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2009 VICTORIAN BUSHFIRES ROYAL COMMISSION

MELBOURNE

THURSDAY 26 NOVEMBER 2009

(86th day of hearing)

BEFORE:

THE HONOURABLE B. TEAGUE AO - Chairman

MR R. MCLEOD AM - Commissioner

MS S. PASCOE AM - Commissioner
MS DOYLE: Commissioners, today's evidence is concerned principally with the matters of training IMT personnel, in particular level 3 incident controllers, and resourcing the state's incident control centres. The relevance of today's evidence flows in part from two recommendations made in the Commission's interim report. These are recommendations 9.1 and 9.2. As a reminder, I'll indicate the gist of those two recommendations.

Recommendation 9.1 provided that the state ensure that state duty officers of the CFA and DSE be given direct responsibility for ensuring pre-designated level 3 incident control centres within their respective control are properly staffed and equipped to enable immediate operation in the case of a fire on high fire risk days.

Recommendation 9.2 was to this effect: It provides that the CFA and the DSE agree procedures to ensure that the most experienced, qualified and competent person is appointed incident controller for each fire, irrespective of the point of ignition of the fire.

The witnesses who will be called today will speak to matters relevant to the meaning and implementation of those two recommendations, but also more generally about the matters of training, accrediting and endorsing level 3 incident controllers, the question of how many level 3 incident controllers there were available in Victoria in February, but also what efforts have been made to increase that number for the next five season and into the future. They will give evidence about changes that have been made to the system for ensuring that there are sufficient numbers of incident management team personnel available in the right places at the right times on days of high fire.
risk. They will also attest to steps that have been taken in relation to resourcing and upgrading the physical incident control centres located around the state.

To this end, the witness list for today is as follows: The deputy chief fire officer from the CFA, John Haynes, will give evidence. Then the assistant chief officer for DSE, Mr Slijepcevic, will give evidence. We also intend to call evidence from two members of the Volunteer Fire Brigades of Victoria, Mr Alan Small and Mr Alan Monti, who will attest to their experience as CFA volunteers, in particular in relation to the matters of training and planning.

Before I start that evidence, there is a document I wish to tender, it is the report of the Linton coronial inquiry. It will be relevant to some of the evidence given today and it also underscores the fact that some of the lessons learned this year are not new. I tender the Linton report from 1998. It appears at (TEN.132.001.0001) through to page 0785. I tender that Linton report.

#EXHIBIT 546 - Report of the investigation and inquests into a wildfire and the deaths of five firefighters at Linton on 2 December 1998 (TEN.132.001.0001).

MS DOYLE: In terms of mechanics, I need to indicate that during last week counsel assisting were notified that the first two witnesses wished to speak to a PowerPoint presentation as part of their evidence. I didn't have the opportunity to see the slides that comprise that presentation until last night and obviously haven't had the benefit of seeing it performed. What we would invite Mr Haynes to do is, at an appropriate point in his evidence, and it will be early on, I will invite him to
present the presentation. I should note, though, that it
is in part repetitive of his statement, and today, as with
all of this week, we have some time constraints and I will
just where necessary ask Mr Haynes to either skip
particular slides or perhaps summarise matters. But, as
I say, I haven't had the benefit of the full presentation
and so go into this not knowing quite how long it might
take.

First, then, I call to give evidence Mr John

Haynes.

<JOHN CHARLES HAYNES, recalled:

MS DOYLE: Your full name is John Charles Haynes and you are a
deputy chief officer of the Country Fire
Authority?---That's correct.

You have given evidence in these proceedings previously and
provided a witness statement on that occasion. You have
now provided another statement. Do you have a copy of
that with you?---I do.

This is the statement that starts at witness page
(WIT.3004.023.0011). I understand there are some
corrections you wish to make to this statement dated
19 November?---Yes, please.

Could you indicate those?---Yes. Probably about eight
different corrections, firstly paragraph 3.

Yes?---The second last line, "A chart which sets out the 26",
it is actually 47 in total. 26 were CFA ones.

All right. So the 47 bushfire preparedness program projects,
but you are indicating that 26 thereof are under the
auspices of the CFA?---Yes.

The next correction?---Paragraph 5.1.3, first line, a comma
after "ensure".
Yes?---Paragraph 7, I think it is a deletion because it is in another paragraph so it is a double up.
You want the whole of paragraph 7 to come out?---Yes, please.
Certainly?---Paragraph 11, first line, "Major fire events fall into two broad categories" and insert "relatively",
"relatively slow moving".
Yes?---And the second line, "Historically", can we insert "many". "Historically, many major fires have been so-called 'campaign' fires."
Yes?---The next one, paragraph 79, the second line which starts "This training is delivered by CFA career instructors".
Yes?---Could we replace "as well as" and put a comma after "instructors" ---
Yes?---And then "sessional instructors and volunteer instructors", so delete "who are predominantly volunteers". So, it reads "This training is delivered by CFA career instructors, sessional instructors and volunteer instructors."
Yes, I understand?---And the final amendment, at paragraph 186, it is in relation to the state command and control arrangements for bushfire.
Yes?---If you want to delete the last line, "At the time of preparing this statement I understand that the chief officer of MFB has not yet signed". That is still a correct statement, but the "I am informed that this will occur shortly", I assume it would have happened by now, so if we just delete that line. That's it for me, thank you.
In that context, since you have provided your statement I have been given a document titled "State command and control arrangements for bushfire in Victoria" and this is a document that start as at (CFA.001.032.0300). Do I take
it from what you have just indicated, Mr Haynes, the
document is ready but has not yet been signed by all the
relevant parties?---That's correct, Ms Doyle, yes, still
in draft form.

I think it may be appropriate to add that to your statement but
with the notation on transcript that it is still in draft
form?---I accept that, yes.

While we are doing the mechanics, you also indicated that you
wished to substitute slightly amended updated versions of
a couple of the joint standard operating procedures
described in your statement, namely J2.03 and
J3.08?---That's correct.

The revised versions of those for completeness are at
(CFA.001.032.0329) running through to page 0337. So what
I seek to do is tender as a bundle your statement with its
volumes of annexures, the State command and control
arrangements document, the two revised standard operating
procedures and the slides comprising the PowerPoint
presentation to which you are about to go. Those
documents and the statement with the corrections you have
made this morning, are they true and correct?---Yes, they
are.

I tender those documents as a bundle.

#EXHIBIT 547 - Witness statement of John Charles Haynes
(WIT.3004.023.0011) and annexures. Document titled "State
command and control arrangements for bushfire in Victoria"
(CFA.001.032.0300). Revised standard operating procedures
J2.03 and J3.08 (CFA.001.032.0329) to (CFA.001.032.0337).
PowerPoint presentation. Partnership guidelines between
the CFA and DSE dated 2006 (CFA.300.040.0007). Heads of
agreement between CFA and DSE (CFA.300.040.0004).
MS DOYLE: We noted at the outset, Mr Haynes, you are a deputy chief officer. Your full title is deputy chief officer operations and planning. You explained when you gave evidence on the last occasion in these hearings that your responsibilities include planning for the CFA's future infrastructure needs, including its incident control centres?---That's correct.

Have you had particular responsibilities in terms of implementing projects flowing from the recommendations of this Commission?---Yes, in a sense. Not under the bushfire preparedness program as such, but in a standards formulation with Mr Slijepcevic from DSE.

You mention in your statement, and it is annexure 1, the bushfire preparedness program. Perhaps if we can just look at that for a moment. That chart appears at page 0067 to your statement. Before we go to the specifics of training, perhaps if we can orientate ourselves by looking at the programs that are being unveiled. We will just wait until that's spun around. If I understand this correctly, the different coloured boxes indicate which agency has carriage of these 47 projects?---That is correct.

Those at the bottom are those that the CFA has carriage of?---That is correct, yes.

We see some areas where of course the CFA would have a great deal of input, one would imagine. If we look at the DSE projects in the top left-hand box, there is reference to an enhanced IECC, preformed IMTs, pre-established ICCs. There are various project officers from the DSE listed there, but I assume that liaison is undertaken, as is indicated there, with senior officers from the
CFA?---That's correct, Ms Doyle. People are responsible for managing the project as such, but a lot of liaison work happens at a senior level.

These diagram indicates what funding has been applied at this stage to each of the projects or in some cases no specifics are given. The matters about which you give evidence in your statement, training incident controllers, seeking to increase the number of incident controllers and the like, what project does that fall under?---For incident controllers, most likely preformed incident management teams would be the one that it suited most.

So that's the DSE project called "Preformed IMTs"?---Yes, that's probably the most - if I could actually just see the document ---

If necessary we can give you a hard copy if you want to be able to see it all at once?---Yes, that will probably be the best fit for it.

Is there some component of the 1.3 million there that is specifically devoted to recruiting and training additional numbers of level 3 incident controllers?---I can't answer that, Ms Doyle. I'm not involved in the preformed IMT working group. It is probably a question potentially for Mr Slijepcevic after me.

Do you know from your organisation's perspective whether there is a particular project or subproject that's devoted to this notion of recruiting and/or training from within the ranks additional level 3 incident controllers?---No more than what we normally do as part of our normal training program.

You say in paragraph 3 of your statement that these bushfire preparedness programs are 75 per cent complete. Is that a
figure that applies to the whole suite of projects or were you just referring there to the CFA projects?---My understanding for the information given to me on that was that some are fully complete or nearing completion and some are still in work in progress, so the overall bushfire preparedness program, 75 per cent complete.

Is there an end date for this suite of programs or do they have cascading due dates?---Some have dates, to my understanding, at the end of the financial year and I'm not sure, but some of the projects may be ongoing for a number of years. But my understanding is that most of them will be aimed to be completed by the end of the financial year.

We will go to this in more detail in a moment, but in the context of speaking about endorsements and aligning the accreditation and endorsement process between the two agencies, you indicated in a number of places in your statement that the particular packages that might support that won't be done until June 2011. So that project or, if it is part of an existing project, actually has an end date some 18 months from now, doesn't it?---Yes. That's an issue that CFA and DSE have agreed together. That's a target we are going to aim at. The issue for us, and I think it will come out in evidence today, is that we have two different streams of getting qualifications, if you like, between CFA and DSE. What we are trying to do is to take any doubt out between the two different levels and make them exactly the same.

As you have noted and I have noted, we will go into that in detail. But what I'm just putting to you at this stage in terms of timeframes is that that element of the work
that's being done now is nowhere near completion because
the packages that will support common endorsement or
accreditation regimes across the agencies haven't been
drafted and aren't expected to be finished until
June 2011?---I think you are a little bit confused. The
bushfire preparedness program is a program that deals with
one issue, with preformed incident management teams. It
will take into account some of that training issue, but
I don't think it is going to be the whole total focus of
that preformed IMT project.

But preforming your IMTs may, or one would expect might,
include being alert to the numbers of level 3 incident
controllers that are available and how they are accredited
and endorsed?---That is correct, but in that we already
have an idea of what our strength is in incident
management personnel.

Mr Haynes, I had intended to take you to the notion of
endorsement and deal with training in some detail. That's
not a matter that's dealt with in as much detail in your
PowerPoint presentation, so it may be just as well if you
present the slides you wish to present now and then I will
move to that topic of training. Can I just indicate to
you that, insofar as the presentation replicates matters
in your statement, there is no need to dwell on them or
repeat them as they will be explored through the
examination today. If there are any particular points
where clarification is needed, I will ask you to pause and
I will invite you to explain further?---Okay. Thank you.
Firstly, the purpose of what we are trying to do today
with the PowerPoint is to inform the Royal Commission
about the joint CFA/DSE positions relating to new
arrangements in place, so looking forward to the future for staffing, training and resourcing of IMTs, incident management teams, and incident control centres for the current fire season and the future fire seasons. The other issues related to the letter from the Commission actually in my statement as is.

The new arrangements are a result of numerous things. Firstly, the bushfire preparedness program, and Ms Doyle has touched on what that's about. Some of the things in the bushfire preparedness program are now preformed IMTs, as discussed, the incident control centre upgrades, enhanced state control centre, intelligence gathering and analysis, revised state emergency response plan and one we'll deal with a great deal today is the command, control and coordination structure.

Also we have looked at our operational debrief report between CFA and DSE for the last fire season and in particular sections 5.17 regarding personnel and 5.19 regarding preplanning, of course the Royal Commission interim report recommendations 9.1 and 9.2, and the evidence presented in the Royal Commission since that time, especially related to evidence such as Commissioner Overland's evidence and evidence heard on the Kilmore East, Murrindindi and Churchill fires in particular.

Just a bit of an overview of the bushfire preparedness program. It contains a number of initiatives aimed at boosting the state's firefighting capacity. It commenced in June 2009 as a government initiative. The reason why it came out before the interim report was to give us some time to actually start to implement some new processes. It involves the Department of Justice, DSE,
the Department of Education and Early Childhood Development, Primary Industries and DHS; and CFA reports through the DOJ line, DSE fire reports through DSE, and the ultimate report via the state coordination management committee, which is the secretaries of departments, to ministers.

Forty-seven projects in total; 31 are joint projects between CFA and DSE. Each agency has got responsibility of them, but we are actually working together on 31. We did a gap analysis post the interim report to make sure we swept up any issues that were in the interim report which weren't in the bushfire program. Approximately 75 per cent of the total projects are complete. Again I have talked about some of the issues we looked at. One of the other issues of the projects is "One source one message", which is up and going at this stage.

I'm going to deal with these in a great more detail through the PowerPoint and actually give some sort of practical application and scenario to these so we can explain how they'd work in the field. So, progress to date so far: Command and control adopted, adopted in draft, and I'm pretty sure we will have a signed document shortly. Joint agency prepared --

Can I just stop you there, Mr Haynes. By that you mean the model to which Chief Commissioner Overland has spoken has been adopted in the bushfire context, principally through the draft document that you identified today, namely that there is a model, but insofar as it will work for bushfires, the place where we find that spelt out is the document called "State command and control arrangements"
for bushfire in Victoria"?---That is correct.

Under that model the CFA and the DSE will implement a structure which has some new aspects to it, principally the introduction of a position known as area of operations controller?---As one of the positions, that's correct.

All right. If you just want to explain how that will work?---Can I explain that as part of the PowerPoint in more detail?

Yes, certainly?---The other thing we have done in progress to date is minimum standards for level 3 incident control centre infrastructure. The main difference there from last year is agreed on a personnel level at level 3, so 30 personnel for a level 3 IMT. Previously it was 14 in our documentation.

Can I just stop you there and ask about that. On the basis of what material or evidence has the view been formed that the minimum number of incident management team personnel required should expand from 14 to 30? What is it about the last fire season which has inspired that change?---The main issue for us of course is command and control at the incident level, but also community warnings and information flow. What we have done is between myself and Mr Slijepcevic have put up that these would be the minimum required to meet that need, and the chief officer's signed that off.

Does that involve a view having been reached that one of the difficulties on 7 February in the example of issuing warnings to the community was a deficit in personnel number?---It is not a deficit in personnel number, it is about where they are actually located. Our analysis, we have enough personnel and have actually increased the
number of information officers previous season. It is about where they are located and how we can get them there in a timely manner. I think that's the issue from last year.

Perhaps we will go to that in more detail when we come to this topic when it is addressed in your statement. But of the 30 personnel, how many are intended to be devoted to the task of ensuring warnings get to the community?---If I can get you to go to the joint SOP, J2.03 from memory, I think.

I think that's about annexure 29. That appears at page (WIT.3004.027.0357), but it may be one of the ones that you have sought to update. I will just have to check that. The one starting the page 0361 I think is the one you are referring to?---It is an appendix. I think it is J2.03.

That starts at page 0361. Now, this is a standard operating procedure that was developed and in place in February, because this is the 2007 version. Is that the one you intended to refer to?---No, this has been superseded by the new one, which is one of the amended documents you talked about before, I think.

Then it is version 0329, page (CFA.001.032.0329), November 2009. There was an earlier version of this standard operating procedure. This is the new one going forward. There is a list on page 331 of the numbers of people who would comprise a full IMT. If you move down that page, "Full IMT, the following positions" and I think that numbers about 30. So, if we look at that list, first of all can you confirm for me this is the list of positions that you have identified would need to be in place for a
full IMT?---That's correct, yes.

And, within that, which of those are to be devoted to ensuring
warnings reach the community?---If you go down the bottom
a bit further, we have an information officer and also a
public information officer, which is in a level 3 case.
We use a public information officer which is pretty well
attached to the incident controller.

So the information officer is a familiar position that was
always there. Is public information officer a new
one?---Yes, it is.

So there are those two. There must be at least 13 others that
are new positions in terms of what was previously regarded
as the core requirements. Just looking at a comparison
between core IMT and full IMT, it would seem to include a
number of people in the planning section and a number in
logistics seem to be the new positions?---The original 14
we had on our old SOP was more about the leaders of the
units than the helpers, if you like, so we have expanded
it out to say as a large team we need at least 30 and
that's our target number. I've actually worked in
incident management teams where they've had 75 on a shift.
It just depends on what fire incident you are actually
trying to control.

Can I just ask you perhaps in that context an example. If you
look at the logistics section, there is a logistics
officer, catering, facilities, finance, supply.
Presumably in a fast moving fire where all the damage
might be done in four or five hours, there won't be a need
to wait until the catering or finance or logistics
officers turn up before one can start managing the fire,
will there?---Correct. Can I take you back to the top of
the page, and the PowerPoint will explain it in greater
detail, but a core IMT of eight, if you look at that.
Yes?---Controller, operations officer, radio operator, planning
officer, situation resources, information and logistics is
our fast running fire minimum, if you like. I can explain
in greater detail why that's the case, but it is about
output of that team. The outputs you really want out of
the team in the first hour or so is an initial fire
prediction map showing its potential and we have improved
that this year as well; we have new EIMS mapping systems
in which makes it easier to draw maps quickly and to share
them statewide at a push of the button. Advice to the
community via "One source one message"; that's the other
thing we want that small team to do.

Does that include the development of a single website for the
public's information on which fire warnings will be
located?---That is it, yes.

Is a single website ready to go?---My understanding is it has
been operating and I think it actually made the news this
morning. So, the last two weeks or so I think it's been
operational. The other thing you would want out of this
team is to set up an operational structure, because if you
set the operational structure up early, you can build on
that with the further team coming in, and provide
situation reports readily, and I think that was an issue
from last year where we needed to improve.

That helps orientate us in terms of why there are those numbers
required and at what stage they might be required.
Perhaps if we return to your PowerPoint presentation. You
were on the slide "Progress to date, joint agency
preparedness based on risk." Now, as I understand your
statement, the entire notion or approach to
to pre-positioning is now going to be based on a risk based
analysis in terms of the weather and the forest fire
danger index?---Forest fire danger or grass fire,
depending on what district it is. But also the further
PowerPoints in the scenario I will show actually explain
that a bit clearer because, if you read some of the joint
SOPs, unless you are in the fire industry it actually is a
little bit confusing. So, as part of the PowerPoint
hopefully I will explain that and at the end of the
PowerPoint we will be a bit happier.

There is a mention there of capacity for 12 IMTs on days of
severe and above. We will go in more detail to that when
we go to that part of your statement, but you've indicated
in the body of it that some modelling has indicated that
the worst case scenario the agencies should plan for this
summer is the need to have 12 IMTs running level 3 fires
at one time?---That's correct. We have previously had no
target to aim at. Our previous – it will come out in the
statement – our previous maximum we had going at any one
time was seven. On February 7th we had 10 level 3
incident control centres operating at once and on the days
following it went to 11. We have had an analysis of our
strengths between CFA and DSE only at this stage and we
could accommodate 12 teams. But also in a
pre-preparedness mode, if for some reason we couldn't
accommodate 12 in days leading up to a fire, we could
import them from New South Wales or South Australia as an
option. So, previously we had no target and if we've got
a target now and preformed, we can actually move them
quicker to scenes of fires across the state.
You say you had no target, but the previous highest number of IMTs operating on one day was seven, and that was during which season?---I would have to go back to my statement. I think it was perhaps 2003 fires?---It is either 2003 or 6/7. I'm not sure.

