because we have got a bad piece of legislation that we are going to have to vote on in the Legislative Council. I know you cannot comment on that because, as you said, the politicians set the policy framework. The government is leading the policy framework in this regard, and you have to try to implement it. What I am saying to you is we can come up with a better model.

Mr WARRINGTON — Again I will leave that with you, and I will take that as a statement rather than a question, I think.

Mr LEANE — Thank you for assisting the committee. I am actually going to challenge Mr O’Sullivan a bit and have a theory. Mr Lapsley spoke about us being the worst fire service in the country. That is just a comment. It was about reputation — that is what Mr Lapsley said. You mentioned that we are — I do not want to put words in your mouth — a 1950s model.

Mr WARRINGTON — Our service delivery model could be more contemporary than it is today, yes.

Mr LEANE — So you mentioned the 1950s.

Mr WARRINGTON — Well, I say that because it is a throwaway line in the sense that our legislation was struck in 1958. That is what I am referring to. To be fair to Mr Lapsley, I did not hear his comments. But anybody that says that Victorians get a second rate service I would just put on the record as being absolute rubbish.

Mr LEANE — I do not think he was saying that, but I am just paraphrasing. My theory is that when we talk about government affording you a structure, governments for decades have squibbed reforming the fire services. I am part of a government, and I am part of a previous government. Governments of all different flavours have squibbed actually reforming the fire services.

Mr WARRINGTON — The comment I would make to that is I respect your right to make that opinion. My role is to deliver a fire service. My role is to ensure the life and property of Victorians are protected. That is what I do now, that is what our people do now and that is what we will continue to do. I will leave the reform and the policy up to you. I would ask that we would have as much opportunity to influence the implementation of that, and I think that we would take charge of that because that is what we do. I am quite confident that that will happen. I do not know if you picked up that I just diplomatically avoided your question, because I am not sure what it was. I should be in politics though.

Mr LEANE — Just raise one eyebrow if you agree with me. I like that; you did too. So you doubly agree with me. On surge capacity our evidence is in line with yours. With integrated stations, we have had people give us evidence that volunteers will leave the integrated stations in droves. I do not know what number droves is.

Mr WARRINGTON — Thank you for the opportunity to answer this question. Again we have 1220-odd brigades at the moment. We will have 1220 brigades in the future, so that does not change. I have said already on record that I think the biggest impact will be the volunteers at our 35 integrated stations. At each of those stations it probably is somewhere between 20 and 30 volunteers that are active, so we are talking about 1000 volunteers that we are talking about here. When we are talking about surge capacity — and I am not trying to diminish anybody here — the reality is it is a small component.

Having said that, the minister as part of this package has announced \$100 million, \$44 million as capital. I personally visited not every but close to every integrated station, staff and volunteers, and spoke to each of those groups. Our endeavours, despite others saying that they will be impacted et cetera, will be to ensure that they are provided with all the support that they need. When I say support, it comes in a couple of different ways. This is the example I have used at Warrnambool. Someone threw on the table Warrnambool before, and I have spoken to the staff and volunteers at Warrnambool that we have a Fire Rescue Victoria pump and that out of the \$44 million we will make sure that CFA has a CFA pumper, an urban-type truck.

It may be that with the \$56 million we are at looking extra training, extra recruitment and extra retention. We see an opportunity, because we are a fully volunteer organisation, to support the volunteers, particularly at that location. We would be looking to grow volunteers, again if the legislation is passed, at co-located stations, and if it is not passed, at the integrated stations. So we will be looking to grow that cohort group and therefore grow contingent capacity across the board. I think this notion of loss of surge capacity came from where this thing started where there was a suggestion the MFB would be pushed out or we would lose volunteers or volunteers would be removed from fire stations. With that came this emotive argument that surge capacity was lost. With what has been proposed, we have the same amount of brigades today as we do tomorrow, so in that sense that does not change.

Mr LEANE — Is there appetite for another review into the Victorian fire services?

Mr WARRINGTON — Do you really want me to answer that question?

Mr LEANE — So you or others that have fronted up only nine times recently, are you up for another probing, another examination?

Mr WARRINGTON — This is like tennis. You put them up there, and I belt them back at you. Absolutely. Again I have used a crass expression before, and I am going to use it again. We have had a gutful of inquiries. I think the reform paper talks about eight. I think it is probably closer to 22 reviews into our organisation since Black Saturday. We do not want or need another reform. Let us get back to doing what we do best. We are over the politics. I am over the industrial relations. Let us get back to doing what we are proud of doing, what our people are proud of doing. We provide a fantastic service to our community. Victorians should be — and in most cases, I take your point, most of them are — proud of the service we provide. Let us get back to doing that. You guys get on with the politics. You guys get on with all the stuff you need to do. Just let us get on and do what we have to do — that is, reassuring and providing a great service to our community. I say that on behalf of the sector in this state. So the answer is no, in case you missed it.

Mr LEANE — I gleaned that. So your preference is that the bill would pass and we would get on with it.

Mr WARRINGTON — Yes, it would. Yes, the answer is yes. It needs reform, and this is the journey. The answer is yes. It is such a straight question, and thank you for it.

