

31 January 2008

STANDING COMMITTEE ON LEGAL AFFAIRS

Inquiry into ACT Fire and Emergency Services Arrangements

On 22 May 2007, the Standing Committee on Legal Affairs resolved to undertake an inquiry into ACT fire and emergency services arrangements. On 5 June 2007 the Committee formalised its terms of reference for the inquiry and advised the ACT Legislative Assembly that, in light of recent bushfire events including the 2001 and 2003 fires, the Standing Committee on Legal Affairs would:

- 1) Assess issues raised and recommendations made in the McBeth and McLeod Report's, the 2003 Bushfire Coronial Report and other relevant Reports
- 2) Investigate and inquire into:
 - a) Current and proposed structural arrangements in ACT Fire and Emergency Services
 - b) Resource issues
 - c) Operational processes and procedures; and
 - d) Any other relevant matters.

ACT Volunteer Brigades Association (ACT VBA)

Background

The inaugural meeting of the Volunteer Bushfire Brigades Association was held at Forestry House Yarralumla on 22 November 1984. Six Brigades were represented - Majura, Fairlight, Hall, Williamsdale, Tidbinbilla and Tharwa/Naas. Tony Johnson from Tharwa was elected as the first Chairman with Brian O'Connor (Hall) as his Deputy and Noel Teys (Tharwa/Naas) as Secretary / Treasurer.

The following is an extract from a letter from Cliff Parsons, the then Chief Fire Control Officer, to the first Annual General Meeting: *'If the Association is to work, and if Bush Fire Council is to be strong and effective, brigade members must elect the best people to represent them!'*

Over the years, two brigades disbanded (Fairlight-Rivers and Majura), and the Tharwa and Naas brigades merged to become Southern Districts VBB. On November 11, 1986 the Jerrabomberra VBB officially formed and later in 1988 the old Williamsdale Brigade split into two, becoming the Williamsdale Bushfire Brigade (N.S.W.) and the Guises Creek Volunteer Bushfire Brigade (A.C.T.). At a meeting on 31 August, 1989 the Fairlight Bushfire Brigade decided to confine its operations to New South Wales and as a result the Rivers Volunteer Bushfire Brigade was formed 11 October, 1989. The Mount Stromlo Observatory Fire Brigade (which was originally formed around 1959) joined the Association in 1992.

On 1 November 1996 the A.C.T. Minister for Police and Emergency Services, Gary Humphries, announced a new Volunteer Joint Middle Management and Command Structure for the Bushfire Service (BS) and the A.C.T. Emergency Service (ACTES). This resulted in the co-location of the ACTES elements at a number of existing volunteer bushfire brigades and the formation of 2 new volunteer brigades, Gungahlin (9 February 1997) and Molonglo (6 May 1997).

This put the Association in a unique position of representing both volunteer bushfire fighters and Emergency Service personnel and in early 1998 the Association was renamed - The A.C.T. Volunteer Brigades Association.

The current membership of the VBA includes Southern Districts, Guises Creek, Jerrabomberra, Tidbinbilla, Rivers, Molonglo, Hall and Gungahlin Volunteer Rural Brigades and Rivers, Woden, Belconnen, Majura, Pialligo and Gungahlin SES Units. In all it represents in excess of 650 volunteers

Role

The principle role of the Association is to provide a single united voice on matters affecting volunteers in the emergency service arena. It represents member brigades in negotiations with the ACT Emergency Services Agency and the ACT Government.

The Association is an independent organisation, receiving no government funding.

The Association is there for the volunteer bushfire and emergency service personnel in the ACT.

Introduction

. There have been numerous reviews, restructures and changes to the ACT emergency services over the last 20 years or so both before and after the bushfires of 2003, including the Hannan Report (1991), the Purdon Report (1992) and the MacDonald Report (1993), McBeth (1994) and McLeod (2003).

The RFS volunteers have always been willing to contribute and participate in these reviews and changes. It is therefore important that the Government values its RFS volunteers. The Government through ESA must respect our views, opinions and experience and also engage with its volunteers in constructive manner so that we as a Service can provide the very best service to the ACT Community.

There are many hundreds of years of experience in fighting bushfires in the Canberra region within our ranks. Our members and that substantial experience must be given the opportunity to contribute to any review or restructure of the Service well before implementation of such radical change.

This has not happened.

Submission

To assist the Inquiry, this VBA submission has included a number of documents that we consider relevant to this Inquires Terms of Reference-

- the VBA responses to the 2003 Coronial and;
- the VBA letter to the Chief Minister re the return of the ESA (i.e. the statutory Authority) to under JaCS

There are a number of issues that our Association believes needs to addressed in this Inquiry;

1. BAZ - Bushfire Abatement Zone. The demarcation line that has been created by the BAZ has not achieved what was intended in the Emergencies Act legislation. What was meant to be a planning tool to combat in the most effective manner a potential impact into the urban interface has become a demarcation line. The VBA wants to see a common sense approach to the BAZ and the most appropriate strategy engaged by the most appropriate service.

2. It is often stated by the Minister on all the money they have given to the ACT emergency services, yet the question has never really been asked “but is this enough?” It is our understanding that ESA (i.e. the statutory Authority) undertook a “costing study” to look at what it would cost for it to deliver all the services it is required by legalisation to deliver, I also understand Treasury also undertook a similar exercise. Our Association hopes that the Standing Committee reviews these documents.

3. As stated earlier there have been many reviews over the years of the ACT emergency services. A recent document prepared by Mr Stuart Ellis has been embargoed.

4. We would also recommend that the Committee become familiar with the Australasian Inter-Service Incident Management System (AIIMS) and how it operates/functions. Key supporting documents to assist the Committee include;

“Identification, development and implementation of a program of Australian best practice in AIIMS training to enhance ACT Emergency Services Authority’s emergency management capability FINAL REPORT JANUARY 2006 AUSTRALASIAN FIRE AUTHORITIES COUNCIL (DOBBIN CONSULTING PTY LTD)”

and

the relevant sections on AIIMS in both the McLeod Report and the Coroners Report on the 2003 bushfires.

5. Members of the Committee will no doubt recall that on 15th March 2007, the senior volunteers of the ACT Rural Fire Service (RFS) staged an unprecedented protest at the ACT Legislative Assembly against a proposed major restructure of the ACT Emergency Services Agency (ESA).

Unfortunately the ESA Commissioners' lack of respect and apparent contempt for the RFS volunteers is endemic to his management of RFS staff. After a number of discussions with RFS staff (many of whom have now left the Service) and having been requested as the VBA President, to write a reference to support a staff member of the RFS, I contacted the CPSU (the relevant union). At a meeting on the 29 January 2008 they (the CPSU) confirmed that they too had significant concerns in regard to consultation and breaches of certified agreements.

6. The VBA also recommend that this Standing Committee should call the following former ESA staff to give evidence – Peter Dunn, David Prince and Michael Ross.

Finally, the VBA still has significant concerns with ESA structure, the recent departure of key RFS staff, the Commissioners' lack of respect and apparent contempt for the RFS volunteers, and the general morale within the RFS volunteers.

The VBA would welcome an opportunity to elaborate our concerns to this Standing Committee.

Thank you for the opportunity to provide comments to this Committee.

Regards

Pat Barling
President
ACT Volunteer Brigades Association