So there was no thought given to a target between then and the events of 7 February when 10 were needed?---Previously we used to have - each of the regional areas of DSE had a team in each which was five. In the past, also, the campaign fires, as I said before in my statement, were slow moving and we had time to move things. The rapid onset of the fires on 7 February caught us out as far as trying to move teams around the state quickly.

The rapid onset in terms of ignition may have, Mr Haynes, but the weather conditions that were going to prevail on the day were known three or four days out?---(Witness nods.) One was not caught out in terms of steps that might be taken in relation to positioning teams. Indeed, part of the body of evidence before the Commission is that the chief officer asked that there be a "hot start" of a number of IMTs in fire-prone areas around the state?---That is correct. The joint SOP now, we are trying to put some clarity into that because I think through the evidence there was some confusion about what the hot start meant.

Now we have actually - - -

Who was confused? Mr Rees gave evidence that he asked that there be hot starts. By way of example, Mr Creak gave evidence that he was never going to be able to achieve that and he thought everyone knew that. Is that the confusion you are talking about?---No, I think it is about the level and the composition of what a hot start means.
In this preparedness based on risk now, we actually set levels of four or eight people, or maybe 30, depending on the day and the risk, into different locations based on the state controller's direction.

But you already had that sort of structure in place. You had documents called local mutual aid plans to be developed at each region by the agencies working together. Those operated in February 2009, didn't they, and they called for pre-positioning of IMTs based on arrangements made within the regions?---Yes. I think the issue for me, looking at it, reflecting on the evidence that I have seen, is that we were based on a regional basis and we probably need to be based on a state basis to fill gaps and to fill known gaps. I think the issue is whether people knew or didn't know whether the gaps are there and they needed to be filled.

COMMISSIONER PASCOE: One of the impressions you could gain listening to the evidence is that for some people a hot start meant a pre-designated IMT but not necessarily pre-positioned. Has that been confirmed in your debriefs?---My understanding, Commissioner, is a couple of things. The standard of what you need at an incident control centre was different, so some people put operational people in, some people put planning people in as a thing and there wasn't a consistency. What we are trying to do out of the preparedness based on risk now is actually to give people some clear direction of what is expected and an audit process to say that, yes, you can meet it or, no, you can't, and if you can't, there is a work around at a state level to fix the problem.

So would it be fair to say that, consistent with a move to a
command and control emphasis rather than coordination,
there is stronger central direction?---Yes, and I hope to
show that in the PowerPoints.

MS DOYLE: You have been talking about what's new, Mr Haynes,
but I have just asked you about local mutual aid plans.
The standard operating procedures that supported them
already as at February 2009 required regions to be
prepared and you yourself say in your statement that if
they noticed any deficit in the lead-up to a high fire
danger day they should contact the state duty officer and
fill the gap. That was the position in 2009. You have
just got different language to describe it now, haven't
you?---No, I don't think so. The difference between
pre-February and now is actually the direction and the
specification required. I think, in my view, being an old
ops manager was probably a little bit rubbery in that it
was up for interpretation by regional management. Now
there is no interpretation. This is the target you need
to meet and, if you don't meet that target, this is the
process that you get to meet the target.

So you are saying now there is clarity around the regions about
the meaning of the term "hot start". There will not be
people who will interpret it to mean a warm start, namely
"I know there are some people but they're not at the
office." There has been clarity delivered to those in
charge of the decision?---Yes, and the warm start/hot
start we are trying to take out of our dictionary and use
"preparedness".

We will go to the scheme of that preparedness and the different
levels in it later. Can we leave the increase in the
number of level 3 incident controllers as it is a matter
I will deal with in detail in the context of your statement, as I will also do in relation to upgrading facilities and increased training. Can I ask that you move through these next couple of slides pretty quickly. We are all familiar with the single line of control model?—Okay. Happy with that.

It has been explained in detail by the Chief Commissioner. "Triggers for the appointment of state controller." You identify a number of possible triggers there. Do they speak for themselves or is there something you wanted to explain?—The main thing is we have a state controller now, which through the heads of agreement of CFA, MFB and DSE is the chief officer of the CFA as default, unless he delegates it to one of the others. The main thing with the triggers is these are the things for a state controller to be appointed and a lot of it now is in preparation instead of on the day, so the state controller can actually direct preparation instead of just being the general on the day, if you like.

Yes, but given that the state controller is the chief officer, similarly I will put to you he always had the capacity, being in receipt of a four day forecast, to start doing some planning?—No. If I talk about the powers over the next page about the state controller, it is a definite difference from last year where the chief officer really is the chief of CFA and has no powers to do anything else.

There is the responsibilities there. I think they do speak for themselves. But you do want to make a point about powers?—Yes. Under the heads of agreement and the state command and control arrangements, "Consults with other agencies and gives direction in respect of the level and
state of preparedness of resources." That is a difference from last year as a state controller. He can actually say, "This is the level I want to be met and I direct you to do that."

Is the distinction you are making - perhaps we are at cross purposes - the chief officer of the CFA always had that capacity vis-a-vis his own agency, but the distinction you are making is that he will now have that capacity vis-a-vis the DSE in the lead-up to a code red day?---That's my understanding, and also MFB.

COMMISSIONER McLEOD: Could I suggest, Mr Haynes, and you could confirm this or otherwise, that the principal difference with the old arrangements is that previously the chief officer of the CFA and the chief officer of the DSE were both present on the day, they had their own separate responsibilities, they were working together in a cooperative, consultative fashion, but under the new arrangements one of those people, perhaps, or someone else, will be designated as the single person who at the state level is the controller of the total operation. So there is clearly a real change in the leadership of the total activity, with one person in charge rather than two people sharing responsibility. Is that a fair way to describe it?---Commissioner, I agree with you. For me also it is about the leader's intent. If you have state controller, it is one person setting the direction and the rest of the people forming into that direction, if you like. That's the major difference.

COMMISSIONER PASCOE: Again for clarity, having heard a little of the role of the fire commissioner in New South Wales, would you say that what we have got for the forthcoming
fire season is closer to that approach, with the commissioner able to direct operations, than what Victoria had for the 2008/2009 season?—Commissioner, I'm not 100 per cent sure how the commission in New South Wales works but from my knowledge and working in New South Wales with fires, it is as similar as it can be.

MS DOYLE: Can I ask you about the last dot point there, "Activate areas of operation". When Chief Commissioner Overland gave evidence, he indicated that typically the way that areas of operation would spring into life would be as fires ignited and one would then group them possibly regionally or by proximity or perhaps depending on their severity, but they were reactive in that they would spring into life to respond to a group of emergencies. It seems from the way you describe this matter in your presentation and in your statement that the CFA has in mind activating areas of operation prior to any fire starting out, so perhaps in between receiving a forecast and the catastrophic day arriving. Is that a fair understanding?—Yes. There's two different things. One is preparedness for a fire is based on the Fairer Victoria regions, so the eight government regions across the state. They don't align with CFA regions?—No, they don't.

So how are the regional duty officers going to work in with this different set of boundaries?—CFA has appointed eight operations managers for a six month period as project officers command and control to implement this system across the CFA.

Do those eight people sit in each of the Fairer Victoria or DHS boundaries?—Yes, they do.

They are different from and will overlap with the old CFA
regions?---That's correct.

Does the CFA have in mind that in all instances the areas of operation will match the Fairer Victoria boundaries?---No.
The difference is for preparedness the eight government regions will be the boundary, if you like. If a fire starts in a particular area and it crosses two or three government boundaries, the state controller has got the option to appoint an area of operations controller to look after those three or four fires across numerous boundaries. So it is not an inflexible system that, just because you are sitting in a Fairer Victoria region, that's where you are going to stay. It is actually the state controller can appoint, as you described before, for three or four fires in any geographical location.

How does that fit in with the old reporting lines? Where do the regional duty officers and those in their team now sit? What do they do during a week in which we are ramping up preparedness levels?---Again I put this in the PowerPoint in a diagrammatic form. If I may, I can go to that for you now if you like.

Is that the diagram on page 9? Perhaps if you find the example you are thinking of and then we can work through it. We are all familiar with level 1?---Okay, happy with level 1. And level 2. Perhaps if we can move to level 3?---Perhaps if I do the scenario it might be easier. If I can do that, sorry.

I'm just conscious, Mr Haynes, that we really do have time constraints. If we can just move through, if possible. If you need to refer to level 2, that's fine, but move through to understanding this notion of the area.

MR CLELLAND: Mr Chairman, can I just make a suggestion, and it
is only that, it is not an objection, but what I have come
to learn over the last week or so is that there is a lot
of information that Mr Haynes and Mr Slijepcevic have
tried to include in their statements. That's one of the
reasons for the development of this PowerPoint
presentation, so that it could be presented in a hopefully
logical sequence. I understand there are a lot of
questions that counsel assisting might want to ask about
it, but it might assist the Commission at this stage if
Mr Haynes was just able to develop the matters that he has
set out in the PowerPoint presentation, do it as has been
asked of him in a reasonably expeditious way and then
perhaps he can be asked these more searching questions
about it.

CHAIRMAN: I understand that. If I could say in response that
the assumption you can always make is that the
Commissioners have read the material, are very familiar
with the material that's already been presented. So
really what we have been suggesting to counsel generally
is that they try and be much more focused, and that's the
reason for what Ms Doyle is doing, carrying out our
instructions. So we are appreciative of that and the
difficulty is that if too many witnesses are allowed to do
it in the way that they would want to do it, we really
would have major manageability problems. That having been
said, I'm sure Ms Doyle will take into account what you
have said.

MR CLELLAND: If the Commission pleases.

MS DOYLE: I'm prepared to try and work with that degree of
difficulty being increased by the fact that I didn't see
this until 6. So, perhaps if you would like to develop
the PowerPoint presentation but really focusing on what
are the changes. If you can bear in mind the Commission
has the benefit of a detailed explanation of command and
control from the Chief Commissioner but that we look to
you to explain whether there is any aspect of its
implementation in relation to bushfires that needs further
clarification. Perhaps with those caveats, if you want to
develop the PowerPoint, it might be the most efficient
way.

CHAIRMAN: Mr Haynes, you can assume we can read. You don't
need to read out material that appears on the
screen?—Thank you, Commissioner. If I just take you
through some of the logic we used for preparedness and
then deal with the scenario. We looked at fire danger
ratings for the last four years across the state of
Victoria, looking at very high, below, severe, extreme and
catastrophic. Out of I think about 605 days you see the
majority are very high or below. The north-east and the
Mallee were the highest; the lowest the northern country,
which is around Shepparton and Echuca. What we have done
is try to explain our preparedness levels in our SOP and
what this slide shows is that, for a fire danger of
extreme and above, and there are different gradations of
the SOP from lower to this level, that at areas such as
around Melbourne, if you like, the diamond shape,
preparedness level A, which are eight people in place at a
specific time and a further 22 to make the 30 in an hour
and as they go down the different preparedness levels B, C
and D, it is a different variance based on likelihood and
consequence.

MS DOYLE: The way in which you devised whether an area or a
place should be at level A, B or C, was that a risk based
analysis?---Yes, likelihood and consequence, so through
the matrix under the Australian New Zealand standard.
You didn't use the Victorian fire risk register? That might
have provided a useful tool for determining which are the
most fire-prone areas of the state at present with
the most risk in terms of assets or population?---My
understanding is the Victorian fire risk register is not
100 per cent complete, I think it is still in development.
But in the future, yes, we would take that into account.
But the main thing is about looking at the difference
between a Belgrave to a Bendoc, for instance, on the map,
Bendoc up here, Belgrave here next to the Dandenongs. The
likelihood and consequence of major problems at Belgrave
is greater than Bendoc in a timeframe sense. This is
again a worst case scenario for the whole state.
But the likelihood of the consequence or outcome being poor is
bad because of what? Because of some information you fed
in about fuel load and assets in the region, or what?
What are the criteria that have enabled you to devise the
risk and the possible outcomes?---Yes, pretty well the -
if you look at a PESTLE analysis, which looks at
political, economic, social, technical, legal,
environmental as a model as well, it is about trying to
get the right people in the right place to meet the risk.
Have we got it 100 per cent right? Maybe not, but at
least we reckon it is 99 per cent right.
Can I just take an example. Traralgon you have here as level
A. Why? Is it because of the assets located in the
Latrobe Valley of great importance to the state, is it
because a lot of people live there, is it because it has a
high fuel load or what account do you take of the fact
that vast tracts of it were burnt out last year? What do
you actually factor in?---Exactly what you said. Because
of the infrastructure around Traralgon and Latrobe Valley,
we need an immediate, a larger emphasis on incident
management. Again, these will vary depending on the days
and the risk, because Gippsland, for instance, might have
had floods and might be totally green. This again is our
minimum standard we are trying to meet and try to give
some advice to our regional people to say, "This is what
our expectations are."

These levels are set for this fire season in a standard
operating procedure we will go to in a moment?---Correct.
But they are set for this season, so someone can look at a list
which tells you Belgrave is B, Leongatha is C. People in
the relevant regions or the new areas know the standard
they need to meet?---That is correct.

Thanks for that.

COMMISSIONER PASCOE: Mr Haynes, you just have a CFA logo on
the top. Is this also for DSE?---Yes, Commissioner. It
is a joint SOP. It was just GIS people did the mapping
for us.

MS DOYLE: I just want to confirm while it's there, this
replicates the eight Fairer Victoria or DHS boundaries
about which we have been speaking?---That's correct, yes.
This map shows a different view which is actually fire
weather forecast boundaries. This is one of the typical
days you may have in Victoria, where we have a higher fire
danger in these three areas, which is extreme and above,
in these two areas severe, and the bottom very high. A
lot of the times, and 7 February was an exception, the
whole of the state is very rarely at the top level all the
time. As an example, we have just taken out the Hume
Fairer Victoria region and talked about if we had a fire
in the King Valley, and this is our pre-determined
location of people in incident management teams for an
extreme or above day. So what we are saying is that
initial attack, which happens all the time anyway, is the
same as a level 1. On a day of extreme fire danger, what
we want to do is transform as quickly as we can to level
3.

That slide you just showed there has CFA as the control agency,
dealing with initial attack on a fire at King Valley, and
then I take it that this slide helps us understand what
will happen in the minutes or hours after that?---That's
correct. We would have a team of eight people in the
Wangaratta incident control centre, so the transition from
the initial attack, and it might only be minutes,
15 minutes or so, people are in place and people are in
place at the area of operations control level at Benalla.
So we have an incident management team at Wangaratta
managing this fire, reporting straight to the area of
operations controller, straight to the state controller
and the two different teams, the area control team at
Benalla, which is agency commanders and the area of ops
controller, and the state controller and the state control
team in Melbourne. Your question before, Ms Doyle, was
about where do the regional duty officers and area duty
officers sit. They are outside the area control team
looking after the security of their own regions as far as
another fire starting and also providing resources through
to the incident at Wangaratta. So strike teams and
staging area management, whatever they need. So the
difference between last year and this year is that the
incident controller will not talk back to a regional
coordination centre, it will go straight to the area of
operations controller.

How does the area of operations controller harness the
knowledge and the resources that the CFA regional duty
officer and the DSE area duty officer have during a fast
moving fire? How does the area of operations controller
find out what is in the area, what is available, what is
deployed elsewhere? How will that happen?---The area
control team, which will be pre-positioned at Benalla on
those days, will have the CFA and DSE agency commander.
So, the area of operations controller will be appointed
days before. The regional duty officers speak to their
agency commanders at the area level and they will have
that information.

Just sticking with this example for a moment, in the minutes
after one becomes aware of a fire in King Valley, I think
you said the incident management team would be at
Wangaratta. According to the new standard operating
procedure J2.03, at the chart it tells people in that
region how prepared they should be. On a day where the
forest fire danger index is about 75, Wangaratta is at
preparedness level B, is that right?---That's correct.
Preparedness level B means that they have their base staff
available by 10 am on the day. Is that a correct reading
of the way that this scales up?---That is a minimum
standard we are trying to achieve. The state controller
can actually direct otherwise for the purposes;
potentially it might be lightning activity in that area,
there might be known arsonists, there might be a fire
already going somewhere, so that is the minimum standard.
The state controller can actually say, "We want them there
the night before or 6 o'clock in the morning", or "We need
30 instead of the eight."

Assuming one is running from the minimum standard, preparedness
level B, as is indicated here, Wangaratta would be
required - let's stick with a Saturday. The forest fire
danger index is going to be over 75 on the Saturday. On
Friday they need to make sure they have arrangements in
place for a core incident management team of eight people
to be at the ICC in Wangaratta by 10 am, and what it
provides here is that in order to get to the full
complement of 30 level 3 IMT personnel, they have
120 minutes to achieve that?---That's correct.

In relation to at least many of the fires on 7 February,
initial attack was vital, direct attack at most stages was
thereafter difficult, if not futile. So 120 minutes is
not too long in a situation where the fire may move very
quickly on a day of extreme fire danger?---Yes, I agree
with you. We talked about before what the output we want
of those eight people, in the four things of initial fire
prediction, mapping, advice to the community, the setting
up of the ops structure and giving situation reports.
That will give us a basis and it may be two hours, it may
be less, to provide the service to the community that is
required.

So even within those first two hours, even if there were only
eight people there, one would expect them to have the
complement of skills and experience to enable them to get
out a map, draw where the fire is going and get the first
warning out to the community, as well as directing initial
attack?---That's correct.

That should be within the powers of eight people who are
trained to level 3 competency?---It doesn't need to be
level 3 competency, Ms Doyle. Again, it is output
oriented; what do we want to achieve? It is not about
what level you are sitting at.

But isn't the ideal to have those eight people trained to level
3 competency? Isn't that part of what all of this is
about?---Ultimately that's where we would probably like to
be and if we can have the best people at the best level,
that's our ultimate goal.

In your statement at paragraph 14 you suggest that in
circumstances where there is a deficit or where we haven't
yet achieved the best outcome, it may be possible that a
level 2 incident controller will need to handle a level 3
fire for a period, and you suggest that that's not
necessarily a problem. But there is a difference between
the complexity of a level 2 and a level 3 incident, and
the types of decisions that might need to be made by the
controller, isn't there?---There is. The level 2 to 3
distinction is pretty grey. Once you get to level 3 it is
really about quick decision making, having the ability to
have the slide show in your head, if you like, to say,
"I've been in this place before and this is the action
I need to take." So that's where the experience of level 3
is probably important.

And critically important if, as was the case on 7 February, the
first few minutes of a fire, like Murrindindi, are the
critical minutes. You don't want to be coming up to speed
or getting out your slide show on that day, do you; you
need to be experienced and ready to go?---Yes, you do, but again it is about - a lot of people have a lot of experience and we get caught up on level 2, level 3. It is about what actually can the person do. A person at level 2 is quite capable, with the right team around them, to actually do those four things and do them competently. We will go to competence later. Had you finished exploring the matters you wanted to in terms of either that example or the way that command and control will operate?---Yes, thanks.

I took you away from that slide that had the chart. The next slide I think moves topics to facilities upgrade. Perhaps if you can just briefly talk us through that and then we will figure out whether there were other slides that were missed?---Okay. The main thing about the state control centre for us is that it has been improved and the issues that we talked about or were talked about by the Commission have been addressed. That has been utilised over the past few weeks with these warm weather spells and also there is exercising to take place in early December to test it further.