The CHAIR — Mr Warrington, thank you for your evidence this afternoon and your earlier in camera briefing to the committee. The committee very much appreciates your participation in this process, and we will have a draft transcript to you in the next couple of days for any corrections.

Mr WARRINGTON — Thanks for the opportunity.

Witness withdrew.

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 25 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Participating Member

Dr Rachel Carling-Jenkins

Witnesses

Mr David Martine (sworn), Secretary, and

Mr Simon Hollingsworth (sworn), Deputy Secretary, Department of Treasury and Finance.

The CHAIR — I declare open the Legislative Council’s select committee inquiry into the fire services restructure. I welcome our final witnesses for the day, from the Department of Treasury and Finance, Mr David Martine, the secretary, and Mr Simon Hollingsworth, deputy secretary. Gentlemen, welcome. Thank you for your participation this afternoon. All evidence taken by the committee is protected by parliamentary privilege and not subject to judicial review; however, any comments made outside the precinct of the hearing are not so protected. All evidence is being recorded by Hansard, and you will receive a proof version of the transcript in the next couple of days for any corrections. The committee has allocated an hour for this hearing and roughly 5 to 10 minutes if you wish to make an opening statement before we proceed to questions.

Mr MARTINE — Thank you, Chair and committee members, for your invitation to provide some information to the committee on the cost impact of the proposed fire services restructure. I might just make some brief opening comments going to the heart of the question, and obviously through your questioning I am happy to elaborate further.

Just as perhaps a little bit of background, the role of my department, Treasury and Finance, through this process has probably been essentially twofold. One is, not surprisingly, we provide our advice to the Treasurer and the Minister for Finance to support their roles in terms of government decision-making, and secondly, DTF is involved in the costings, and that is the bit that I will focus on as part of my opening comments. The committee is obviously very familiar with the proposed restructure, so I will not go through and talk about that specifically.

Coming down to the issue around the cost impact of the proposed restructure, the best way to perhaps think about it is to think about it in three components. The first component relates to the transfer of staff from the CFA to the new entity. On page 17 of the Victorian government’s submission to the inquiry the government’s submission talks about:

Approximately 1200 staff from the CFA will transfer to FRV under schedule 3 of the bill.

From a cost impact point of view, I guess similar to a machinery of government change, one part of a government entity going into another part of a government entity — that in itself — has a zero cost impact. Just the pure transfer of staff from one part of government to another — one government agency to another — has a zero cost impact.

The second component, and we typically see this in any kind of machinery of government change as well, is typically with a transfer one might incur some one-off costs. Those are the kinds of things such as that there might be some ICT, change management, branding, governance — those kinds of issues. In terms of the second component a provision has been set aside in the contingency reserve to the extent that some of those one-off costs do occur. That amount is around \$30 million, largely in 2017–18 and 2018–19 with a little bit of a tail in the following two years. A lot of that will really depend on the implementation arrangements, particularly overseen by — I refer the committee to page 32 of the government’s submission — the fire services IDC, along with the operational implementation committee, chaired by Greg Mullins. A lot of that detail needs to be worked through, overseen by those governance committees, but there is some money set aside in contingency to cover some of those one-off costs.

The third component essentially goes to those elements outlined in the fire services statement released by the government in May. I will just perhaps break down briefly some of those for the committee. There is the \$56.2 million over four years for a CFA support fund. The final package of that — there is an outline on page 23 of the government’s submission:

... will be informed by engagement with volunteers, VFBV, and the CFA policy and performance consultative committee.

The purpose of that fund is really to provide additional funding for brigade and volunteer support, improved health and safety measures and training. There was an element also announced as part of the package, which was \$44 million asset funding for CFA station building and upgrade programs. The \$56.2 million, by the way, is output funding. The \$44 million is asset funding, and on page 18 of the actual statement released by the government in May there is a reference to one of the first tasks of the new Emergency Services Infrastructure Authority being to work with the CFA to plan and deliver projects under the \$44 million. That money has essentially been set aside for upgrades required at stations where CFA volunteers and FRV services are co-located, as well as upgrades and rebuilding of volunteer stations across the state.

The third element is what I describe as component 3, which is those initiatives announced by the government in May. There were five other smaller initiatives announced as part of the statement: \$2.5 million over two years for a diversity and cultural change program, \$5 million over four years in leadership development programs across the CFA and FRV, \$2 million asset funding for appliance refits to FRV heavy pumpers, \$11 million over two years to build and deploy six additional FRV and CFA specialist vehicles and \$12 million over four years to establish an Emergency Services Infrastructure Authority. That is how I kind of describe the cost impacts, thinking about those three components.

I just wanted to very quickly make reference to the fire services property levy. As the government outlined in its statement in May:

Any costs in implementing fire services reforms will not be met through the fire services property levy. The amount collected won't exceed the 2016–17 amount for two years.