The incident control centre facilities, our main issue there is about making room for 30 people, to improve our IT and our connections between the agencies. We have 17 currently at minimum standard and working towards the rest, the 42 in total.

The last two slides. Longer-term goals for CFA-DSE. There are agreed endorsement standards and currency for key IMT roles and I think you will want to explore that as well. The joint annual state and regional exercises. We are trying to get some rigour into our
exercising, not only to make sure we have the right
standard, but also too to provide some mentoring
opportunities.

Yesterday's exercise, which you noted was mentioned in the
press, was that an example of one of these joint regional
exercises?---Yesterday there was a briefing of level 3
controllers at Bendigo and I think there is one at
Warragul today. Is it is more about information regarding
the new command and control structure and where we want to
go.

I understand there was more of a scenario-based training
exercise deployed yesterday?---Not to my knowledge, no.
Maybe there was, but I was stuck with the lawyers all day,
I'm afraid.

All right?---The third one is develop joint training packages
for key IMT personnel where they don't currently exist and
that's about getting us closer together.

That is a long-term goal, is it not? It is the one I drew your
attention to at the outset. June 2011 before the packages
are complete?---That's correct, yes. And reviewing all of
our standard operating procedures, not only to bring them
up to date with the new arrangements, but actually to take
the long-term view to go to doctrine and principles and
reduce the number of SOPs. The US Forest Service have
started this journey, are six years into this journey and
we could probably learn a lot from what they have gone
through. In summary, we reckon we are better organised
between agencies to allow incident, area, state levels to
deliver better responses. Our facilities have improved.
Now we have a single line of control and we are heading
down the agreement for training standards for the future.
I have looked back at some of the earlier slides. Although we didn't go to every one we seemed to touch on each topic including the core IMT structure. But is there any part of the PowerPoint that you wanted to make sure you explain before we leave it?---No, I think I'm happy, Ms Doyle.

I want to take you to training and endorsement in relation to level 3 incident controllers and continue to discuss with you the distinction between level 2 and level 3. First of all, can we get some concepts straight. The term "endorsement" is used throughout your statement in the context of the way the CFA recognises and authorises those who are entitled to be level 3 incident controllers. You say in paragraph 62 of your statement, if you want to turn to that as a start, that "Based upon a candidate's experience, record of performance and demonstrated aptitude for a particular role at level 2, they will be eligible to be endorsed for that role at level 3 on a mentored basis. While this is not a formal mentoring process, in practice mentoring is achieved by the appointment of the individual into a deputy functional role." I want to take endorsement and mentoring separately?---Yes.

Firstly to ask you about endorsement. If one just steps back from this example for a moment and thinks about training and skills and qualifications generally in the world at large, there would seem to be at least three ways by which someone might gain a qualification or be authorised to do a job. One might be formal, including formal study in a classroom where one needs to have a degree or a certificate conferred?---That's correct.

Do you see that distinction?---Yes.
And that might involve exams or practical work or assignments, but some notion of assessment and then a certificate that is the proof, if you like, that the person has done this course which means they are qualified?---That's correct, yes.

There is then the notion of accreditation. Mr Slijepcevic gives a great deal of detail about the DSE process of accreditation, which is the terminology they use when they talk about moving from level 2 to 3. As I understand his statement, he describes a way of checking or proving that a candidate has the necessary competency. He describes the way in which DSE does that. It seems to include some formal instruction, but also some scenario-based training, but critically an assessment of the candidate's skills in doing those things. You are familiar with the way DSE accredit level 3?---I am actually very familiar because about four years ago I went through the DSE process as a trial and there were about four other of my colleagues went through it as well.

So then you would appreciate the way that works is, although it might not be like going and sitting in the college at Fiskville for three days, it involves both those formal components of being taught things, but also demonstrating how good one is at doing things?---Mm-hm.

And then there is an evidence-based check, logs and field books and comments from people you have worked with prior to accreditation being conferred?---Yes. CFA has some similarity in that we have a system where we have role evaluation sheets. So, if I perform a role at level 2 or as a deputy somewhere, the incident controller can sign off and say, yes, they have met that standard or no,
haven't met the standard, based on actually what they've done and that goes through to the operations manager for consideration for endorsement. So that's similar to the log book-type thing for the DSE. The difference in what we have done with Mr Stuart Ellis with DSE was we actually put it through some live scenario exercising, which I reckon was of benefit, it actually put you under pressure and made you think as a level 3 should think. I thought that was a very good feature of their process.

Just sticking to the concepts first, there is formal qualifications and then accreditation. Endorsement seems to be a third way, if I can put it that way. It has some elements in common with each of the first two, but you would accept, wouldn't you, that it is a less rigorous process than accreditation?---Yes, it is. I think it is probably a bit more subjective than the DSE process.

Because in fact the way it works at the CFA, if one is at the position of level 2 incident controller and wishes to be promoted or to take up the responsibility of level 3, is that you nominate yourself and then you need to be endorsed by the chief officer. Just in simple terms, is that the process? We will go to how it happens in a minute, but is that the process?---The operations managers for each region have to identify their people. Again, one of our problems in the CFA is consistency across the state. Some people do it really well and some need a bit of a hand. The issue is that the operations manager will nominate or highlight the people that need to go to the next level and put them through a process either by giving them some work as a deputy in a real life situation or through some joint exercises or through some more training
to get to the next level.

Then let's talk about the process by which that might occur. In the end the final call is for the chief officer, but on advice from operations managers in the region?---That's correct, yes.

Let's take an example. There is someone who has worked as a level 2 incident controller in a couple of incidents and the suggestion is made they might be right for moving to the next level. You refer to evaluation sheets that might be provided to people. I think those are attachment 14 to your statement. Now, filling those out is not compulsory, is it?---No, it's not compulsory, no.

What other evidence goes forward with the operations manager's nomination to demonstrate that a person is suitably qualified and experienced and has the aptitude to be a level 3 coordinator?---From my experience in the past, being in the operations manager's role previously, was that you either actually witness them yourself going through a process at a fire or at a training session to simulate a fire or you got advice back from someone else. It's more verbal advice, so if the role evaluation sheet isn't done, it is about, "Yes, I've seen this person perform. They're up to the standard."

There are some risks in that process, aren't there, that people might be missed or not known to the operations manager? It introduces a degree of subjectivity that may mean people are not noticed when they are performing well or not noticed when they are performing poorly?---I agree. I think that is the flaw in our system, that we need to put some more rigour in it, but also to have what we call a pick the team process, which is actually about
identifying people for future roles and having a training
plan for them, and I don't think we're there.

This need for more rigour wasn't recently discovered. The
agency engaged in a project with DSE in 2006 aimed
precisely at ensuring more uniformity between the two
agencies but also more rigour on the CFA side of the
ledger, didn't it?---That was the purpose, yes.

Mr Slijepcevic has attached the work product of that project
but it includes a very detailed workbook that sets out a
rigorous process by which someone might move from level 2
to level 3?---That's correct, yes.

It explains in it that this project was going to be reviewed in
March 2007. What happened to it? Why has it not been
implemented at the CFA?---I tried to find that out in the
last few days and spoke to a few people. My predecessor
talked about some issue with the psychometric testing, and
psychometric testing is part of the DSE process, about
whether it is a guide or whether it is a pass/fail.

I think there were some discussion at state level on that.
I asked why that didn't continue on from there and he
wasn't sure whether they just had the impetus to keep
going with it; they were distracted by other issues.

Psychometric testing was only one element of an overall package
aimed at training and accrediting level 3 incident
controllers?---That's correct. Actually, the psychometric
testing was actually made by the CFA and DSE participants
in that trial. So the level 3 controllers like myself
actually said, "This is the issues you need to look at for
a psychometric test" to ensure that a level 3 controller
can handle the complexity, if you like, of the role.

Because of course it is not surprising that psychometric
testing might be part of the package. The type of person you are looking for as a level 3 controller, they will be someone who has technical skills but they will have leadership skills, won't they?---Technical skills, HR management, leadership skills as well. You are correct, yes.

Communication skills?---Yes.

Ability to delegate?---Yes.

Ability to perform well under pressure?---Correct.

The power to make and the capacity to make decisions quickly?---Yes.

So you are looking for someone with some skills but also some attributes that might well show up on psychometric testing or something similar?---That is correct. I think in the future, once we get to an agreed standard, psychometric testing will be a basis for this training and endorsement. It was just about how the psychometric testing was applied. For me, I underwent the psychometric testing and it was a tick and flick sort of thing, a psychologist reviewed it and gave some feedback to say, "Here's your strengths, here's your weaknesses and here is actually your training plan to fix your weaknesses." My understanding is that was the way it was going to go. The advice I have been given recently was that there was some argument about whether was going to be a pass or fail. So if your psychometric testing said you didn't meet the standard, there was no way you could actually improve your weaknesses to get there. I think that was the argument.

Let's not get bogged down on psychometric testing. Was there not the possibility that if that component of the standards that the two agencies discussed was a sticking
point at CFA, that it could be abandoned and the rest of
the package adopted?---It could be. Again, I wasn't in
the position at the time, so I'm only going on second-hand
advice.

Can we look briefly then at the documents that Mr Slijepcevic
has attached which spell out where you got to in 2006.
The first is attachment 17 to his statement
(DSE.HDD.0074.0284). It's called "Level 3 incident
controller draft role standard" and the date on it is
September 2006, discussion paper. "The skills, knowledge,
and personal attributes required to be a level 3 incident
controller." If we look at page 0286 in the introduction
section it sets out how this has come to be. Can I just
note the third paragraph there says, "Recent succession
planning in [both agencies] highlighted a shortage in the
number of accredited incident controller 3s." It made some
points there about the median age and attrition rates.
Further down the page it then indicates that the idea has
been adopted of developing a level 2 to 3 transition
project and it is described in the second sentence there
as, "A joint venture between [the agencies] that will
pilot a training, assessment and accreditation program for
incident controller 3s and level 3 operations officers."
Do you see the timeline on the right-hand side starts in
July 2006 and runs to March 2007?---Yes.

A lot of what you talk about in your statement, Mr Haynes, has
been done. We are reinventing the wheel. Why can't this
project now be adopted if it has fallen into
disuse?---Ms Doyle, actually it probably could be. The
reason why we put I think June 2010 or 11 - I'm not sure
now, 11 I think it was - was to make sure that we could
meet it. Now, we may meet this prior to and adopt a
similar or an amended version of this system. Again,
I like this system. It was a good system. It had a lot
of rigour in it.

It has already been developed and it has the benefit that as at
2006 there was at least in principle commitment to
exploring whether it could be adopted. It sounds like the
wheels fell off, but there was in principle commitment to
that. Mr Haynes, I'm going to put it to you simply: Why
are we sitting down to draft training packages that might
be ready in 18 months when we've got one here?---Good
question. Again, it is probably, worst case scenario,
June 2010 or 11. As I say, if we can actually get through
any issues we had with this, we can actually implement it
a lot quicker.

In terms of the attributes I just asked you about, if we can
look at page 0288, they seem to have already been
identified and acknowledged by the people who ran this
project. Just above those circles there it says, "The
skills and knowledge component", this is for a level 3
controller, "comprises four elements: leadership,
management, technical expertise and communication." It
notes they are interrelated and you cannot only be a good
leader or good manager or have good knowledge or be a good
communicator; you must have all four. That seems to set
out the attributes. But if you go to page 0290 there is a
list that puts more meat on the bones, if you like. It
gives you what the skills and knowledge are and there is a
list there of what it says level 3 controllers should know
and how they should be qualified. On my read of it, it
seems to be a comprehensive list of the sorts of skills,
experience and aptitude you would want a level 3 controller to have?---Yes, that's correct, Ms Doyle. You are preaching to the converted because I was actually part of the team that actually put this together.

Well, you are not a disempowered converted operator, you are the deputy chief officer. Have you made representations that some time and money might be saved if we adopted this program now?---We have had some discussions at state level between the CFA chiefs and myself and Alen Slijepcevic and we are hopeful we can actually get through and produce something.

You didn't mention this program in your statement. You talked about the need to sit down and essentially start drafting?---The issue with our two different statements is that I talked about what currently happens in CFA now and Mr Slijepcevic talks about what currently happens in DSE now. Together we want to get together to have one system.

In terms of what happens now, there is no course at the CFA that you can do if you want to be a level 3 incident controller, is there?---No, not as such.

And what are sometimes regarded as the possible prerequisites are having worked as an operations officer at level 3 or a planning officer at level 3?---That's correct, yes.

But you don't have a module, a training package or a scenario that people can do which is titled "Being a level 3 incident controller"?---No. You can get to level 2 through a module, if you like, an AIIMS module.

Is that the incident management skills module?---That's correct.

I think you refer to that in your statement. As far as I could see from the annexure that details it, it involves
60 hours of instruction?---That is correct.

Where would you undertake that 60 hours? Is that at Fiskville or somewhere else?---Normally at Fiskville, but it actually can be done regionally if you have the instructors and the venue in place.

That module, incident management skills, is that a prerequisite for level 3 or is it just something that some people at level 2 have done?---My understanding is it is a prerequisite to get to level 3. You either have to do that module or have a recognition of prior learning that you have the skills to meet that module.

That brings me to the next perhaps component of recognising or accrediting competencies. Of course, prior learning is a valid field of inquiry. One might not have to do the 60 hours if one can demonstrate in an appropriate fashion that one already has those skills. Would you agree with that?---That's correct, yes.

In your organisation, because of your volunteer structure, you would have many people who have the skills of leadership, communication and management because of their day job?---That's correct, yes.

And is there a process in place which enables volunteers to demonstrate that they have, by virtue of their work in the army, in education, in management, already obtained these skills in other forums, in other ways?---There is a process of recognition of prior learning through our training managers based regionally. If the candidate or the person actually can show evidence to meet or some way to do it, then they can tick off that part of the module, if you like, and only do the gap that they need to do.

COMMISSIONER PASCOE: Is that recognition of prior learning
formally assessed?---I'm not 100 per cent sure, but our workplace assessors have a process to go through to say they have to tick off certain elements and have proof, either see someone actually doing it or to have some sort of evidence base that they can tick it off. It is just a common thing in training organisations, from my understanding.

The reason I think it is important is that in the movement of a candidate from training to accreditation to endorsement, it does seem that the weakest link is at the level of endorsement and that potentially you leave the chief officer exposed if he or she is being asked to sign off on a recommendation from an operations manager that's based on a subjective judgment and not a more formalised assessment, which can be in part formed from recognition of prior learning as long as it is done in a systemic and consistent fashion?---I agree with you. Although it is a weakness in process, myself who is a level 2, who is endorsed to level 3, actually met the standards as per the DSE when we went through the trial. So there is a bit of validation there back the other way, but in a process sense I have to agree with you.

MS DOYLE: Picking up Commissioner Pascoe's question about the possible exposure, perhaps if we just look at the standard operating procedure which presently applies. It is attachment 11 to your statement (WIT.3004.024.0321). We have really talked about some of this without going to the structure, but this is the procedure which relates to endorsement of incident team managers. There is a number of definitions of roles over the first couple of pages. But at page 0323 it gives us the process in paragraph 4:
"The chief officer annually endorses CFA members to undertake the incident controller, planning officer, operations officer and logistics officer roles during level 3 incidents, and the role of incident controller" at level 2. Paragraphs 4 and 5 seem to echo what you have been telling us about the operations manager nominates, the chief fire officer endorses?---That's correct.

Is there ever a situation where the chief officer knocks people back on the operations manager's list?---I'm not 100 per cent sure. It is probably a question for the chief himself, but my understanding is that has happened in the past. There has been a discussion about whether this person is up to the mark or not.

Does the chief officer see any supporting material to guide him as to whether it is appropriate on a particular occasion to endorse someone?---No.

You see, paragraph 8 seems to be the only paragraph that refers to the criteria that might apply, "The selection for endorsement ... shall be based on competencies, endorsements and experience." Can I suggest to you that the reference twice to endorsement is circular. If your endorsements are based on endorsements, it doesn't help us get away from the problems. So what are the competencies and experience that the operations manager in the first place will look for? How will they find proof or evidence that someone is competent and experienced?---Again, I would say it is pretty subjective in that it is based on the experience of the ops manager themselves to look at whether people can actually meet that role, based on their experience of what a level 3 is. So I agree with you and Commissioner Pascoe that we need to tidy that up severely.
The operations manager day to day is based in the regional office, is that right?---That's correct.

What if they have never worked with a particular level 2 person who has run a couple of fires at an ICC that the operations manager didn't visit during those fires? How will they cross-check the aptitude?---As I said before, a lot of people will either work in a deputy role and the people who are their controllers or their operations officer will give feedback directly to the ops manager, or advice and really the outputs of that person doing the job. So, if they actually did the job and to the requirements of what the operations manager thought was appropriate, and that's the grey area, then they will endorse them.

But you have explained that there is no requirement that the evaluation sheet be provided with the application or the nomination?---No, it's a preferred thing but not a mandatory thing.

There is a risk of things becoming ad hoc, isn't there? You might touch base with someone's colleagues at an ICC and get a good report or you might fail to. There are just a number of points in the chain where someone might be missed; either their good work or their bad work might be missed?---That is a potential, yes.

You have mentioned mentoring. Can I ask you about how that actually operates at the CFA because it is not a formal mentoring process, is it?---No, it is fairly informal, based on the operations managers and the regional staff to look at who potentially needs mentoring or is identified for mentoring as part of the process. Mentoring happens at all levels, so even a crew leader, as they go through a
crew leader course, the training instructors will say, yes, they are competent but they just need a little bit more to get an idea of the management side, for instance. So mentoring happens at different levels, but it is very informal.

Sticking to the example of a level 2 person moving to level 3, there are a number of people whose endorsement carries a qualification, simply the letter M, and it is apparently indicating that they can do level 3 incidents but they should have a mentor?---That's correct.

You describe the system as informal. It is so informal that a lot of people never have a mentor?---That's correct. The reason, also, is how many live jobs where they get to practice their skill is an issue, and that is why we are looking to improving our joint exercising and training together to give people some more opportunities to be mentored and to practise their skill and their art, if you like, in still live environments, if you like.

Are you familiar with the example of Mr Lockwood? He was the incident controller for the Churchill fire. Do you know that when he went into that week, because he worked on Delburn and Churchill, when he went into that week he was endorsed as a level 3 incident controller but with a qualification that he be given a mentor? Are you aware of that?---I know that now, yes.

His evidence in the hearings pertaining to the Churchill fire was that prior to starting work on the Delburn fire he had never worked in the position of level 3 incident controller, but he then did that for Delburn and Churchill?---Right, yes.

You are familiar with that?---Yes.
I can tell you that was his evidence. He didn't have a mentor on the days that he ran either of those fires, nor has he ever had one. Do you know that to be the case?---Unsure, but if you say that's the case, it must be, yes.

He also confirmed that he was endorsed as a level 3 incident controller after the Churchill fires. Were you aware of that?---No.

Other evidence in those hearings was that there were three burnover events during that fire which gave rise to three internal investigations conducted under the auspices of the chief fire officer. Those investigations generated three reports. Each of those reports concluded that a red flag message that had been sent to ground crew contained incorrect information about the timing of a wind change and had exposed them to risk. Are you aware of those burnover reports and those facts pertaining to the Churchill fire?---I'm aware that a number of burnover reports have been conducted across the state.

I think 19 following from 7 February?---I'm not sure of the number.

Three in Churchill, I can tell you that?---Okay. Again, the other detail I've only caught up by listening to reports of the Commission.

Mr Lockwood just caught up with it, too, during the hearings because he didn't know about the burnover reports or the investigations until preparing to give evidence in the Royal Commission. Wouldn't one expect that the person who had been incident controller at a fire would be given the burnover reports for many reasons, including discussing whether it reveals any deficits in the way the fire was handled?---I agree with you, yes.
If he doesn't know about it and if he didn't have a mentor, what program or system is there to enable Mr Lockwood to improve his skills or to discuss what this means for him moving forward as a level 3 controller?---This is where our mentoring process is pretty lax in that we don't give the commitment we need to and I think I have said that in my statement.

Are you surprised that an incident controller, who presided over a fire in which there were three burnover incidents that generate reports with those findings about the misinformation in the red flag warning, was endorsed as a level 3 controller after the event?---It is a little bit surprising, but I am unsure of the discussions held between the operations manager and the chief about why. But also to the other point of the reports, and again it's where we need to be in our doctrine in the future, is about how we actually act in principles instead of having a heap of SOPs that people can't keep track of. I think the issue is that we have so much regulation that we can't keep up with our regulation and then we fail to do so. The understanding I've had also, talking about some other near miss reports, they have actually been given back to the people concerned, there are a couple, but the process should be in the loop. We had some real-time performance monitoring which we use at incident management teams which actually do that sort of loop stuff, to say "Here are some issues, here are some things you need to prove", in a live action sense, and give them feedback to the incident controller. I can't see why a near miss report shouldn't have the same loop.

Linking that to the concept of a mentor, Mr Lockwood's evidence
was he'd never had one and he didn't have one on the day.

The deputy incident controller at that fire was

Mr Jeremiah who has been acting as a level 3 incident
controller for DSE since 1998?---Yes.

That leads into an aspect of one of the other recommendations
that's in issue here. But on a day like 7 February, would
there not have been merit in having Mr Jeremiah acting as
the incident controller, with all his years of experience,
and effectively he could have mentored Mr Lockwood in the
deputy role on the day?---Yes, in a theory sense that
would be good. What we have actually said in our
commitment between CFA and DSE is to have a suitable and
available incident controller for each incident. The
complexity of the differences of incidents - for instance,
some person might be a level 3 controller but have no
skill in interface firefighting. Some people have no
skill in a major structural fire like the Longford gas
incident. So, there is a level 3 qualification and there
is a skill base as well that attaches where your strengths
are. What we have agreed to do is have a list between the
CFA and DSE chief officers and talk about people's
strengths and skills at the level 3 controller level so
they can be best positioned to meet the risk.

But your statement through paragraphs 63 to 65 highlights
mentoring. You say, "It is part of the way endorsement
works. What we do is we give people mentors." I suppose
part of what I'm putting to you is what kind of mentoring
scheme is a scheme where there are no mentors?---Again,
back to my previous statement before, some places are good
and some places aren't. Our problem in the CFA in a large
organisation is consistency, and also whether we have a
whole mentor process which we aim to do as highlighted in our statement.

Because mentoring involves skills too, doesn't it? Not everybody is a good mentor. A mentor needs to be able to communicate learning, they need to encourage and inspire; would you agree with that?---Yes, I'm not 100 per cent sure, but there is a difference between mentoring and coaching. Some people need coaches; some people need mentors. What we really want to do is actually coach people to bring them to the next level. In a sense it is semantics but, mentor or coach, they need those coaching skills and people skills, yes.

One of the things you suggest in your statement is, "Look, even if they haven't formally been given a mentor, typically the way it tends to work is when they are on a level 2 or a level 3 incident, if they go in the deputy role they will get some monitoring from the controller above them," and you give that as perhaps a work-around, an example of how it might be happening by default. But can I just explore that with you in the context of a level 3 fire, because almost invariably the deputy and the incident controller will come from different agencies, or they did in the past on a level 3 fire?---That's correct, yes.

Indeed, if you look at the list of fires for 7 February, in every instance the control agency fielded the controller and the other agency fielded the deputy; do you understand that to be the case?---Yes.

Although there are examples in some areas of people who had worked before in the agencies, it is not really a mentoring scheme, is it, if your only contact with the person is during a fast-moving fire and they are from...
another agency? You may not see them again?---That is correct. Mentoring also is built on relationships. You have to have a relationship with the controller and the deputy controller. Again, it comes back to teams working together and training together in a more formalised way. A lot of the other mentoring is done at lower levels. For operations officers you might have two deputies working with an operations officer which makes mentoring for that position, but an incident control level, level 3, it is difficult, yes.

CHAIRMAN: I take it from some of the expressions you have used, you have some degree of familiarity with the literature on mentoring, coaching, evaluating and therefore you appreciate that the use you are making or the CFA is making of mentoring is really quite inappropriate? In other words, what you should be doing is talking about coaching and evaluation. Mentoring, it seems to me, doesn't come into the process at all; but it has a better flavour, so you are attaching yourself to the flavour that goes with mentoring as distinct from coaching and evaluating?---I'm not an expert in that field at all, Commissioner. But, just from the amount of stuff I have read, probably you are right; coaching is more where we want to be than mentoring.

MS DOYLE: Even bearing in mind that distinction, you have accepted that the process, such as it exists, at the CFA is informal and not always observed. Can I put to you that the need for some sort of system, whatever label is attached to it, was identified some time ago as well. One of the recommendations in the Linton report, recommendations 20 and 21, were that the CFA and the then
DNRE consider developing a standard, a training package and an accreditation system for mentors and that both agencies train an appropriate number of mentors to the standard referred to in recommendation 20. Those two recommendations are at page (TEN.132.001.0641) of the Linton report. Were you familiar with those recommendations made by the Coroner in 1998?---I have read them, yes.

Nevertheless, the system, such as it is, which has pertained since that time is the one we have just talked about?---(Witness nods.)

One sometimes honoured, sometimes not, but at the very least an informal mentoring system?---That is correct, yes.

It seems that you accept the comments made by the chairman to the effect that perhaps moving towards a system of coaching with evaluation of the process might be more appropriate when looking at training up level 3 controllers?---Yes, and I think we will take that into regard when we actually have our agreed standard.

I am moving to another topic, Commissioners. It may be appropriate to have a short break at this stage.

CHAIRMAN: Yes, we'll take a break.

(Short adjournment.)

MS DOYLE: Mr Haynes, before we leave endorsement, I just want to clarify two other matters with you. The continuity of endorsements, you explain in paragraph 67 of your statement that endorsements are reviewed annually by the chief officer. It appears from what you say there that every 12 months an operations officer/manager must renominate and the chief officer must re-endorse candidates. Is that the way the process works?---That's
our current process, yes.

On what basis or by reference to what criteria might someone be unendorsed? Someone who has been a level 3 controller for some time, can they drop off the list following an annual review?---My understanding is that they can. If they drop off the list, it is because they haven't practised their skill in a long time. If someone has previously been it and hasn't done it for a long time, they might actually go back to a level 2 instead of level 3. That's the only real thing that I know that might drop off.

It may be their skills have fallen into disuse, but is there any system by which someone who has commenced to perform poorly can be picked up by the system and perhaps their qualification might be revisited?---Only on the advice of the ops manager.

Are you aware of someone being unendorsed for reasons other than letting their skills lapse for a period of time?---Not off the top of my head.

COMMISSIONER McLEOD: If there was a principle of selection on merit, I guess over time it would become obvious with those who are in a sense judged to be less proficient than others by not getting so many visitations, so to speak?---I think for the future for us is if we have a proper joint training and exercise program it will give us a better indication of people, one, who want to be that in the future but, secondly, if their skills are still good or not. At the moment it relies on either some sort of work at an exercise which is ad hoc or real life experience.

MS DOYLE: Do you receive confirmation on an annual basis that your endorsement is going to continue to be recognised?
The reason I ask you that is Mr Small, who will give
evidence this afternoon, says that he doesn't know whether
he has retained his level 3 endorsement for next fire
season. Is there no system for letting people know?---No
documented system. I have actually had a chat to some
other key volunteers who do incident controller roles.
They are of a similar thing. They were unsure whether
they were or not. The engagement of our regional staff to
the team I think needs to be explored.

If people aren't sure whether they are a level 3 controller, it
is going to make it difficult when one is gearing up to a
code red day to know who is available and to know whether
to put yourself forward?---What normally happens is the
list is publicised. Again, region to region, some might
actually give the list out, some may not. Again, it is a
consistency thing. The documented process of what needs
to happen is probably the area we need to improve on.

Are there plans afoot to set up a system where there will be
clarity, both for the people who need to roster incident
controllers and for those who might need to step up to the
role, as to whether they have been endorsed?---I think we
need to have the discussions on that because I have only
found that out in the last week or so as part of gaining
evidence for a statement. I think it is a topic the
chiefs need to have a chat about.

That sort of information could easily be put up on the
intranet, for example, couldn't it, so that people could
check their currency?---Quite easily, yes.

I want to ask you about endorsement for the future, briefly.

Attachment 12 to your statement is a new process, you say,
that will operate from now onwards in terms of
endorsement. Page (WIT.3004.024.0326). I think you say
in your statement and it confirms it is to be read with
the old procedure, 8.03, but it seems as though they are
to co-exist. Under the heading "Guidelines" on that page
it says, "When nominating CFA members for level 3 roles,
operations managers shall give consideration to formal
qualifications and relevant experience. Appendix 1
provides considerations on which operations managers may
base their decision." Pausing there, this is new. This is
the system that has just been developed and committed to
writing; is that right?---That's my understanding, yes.

In terms of formal qualifications for level 3 incident
controller, you have already told us there is no course.
So what formal qualifications will be looked to? I think
it starts to be explored in the table that's at page 0328.
It says "for all roles other than level 1 people should
have completed introduction to AIIMS" and then "level 3
incident controller preferred qualification, operations
officer or planning officer". That's not a reference to a
course, is it? That's a reference to having performed
those roles?---No, operations officers and planning
officers are AIIMS courses.

It is the AIIMS course?---Actually ticketed courses, yes.
So one would look to see whether they have done that course and
then one looks at experience, and that's the component
which is actually having worked in those roles?---That's
correct. That's like the current endorsement process,
yes.

Then the third column is "experience within or outside
emergency services which has led to the development of
skills". Now, obviously that could always be something
one would have regard to, but it looks as though that’s been given some more prominence in the checklist that people should have regard to?---I think as you stated previously, a lot of our volunteers especially have got a lot of experience in day-to-day management. They could be inspectors of police. They could have their own large business where they actually operate. So it is about saying some of the skills which will fit into an incident controller could be used looking at their past day-to-day jobs, pretty well.

This is the prior learning notion that was explored earlier in questions. You have volunteers, as it turns out, who are firefighters. I'm thinking of Mr Craig Wood, sector commander in Churchill. He is a firefighter by day. You have volunteers, as you've mentioned, who run businesses, who work for the police. There are ambulance officers and many other skills. So this is a prompt that one might look to that real life experience that might make one a good pick for level 3 controller?---That's correct. To be a level 3 controller the attributes you are talking about before, it is about ticking off the boxes to say, "Yes, we meet five of these, and the three areas we need training for are these." It is pretty well a gap analysis.

The only other point I would seek to explore with you there is having worked as an operations officer or planning officer is obviously a good introduction, but that particular attribute of leadership and decision making, there is as yet no course at the CFA which is geared to that and no particular prerequisite which is geared to prior learning in that sphere?---Only at the level 2 which we spoke about previously, the incident management AIIMS course, which
gives you the base knowledge, if you like, about leadership and how to manage, and the complexity part is the hardest bit to teach.

Looking at this new procedure, it still doesn't contain a requirement that there be documentary evidence supplied in the form of a log book or a field book, to use the DSE terminology. Why is that still not a requirement?---I am not sure.

Did you have a hand in developing this or was this done elsewhere in the agency?---Elsewhere.

Would it not be a good idea to require there to be some sort of cross-check or evidence base such that the operations manager, and ultimately the chief officer, can feel secure that these matters have been tested in the field or observed on the job?---Yes, I agree with you.

I want to take you now to the separate question of the appointment of the incident controller and some of the matters thrown up by recommendation 9.2, that being the recommendation that the agencies ought to ensure the most experienced, qualified and competent person is appointed incident controller. You acknowledge in your statement that there is to be a change in relation to the approach. You seem to accept in your statement that the old way was to determine the incident controller by reference of identifying the control agency. That in itself is determined by the land tenure question in terms of where the fire ignites?---Yes and no. To get to a determination of the incident controller the control agency looks at the potential of the fire. So if it potentially is going to run into country area Victoria, the CFA incident controller may be nominated. That's how we have operated
in the past. What the chief officers have agreed to do by
the end of this month is to have their agreed list, which
also the area of operations controllers will have access
to, about the different skills of people for a specific
task which again will allow the area of ops controller or
the state controller to make an informed decision.

But in fact in the past and on February 7th the exclusive
methodology was to make the incident controller be drawn
from the control agency?---That was how it used to be;
that's correct.

In paragraph 160 of your statement you say that the agencies
have agreed that suitable and available people shall be
appointed. If we can just look at paragraph 160. It is
at witness page 0050. In the second sentence you say,
"This will avoid the tendency for the agencies' personnel
to default to the old position of appointing the incident
controller based on the control agency or based on public
or private land." That's the past. Let's look at the
future. There was a standard operating procedure which
governed that but, as I understand it, that has also been
redrafted. The new standard operating procedure is J3.08,
if I have the correct number. I'm just checking whether
that's one of the ones that were revised in the last day
or so. It was. This is at (CFA.001.032.0334). So this
will apply for the next fire season. It seems to be dated
November 2009. The preliminaries to the document look a
lot like the previous example. Can we just have a look at
page 0335, where it talks about identifying incident
controllers. So this is the system for this fire season.
The chief officers will identify and endorse personnel who
may undertake level 2 or 3. They will maintain a joint
register of personnel. Is that element new?---That's a
new element, yes. The new part of it also, too, is based
on their skill and their attributes.
I don't see that spelt out there, but is it an understanding
that the register will spell out the particular
attributes?---To give guidance to the area of ops
controllers and the state controller, the chief officers
have talked about having a table of controllers, if you
like, who have particular skills. So you can say I would
be better suited for a Longford gas incident than deep
Alpine forest firefighting, for instance.
For this fire season will there be a joint register ready that
will have each person's formal qualifications but also a
narrative as to particular attributes they might have
gained, a particular experience?---That's my
understanding, yes.
Is the list ready now, do you know?---End of November is our
target date.
That's a few days away, so it must be more than 75 per cent
complete?---There have been some names considered by the
two chiefs and they are still to formalise the list.
In terms of appointment, in paragraph 2 it says, "The control
agency shall appoint from either agency for multi-agency
incidents." That's exactly the wording that was in the
old standard operating procedure. So what here will
prompt or guide people to make sure they get the best
person rather than revert to habit?---A couple of things.
The area of operations controller under the new command
and control structure will have pre-determined people in
place on those extreme days and, secondly, if a fire does
start outside the preplanned days for some reason, then
the area of ops controller and the state controller
converse to appoint an incident controller.

What sort of knowledge or what sort of material will be
available to those perusing the register to really get a
grip on who is actually available; for example, whether a
volunteer has made themselves available from their usual
commitments or whether a career officer is available but
unable to travel? Is that sort of detail going to be made
clear through the register?---No. The register is just a
list of names. The availability is normally given on the
daily basis of the pre-determined risk about who is
available and who is not. That's relied from the regional
duty officers.

So this will focus on who has the qualification, who has
particular experience. I just wonder, given the
terminology in the relevant recommendation, why it wasn't
thought necessary to just spell it out here. Instead of
saying "from either agency", why not add the words "the
best qualified, most experienced for the job"?---It might
sound like semantics a bit, but I'll give an example. If
a particular person was the most suitable person, then
they are the only people who would actually get to the
large incidents because, if they are available, the most
suitable would have to go. So what we are saying is there
is more than one person who is suitable. We said the
suitable and available person who can actually achieve the
goal that we need to do, if that makes sense.

It is just that prominence is intended to be given to
experience, qualification and competence. I wonder why
one wouldn't spell out those goals when one is identifying
the appointment of the incident controller?---Can you say
The wording in recommendation 9.2 was "to ensure the most experienced, qualified and competent person is appointed". I'm just exploring with you the fact that the wording is no different from the previous position, simply "from either agency". Why not simply add the qualities that one is looking for: experienced, qualified and competent?---I would agree with you; "experienced, qualified and competent" would be fine. "Most" is the word I have the most problem with.

I want to ask you about numbers of level 3 incident controllers. You are no doubt familiar with the fact that recommendation 9.1 suggested that state duty officers ensure they have enough people, to put it in simple terms, to staff and enable immediate operation in their areas?---Yes.

You provide in your statement some of the historical data about the numbers of incident control centres that have ever operated, and we spoke about that during your PowerPoint presentation, and then literally the number of incident controllers that there are in the state. I think it is at paragraph 170 where you give the stats for 7 February. If we can just look at paragraph 170. That's at page 0053. You recite that on 7 February the CFA had 63 level 3 incident controllers, 14 of whom were volunteers; and 47 with the qualification they were to be mentored, of whom 14 were volunteers. Then you set out regionally where they were located. Between the fire season and now you provide a couple of different figures, so I wasn't sure about the arithmetic. But it looks as though about 10 more level 3 incident controllers have come.
on-line?---That's my understanding, yes.

They have been endorsed pursuant to the old regime, unless they
have been endorsed in the last couple of weeks, by the
sounds of it?---No, I think the endorsement was probably
about October, I think the list was completed.

In paragraph 172 you say there are at least 93 but it might be
101, depending on the outcome of some accreditations at
DSE?---That's correct. Mr Slijepcevic the other day was
accrediting some people, and I think from memory there's
another three I think to be done in the next few weeks.

Let's call it 100. We have about 100 level 3 incident
controllers available, and your own modelling suggests
that the worst case scenario is needing to have 12
incident control centres running big fires
simultaneously?---Yes.

We have more than enough people. It seems the difficulty is
where they are and where they should be placed?---That's
correct. The other thing is I think also I said in my
statement on 172 about the availability of the 100.

You said that about 50 per cent might be available. That's a
low strike rate. Why do you estimate that only
50 per cent will be available on any given day?---Mainly
because the level 3 controllers are also people like
myself who are undertaking other roles at the state level
- potentially I'm available for a level 3, but again
someone would have to backfill me in my role - and an
estimate also about availability of people. Some people
may be on leave or holidays or just unavailable.

That's I guess possible. But if I can explore a couple of
examples with you. In terms of availability for personal
reasons or leave, when the state knows that a catastrophic
day is scheduled and your own stats indicate it could be
as few as two or on past records six in a season, is there
some capacity to do two things: recall people from leave
and backfill someone like you, if you are needed?---That's
a possibility. I think earlier today I talked about we
have probably got enough people but in the wrong places.
In the past we have relied on a regional filling where we
actually need to go to a statewide filling for positions.
If we have the available level 3 controllers to do the
job, then they will actually be placed in the position.

How did you come up with 50 per cent? Is that based on some
modelling about turn-out rates or is it based on some HR
tool or plucked out of the air?---It's the third; it is
plucked out of the air. Again, it is just an estimate to
say that we just can't rely on the 100. It might be 50.
It might be 60, whatever. It is just my estimate with no
science behind it.

But this is just a complicated example of a rostering or an HR
problem, isn't it? When you get the four-day forecast
which tells you there is a catastrophic day coming up,
with 100 incident controllers to draw from is it not
possible to do better than 50 per cent turn-out and to do
better than not being able to work out where to place
them? You can do a risk analysis and figure out where
they should be located?---Yes, I agree with you, and
I think we should be able to do that. Yes.

The addition of 10 incident controllers is a step but a small
one. Have any steps been taken to try to recruit more
people from level 2 and other places into the level 3
realm?---Not at a statewide level but potentially at a
regional level. One of the gaps that I reckon we need to
cover off on is having a statewide strategy for planning for incident management. Again, how much is enough? Do we need 100; do we need 180; do we need 50; and each of the different positions and have a statewide strategy to match that. At the moment we have regional strategies which have got some disconnect, in my view.