There is a bit of information provided in the Victorian government's submission to the committee, particularly on pages 29, 30 and 31. Essentially the FSPL has two components: there is a fixed component which gets indexed by CPI annually — that is under the legislation — and there is a variable component. On page 30 there are the new variable rates for each of the property sectors — there are six sectors. The commitment the government has made is that the dollars collected over the next two years from the FSPL will be less than the dollars collected in 2016–17, and that is essentially achieved through the variable component. All of the rates outlined on page 30 of the Victorian government submission are actually, for each of the sectors, less than the equivalent rates in 2016–17. With that, I am happy to take questions from the committee.

The CHAIR — Thank you, Mr Martine. That gives the committee some useful information. In relation to the figures you outlined of the package of funding announced as part of this restructure, you went through a number of elements. Are you able to provide the committee on notice with the phasing of those individual elements? You started with \$56 million down to the \$12 million infrastructure package. Can you provide the committee with a table that sets out the phasing of those individual elements over the forward estimates or whatever period they are funded to?

Mr MARTINE — I am happy to take that on notice. Just in terms of the \$56.2, the phasings are broadly, starting in 2017–18, 14, 17.9, 12.0 and 12.4.

The CHAIR — Just to expedite things, it will be easier if we just get a table.

Mr MARTINE — Yes.

The CHAIR — Thank you. Just to clarify, those two key elements — the 56 and the 44 — were they included in the 2017–18 budget?

Mr MARTINE — Yes. All of the amounts I mentioned were included in contingency in the budget, so they are actually embedded in Budget Paper 5. There is some material around breakdown and contingencies. They sit in the line called decisions taken but not yet announced. So all of those figures would have appeared.

The CHAIR — That is the aggregate, not allocated to departments?

Mr MARTINE — Yes. The 44 is asset funding, so that would have appeared in the equivalent asset contingency line, and the rest of it is largely output. One of the smaller ones — the \$2 million for heavy pumpers — is asset, but the bulk of it would have been in the output line. But it was all included in the budget.

The CHAIR — A couple of things: firstly, could you just tell the committee for 2017–18 what the budget is for the CFA and MFB so we have got some up-to-date figures?

Mr MARTINE — I think in total they add to roughly \$1 billion. The CFA is around \$553 million and the MFB is around \$424 million.

The CHAIR — That is 2017–18?

Mr MARTINE — Yes.

The CHAIR — The first element you spoke about was the transfer of the 35 stations to Fire Rescue Victoria and the 1200 associated staff. What will that mean in terms of the CFA's budget? How much will that be reduced by?

Mr MARTINE — The dollars that would transfer with the 1200, I cannot really give an answer to that at the moment because in a sense the work that needs to be undertaken by both the CFA and the new FRV and the various governance committees needs to determine the exact number of people who would transfer. There is also on page 18 of the Victorian government submission some discussion around secondment arrangements between the organisations as well. So at the moment I cannot really provide the committee with an answer on what the dollar impact is of the transfer of staff until we know exactly the quantum and effectively who they are.

The CHAIR — We have been told all the firefighting staff will transfer, which is around 1200. What is the ballpark cost of transferring 1200 firefighters from CFA to FRV?

Mr MARTINE — We have not worked a number on that.

The CHAIR — You have not got an estimate?

Mr MARTINE — No. Similar to machinery of government changes, what normally happens is that the entity giving up a function and the entity receiving it will have a discussion on the number of staff, the number of dollars et cetera, and then there will be an outcome of that. At some point, if the legislation is passed and the new entity is created, the resources including the staff numbers and the dollars then just gets transferred across. So from an aggregate budget point of view there is no cost impact. There will certainly be a different allocation of staff and dollars between the CFA and the new entity — no question about that.

The CHAIR — So as a threshold question, then, will there be a transfer of resources from the CFA to Fire Rescue Victoria — the MFB and the current MFB?

Mr MARTINE — Yes, by definition there has to be. With around 1200 people transferring there has to be a transfer of resources. There is also outlined in the government submission on page 18 a bit of a discussion around asset transfers, so the process to identify the appropriate assets as well.

The CHAIR — So the vast bulk of the CFA's current budget is not surprisingly employee expenses — in 2016, \$265 million of its budget was employee expenses. So are you not able to estimate what proportion of that would be transferred with the 1200 staff?

Mr MARTINE — We certainly have not estimated that at the moment, because we have not actually had a need to do that. From an aggregate budget point of view, as I indicated, the actual transfer itself has zero impact. So until a new entity is established and they have a discussion about exact numbers to be transferred and who they are, that is when we would get involved in terms of the actual dollars that would then get transferred between the two entities.

The CHAIR — Do you appreciate, Mr Martine, there is considerable community interest in what the reduction in the CFA budget is going to be? I am surprised that DTF does not have at least a ballpark figure on shifting 1200 people from one entity to the other.

Mr MARTINE — It is essentially just a transfer of staff and dollars which, as I indicated with any kind of machinery of government change, we would not get involved until the two entities had determined between themselves how much staff and dollars would get transferred.

The CHAIR — But in terms of this committee being able to advise the Parliament on financial impacts, we are not able to do that because you are not able to do that.

Mr MARTINE — In terms of financial impacts, the way I would categorise it is the transfer — —

The CHAIR — The impacts on the individual entities.