But the 2006 project, the joint project with the DSE we looked at in another context a moment ago, the accreditation project, it was in part inspired by the fact that succession planning had already revealed that both agencies were going to suffer a shortfall in qualified level 3 controllers. You agree that that was one of the issues identified by that joint party?---It was one of the issues identified. In CFA's point of view, people who actually retired from CFA have come back as volunteer level 3 controllers anyway. So the worst case scenario hasn't been met.

You make the point in paragraphs 172 and 173, I think it is, that there is no power to compel people to seek level 3 endorsement and that this might contribute to the gap in terms of recruiting people. Has any thought been given to incentives or rewards that might be offered for those who take on the admittedly onerous responsibility of stepping into a level 3 role?---As part of the process we went through with DSE there was some discussion about what incentives there would be for level 3 controllers. It doesn't have to be monetary incentives. It might be overseas deployments to improve their skills and their craft or whatever else. But I recall we had some discussions on that at that time but again wasn't pursued.

In terms of the pool that's now available, sticking to the
approximately 100, the new position of area of operations controller we touched on a moment ago, are they likely to be someone who is a level 3 incident controller? Are they likely to deplete the pool further, is what I'm getting at?---For CFA wise, yes. The main people we nominate as potential area of operations controllers are I think all level 3.

So we in effect have eight extra positions to fill if there is a statewide or a widespread catastrophic declaration, because we need eight area of operation controllers?---That's correct, yes. But it also could be from a DSE position. It doesn't have to be a CFA position.

In terms of who is available on the day, both Mr Small and Mr Monti, long-term volunteers who will give evidence this afternoon, suggest in their statements that the CFA could do more to ensure it draws on volunteers with level 3 qualifications who are available and want to put themselves forward. They suggest that there is some deficit in getting the information in; namely, knowing who is available and ready and willing. Do you have any comment to make about that?---It may be on a different regional basis. My experience in my old role was that we had phone contact with all our level 3 volunteer controllers and planners, logistics, about their availability prior to the day. The issue for us is that as part of our emergency information management system, which we are trying to do in the future CFA wise, has an availability collection of data module on it, if you like, that people can input and we know that they are available electronically at any time. So we can pick from a pool.
Is that available to volunteers as well as paid staff?—-It would be on Brigades Online. It is a place we want to go to, but again we haven't got there yet.

Although I described it as a complex HR problem, it is not insurmountable, is it? It just means that one needs to have available data about the fire season, about people's availability in particular weeks or days?—-I think also too the beauty of the system of being prepared four days out and the controls around that now will actually give us more access to people and know when they are available.

Because, although there are 100 incident controllers qualified to level 3, once you break it down to a regional basis it may only be 10 phone calls that need to be made or 10 sessions that need to be held in order to ascertain people's availability, and here I'm concentrating on volunteers, during the prime months of the fire season?—-Yes, that's correct.

You said it might be available on Brigades Online. Is that something that's only available to some brigades at the moment or is it not available at all?—-Brigades Online is available in some fire stations. It is a web based system. So if you have an access code to get in you can actually get in anywhere.

Another matter I just wanted to touch on briefly, you mention in your statement a new system in terms of the shifts that incident controllers will operate. You explore this at paragraphs 163 to 165. It looks like the main difference is going to be, rather than incident controllers strictly operating as day shift and night shift, you will have one incident controller for the whole of the fire, although they can leave others working in their stead while they
sleep at night?---Yes. The chief officers of both CFA and DSE are going to utilise one incident controller for fires beyond one day's duration. The idea of it is consistency amongst the shifts. So one person who floats between the two shifts, and the deputy incident controllers have a greater role in managing the day-to-day affairs.

One other change is that incident controllers now are literally going to receive a piece of paper which informs them that they have been appointed as incident controller for a particular fire?---That's correct. There is a formalised signing off from the area of operations controller or the state controller.

I'm not able to put my hands on that just at the moment. It is called instrument of activation, (WIT.3004.027.0384).

COMMISSIONER PASCOE: In relation to the use of the single incident controller across a 24-hour period, in a practical sense does that mean that some of the team might be in place from 7 am to 7 pm and others following, but the incident controller might start at 10 and finish at 10 or something of that sort?---Yes, that's correct. I use the analogy of a captain of a war ship in my statement to say that the incident controller sets the leader's intent for the day, and the day and night shift should be planning in a 24-hour period anyway. So the incident controller could start at 10, 12, whatever, go to 9 o'clock at night, make sure the ship is flowing in the right direction. Then if there is something out of plan the incident controller may get a call. But, if the leader's intent is right, we are talking about consistency amongst the shifts.

MS DOYLE: The embodiment of the leader's intent, no doubt that
is to be found in an incident action plan and the communications plan for the fire?---That's right. Incident shift planning, yes.

Are you aware, just by way of example, in the Churchill fire no such plan was prepared for that fire?---I'm not aware of that, no.

But, if things are working under this new system, you would expect that the leader gets their intent clear by communicating with the team but also by reducing it to writing in the incident shift plan?---Yes. We reduced our incident action plan a few years ago - it used to be a voluminous thing - to about six or eight pages and mapping to give exactly what the people on the ground needed to do their job but also to lessen the time it takes to produce.

Just reverting to this instrument of activation, this is the bit of paper that an incident controller will get. It recites the formalities about the Act and the emergency management manual. But it then informs them that they are to "take charge and provide strategic leadership to ensure current and emerging risks from bushfire are brought to resolution across the areas prescribed below." As I understand the form, the way it will work is you might be told you have those responsibilities for a particular fire or region or area?---That's correct. There are a couple of instruments of activation. One is for area of operations controller and also for incident controller. So, again, as stated previously, the area of operations controller can be for a geographical area or it could be for a DHS Fairer Victoria region.

I see. Presumably each of those matters were the responsibilities of an incident controller last season,
but the difference is that it is now formally encapsulated
in this instrument?---Yes, and also it's the auditing, if
you like, of the right person is in the right job either
based on the area of operations or the state controller
signing it off.

I want to ask you about incident management teams now and the
pre-positioning which occurred in the past and will occur
in the future. In annexure 31 to your statement you set
out a list of the ICCs which were intended to operate on
7 February. Annexure 31 is witness page 0371. You have a
list there of the pre-positioned incident management teams
on 7 February, and there is a column which indicates who
staffed them, which agency, and to which level. In
relation to Alexandra, first of all, can I just confirm
with you this suggests here that there was a CFA incident
control centre ready to go, but in fact the evidence in
the proceedings is that there were some DSE team located
at the DSE office in Alexandra and CFA staff in their
office and there was no integration or co-location when
the morning dawned on 7 February?---Yes, if I can explain
the difference. The 42 level 3 incident control centres
which were identified before are the top level. Below
them are 155 divisional command/level 2 incident control
centres, which also we are upgrading as part of the
bushfire preparedness program. So what the Alexandra CFA
would mean would be the level 2 probably at the Alexandra
group headquarters. The level 3 designated place is the
Alexandra DSE office.

But this chart suggests there was a pre-positioned team ready
to go. In fact some of the team were not at that
location; they're at the DSE office, as it turns
out?---Not to my knowledge, no.

Can I ask you about Kangaroo Ground. It is designated there as a CFA level 3. But you know that Kangaroo Ground didn't take charge of the Kilmore fire until the following morning. In any event, Mr Lawrence from the CFA was made incident controller. He had done some level 3 training but was not a level 3 incident controller?---I understand that to be correct, yes.

In relation to the example of Traralgon, you may know that there was a level 2 team downstairs in the Traralgon office running the Delburn fire and a level 3 DSE team pre-positioned upstairs, but that when Churchill broke out they blended, if you like, and formed one team to run two fires?---That's my understanding too, yes.

This list here is not all the ICCs that existed as at 7 February. These are the, I think, 29 out of a 43 total who were supposed to have pre-positioned teams as at 7 February?---That's my understanding, yes.

You mentioned early on in your evidence that there was some confusion - and it is terminology you use in your statement - over the levels of preparedness. Can we go back to 7 February and what the requirements were. Standard operating procedure 2.01 existed then. It is annexure 29 to your statement, witness page 0357. This is a 2007 procedure, so it clearly was in force in February. It is titled "Local mutual aid plans". It provides that these plans should be developed annually combined at the DSE regional and CFA area level. Are you familiar with the content and the import of this procedure?---Yes.

I think the only local mutual aid plan, which is apparently known as an LMAP, which has been produced so far in the
proceedings is that produced with respect to the north-east region by Mr Creak. Do you know whether each area and region, as is required by this, had an LMAP as at 7 February?---My understanding is that all of them had one, yes.

So this procedure would have required (a) that they have one and (b) that they operate pursuant to the preparedness levels set out in it?---That's my understanding, yes.

The procedure goes on to say that adjoining regions and districts should develop local arrangements - this is paragraph 2 - and they should be documented annually using a template; do you see that? Can I take you to the planning procedure that seems to be attached to that. It is over a couple of pages, 0361. The title of this procedure is "Planning for joint incident management teams". Can I take you to the objective, "To ensure that fires and incidents are managed by the CFA and DSE members who possess the appropriate competencies, endorsements and experience." Again, this was in force as at February this year?---(Witness nods.)

It says, "Each region should have an IMT coordinator appointed to manage IMT arrangements, readiness and rosters."

I have to say I am not aware of any witness here who has either identified themselves as an IMT coordinator or referred to one. Are there people who held these positions in February?---My understanding is there were. The idea of the IMT coordinator, especially if you are talking about the north-east, is to talk to the regional duty officers, get their strength of numbers, formalise teams and be ready for deployment. That's the idea of an IMT coordinator.
Is the regional duty officer the IMT coordinator or are they a different person?---In a single regioned area, which CFA has some, they are one and the same. In an area like the north-east, where they have four separate CFA regions, they would nominate one of their regional duty officers to be that person.

Do you know who it was in the north-east region as at February this year?---I'm not sure, no.

It looks like the person who has this role, as is spelt out here at 1.2, they will maintain a list of persons who could fulfil the need for input of local knowledge to an IMT. They will consider mentoring arrangements to validate competency?---Mm-hm.

It sounds as though they will essentially maintain the list, the roster, of those who are available. Is that the intention of that role?---That's the intention, yes.

Mr Creak has given evidence in these proceedings about the steps he took in terms of preparedness of the north-east region. Is it possible he was the IMT coordinator or you don't know?---I don't know. It normally is one of the regional duty officers who do it either on a roster or nomination.

So as at February this year there was a requirement when leading up to a day that was expected to be a high fire danger to have regard to the LMAP, which presumably would contain some preparedness markers or goals; is that right?---The LMAP talks about pre-positioning of teams but what it lacks is the clarity that we now have; so what are our expectations of what a team should look like preplaced or preplanned. Then what the next goal is I suppose is to say we need a full team within 60 minutes or two hours or
whatever. Beforehand I don't think they had that clarity, and that's where the confusion came.

I think that's right. The particular exhibit, the LMAP for the north-east region, suggests that DSE and CFA counterparts should liaise. So it suggests a course of action but it doesn't spell out the result; namely, the level of preparedness you should meet. Is that a fair description of some of the LMAPs?---I think I would have to agree with you on that. The new way we are trying to do it is to provide that clarity to support it.

It would also appear that, having had regard to the LMAP, what ought to have been done in February this year is that a regional officer could then go to their IMT coordinator, or if it is themselves do the work, and figure out who is available, where can they go, what's the roster for Friday and Saturday, 6 and 7 February?---Yes, that's correct.

On the next page of that standard operating procedure, 0362, it was suggested, "As at this date" - which is 2007 - "IMTs should consist of a minimum of 14 people." You have already explained in evidence that that has been expanded to a complement of 30 in circumstances where a full IMT is regarded as appropriate?---That's correct.

I think you can see by comparing that list with the other document we have looked at that there has been an expansion, particularly in information and logistics roles and planning, I should say?---Yes, there has been a large focus on planning and more focus on a public information officer. Now we have a mandatory preplanned fire safety adviser as part of the 30.

The standard operating procedure which will replace this, if you like, is the new J2.03, I believe. If we can just
turn that up. So this is the new version of the sorts of arrangements we have just looked at. The objectives section of this document says that it will ensure incident management capacity is in place to effectively manage fires that may occur. Similar language but it seems to be more directly geared at ensuring we can manage what eventuates on a particular day?---(Witness nods.)

It spells out that preparedness levels shall be described in local mutual aid plans. Would you anticipate that each region will now redraft their plan in order to specify the goal rather than just refer to the aim of trying to liaise and discuss preparedness?---Yes, I expect that will happen as a matter of course, but also it will give them a bit of a goal and a planning target to pick their teams or so they can't pick their teams, either way.

Paragraph 3 seems to suggest the way this should be done is by having regard to matters which might inform your preparedness level and your risk exposure, the forecast weather patterns, fuel conditions and the possible consequences which are mentioned in 3.1.6?---That's correct.

The procedure then sends you off to the default levels which we have already looked at and the table in appendix 1. Perhaps if we can just look at appendix 1. So that's page 0331. Appendix 1 to that procedure, page 0331. We have already looked at this in a different context, but the preparedness levels are rated as base, core and full IMTs?---That's right.

The way you work out in your region what you should do is by having regard to the table at page 0333?---That is right.

I tried to show that a bit clearer on that map in the
PowerPoint.

If we look at page 0333, if you are the regional officer with these ICCs within your catchment, you will know that if the FDI is relatively low, below 35, and you are in Mildura you can prepare to level D, which means maintaining situational awareness and having basic staffing in 60 minutes. But, if your catchment includes Bendigo and it is above 75, you have to go to level A?---That's correct, yes.

Would you expect also that those who are redrafting LMAPs will take this learning and put it into that document with any particular additions that are necessary for their local conditions and staffing availability?---In what regard, sorry?

This gives the basics and it is described as a default?---Yes. Or a minimum. Would you expect that those who redraft LMAPs now might decide to shoot for a higher standard or they might decide to provide more detail about the way in which they will meet the standard?---I think what they will do is ensure they can meet the minimum standard for a start. If they can't meet the minimum standard at all, that's back through the state controller to talk about where we pre-position people to meet the need. But also, as I said before, it actually starts us on a roll for a proper statewide strategic plan for training to make sure we have the right gaps to fill what we need.

In terms of that statewide approach, with reference to the example of the Kilmore fire, Mr Creak gave evidence that it was always clear to him, and he thought it was notorious, that there would never be enough people in his region to pre-position level 3 teams. But equally he said
he didn't seek additional resources on 5 or 6 February to be moved into his region. Will there be a capacity in this season for someone who identifies that gap, say, on the equivalent of 5 February to make a call and get more resources into their region?---That's correct. The whole idea of this joint SOP is for the area of operations controllers to plan days before about the capacity to deliver. If they can't deliver to this standard, then they will inform the state controller, who will move people around the state to fill the positions to meet the SOP. So it is about a statewide approach, not a regional approach.

The body of evidence was also to this effect, that both Mr Rees and the state duty officer, Mr Paterson, did not know, for example, that the Kilmore incident control centre wasn't ready to go with a level 3 team on the 7th. Would you expect in the future that a regional duty officer who discovers that sort of gap will tell those above them in the chain and will seek additional resources to fill the gap?---Well, in a preparedness mode the area of operations controller will have that role to do that. They will work with the regional duty officers to ensure that not only the numbers but the positions can be met in a preplanned way. Again, if they have any gaps then the state will backfill.

Another example that has emerged in these proceedings, and I will use the example of Murrindindi, is a resourcing situation where there is in fact no gap but sufficient inquiries aren't made to identify who might be around. What I'm putting to you is the example in Murrindindi pertaining to Mr Farrell's evidence. He made a decision
to appoint Mr Lovick as the incident controller for that
fire who was at level 2 in terms of his endorsements. He
was on the way to Kilmore and needed to divert back to
take up that position. But as it turns out there were CFA
level 3 incident controllers physically closer, like
Mr Rice?---Yes.

Who was only a kilometre away. Mr Beer was not considered. It
seems that those who were looking at rosters, bits of
paper, IMT planners just didn't have the material they
needed to find a good person quickly. First of all, is
that your understanding of one of the problems that
emerged in Murrindindi, and how will this new system
overcome it?---Yes, I understand that was an issue
highlighted in evidence. The idea of this is about,
again, picking the right people for the right job, having
them located in the right place. If our mechanisms aren't
robust enough to do that, we have to explore to fix that
problem.

Can I just pause you there to suggest to you in a shorter way
the difficulty here. The right person was in the right
place. Mr Rice, level 3, was a kilometre away.
Mr Lovick, level 2, was an hour and a half away.

MR CLELLAND: Mr Chairman, I think the evidence will disclose
that Mr Rice had made himself unavailable for the position
of incident controller. I think Mr Creak gave that
evidence to the Commission.

MS DOYLE: My understanding is Mr Rice said he was unavailable
to travel, but he was one kilometre away from the incident
control centre at issue. It may be you are not intimately
familiar with that detail?---No.

Let's step away from Mr Rice then and talk about the situation
where somebody needs to make a decision quickly and they have on a list level 2 and level 3 controllers, they have on a list where they are located?---Mm-hm.

Will there be sufficient information available for those who need to make those decisions to be able to take into account experience and aptitude and practical things like travel time?---Yes, my understanding of the way we want for this to operate for this season is we have the pre-determined core people at the incident control centres based on the risk of the day, and then we have a number of preformed teams that can be easily moved around the state or located close to an ICC or actually in the ICC, depending on the risk of the day. So the whole idea is that we have got a target to meet and we may have to fly people to places, we may have to travel - make sure they are preformed closer. But the idea is we have the target to meet it in that timeframe.

I think somewhere in your statement you make the point that, given a four-day forecast, if there is a real deficit identified you even have time to fly people from New South Wales?---That's correct, as long as they don't have the same issues we have. If you look at least week, I think we were "severe fire danger" and they were "catastrophic". So, again, south-east Australia, or Tasmania, South Australia and New South Wales or even New Zealand might be an option.

In terms of the broader question of using your resources, Mr Monti, who will give evidence this afternoon, suggests in his statement that there is an under-utilisation of volunteers who are qualified to the level 3 standard generally. He says that there are a number who were
available on 7 February with the right qualifications but
whose services weren't sought or whose availability wasn't
drawn on. Do you have any comment to make in relation to
that?---I have had some evidence given to me personally
that some people, yes, were under-utilised. It wasn't a
great number, but some people were, yes.
I have put the examples of Kilmore and Murrindindi to you. But
can I also suggest to you that the pre-positioning and the
planning that went on in Bendigo was of a different
calibre. Mr Deering from region 14 gave evidence. He was
the incident controller at Epsom in Bendigo. He gave
evidence to the effect that he had a team who engaged in
some simulation type scenario training in November but
also on the day before the fires, were ready to go, spent
time getting ready to go on the Friday. He said at
transcript page 10151 his goal was to have everything
ready to go by 11 am Saturday, and achieved that?---Yes.
Indeed he had gone to the degree of working out that he would
be the incident controller in most circumstances if a fire
broke out. Can I put to you that's an example of
appropriate regard being had to the level of risk and
steps being taken to be prepared on the day?---I would
agree, and he should be congratulated for it.
The new arrangements for pre-positioning and being ready to go
on the day that we have just explored, is there going to
be a way of auditing whether regions are appropriately
applying the new standard? I understand LMAPs are
annually audited. Is the same sort of process going to
occur under the new standard operating procedure
J2.03?---The LMAPs are audited every year. We actually
look at them in our regional audit reviews. For the
allocation of staff on the day, the area of operations controller has got the responsibility to make sure that it is in place.

But is there a mechanism for ensuring or checking that before, for example, a forecast "catastrophic day" or do you expect the area of operations controller to be proactive and check that for themselves?---I expect that. I expect to work closely with the area and regional duty officers for both CFA and DSE to make sure they have got the right number of people.

Is there a trigger for that check to occur; what I mean by that is at particular intervals or would you expect them to check on that when, for example, there is a poor forecast that comes in?---Under the pre-positioning of incident management people it is more about forecast weather three to four days out. If we plan for severe and above and if you look at the joint SOP it is even less than that in some cases, we should be ready for any fire that occurs. So if that happens and an area of operations controller meets the target, then we should be okay.

Throughout the evidence that's been heard by the Commission and at places in your statement there's a suggestion that one not ought to go out all guns blazing on the first forecast catastrophic day, that there needs to be some consideration given to keeping crew in reserve to work on the second day of the fire, to ensuring you still have coverage in other areas. I assume those sort of considerations are also given some weight?---If we are aiming for a target of 12 incident management teams for a code red day for the state, then that is actually 24-hour teams day and night shifts. So we have to ensure that's
right. Some of them, based on risk, with agreement with
the area of ops controller and the state controller, may
be pre-positioned as 30 people for lightning, arson,
whatever; other people may be pre-positioned so we can
actually meet the standard.

Can I put a suggestion to you, Mr Haynes. Given the past data
- and I understand we don't always know with certainty
what will happen this summer; but the past worst case
scenario was six catastrophic days in a season - there is
no harm done, is there, if we ensure that there are level
3 incident management teams pre-positioned, by which
I mean at the location, at the incident control centre, on
the day? The worst that can happen is that they are not
needed?--I don't think we have got the numbers and
availability to man 42 incident control centres on one
day. That's the reason why we have had the target of 12,
based on our past history and also to move them around the
state to meet the need. It is really about the general
being the state controller, if you like, moving the troops
around to each different battle site. That's what we are
trying to achieve.

I misquoted the stats there. It was in fact six catastrophic
days over three fire seasons, which brings down the number
of days. You have made the point about 43 ICCs. It may
be that a catastrophic day is recorded for large areas of
the state but not every single area. So it may be there
is a capacity to pre-position teams at a number of our
ICCs greater than 12?--That may be the case based on the
risk of the day, but also about our capacity to deliver.
We can't say that we are going to have 100 IMTs in place
when we have a capacity for 12. So it is about having a
bit of realism in it and the likelihood and the
consequence of a fire occurring.

In terms of the key person, the leader, the level 3 incident
controller, given there is a pool of 100 to draw from, it
may though be possible as an alternative to ascertain the
location and availability of as many of them as possible
so that they can be moved around, just as you have
described, as things evolve?---I agree, yes.

I want to take you to another matter entirely, the training and
career paths for career and volunteer officers. You set
out in your statement at paragraph 18 onwards the skills
profile of a professional CFA officer, and I think that
part of the statement speaks for itself. You then go on
to talk about how volunteers access the stream of
training. You point out in paragraph 41 of your statement
the way that a volunteer might progress through the ranks
as a firefighter, strike team leader, sector commander,
et cetera. That's spelt out in some detail. Can I jump
to paragraph 79, where you talk about the training of
volunteers. You say there that the delivery of training
is flexible so as to accommodate career and volunteer
firefighters. You have made the point this is one of the
corrections you made this morning?---Yes.

"The training is delivered by career instructors, sessional
instructors and volunteer instructors. There are many
courses held on weekends and at night time." Annexure 15
to your statement is literally a list of the courses that
are going to be available in the next fire season. Can we
look at that annexure. Page 358 is the first substantive
page. There is a long list there of courses. The first
one is information officer. If you look down, there is
operational management?---Yes.

A number of different courses and literally when they are
scheduled in the next season. Having looked at this,
there seemed to be about 97 courses and only about 17 are
on the weekends. Do you see in light of that that there
really is not a high percentage that are available to
people who work regular Monday to Friday hours?---No, the
list you are looking at is the statewide training program,
if you like. There is program training at regional level,
if you like, crew leaders, sector commander, strike team
leader, weekends or nights. There is a different break up
of modules. So they can be done in parts instead of one
full session of four days, for example. So what you are
actually looking at there are the statewide courses.
There is a whole raft of courses underneath that based at
area and regional level.

Okay. So there will be for each region a similar
timetable?---Yes. There is a training plan for each
region, which the training managers agree with the ops
managers about the delivery of.

Is regard had to ensuring that they are available at different
times, not just weekends but perhaps in evenings or for
people who work shift work in their day job? Is that sort
of consideration given?---There is. We are an integrated
fire service. If we didn't accommodate volunteers' timing
then we wouldn't survive. Could there be more in the
future? Potentially there could. But as an integrated
fire service - like, in my old role I was out many nights
and many weekends to do training for volunteers.

Just in terms of the type of course one might do if one was
interested in skilling up to level 3, can I just take you
to page 0362, where there is a reference to some courses that are being run in April next year. At page 0362 there is a reference to the incident management skills module which we touched on earlier. Can you see that? It says its closing date is 15 March but it is going to be run 27 to 29 April. As far as I could see from this document, at least at the state level, that's the first time between now and then that the incident management skills module is going to be offered. Do you know if it is available sooner than that for people who want to get their skills up before April next year?---Probably not. Because of the fire season we pretty well close our training options down because we can't guarantee, one, that the people can attend and, secondly, we are not fighting fires. There is a bit of a layoff over summer for training. That will probably be the first organised course at state level. There may be some regional courses done that I have no knowledge of.

I want to ask you about joint training between the agencies. First of all, I think you quote a couple of these documents in your statement, but if one goes back to basics and looks at the documents called "Partnership guidelines" and "Heads of agreement", to which the agencies are parties, there is a commitment in those documents to engaging in joint or interagency training. Would you agree with that?---Yes.

For completeness, I think I will tender those two documents which you have quoted in your statement but not attached. The partnership guidelines between the CFA and DSE, which are dated 2006, are at (CFA.300.040.0007). The heads of agreement between the two agencies are (CFA.300.040.0004).
I think they may be in evidence through other witnesses, but I will make those part of the statement which is your exhibit. I just want to remind you that the heads of agreement document also dated 2006 has a short list of principles that the DSE and CFA have committed to. Principle E is, "The agencies intend to take every opportunity to participate in joint programs, projects or training where a united approach will benefit the communities they serve"?---Yes.

You are familiar with that principle?---Yes.

And the guidelines at (CFA.300.040.0013) pick up that goal and say in guideline 2B, "A regular program of formal and informal liaison activities, briefings, joint exercises will be scheduled and implemented to enhance, maintain and strengthen the interpersonal and working relationships and develop the knowledge of critical coordination, IMT and fire line staff." That's a long way of me pointing out that these goals and principles have been documented at least since 2006 as between CFA and DSE?---Yes.

I think you cite the guidelines in your statement. Now, you say in light of that at paragraph 72 in your statement that there is a strong history of joint training exercises and other activities between the organisations?---Yes.

You give a number of examples of the different ways that that's played out. Some are regional briefings, practical exercises, fire line leadership programs. You also refer to vector training?---Yes.

Can I just ask you to clarify in relation to that is that scenario based training where people from both agencies work through a scenario side by side?---It is a computer based scenario where people are given some live examples,
if you like, of fire incident management and they go through a process of working towards a scenario, if you like.

There are a number of examples there, and I'm only moving over them because of time constraints, but all the way through paragraph 74 to 122 you give particulars of the types of ways in which people can engage in interagency training. I don't want to detract from the detail. It is all there. You explain how it can be done in the aviation sector. You explain how it can be done in the information sphere?---Yes.

There are all those opportunities. You say at paragraph 118 that the level or the amount of joint training, though, isn't prescribed by the CFA. What I want to ask you there is what is the obligation on the region? Is it to tick off that you have done one joint training session or is any regard had to how often or how well people are engaging in the spirit of interagency training?---Under the local mutual aid plan I think it says one joint training exercise per year as a minimum target, but also the philosophy of any opportunity we share our training. Sorry, I have lost my train of thought.

This may assist you. At annexures 26 and 27 you have attached a long list of all the regional joint training exercises that have gone on. What I want to suggest to you, looking at that, is it is very variable. Some regions appear to be committed to using every opportunity and exploiting every avenue. Others may have only achieved the minimum, the one session a year. What's been done to have the regions align and to have the regions improve the amount of interagency training?---Yes, and that was my train of thought.
thought I was going to go to, actually. In my statement CFA and DSE have agreed to do some joint state and regional exercising in a more formalised manner. I agree with you that looking at the list and myself as part of the evidence that some do the minimum, some do a lot. Again it is personality based. People who get on well together do a lot more. People who don't interact as much do less. So we want to put some formality to actually raise that and also help with our coaching/mentoring problem.

Is there a new minimum going to be prescribed? Will it be better than one?---It would have to be.

Has that yet been developed or is this something – I think paragraph 126 seems to suggest that it is also something that might be delayed to 30 June 2011. If you see 126.4, there is the joint training packages. Then if we move down to 126 – - -?---No, it is 126.5.

By the end of November 2010?---Yes.

You will conduct a review?---Yes. Again, it may happen before that. It just gives us a bit of time and space.

Finally, Mr Haynes, the physical infrastructure. You spell out in your statement and you have explained in part in the PowerPoint presentation the upgrade to the actual infrastructure at the ICCs?---Yes.

The development or the coming to the understanding that a full team has 30 members, has that impacted on the capacity to do up these centres? Previously you were gearing up to house 14 people. 30 is more than double. Has that slowed down the process?---Yes, it has. What we are trying to achieve in the upgrades for the ICCs is, one, to get better interoperability in a network sense, but also to
allow 30 people to operate successfully. Once we did
audits of our level 3 ICCs in about June this year we
found that some of them wouldn't be able to accommodate.
So we have got some work-arounds as part of the upgrade to
bring them up to the 30 personnel level.
As I understand it, $28 million has been devoted to the upgrade
and the due dates are cascading in the sense that you have
a number that are ready; 17 that are ready?---Yes.
24 where you are aiming for the end of this year?---That's
correct.

And a couple into the New Year because they pose particular
difficulties?---The difficulty for Geelong - and it will
probably be a January or February completion date - is the
extension to the incident control centre. It still
actually holds 30 now and is operational but it is just a
little bit cosy, as far as too close, and they need some
meeting rooms. The Mount Gambier one is a South
Australian CFS one we are using for that corner of the
state with them. In a priority sense it was lower, mainly
for our network connections to go in.

So, other than Geelong and Mount Gambier with their particular
issues, all of the others should be upgraded by the end of
2009?---To our minimum standard, yes.

That's not just a question of size. It includes presumably
sufficient computers, computer ports, telephone lines,
faxes, et cetera?---Yes, and also too in this process we
have actually got the same computer printer operation.
So, if I travel from Geelong to Mansfield, I can actually
operate the same things. They are not different. So we
have done that between our two agencies.

So the interoperability has been enhanced within the CFA but
also between the two regions?—That's correct.

Mr Haynes, Mr Rozen will ask you questions about a couple of remaining matters before the examination concludes.

MR ROZEN: Mr Haynes, the first of those questions is a straightforward one and the second will take a little bit more time. The first concerns an issue that's arisen in the evidence that's been given by Victoria Police to the Commission about traffic management points and roadblocks.

In particular a concern that's arisen in the redrafting of the TMP guidelines is the issue of identification for CFA and DSE firefighters, and particularly whether there is anything in place which would enable a police officer that is in charge of a traffic management point to determine for him or herself whether or not a CFA, start with, volunteers is in fact a CFA registered volunteer when they say so. Are you able to assist the Commission in relation to that matter?—I haven't been involved in the implementation of the traffic management point guidelines. But, what I have read of them, my understanding is if a CFA volunteer has their helmet or an identification card—and again ID cards are not statewide; some have, some haven't—that will be enough to get them through the roadblock.

Identification cards, what, are used in some regions but not others; is that right?—That's correct.

It seems the most obvious means by which identification could be established. Has any thought be given to making that a mandatory statewide requirement, that all registered volunteers are provided with an identification card?—There may be, but not to my knowledge.

What's the position so far as career staff is concerned?
Presumably they would be uniformed so it would be less of a problem; is that right?---My understanding is, career or volunteer, if you have your firefighting gear with you, and especially your helmet, that's your entry to the traffic management point. So if you are going on the fire line you are going to have your gear anyway.

Just so I can clarify that, this issue has arisen in the evidence of a number of witnesses concerning the events of 7 February 2009. What I'm exploring with you is whether anything has changed since February of this year for the forthcoming summer so far as identification procedures are concerned?---Not for volunteers as such. My only understanding is that the traffic management point guideline has been agreed to and it has been part of our pre-summer training.

The second issue that I would like to explore with you concerns the question of firefighter safety on 7 February 2009. It is an issue that's been touched on in the evidence of a number of witnesses but hasn't really been examined in any detail. I want to try and do it, given our time constraints, as quickly as I can with you. Firstly, Mr Haynes, are you aware that the Commission has been provided with reports of investigations of burnover incidents that occurred on 7 February 2009?---I understand that, yes.

Commissioners, a folder has been provided which I seek to tender now. Some of these reports are already in evidence, it having been dealt with in other fires. The folder appears at (CFA.001.027.0001). In addition, a summary of 19 of the burnover incidents has been prepared in a table which is at (TEN.143.001.0001). Perhaps, given
the complexity of the existing exhibits so far as
Mr Haynes is concerned, it might be appropriate to tender
those separately.

CHAIRMAN: Yes.

#EXHIBIT 548 - Folder (CFA.001.027.0001). Table of 19
burnover incidents (TEN.143.001.0001). Letter re safety
advisers appointed at Bunyip and Pomborneit incident
management teams (CORR.0911.0106) to (CORR.0911.0109).

MR ROZEN: Perhaps if I can summarise the contents of that
without taking you to the detail of it. From the analysis
that's been carried out by the Commission, of the 19
incidents 105 firefighters were involved in total in those
incidents. Are these details known to you?---No, not at
all.

In nine of the instances, that's nine of the 19, there were
mayday calls that were issued. What's your understanding,
Mr Haynes, of the circumstances in which a mayday call is
to be issued under CFA standard operating procedures?---My
understanding of a mayday is - firstly, there is a "pan, pan, pan," which is prior to a mayday to give people
advice that they are in imminent danger, and mayday is
that they are in imminent danger.

It is an indication, is it not, of the seriousness of the
incident in terms of the safety of the people on the
appliance?---It is a call for extreme help, yes.

The burnover incidents occurred at the following fires: at the
Kilmore East fire, the Murrindindi fire, the Churchill
fire and the Horsham fire. If I could be permitted to
summarise some of the themes that emerge from
the investigation reports. The investigation reports
indicate deficiencies in the manner in which the crews
were briefed in some circumstances, in which they were
deployed in some circumstances and in which they were
supervised in others. If I can give you an example of
that which has been already referred to briefly in
evidence whilst the Churchill fire was being examined,
there was an investigation into a burnover involving the
Glengarry West tanker number 1. I don't know if you have
any awareness of the circumstances of that?---No, not at
all.

In the investigation report into that burnover the following
appears in relation to a red flag warning that had been
provided to the tanker crew. I'm quoting here from
(CFA.001.026.0149). "The red flag warning that was
received at about 1730 hours warned of a south-west wind
change for 1900 hours. The change in fact impacted the
fire area at 1805 hours. While the red flag is given as
guidance and a heads-up for field crews and commanders of
a significant event coming, in this instance the warning
may have provided a false sense of time security by
leaving the crew to believe they had plenty of time to
establish themselves at their new assignment." There were
two other investigation reports into burnover incidents at
the Churchill fire which reached similar conclusions about
the red flag warning that was provided on that day.
I think Ms Doyle asked you some questions about those.

One further matter about the burnovers at Churchill that
is discussed in the investigation reports is that there
was a spot weather forecast which had been provided.
1600 hours is the time that it bears. It indicated that
the south-westerly wind change could arrive as early as
1730 hours, that is considerably earlier than the time
that was mentioned in the red flag warning. It is in the
case of those reports and those incidents that I want
to examine briefly with you some issues concerning
management of firefighter safety. In particular one of
them concerns the role of safety advisers in incident
control centres. I think you have indicated in an earlier
statement you have made that you had a role in relation to
the Linton coronial inquest?---Yes, I was part of a joint
CFA-DSE reporting crew that did the preliminary look at
from a firefighting point of view.

Have you had an opportunity to familiarise yourself with the
findings of the coroner in the Linton matter?---Not for a
long time, no.

But in general terms are you aware that the circumstances at
Linton were that five volunteer firefighters died in a
burnover in circumstances where there was a deficiency in
the wind change information that had been provided to the
crew and those that were supervising them?---Yes, that was
part of the problem, yes.

Just in relation to the Linton fire, it is another example,
 isn't it, of a fire that commenced in mid-afternoon and
then was impacted by a south-westerly wind change in the
early evening along very similar lines to the fires on
7 February 2009?---Yes, which is a similar pattern for
south-east Australia.

You may or may not know this, Mr Haynes, but issues that were
examined and were the subject of recommendations by the
coroners in that case concerned the importance of timely
and accurate wind change information to those on the
fireground?---Yes, that's correct.

You have already been taken to recommendations made by the
coroner in relation to mentoring?---Yes.

There were also recommendations in relation to the importance
of auditing of those in incident management teams; are you
aware of that?---No.

The coroner also discussed and made recommendations in relation
to the importance of integration between CFA and what was
then the NRE?---That's correct, yes.

That's an indication that the issue of integration has clearly
been around for a long time so far as the fire agencies
are concerned?---That's correct, and we continue to get
better.

If I can just focus on one aspect of the Coroner's
recommendation in the Linton matter, and it concerned the
role that could be played by a safety adviser in an
incident management team. Perhaps if we could refer to a
passage in the findings in Linton at (TEN.132.001.0576).
If that could perhaps be brought up on the screen. It is
part of exhibit 546, if that assists. It is at page 0576.
It is in the middle of the page, paragraph 20.9.30. It
should be on your screen in front of you. Do you see
there, Mr Haynes, that the Coroner concluded as follows,
"A safety officer was not used by operational command at
the Linton fire. It is understood in the past the
position of safety officer had not been used in any
wildfire. A safety officer is an important part of risk
control in the wildfire environment. The firefighter's
job (elimination of wildfire) may mean that focus is on
understandable and necessary operational management and
there is potential for safety issues being inadvertently
missed or not elevated to the correct level. Thus a
safety officer is an important adjunct as a resource for
safety advice and audit to the firefighter on the fireground. This important issue is further developed in chapter 23 (with recommendations)." If I can just end the quote there. Firstly, I think you have already told us, Mr Haynes, that you were aware that this was a matter that was the subject of discussion in the Linton coronial findings?---Yes.

And do you agree with the general proposition set out in the findings there that the circumstances of firefighting are such that operational firefighters - and by that I mean not just those on the fireground but those in an incident control centre as well - can be so focused on the task at hand that the safety of firefighters can be given a lesser priority as a result?---No, I don't agree with that. Any stressful situation, firefighters especially have got what we call a working memory, which they can remember about seven things, plus or minus two, when they are not under stress. When you get under stress that can actually come down to two or three. So your focus changes and you actually become focused on task instead of potentially other things. The concept of safety advisers, in my view, was about things like wind change advice, red flag warnings, even to the point now we go into safety at staging areas for contamination of dirty hands making you sick. So the point I'm trying to make is that safety is everyone's responsibility and we train people in safety, not only at individual level, at the crew level and et cetera. I think the point you want to get to is on the day of 7 February I think there were only two safety advisers in place. We recognise that. The new joint SOP makes sure the safety adviser is in place in a team of 30,
and the area of operations controller must ensure that's ready to go before we actually have a fire.