Mr MARTINE — Yes, but the transfer of the function from one entity to a new entity I would suggest has zero financial impact because it is moving the function and the work from one to another. In terms of the actual exact amount of dollars, that is the bit that still needs to be determined.

The CHAIR — I can appreciate the Treasury's perspective of a zero net position, but I can assure you from the evidence the committee has heard over the last month the community's view of their CFA and the MFB is not simply a net sum gain in terms of the community impact. So understanding that dollar transfer from the CFA to Fire Rescue Victoria is obviously very significant for the committee and the Victorian community. In the same vein, do you have any idea of what the value of the asset transfer is going to be?

Mr MARTINE — No, because once again there is a process described on page 18 which will involve both entities in discussions on the appropriate assets that would need to be transferred.

The CHAIR — Okay. Can I take you to the fire services property levy. You indicated the government has given a commitment that it will not be more than was collected in 2016–17. The budget — and I do not know what the budget day was this year — but the *Statement of Finances*, chapter 1, page 19, shows the revenue from the fire services property levy as \$674 million in 2017–18, rising to \$695 million over the forwards, to 2020–21. That is obviously an increase. I assume it is more than the 2016–17 year. Does that mean these figures need to be backed out?

Mr MARTINE — In actual fact, Chair, the table you are referring to has the 2016–17 number as well, which is 669.

The CHAIR — Not this table, but one of the others must; 669, thank you.

Mr MARTINE — Yes. Those numbers were prepared at the time of the budget. The fire services reforms were announced post-budget, and as part of that announcement the government also made the commitment about the FSPL. Those numbers that you quoted are based on previous rates, so the new rates bring the 2017–18 and 2018–19 numbers down below the 2016–17 actuals. So the 2016–17 at budget time was kind of an estimate. Given we are still in July and getting a sense of final numbers, what effectively we are looking at is the 2016–17 going up a bit from the number I just gave you, but the 2017–18 — 674 — is based on the old rate. The new rates, as I mentioned during my opening statement, for each of the property categories have been set by the Treasurer in late May, post-budget, and they are all lower than the 2016–17 rates.

The CHAIR — These are the rates in the submission?

Mr MARTINE — Yes. The rates on page 30 of the submission are all the new rates. They are all less than the equivalent 2016–17 rates.

The CHAIR — You indicated that the infrastructure funding that was announced as part of this legislative package was included in the budget.

Mr MARTINE — It was.

The CHAIR — It is included in the budget.

Mr MARTINE — This is the \$44 million?

The CHAIR — The \$44 million and the \$56 million. Why was the fire services property levy not also adjusted in the budget? Why have we got some within the budget and the other out, not in the budget?

Mr MARTINE — All of the funding I outlined — the 56, the 44, those four or five small initiatives that were announced in the statement plus the roughly 30 million I referenced about some one-offs — were all factored in as a kind of provision in the contingency reserve in the 2017–18 budget. At the time of the budget, in finalising the estimates, the decision was still to be announced and made around the FSPL. The determination by the Treasurer is required by the end of May each year, so that decision and the new rates were set after the budget, which was released at the start of May.

The CHAIR — So that freeze on the FSPL rates was not contemplated during the preparation of the budget?

Mr MARTINE — It was not announced in the budget.

The CHAIR — It was not built into the budget?

Mr MARTINE — Well, yes, it was not announced in the budget. The announcement on the freezing of the rates — —

The CHAIR — Some time between — when was the budget? The fifth of May this year or thereabouts?

Mr MARTINE — It has become a distant memory now.

Mr HOLLINGSWORTH — 2 May.

Mr MARTINE — 2 May.

The CHAIR — So some time between 2 May, when the budget came down, and 24 May, when the bill landed in the house, the Treasurer made the decision to freeze — —

Mr MARTINE — The Treasurer is required by I think it is the end of May each year to set the new rates, and they were published in the *Government Gazette* on 29 May.

The CHAIR — Can I take you to the issue of the differential between the CFA and the MFB fire service rates. As you said, the new rates are set out on page 30 of the submission. They not surprisingly show that the rate per \$1000 capital value in the MFB area is less than the rate for the CFA. That is consistent with the model that was introduced. One of the aspects of this restructure is the transfer of CFA areas to the MFB of around 35 integrated stations in the metro area and also in some of the regional centres. That will mean that properties which are currently rated as CFA area and paying the high rates will be rated as MFB and in the lower rate area. What will be the impact on FSPL revenue through the transfer of properties out of the CFA area into the MFB area?

Mr MARTINE — For the next two years, as I mentioned, the government has made the commitment that the aggregate revenue will be less than 2016–17. There is a process underway, which is outlined in the government submission, around boundaries, the boundaries between the CFA and the MFB areas, but they remain unchanged as of today.

The CHAIR — The bill has not passed as of today.

Mr MARTINE — But in terms of the actual boundaries, my understanding is they will not change as part of the bill. There is a process. There is a panel that is set up to consult on changes to boundaries in the future.

The CHAIR — But the 35 integrated stations are in the bill, as transferring when the bill passes?

Mr MARTINE — Yes.

The CHAIR — Yes, they are in a separate process?

Mr MARTINE — Yes, that is right. The 1200 staff will transfer.

The CHAIR — Yes, and the infrastructure.

Mr MARTINE — But in terms of the boundaries outlined on page 31, they remain the same. You will see on page 31, just above the map it says:

The existing metropolitan fire district boundary will remain in place for two years for the purposes of the FSPL ... FSPL arrangements from 2019–20 have not been decided upon, but the government will continue to ensure the FSPL is raised efficiently and equitably to maintain the financial sustainability of the state's fire services.

The CHAIR — So the stations will transfer into the new area?

Mr MARTINE — Yes.

The CHAIR — But there will not be a commensurate change to the rating for at least two years?

Mr MARTINE — Yes, that is right. In terms of FSPL purposes, the boundaries will stay the same. For those residents who are currently in an MFB area, they would stay; and those that are currently in a CFA area would stay.

The CHAIR — Currently Dandenong, which is a CFA integrated station which will become a Fire Rescue Victoria station, which is currently paying the CFA rate, that will continue for two years?

Mr MARTINE — Yes. That is what is outlined on page 31.

The CHAIR — And beyond the two years?

Mr MARTINE — That is a matter for government decision. There is a process. There has been an independent panel set up to advise on boundaries, but as outlined on page 31, those boundaries will remain in place for the next two years.

The CHAIR — Given the metro area will increase — there has been plenty of evidence to that effect — and the rate charged in the metro area is less than in the CFA area, does that mean the metro rate is going to have to rise to ensure the same revenue collection under the fire services property levy in the out years?

Mr MARTINE — Not necessarily.

The CHAIR — Not necessarily?

Mr MARTINE — You have got six different categories, so it will depend on decisions the government of the day will need to make around appropriate rates and appropriate recovery. The requirement at the moment is that the FSPL funds up to 87.5 per cent of the MFB and then there is some guidance provided in the act. Essentially it is up to the Treasurer of the day to then set rates.

The CHAIR — So he could increase the commercial and industrial rates, for example, rather than increase the residential rate?

Mr MARTINE — The Treasurer of the day could reduce the rates.

The CHAIR — But not maintain the same revenue.

Mr MARTINE — No, but the FSPL legislation does not require to achieve exactly 87.5; it is an up to. The Treasurer of the day could decide something similar I guess to what the current Treasurer is doing about the freeze for the next two years. To deliver on the commitment not to have the aggregate dollars higher than 2016–17, the Treasurer has made a decision to reduce all of the rates across each of the six categories for both MFB and CFA areas. So it will really be a matter for the government of the day and the Treasurer of the day to make those determinations on how much they want collected and what sort of rates.

Mr MULINO — I just wanted to follow up on a couple of the Chair's questions in relation to the transfer. You indicated that should the bill pass there would be a discussion between the new organisation and the CFA around the specifics as to which staff would transfer and assets. I just wanted to clarify. That is very much standard procedure when it comes to any machinery of government change; is that fair to say?

Mr MARTINE — That is correct.

Mr MULINO — And that would be the same procedure after a change of government or whenever there is a machinery of government change?

Mr MARTINE — That is correct, and that is why I indicated the first component of the cost impacts is essentially a zero cost, so it is transferring functions between government entities, whether it is staff, dollars, assets. Typical of any machinery of government kind of change, there is that second category, which is: are there some one-off additional costs? The actual transfer of staff and dollars is a zero-sum game, and typically we would not get involved. The normal process is that both entities, the losing entity and the receiving entity, would have that discussion around all of the details and then in a sense we would be advised by the entities that it has now been determined there will be X number of staff transferring and Y dollars, and that would then be put into the budget management systems. That is kind of standard.

Mr MULINO — And again just to clarify, as the Chair indicated, there has been a lot of interest in the financial sustainability of the CFA and the MFB and indeed the potential new organisation from a lot of witnesses. Even though we cannot specify the specific dollars that might attach to that transfer at this stage, because those discussions have not occurred, would it be fair to say that based upon the way those discussions will occur we could be confident that the CFA will not be worse off financially as a result of those staff transferring and having a budget adjustment and indeed FRV, should it come to exist, will not be worse off as a result of gaining staff?

The CHAIR — What do you mean by worse off?

Mr MULINO — Financially.

The CHAIR — The budget is less.

Mr MULINO — Zero net impact is the point.

Mr MARTINE — Perhaps if I can explain it in a slightly different way. The biggest element of costs is obviously salaries. By definition the financial sustainability of the CFA is not affected one way or the other because the person's salary who transfers is now being paid by another entity, so it is not as if the CFA would be left with the bill to pay someone's salary. Ultimately the two entities will need to work out the exact number of people and their levels et cetera, and the dollars that are attached to those people would then just follow those people. Therefore by definition any money that is transferred is simply reflected in the fact that the CFA is relieved of paying that cost.