Just before turning to the new SOP and, for that matter, the SOP that existed as at 7 February 2009, and just before we leave the Linton findings, could we refer to page (TEN.132.001.0636). About halfway down that page, the paragraph that's numbered 23.5.64, there commences a series of six recommendations made by the Coroner. If I could be permitted to summarise them. They are essentially this: that the CFA and the DNRE jointly develop a position description and responsibilities for the roles of safety officer and principal safety officer and put in place training packages and other support to ensure that those recommendations are implemented. Is that a fair summary of the recommendations made by the Coroner?---That was the recommendation, yes.

Turning then to the response by the agencies to the recommendations, it has been the position for some time, has it not, that so far as a level 3 incident management team is concerned there is a requirement for the appointment of a safety adviser?---That's my understanding, yes.

You have said to us that it has become a mandatory requirement in the team of 30. But it was also a mandatory requirement prior to and as at 7 February 2009, was it not?---Yes. The difference in this year is that the responsibility lies with the area of operations controller to ensure it. It has to be done in a preplanned way so that the state controller is happy that it's there.

Just so that the position is clear as at 7 February 2009, the Commission has been provided with joint standard operating
procedure 3.04. It is at (CORR.0911.0109). Do you see, Mr Haynes, this is the standard operating procedure for safety adviser?---Yes. It bears the date 28 September 2007. Do you see that on the foot of the page?---Yes. This was applicable clearly on 7 February 2009?---Yes, I agree with you. It replaced, did it not, separate SOPs. I will take you to them if I need to, but I would prefer not to. There were previously CFA procedures and DSE procedures which made similar requirements in relation to safety advisers?---I agree with you, yes. Just for completeness, Commissioners, the CFA procedure is SOP11.07, and it is part of exhibit 127. The DSE provision is part of the DSE fire management manual, and it is part of exhibit 254, which is an attachment to Mr Farrell's statement. Returning to the text of 3.04, at the bottom of the page in relation to "Objective" it states that it is there to "provide guidance to incident controllers regarding the implementation of the safety adviser function at multi-agency incidents". Then it goes on at clause 1, "A safety adviser must be appointed to all level 3 IMTs. The person appointed as safety adviser shall have no other responsibilities within the IMT." Can I just pause there for a second. Why is that second requirement imposed in the standard operating procedure; that is, that the safety adviser is a standalone position?---The main reason is that they focus purely on safety and don't get distracted by trying to do two jobs at once. So, really picking up the observations that were made by the
Coroner in Linton, it is a role that's solely concerned
with the safety of firefighters rather than also involving
some operational function?---That is correct, yes. That's
the intention.

It is for the very reason that was identified in the Linton
findings; that is, that by performing operational
functions it can distract from the safety
requirement?---That's right. It will distract your focus
away.

We can see in clause 2 in the standard operating procedure
that, whilst it is mandatory at a level 3 IMT to have a
safety adviser, the issue at level 1 or level 2 incidents
is left to the discretion of the incident
controller?---Yes, it would incident by incident. The
incident may be falling trees or something that might be
the thing where they bring a safety adviser in.

Without going through the detail of this, if I could just take
you to the second page, page 0110. Under clause 6 the
role of the safety adviser is explained. I think there
might be a difficulty with that. I think we only have one
hard copy which is the one I'm looking at by the looks of
things. I'm happy to hand it to the witness. It has a
little bit of a scribble on it. Apparently that doesn't
cause any concern. I'm told that no-one is likely to be
able to read my writing, and it is probably true.

Mr Haynes, I won't ask you about that issue. Do you see
that clause 6 of the document deals with the functions of
a safety adviser, and I draw your attention particularly
to 6.5?---Yes.

It has now been brought up on the screen for everyone else's
benefit. One of the roles is to assist with monitoring of
the effectiveness of incident communications and
information flow. That really relates to something you
said a moment ago about the role that could be played by
safety advisers in relation to red flag warnings?—That's
correct.

Would you like to expand on that from your experience? What is
it that a safety adviser can add in relation to ensuring
the accuracy of a red flag warning that is sent out?—My
experience of safety advisers is they work really closely
with the incident controller. Because they are not
attached to any other function, they can actually gain
information from situation and weather people et cetera to
give advice to the incident controller about safety
issues. It may be a need for a red flag warning. I have
had a case where there were mine shafts in the fire area,
old gold mines. So it is about being separate from all
the busyness, if you like, of running the incident
management team so they can be at a side and focus
directly on safety issues.

In terms of the qualifications required of a safety adviser,
I would like to do this without taking you to the
documents if I can, but if need be we can go to them. It
is a very senior position in the AIIMS structure, is it
not? You need to have been an incident controller level 2
or operations officer level 2 before you can fulfil the
role of a safety adviser?—That's correct. Because it is
for firefighter safety, you need that background knowledge
of fire and weather especially to perform the role.

Now, you have anticipated of course, Mr Haynes, where this is
going, and that is that the Commission has been advised in
a letter from lawyers for the State that there were only
safety advisers appointed at Bunyip and Pomborneit
incident management teams. I should tender the letter
that has been provided to the Commission in relation to
that. The letter appears at (CORR.0911.0106) through to
(CORR.0911.0109). Perhaps if that could become part of
the last exhibit.

CHAIRMAN: 548; yes, the folder of material relating to
burnover incidents and other things.

MR ROZEN: You told us a moment ago that you are aware of that.
When did you become aware that there were only two safety
advisers appointed on 7 February 2009?---Just in recent
weeks, actually.

It hasn't formed part of any of the debriefs or of the
information that's been provided to members of the
agencies looking forward to the forthcoming fire season,
has it?---Not to my knowledge, no.

Have you had an opportunity to discuss with any of the incident
controllers at the fires, particularly the ones where the
burnovers occurred, the major fire, Murrindindi, Kilmore,
Churchill, have you had an opportunity to discuss with
them why there were not safety advisers appointed on
7 February?---No, not personally; no.

Do you know why there were not?---No, I can't explain it. All
we are trying to do is to put in a mechanism to ensure
that we comply with the guidelines that we write. We ask
for them and coroners ask for them and we have a process
to make sure we have them.

You do more than ask for them, don't you? You mandate that
such people be appointed at level 3 integrated
fires?---That's correct, yes.

I suggest to you if another mandated position, such as an
operations officer, hadn't been appointed for one of those fires that would be a matter of considerable disquiet on the part of the CFA, would it not?---You probably wouldn't be able to function without it, yes.

We know from the local mutual assistance plan that you were asked about a moment ago for the north-east region that there were I think 16 people identified as having the endorsement to carry out the function of safety adviser. So it would seem that the problem is not a lack of people able to perform the role; is that correct?---I haven't looked at the list myself from the local mutual aid plan. But normally, because they are operations officers or incident controllers, they may have another role on that day. That would be the only reason why they wouldn't be available.

In fairness to you and without going to the list, there were a number of people on that list, such as Mr Steer, for example. Do you know Mr John Steer from DSE?---No. He has given evidence that he performed a function in the incident control centre at Alexandra. So the best you can do in relation to those 16 people is to indicate that they may have been performing other functions on 7 February 2009?---Yes. I haven't had the evidence available to me to make a comment, no.

Part of the preparation for the forthcoming fire season has involved a PowerPoint presentation that's been provided which sets out some of the lessons and proposed changes in relation to a range of things, including occupational health and safety; is that right?---That's my understanding. That's right, yes.

You in fact attach to your statement such a briefing. It is
part of attachment 24 and it appears at (WIT.3004.027.0229). If page 0239 could be brought up.

These are slides that were used as part of a PowerPoint presentation. Were you involved in the development of this presentation?---No.

What about its presentation to --- -?---No, I haven't been.

I have been on other duties.

Who was the audience that this was intended for,

Mr Haynes?---It is mainly for level 3 personnel for DSE and CFA around the state. It is called our pre-season briefings, which we have every year.

They are the very people that have the responsibility under the SOP that we have looked at for the appointment of safety advisers at level 3 incidents, are they not?---They are.

But the area of operations controller under our new system will have the responsibility to ensure that they are in place.

But, nonetheless, the SOP casts on the incident controller the role of the appointment, albeit being supervised by the area of operations controller?---Yes, that's correct.

Isn't that the obvious audience to explain that this was a deficiency in the management of the fires on 7 February 2009?---I agree with you. It is the obvious audience and it may have been an omission.

Beyond that, you are unable to explain to the Commission why it is a matter that hasn't been brought to the attention of that audience?---No. Further to that, if I only found out two to three weeks ago that we were lacking, other people who formulated this may have had the same issue, that they actually didn't know they only had two in place.

Can I just explore that, Mr Haynes. How could that be so? The
personnel in an incident management team, it is not a
secret, is it, in relation to the way AIIMS operates?
These things are documented as part of incident action
plans?---Yes.

Has it been anyone's responsibility within either the CFA or,
to your knowledge, the DSE to examine such documents to
see that all appropriate positions were filled on
7 February 2009?---Not to my knowledge, no.

Debriefs have taken place with incident management
teams?---Yes.

In many cases those debriefs have resulted in documentation
setting out issues that arose in the running of those
teams and incident control centres?---That's correct.
And yet this is not an issue that seems to have arisen in
relation to those debriefs; is that correct?---Not to my
knowledge, Mr Rozen. I can't explain why.

That concludes my questioning of Mr Haynes. I understand the
Volunteers Association have a wish to cross-examine.

CHAIRMAN: Yes.

COMMISSIONER McLEOD: Attached to your submission, Mr Haynes,
were two attachments, one setting out the specific
projects under the bushfire preparedness program. The
second one which was on the back of that diagram was an
organisational structure that perhaps could be called up,
(WIT.3004.023.0068), which seeks to describe the
management arrangement of that particular program where
something like $30 million has been allocated for the
totality of those some 25 separate projects and
initiatives that have been pursued within the CFA, each
one of which is under the charge of an individually
appointed project officer?---Yes.
Then that diagram describes above the projects six different levels of organisational hierarchy which have a role to play I presume in the assessment and the decision making arising out of the work of the project teams?---Yes.

Without being excessively detailed, could you just go through each of the levels and make a quick contribution on the role that each of the levels would play in the assessment decision-making process?---What you are looking at is the CFA structure or the governance structure for the bushfire preparedness program. Above that is a state structure as well. The CEO is the project sponsor at the top. We had some project management help from Department of Justice, which is the next level. Then you have got pretty well the directorate heads of CFA. So Russell Rees is the director of operations as the chief officer, Mark Connell is a director of asset management and Lisa Sturzenegger is a director of community safety. So the lining of all those were - the projects were lined into the directorates and each of the directors had a sign-off function, if you like, to ensure they were happy with the way the projects were going.

Then you have your project manager level and the project coordination level in addition before you get to the project officer, people who are working on the detail?---That's correct.

You make a reference to the sign-off function. I presume each of those levels are meant to be value added levels?---(Witness nods.)

But the top of the tree is a committee of the CFA Board itself?---Yes.

Which has apparently been established to look at the bushfire
preparedness program projects. Would you like to make a comment on the role that the board would play in relation to this total exercise?---There is a subcommittee of the CFA Board, I think it is four members, who interact pretty well with the directors and the emergency management team, the CEO, to have overall governance of the projects, to understand if we are meeting targets, not meeting targets, if things are on budget, not on budget. So in a board role it was like an overall governance, and then they report back to the CFA Board.

In terms of outcomes, is it possible to be clear where the decisions are ultimately going to be taken in relation to the work of the individual project groups?---I can give you an example, if you like. The work that was done on the incident control centres was done by the project officer with help from myself and Mr Slijepcevic. It goes to the chief officer to sign off the standards. So we propose a standard. The chief officer says, "Yes, I agree with that," and then from there we continue on. The chief officer being Russell Rees?---Correct.

So he would be the decision point in relation to that particular project?---Yes.

That wouldn't be true of all of the projects of course? Would his equivalence be the decision points or would it depend upon the nature of the project?---It would depend upon the nature of the project because some of the issues would probably have to go to the board subcommittee.

Some of the decisions on the individual projects would in fact be taken by the board itself?---Potentially, yes. I'm not 100 per cent sure, Commissioner, but potentially, yes.

Would that be true of the CEO? Some may be decided at the
CEOs level?---I'm not sure, but I assume so.

But the program manager wouldn't presumably be in the decision making role if you say that's from another department?---The main thing the project manager is there is to make sure we're kept on track and it was more of a - - -
Policeman's role?---Yes.

Okay. That's sufficient for me for the moment.

COMMISSIONER PASCOE: Listening to the evidence you have given this morning, it has been a long morning, it is very clear that there has been a high level of activity at the CFA in response to the events of 7 February. It strikes me picking up on one statement that you made, and that was you see the need to move toward principles rather than a plethora of regulations?---Yes.

It strikes me that that's in effect a cultural change?---That's a long-term plan, yes. I have had a talk to some people in the US Forest Service who are into their sixth year of still whittling away and changing the culture. They reckon it may take approximately 10 years to get to where they want to be.

Which is probably a standard time for an effective embedded cultural change. Again listening to some of the matters that have been discussed, such as a tightening of the endorsement procedures by the chief officer, the moves toward greater integration of the training of the CFA and DSE personnel, a tightening of the arrangements on a severe or a fire danger day or more, we are looking at a range of areas where we are not just talking about minor change, we are actually talking about quite significant.

Has there been any discussion of this at a strategic level
and does the CFA have a broad based approach to bringing in what really looks like a major change in a large, complex organisation?---In the short, not as yet. The board, to my understanding, the CFA Board, have set up some projects. One of them is called, I think from memory, "Ready for the future". I assume that the strategic view at that level will be the way we should be going.

So your sense is it may be driven by the board as a way forward?---I think that's my understanding, yes.

MS DOYLE: Commissioners, we have used the time to just do some housekeeping and figure out how we can resolve timing issues. What we propose is if we adjourn now but resume early. We will then conclude Mr Haynes's examination. Mr Finanzio will ask some questions and then the State and then any re-examination. That will mean just putting back the lay witness a little to 2.15 and then we will put some effort in during lunch to ensuring that people shorten and streamline any questions that come thereafter. So, if we resume at 1.45, we are confident we can catch up some time and then have the lay witness start at 2.15 or as soon thereafter as possible.

CHAIRMAN: Yes.

<(THE WITNESS WITHDREW)

LUNCHEON ADJOURNMENT
UPON RESUMING AT 1.45 PM:

<JOHN CHARLES HAYNES, recalled:

<CROSS-EXAMINED BY MR FINANZIO:

You were asked some questions by my learned friend Ms Doyle about the training program which is annexure 15 to your statement?---Yes.

She pointed out to you that, of all of those training programs, the one that has a closing date 15 March, the incident management skills, is the only one that deals with that particular sector or module of training?---That's correct, on the statewide courses, yes.

Yes, on the statewide courses. You suggested to her that your statement didn't include all of the regional based courses?---That's correct. From my past experience there are courses run at regional level and sometimes the specialist courses have been run at regional level, but I'm unsure of whether they still are.

When you say sometimes the specialist courses are run at regional level, is it fair to say that the incident management skills course is a specialist course?---Yes, it is.

And when you say it was sometimes run at regional level, it is right to say that that sometimes was on an ad hoc basis, in that it sometimes did and often it didn't?---Yes, it was more based on a need, probably based on a regional basis or a large area basis to fill the need of some qualifications.

Was there any formal process in place during that time to analyse what the need was?---I think, as I said in evidence before, it is about we haven't got a statewide strategy for how many incident management personnel we
need overall. I think that's a missing gap, that we have relied on regional numbering, I suppose, if you like, instead of a whole statewide strategy. So I think there is a gap there.

If more training was to be supplied on a regional basis, it is right that you would need more personnel, isn't it?---We would either need more personnel or reduce other courses to provide that need.

But obviously more personnel to provide more training is better than reducing other personnel from other locations, isn't it?---If I had a choice, yes.

You mention in paragraph 79 of your statement the existence of sessional trainers. Are they paid sessional trainers that you are referring to?---My understanding of sessional trainers, and I think it may be one of the annexures of the EBA, is that there are trained instructors, normally wildfire or structural, which are part of an EBA, and there is provision for sessional trainers which are, again my understanding, people who, if a paid trainer can't get there, they can be replaced with a sessional trainer.

Let me just ask you this. Has the CFA done any examination or study of any latent demand for training by volunteers? Has it done any surveys or anything like that?---My understanding, going back in history a couple of things, a few years ago there was a training forum held and I think from memory it would have been early the 2000s, and again my understanding there has been recent surveys held around the state through our HR section and a report has been instigated for a Mr David Garnock, who has provided a report to CFA.

It's right, isn't it, that what that does is disclose that
there is a demand for more training for volunteers, doesn't it?---Well, I haven't seen Mr Garnock's report and my understanding is it's going to the board or had just gone to the board, so I haven't read the document to see what is actually in it.

You mentioned before the definitions of paid staff versus paid sessional trainers and so on in the EBAs?---Yes.

What is your understanding of the relationship between the UFU and the CFA in relation to the provision of paid sessional trainers?---I'm not 100 per cent sure, but advice I have been given is that they are still under negotiation for the deployment.

How many paid sessional trainers are there?---None at this stage, to my understanding.

It is right, isn't it, that if there were paid sessional trainers, then they create - having paid sessional trainers creates an advantage in that you are able to get a broader reach of training out there at lesser cost; is that right?---Probably. I'm not sure what a sessional trainer would be paid, but it would broaden our advantage to train more people, yes.

Let's put it this way. Does the CFA as an organisation want more paid sessional trainers?---Any trainers extra would be helpful. Again, CFA is a very large organisation and we have done a great deal of work over the post Linton days to train more than 30,000 people in minimum skills. But the critical word there being "minimum" skills. What we are talking about here is training people for positions in IMTs, right?---It is not only IMT training, but again CFA-wise we look after hazardous materials, structural fires et cetera, so there is a whole range of training
that the CFA needs to undertake to provide service to the
community.

I have taken you not to dispute that there is, from your own
experience, examples of some under-utilisation of
volunteers. That's right, isn't it, that they are not as
efficiently deployed as they could be?---I have only had
discussions with two or three key volunteers who are level
3 controllers in the recent weeks and they've stated that
they've been a bit disappointed that they haven't been
engaged as well as they thought they should have been
engaged, yes.

Particularly on a day like Black Saturday or in circumstances
like Black Saturday?---Yes.

It's a very hard thing to measure, isn't it, the degree of
under-utilisation? It could happen as a result of a
number of different things. For example, it could be
because you are not using existing volunteers who are
available that you don't know are available. That's one
way that it could happen?---Potentially, yes.

It could also happen because you are not identifying an
available resource within the volunteer group that could
be trained and deployed in those circumstances?---I think
that's both correct, yes.

Just in relation to the first example, have you read the
statement of Allan Monti?---Yes, I have.

He gives an example of the first, which is the non-deployment
of people when they could have been deployed. He makes
reference to the Kilmore fire and he says - these are the
figures I think - there were 18 CFA level 3 incident
controllers within a 50 kilometre radius, 35 within a 100
kilometre radius and the day shift person was from
Wangaratta, 150 kilometres away, and the Wodonga person was from 200 kilometres away, the night shift person.
Have you examined that example?---We have had a look at some of it. The correct statements from my view are the people coming from Wodonga to do the night shift, I think it was Graeme Healy and John Bigham, from memory. We have had a bit of analysis of the available level 3 incident controllers 50 ks around and I think we came up with two. One of those was Peter Creak, who was doing the regional duty officer role, and the other was Bob Potts who was on Hildene tanker.

When you say you've done this analysis, how have you done it?---We have looked at the endorsed level 3 controller list and we have got the data of exactly where they were on 7 February and what role they were doing.