Mr MULINO — Exactly. I guess I am just trying to get to the point that this is not going to have an adverse impact on the organisation in that the dollars are moving with the person, in a sense, so the organisation is not worse off in the sense of its finances or sustainability.

Mr MARTINE — If the obligation to pay someone's salary moves with that person, which is what normally happens, then you would naturally assume the dollars would transfer as well, which means the financial sustainability of both the losing entity and the gaining entity are completely unchanged. The gaining entity has picked up an obligation to pay a salary, but they have got the dollars to match it, and the losing entity has lost an obligation to pay salaries and has lost the dollars to pay that obligation.

Mr MULINO — I have just a couple of final questions. I was just interested in some of the detail around the 56 and the 44, and I just wondered if you might talk us through what will be the key benefits arising from the \$56 million.

Mr MARTINE — In terms of the 56, and I will, Chair, take on notice the split of all of this across years.

The CHAIR — Thanks, Mr Martine.

Mr MARTINE — Most of it relates to CFA brigade support and there are various volunteer support functions. There is some additional money for improved workplace health and safety within the CFA. The government has talked, also as part of the announcement, about the CFA volunteer sustainability grants program. Most of the 56 million is essentially additional money for the CFA. Some of the costs that I outlined earlier around those traditional MOG costs you might have about ICT and branding et cetera are covered by that 30-odd million that I talked about. So the 56 million as announced in the package in May essentially represents additional funding for the CFA. As I mentioned in my opening comments — and it is outlined on page 23 of the government submission — that the \$56.2 million package will be informed by engagement with volunteers et cetera to help shape the best way to spend it.

The \$44 million asset funding is essentially for upgrading stations or potentially constructing new stations. Once again that will be informed by the new emergency services infrastructure authority. It will help guide the best way to spend that \$44 million asset funding, which from a phasing point of view is broadly about 11 a year over the next four years. It is not all in 2017–18; it is evenly spread over the next four.

Mr YOUNG — Thank you, gentlemen. These two have been doing this a lot longer than I have. They have got a better idea of how budgets work, and I am slightly confused. We have money in, and we have money out.

If the money out is more than the money in, we go backwards somewhere. We have money in from the fire services property levy and the rest of it is made up from somewhere else.

Mr MARTINE — Yes.

Mr YOUNG — The money out is going to go up. Everything goes up. If we freeze one part of the money in, that means that the rest of the money in has to go up, does it not, to match your money out? Is that right?

Mr MARTINE — Are you just talking about the CFA and the MFB?

Mr YOUNG — Let us talk about our collective fire services — a billion dollars.

Mr MARTINE — Perhaps the best way to explain it is that the FSPL funds up to 87.5 per cent of the MFB and 77.5 per cent of the CFA. It is an up to, so the government of the day can choose to recover anything below those amounts. The difference between whatever is recovered and what is provided to both the MFB and the CFA is just essentially funded out of the budget.

Mr YOUNG — When we stop the FSPL going up, we have to fund everything else from somewhere else?

Mr MARTINE — Yes. That would just come from general government revenues.

Mr YOUNG — I just want to ask a couple of questions in terms of moving forward. I find it very surprising that there are not a few more figures that we can talk about here as far as what the costs are going to be moving on with this set-up and estimates on staff and transfer and all that sort of stuff. I really find it disturbing that there are not figures, because this bill has been drawn up without that information, presumably. Moving forward, you talked about the policy of the government being that in two years this boundary will change and the policy of the government will determine what changes in the FSPL and recovering that. In terms of standard practice would you provide advice to the government before those policy decisions are made on what the costing of it is going to be, or are they going to be making those policy decisions without costing estimates like we are now?

Mr MARTINE — Obviously on the FSPL, similar to most issues that our ministers deal with, my department would be providing them with the advice.

Mr YOUNG — So you would cost things like the shift in boundaries, and you would cost the changes that need to be done to the FSPL before any of those decisions are made and lead to the policies?

Mr MARTINE — Yes. That is similar to basically everything we do, including the fire services reforms.

Mr YOUNG — Those costs have not been done for this bill.

Mr MARTINE — They have in that the cost impact of the fire services reforms are effectively the numbers that I outlined in my opening statement, which were provisioned for in the budget in the contingency reserve. So it is the 56, the 44 and those four or five smaller measures plus the money set aside, which is roughly about 30, for some of those one-off costs whenever you transfer functions between entities. Those are essentially the costs of the reforms.

Mr YOUNG — Transferring assets between entities and in this case staff between entities is one thing. What we have talked about quite a bit is the implications of doing that. I do not know how across the situation you are with the bill when we go from an integrated station to a co-located station. It could have a very big impact on the way that station works, and in many cases we have talked about the fact that it might not work and we might have to split off into two stations. In many ways we have talked about the only way we can actually deliver a better service would be to add staff into more stations and boost numbers. Were any of those projected ideas or concepts costed? Was anything asked of the government to say, ‘These were the issues that might come up with this bill. How do we get on top of it?’

Mr MARTINE — Essentially, just coming back to some of my earlier answers, the straight transfer of staff assets has no cost impact.

Mr YOUNG — But you have not done any modelling for increased projections?

Mr MARTINE — For?

Mr YOUNG — For staffing, assets, equipment, gear.

Mr MARTINE — That is essentially part of the numbers I have run through. Part of, for example, the \$56 million that the government announced in May includes additional funding for the CFA for various things, such as training; there are some more small equipment elements. The \$44 million spread over four years for assets provides provision of funding for any implications for upgrading stations as a result of the transfer or constructing new CFA stations, so that is all covered. Then there is the roughly \$30 million provision I referenced, which is for some of those one-off machinery of government-type costs. They are the elements that have been costed to pick up what we would see as changes that would impact effectively on the budget. That was all provisioned in the 2017–18 budget.

Ms HARTLAND — Thanks for all of the information. It is complex, so we appreciate it. I was just wanting to know — you may need to take this on notice — has any modelling been done yet for the presumptive part of the legislation in terms of the volunteers or career firefighters?

Mr MARTINE — Modelling in terms of costs?

Ms HARTLAND — Of what it will cost.

Mr MARTINE — Yes.

Ms HARTLAND — Can you supply that or have I missed it in here?

Mr MARTINE — It is not in here. It is roughly \$50 million a year. It does not start at 50; it rises up — a very complex thing to cost.

The CHAIR — When you say \$50 million a year, are you talking about annual cost as opposed to liability impacts?

Mr MARTINE — Yes. That is the annual expense.

The CHAIR — For both services?

Mr MARTINE — Yes. That is the aggregate. As I said, it was not an easy thing to cost because you are making assumptions around the number of existing firefighters that might be affected and past firefighters, as there is that 10-year period when someone leaves the fire services. You are making assumptions around rates of cancer. We actually got some actuarial assistance on it, and that is where effectively the number comes from. It is hard to cost. I guess the other important point though is it is not like a set fund, where that is what is available and if the dollars run out there is no money. Effectively it is demand driven, so the costs will be what they are. That is essentially the modelling that has been done on that.

Ms HARTLAND — We could actually have a situation where initially the costs could be higher because there may be initially a lot more claims sitting there or there would also be people from Hazelwood and some of those other special events. There is actually a possibility over a few years time that it would actually level off. I am guessing it is going to take us several years to know exactly what it is going to cost per year.

Mr MARTINE — That is correct. It could actually be the reverse, where the annual expense starts off smaller than the 50 and grows up to the 50, but it has been a hard thing to model.

Mr RAMSAY — I perhaps also would like some clarity around the transfer of staff from CFA to Fire Rescue Victoria and the costs. I know you are saying it is cost neutral because you are just transferring from one agency to the other. You said there is a CFA budget of around \$660-odd million, of which about 80 per cent is derived from the fire services levy. I think you also said about half that budget is taken up in employee costs.

Mr MARTINE — I think that might have been evidence provided by other witnesses. I assume that has come from the CFA.

Mr RAMSAY — Is that somewhere in the ballpark though? Half the CFA budget is — —

Mr MARTINE — I am not sure. It could be. I would have to take that on notice.

Mr RAMSAY — Can I just assume, do a scenario, that \$300 million will be transferred across to Fire Services Victoria to pay for the transfer of the 1200 staff from CFA out of the budget.

Mr MULINO — It was a hypothetical.

Mr RAMSAY — Yes, I know, and I said that. I am just trying to understand how it works. The CFA budget is \$660 million, which is a tag to employee costs. The employee costs are now going to be transferred across to a vehicle proposed in the legislation of Fire Rescue Victoria, so I can only assume that the CFA budget would reduce because it did not have the costs of the employees; is that right? The CFA budget would downsize with that transfer and the cost of that transfer?

Mr MARTINE — I appreciate and I understand the nature of the question, but I cannot answer it specifically because what I cannot determine at the moment is the exact number of people and levels et cetera who will transfer. That is something that the two entities will sort out, and then we will get advised that there is X number of staff who will transfer and these are the associated dollars and assets. As staff transfer from the CFA to the new entity, then by definition the dollars for their salaries have to transfer as well, so by definition the CFA budget would be less, but I cannot tell you how much, because we need to be advised from both the CFA and FRV what the actual transfer numbers would be, what are the arrangements et cetera, and then we can implement that, which as I keep mentioning would be a zero-sum game.

Mr RAMSAY — Yes, I understand that, but the budgets will change from the figures that are currently there because of the transfer of staff. I was really trying to get the point that the staff costs might transfer across but also maybe there are other funds from the CFA budget that might well go across to Fire Rescue Victoria, and it might be resources, trucks et cetera.

Mr MARTINE — It could be. The government submission talks about assets transferring, but they are all things that the two entities would need to sort out, and like any machinery of government change — this is a bit different, but it is kind of the same principle — that is all a zero-sum game. People, dollars and assets just move from one government entity to another. And the other bits, which could be the one-off costs, are then provisioned for separately over here.

Mr RAMSAY — And the payment, the \$44 million over four years — \$11 million per year for the fire sheds now; I am happy to be corrected — my understanding is in previous CFA budgets there has been allocations of around about \$30 million for fire sheds and structures, so I assume 44 is not the only allocation. Is that merely just for the integrated stations that are coming across?

Mr MARTINE — This is the additional money that the government announced. I have not got a breakdown with me of the actual CFA budget in terms of how much they currently allocate to capital works et cetera, but the \$44 million represents additional new money announced by the government as part of the statement released in May.

Mr RAMSAY — I was just trying to understand the reasoning behind that. Have you done any costing on the 19 new allowances — the new allowances in relation to the EBA? Have they been costed in relation to potential costs to Fire Rescue Victoria for career firefighters?

Mr MARTINE — Which EBA are we — —

Mr RAMSAY — This is quite separate, actually. There was an agreement between the government and the UFU, as I understand, in relation to an increase in pay for firefighters plus a range of new allowances.

Mr MARTINE — So there was work that my department undertook on the CFA EBA costings, which — —

Mr RAMSAY — It is different from the 2010.

Mr MARTINE — Sorry?

Mr RAMSAY — The difference between the 2010 EBA and the one that just — —

Mr MARTINE — Yes. That all pre-dated the government's announcement on the fire services reforms, but certainly my department did work on — —

Mr RAMSAY — Have you any idea what sort of increase in cost those — —

Mr MARTINE — Probably the best way to answer it is referring to a letter that I signed with the CEO of the CFA back in August 2016 to the Treasurer and Deputy Premier, which the government released publicly at the time. It talked about costs of \$164 million over the life of the agreement, and \$52 million ongoing from 2018–19. That I think the government released in — it would have been in August, I think, of 2016; last August. That all pre-dates the fire services reforms, but that is the work we did at the time.

Mr RAMSAY — It was \$164 million?

Mr MARTINE — It was \$164 million over the life of the agreement, and \$52 million ongoing from 2018–19.

Mr RAMSAY — What was the life of the agreement?

Mr MARTINE — I am just trying to remember. Was it three or five?

Mr HOLLINGSWORTH — I think it was a three-year agreement. I would need to check. We can take that on notice.

Mr MARTINE — We will take that on notice. I just cannot remember whether it was a three or five-year agreement.

Mr LEANE — Thank you for assisting us today in our bill inquiry. Some of the initiatives are \$2.5 million for a diversity and cultural change program across CFA and FRV; \$5 million in leadership development programs across CFA and the FRV; \$2 million for appliance refits to FRV heavy pumpers; and \$11 million to build and deploy six additional FRV and CFA specialist vehicles, including breathing apparatus vans and aerial appliances. Is that new money into the fire services? Is that from general — —

Mr MARTINE — Yes.

Mr LEANE — So that is from general revenue?

Mr MARTINE — It is additional funding to the fire services over and above their budgets that were in the 2016–17 budget. This money was part of the contingency reserve at the time of the budget, but this is all additional new money for the fire services. That is correct.

Mr LEANE — Thanks. That is all I have to ask.

The CHAIR — There is a little bit of time left, Mr Martine, so I would just like to ask you about the overall cost of fire service provision in Victoria. You would be familiar with the Productivity Commission's report on government services, which is published every year, which does comparative analysis of government service delivery across a whole range of portfolio areas, including some fairly detailed analysis on fire service provision. The most recent report, which is 2017, costs the Victorian fire services at \$243 per person as opposed to a national average of \$167 and the New South Wales average of \$135. Are you able to give the committee any indication as to why fire service provision in Victoria is 80 per cent more expensive on a per capita basis than New South Wales?

Mr MARTINE — Chair, I would need to take that one on notice, because I have not closely examined those numbers, so I would need to have a close look at what might be causing differences on fire services between \$243 per person for Victoria, as you quoted, and \$167 for the national average.

The CHAIR — That would be helpful, Mr Martine. The report, as you would be familiar with, goes through effectiveness and efficiency measures which show the Victorian fire services are in the range. They are not the best, they are not the worst. They are in the middle range compared to the other major states. Obviously we have barely a third of New South Wales's land mass and a million less people, yet the cost of fire service provision in Victoria is substantially higher in aggregate figures and certainly almost double on a per capita basis. Do you have any insight into why that is?

Mr MARTINE — Happy to take it on notice and have a look at it and get back to the committee. I guess one would also though need to look at differences between the composition of fire services across the states, the balance between paid and volunteer services. It is not unusual for a state like Victoria, because we are more compact and our density in Melbourne and large regional centres might affect the split between paid and volunteer firefighters here versus some of the states that are driving down the national average. So they are the kinds of things that we will need to unpick to provide the committee with an informed answer.

The CHAIR — It would certainly be true to say from that data that Victoria has vastly more paid firefighters on a per capita basis than New South Wales and the national average.

Mr MARTINE — Yes.

The CHAIR — Thank you, Mr Martine. If there are no further questions the committee appreciates your evidence this afternoon and Mr Hollingsworth's. There are a couple of matters you took on notice which we would appreciate expedient answers to if that is possible given the tight time frames available to the committee, and we will have a draft transcript to you in the next couple of days for any corrections. Thank you for your attendance this afternoon.

Committee adjourned.