Is it possible that, when you say they weren't available, they were deployed in tasks that were lower than their competency?---In the case of Mr Potts, I would say yes. As a level 3 controller on the back of a tanker, I would say he was under-utilised.

So you have got an example of a level 3 person who could be doing a more substantial role fulfilling a smaller role; correct?---That's correct.

And when you have made your assessment about availability or non-availability, unavailability means they were doing something like that?---Yes, but if they are doing another task, are they available or not is the question, and I would say no.

One possibility, though, is that the level 3 incident controller could have been contacted in advance, right?---I agree with you, yes.
And that's one of the weaknesses you have said needs to be worked on?---Correct.

My learned friend Ms Doyle asked you some questions about mentoring and you said that in practice there was an informal system for mentors that works for the volunteers in the same way as it does for the career staff?---What I'm trying to say is that we tried to find CFA's mentoring principles and the only place we could find any documentation to mentoring principles was part of the EBA documentation. If you read that section, again it says that we want to do a formal process, we do it informally and we need to improve, in summary.

Let's get this right. There is a reference to the requirement for a formal process in the EBA, isn't there?---My understanding of the EBA, and I'm not an expert on that, is that CFA and the UFU need to agree on a mentoring process. But that hasn't happened?---Not to my knowledge.

So it is informal now?---Correct.

Insofar as it is the same for the volunteers, it is informal?---Very informal I would say.

Even less informal than for the career staff really, isn't it?---Yes and no. I've had pockets around the state where they mentor very well and other pockets where we don't, so in that basis it is an informal mentoring system.

It is the same as the career staff in that it might or it might not happen?---Correct.

You have mentioned in your statement or explained in your statement the way that you identify career paths for career staff?---Yes.

That's a thing that is formally recognised in the EBA and in
the relationship between career staff and the CFA?---That's right, yes.

Paragraph 44 of your statement talks about the first level of command, talks about training opportunities for volunteers and about the first level of command. I've got that reference wrong. It's right, isn't it, that there isn't a career path identified or a specific effort made with respect to volunteers for identifying a career path for them? That's true, isn't it?---For every individual volunteer, I would say no. There are some people, in my experience, that have had a bit of a career path organised for them, but again it is ad hoc on a regional basis.

So some regions get it right and other regions don't?---Pretty well. It goes back to my discussion this morning about consistency across a large organisation.

One way of improving things would be to make that more consistent across the organisation?---I'm all in favour of the process called picking the team, where at each of the levels, brigade level and incident management level and beyond, we have some sort of a selection of people and nominated for the roles that suit them best in the future. I had some experience in the north-east when I used to work in Shepparton with this process and we did the brigade stuff we think fairly well and we started to work in at the incident management level.

I want to ask you some questions about statewide training opportunities. These are opportunities interagency to work together on an exercise to practice skills simulating the heat of the moment?---Yes.

Do you not agree that for volunteers, particularly at the higher levels of management, that it would be good
experience for them to participate in that?---I agree, yes.

Do you agree that providing that opportunity gives their operational managers the opportunity to see them in action?---I agree again, yes.

Which gives you the opportunity to know who is in the team, so who is available for the team for you to pick them?---Yes.

Conducting these kinds of exercises at times that are amenable to volunteer involvement is a good idea, isn't it?---I agree with you, yes.

But it doesn't happen, does it?---Again, it doesn't happen across the board, and as part of our discussions with DSE with the joint training and exercising in the future, that's part of our discussion. But also, too, an example even as today and yesterday, we've got day and night sessions for level 3 controller briefings for that very reason, that some people can make it during the day and volunteers can make it in the evening session.

But the statewide exercises are something specific, aren't they?---Yes.

What they involve, could involve, is volunteers from your agency working side-by-side with DSE officers; correct?---That's correct, yes.

And by doing that could promote a greater understanding and acceptance and recognition of skills in the volunteers across the agencies; correct?---I agree with that, yes.

You think that would be a good idea, don't you?---I agree with you that if we get this joint training and exercising right with DSE, we will actually achieve that.

But again it depends upon how you focus your efforts to engaging the volunteers in that process, doesn't it?---It
is a holistic thing, I agree with you. One, we need to engage, then secondly pick the team and have some sort of an understanding of where a person wants to get to and their capabilities and give them an opportunity to train or exercise to do that.

I want to ask you some questions about the standard operating procedure 3.08. You were taken to that earlier today. It is annexure 33 and I want to take you to clause 1, which is on (WIT.3004.027.0380). These are the standard operating procedures for the appointment of incident controllers, just as an example I want to take you to. Point number 1 says "Identifying incident controllers" and it sets out that the DSE and the CFA chief officers will identify and endorse personnel who may undertake the role. In that clause, personnel for your agency means volunteers and staff; correct?---That's correct, yes.

But there is no express mention in the standard operating procedures about how volunteers will be specifically engaged?---We are an integrated organisation, so career and volunteer are a similar thing.

At the moment what you've got is a register which is essentially a list?---At the moment, yes.

The list is static in that it is the list of everybody who is qualified up to that point, at a certain point in time, before any fire event is even on the horizon?---That's correct, yes.

It is not a dynamic list?---No, it's not a planning list. It is a moment in time list, yes.

So what that comes down to is that, when you are setting up IMTs, what you are really doing is the ring-around to see who is available and who is not?---Yes, and the concept of
it is that the regions should be identifying people and picking the team to be level 2 and 3 controllers, so we are relying on our ops managers to put forward names that will best suit.

It has been suggested in the evidence, some of the evidence which will be called later today, that in that exercise there is a preference by those ops managers for calling or appointing career staff over volunteers. Is that something you have heard about before?

MR CLELLAND: Sorry, which operations managers?

MR FINANZIO: I'm saying generally?---Not particularly. Again, my experience has been in a place where we had a lot of volunteers and less career staff, so our preference of course was for volunteers. Again, I haven't worked in every region across the state. Some people may do it differently.

So you can't discount the possibility that in fact in the selection of people to fill positions in IMTs, in fact that's a cultural thing that can occur?---That potentially could occur, yes.

In your quite senior position in the CFA you are aware of it occurring?---Now I am, yes.

You mentioned in your evidence or you made reference to the bushfires preparedness program which has been prepared.

You were asked by Ms Doyle about what additional efforts you have made toward recruiting people to fill level 3 incident controller positions among paid staff. Do you recall being asked about that?---Yes. The preformed IMTs, yes.

You said that you hadn't made any extra efforts toward recruitment?---Not to my knowledge, no.
I suppose the same is true of volunteers?---Yes, and it is mainly about the timing. For this short period of time, really it is a fair ask to actually recruit more people prior to a fire season.

You were asked some questions about the process of endorsement and I think you fairly acknowledged that there were weaknesses in that process?---Yes.

In that the main weakness is that it is unclear what counts toward endorsement?---It is a bit subjective, yes.

We know what doesn't count, don't we? We know that, for example, having successfully completing vector training doesn't count towards endorsement?---Not to my knowledge. I would assume vector training would be an example where people exercise their skills in an environment where they can be assessed.

We know that the written evaluation reports can't really count towards endorsement insofar as they are not uniformly filled out?---It is a bit ad hoc, yes, but where they are filled out the ops manager should take them into consideration.

We know that good performances in the field that haven't been observed or noted by an operational manager won't be taken into account?---Unless the operations manager gets some other indication from someone who has observed it.

The same for bad performances?---Yes. You normally hear about the bad performances, perhaps.

The same for mentoring, in that it may or may not happen, so you are not going to know whether or not someone has been mentored up through a position to be endorsed?---We need to address our mentoring and coaching system. That is an agreed position we want to go with DSE.
We know you won't be able to make a decision about endorsement based on the particular personal skills if you don't know about them; that is, if volunteers have skills that they have acquired in -- --?---Yes. I agree there needs to be better engagement with volunteers. Look, can I give an example of a little place called Marraweeney in the Strathbogie Ranges. They had 35 people who did their minimum firefighting skills. The workload of Marraweeney, you might use probably 15 people, maybe 20 people of that 35 constantly, so there was a range of 15 people who we may actually select for other roles. That's what I mean by engagement, is actually analysing where people are, look at places where you can actually use some excess and engage and have a plan for them. That's what I mean by engagement through our normal section 29 inspection processes and beyond.

That's something that has happened in this small example you have given, but systemically it just doesn't happen, does it?---I don't think - although we go through the training profile as part of our section 29 inspections with every brigade, I don't know what level it has happened at each of those regions.

Of course, we also know that just doing courses won't secure you endorsement by themselves?---Courses are one thing, and you can have a lot of qualifications but you cannot practically put them into place. So the endorsement process or the accreditation process that DSE use is about verifying what you know in theory you can actually put into practice.

So, beyond the matters that I have taken you to that we know don't factor or can't factor, really we are down to the
subjective judgment of the operations manager who makes a recommendation?---That's correct.

Not necessarily in writing?---No. It is a list put forward to the chief for his consideration, yes.

And the chief's consideration and response, again that's not necessarily in writing?---No.

It is not a particularly transparent or certain process, is it?---I would agree with you, and that's why we need to improve it.

You would agree with me too, wouldn't you, that the absence of that certainty and transparency could be seen as a disincentive by skilled people in the volunteer ranks who might otherwise try and participate in this process? In other words, a respected business person or someone with a military background who otherwise has a daytime job won't necessarily go forward and put themselves through the ringer to become endorsed if the process by which they are measured isn't really known?---I would agree with you, and I think there is clarity needed for that to again probably talking back about the career path for people and where they need to be.

Have you read the statement of Allan Small?---Yes, I have.

He explains a situation whereby he was contacted in advance to fill a role at Woori Yallock and where, the night before he was meant to engage in that role, having set the days aside for that to occur, he was called up and told that he wasn't required and that in fact he wasn't deployed in any other way. Now, you would agree that Allan Small represents one of those volunteers who have made it to the higher ranks in management?---Yes. I have a lot of respect for Allan, yes.
And it's a shame that someone with his abilities wasn't employed or deployed at that time?---I would say yes.

Have you examined any of the circumstances surrounding what's mentioned in the statement?---No, not as yet, no.

You agree that the type of example that Allan describes in his statement is one that occurs frequently?---I can't say that and I don't think there is any fact to say that.

You can't say that it happens infrequently; you just don't know?---No, I don't know.

They are the matters, thank you.

Cross-examined by Mr Clelland:

Mr Haynes, I just want to pick up a couple of matters briefly, if I can, arising out of the questioning by Ms Doyle this morning. In relation to level 3 incident controllers in the state of Victoria, is it your evidence that you are of the view that there are sufficient trained numbers of level 3 incident controllers and that includes both DSE and CFA?---At this stage, to meet our target of 12 incident management teams, I'm quite happy we have enough.

Was your concern, if that be the correct description of it, related not to so much the number but the location of incident controllers on any given day?---The issue we've got is that the incident controllers are scattered all over the state and we have a pool of people in a larger amount in some areas and less in others, so we would have to move level 3 controllers around the state to meet our needs.

Have there been arrangements put in place for the movement or relocation of incident controllers for this coming fire season should the need arise?---My understanding is the chiefs have talked to aircraft agencies that can provide
that service for us.

You spoke of the number of incident management teams and the
number of 12 teams has been arrived at on the basis of the
considerations you have explained to the Commission. That
is, as I understand it, in place for days where the
predicted rating would be severe and above?---That is
correct, yes. For the whole of the state, yes.

That's right. And that thinking is, as you say, for the whole
of the state. Can I suggest to you, though, that that
would not be typically the situation that would exist in
Victoria on any given day?---No, normally in Victoria
there is potentially half the state or the northern half
or the western half may be at a higher level and the rest
would be less.

So is it possible, then, in perhaps those areas or those
regions which might be at extreme level obviously for more
IMTs to be established within ICCs in those regions should
the need arise?---That's correct. On the basis of the
risk analysis prior to the day by the state controller,
the state controller might up the minimum standard to
provide a better service in those areas.

Is it correct to say that 7 February was atypical in so many
ways but in particular on the basis that the fire
conditions were in effect uniform throughout the state on
that day?---They were. The whole state was, under the new
terminology, catastrophic, code red.

The 12 IMTs that you have spoken about are calculated, that
number is calculated on the basis of the state being at
that level; that is, right across the whole
state?---That's right. We had no other gauge despite the
seven we had before, so again there may be another day,
hopefully not, that we might have to deploy 15, but at the best guess, worst case day, we had 11.

The ability to move the IMTs into particular locations, that is again dependent upon the risk analysis that's conducted either before the day or even on the day?—Under the new command and control structure, the state controller and the area of ops controller would have a discussion, and also with the Bureau of Meteorology about potential for where wind changes are, lightning activity and of course if there's arson or a fire already going. Those considerations are taken into account by the state controller and the state control team.

We have seen the map of the state with the 12 locations that you identified where the whole state is at extreme level, but where you have, for example, regions that might be at that level, it is possible obviously to have more incident management teams, level 3 incident management teams, moved into those regions at that time?—That's correct, which would be above the standard, yes.

Can I ask you just about training briefly of incident controllers and in particular level 3 incident controllers. Is it accurate to say that the training for an incident controller under the AIIMS system is the same whether it is level 1, 2 or 3?—No, there are different levels. Level 1 is predominantly a crew leader level for small incidents. Level 2 is — I think it's module 5.04 under AIIMS, which is the same for an incident manager, yes.

Sorry, I shouldn't have included level 1, but if you go to page 16 of your statement, if you have it in front of you, what you set out there is the incident management skills in
module 5.04. As I read it, those are the prerequisites under the AIIMS system for the incident controller?---That's correct, yes.

And that includes, amongst other things, the 60 hours of instruction?---That's right, yes.

Once one achieves that formal level of training, then one can be accredited level 2?---That's correct.

Then that provides the base model and then based on further experiential learning, scenario based learning, then an operations manager at some stage may recommend that that person, in addition to the formal training, has now had enough experience and exhibits the qualities that would qualify them to be a level 3 incident controller?---That's correct. That's the process.

Are you able to give the Commission some idea of how long that second process, that is after the formal training, might typically take?---Again, it depends on the opportunities people get to show that they can do the role. Over the past 10 years we have had a lot more opportunity because of the fire seasons we have had. So, on an average, probably about five years I would say, three to five years, and that's just a best guess.

Can I ask you now very briefly about some of the matters that were raised in relation to volunteers and volunteer training. You have spoken of the commitment of CFA at an organisational level to an integrated fire service, that is integration of both career and volunteer firefighters. Could you look at those two documents, please. One is a memorandum signed by Mr Rees as chief officer and director of operations. Would you look at that document, please. I'm handing you a second document which is a letter from
Mr Rees dated 8 January 2008. We have copies for the Commission. We will make sure that this material is provided to our friends from the Volunteer Fire Brigades of Victoria. The first document I want to take you to is the 2007 document. Firstly, have you seen that before?---Yes, I have.

Do you recognise that as being a memorandum that was sent to regional operations managers in August 2007 by the chief officer, Russell Rees?---That's correct, yes.

Did it, amongst other things, emphasise the need for operations managers to give priority to the utilisation of volunteers, both in planning and in allocation of key incident management positions and also field command positions?---That's correct, yes.

And made the point, if it needed to be made, that not only do in many instances volunteers have the necessary competency, but also have superior local knowledge?---That's correct, yes.

It went on to state Mr Rees's expectation, and can I suggest this was the expectation of CFA as an organisation, that there will be volunteer capacity in key roles in every region across the state, reflecting of course that some roles may currently be under mentoring. "Further, it is my expectation that preplanned IMTs submitted during the fire season will have some volunteer component included wherever possible"?---That's correct, yes.

To your knowledge, has that ideal been pursued by CFA at the very least since the time that this memorandum was distributed in 2007?---Yes. As part of the chief officer's intent on that, we look at our regional auditing system. I think from memory it might be one of the key
questions about involving volunteers in IMTs on that, but
I'm not 100 per cent sure.

The memorandum will speak for itself, but it went on to
courage operations managers in effect to do all they
could to facilitate the involvement of
volunteers?---That's correct, yes.

Can I ask you to go to the other document now, please,
8 January 2008. It is a letter addressed to Mr Tony
Schappel, State Coroner, again from Mr Rees. Firstly, you
have seen that letter before?---Yes.

Do you understand that that was a letter sent in response to
certain findings of the inquest conducted by Mr Schappel
as State Coroner and that was the inquest into the deaths
in relation to the fires on the Eyre Peninsula in
January 2006?---In South Australia, yes.

In particular, the letter was concerned with the recommendation
made by Mr Schappel to this effect, that he recommended
that the South Australian Country Fire Service utilise
wherever possible the skills of paid, professional staff
to perform the roles of incident controller and/or
planning officer in level 2 incident management
teams?---(Witness nods.)

Were you aware at the time that Mr Rees was making a response
on behalf of CFA to that finding?---Yes, I was.

Again, in short compass, CFA rejected that recommendation as
being contrary to the principle of effective integrated
management of incidents by all CFA personnel and went on
to emphasise the very important and valuable role of
volunteers in the CFA?---That's correct, yes.

Mr Chairman, can I tender---

#EXHIBIT 549 - Memorandum of August 2007 signed by Russell
MR CLELLAND: You have referred to or been referred to a statement by Mr Small, who is due to give evidence in the Commission today. You would I think appreciate from reading his statement that, amongst other things, Mr Small asserts that it is almost impossible for volunteer firefighters within the CFA to obtain the necessary qualifications to advance beyond the position of crew leader; yes?---I am aware of that in the statement, yes.

Do you accept that proposition?---No.

Can I suggest this to you: some figures have been obtained for roles above the level of crew leader in Victoria as at November 2009. Those numbers total 1240 individuals and of those 677 are career firefighters or employees of CFA and 563 are volunteers. Does that accord broadly with your understanding of the relative ratios?---That's my understanding of the figures collected, yes.

Is it also your understanding that in the fire line leadership program of the approximate total of 1,000 participants, approximately 700 of those participants are volunteer firefighters?---That's correct, yes.

Likewise, the vector training program, this is as at September 2009, there were 455 CFA personnel who participated and of those 416 were volunteers?---That's correct, yes.

In terms of incident controllers, you have given the figures in your statement that, of the 63 incident controllers, level 3 incident controllers, 14 are volunteers?---Yes.

Broadly speaking, is it your understanding that there are specific arrangements made to enable volunteers to...
participate in all levels of training by scheduling training sessions, instruction, information sessions, as far as possible either on week nights or on weekends?---That's been our aim to do that, night work and also weekend work to accommodate volunteers, yes.

Where that might not have occurred at a statewide level, your understanding is there is at least a significant number of such courses conducted at regional level on weekends and on week nights?---That's my understanding, yes.

It is directed to that very issue so that volunteers can participate?---Yes.

And indeed enhance their own skills and advance through the organisation?---That's the aim, yes.

You were asked about statewide training opportunities. Is there to your knowledge any impediment to volunteers participating in that training?---No, not at all. Again, I think the point made before is about the availability of the statewide training courses on weekends and we may need to improve that.

If the Commission pleases.

<RE-EXAMINED BY MS DOYLE:

Mr Haynes, the figures that you just gave about the roles above the level of crew leader, I think you agreed in answer to a question that there are 677 such roles filled by career firefighters and 560 by volunteers. The reference there to roles above crew leader, is that really a synonym for numbers of people who are endorsed to fill those roles?---No. Above crew leader there is strike team leader, sector commander, divisional commander, and then above that incident management teams as well.

Because when we get to the pointy end, to the incident
management team end, the stat is that there are 14
volunteers who have level 3 incident controller
qualifications?---That's correct, yes.

And I think it is Mr Monti who says in his statement that if
you look at that as a proportion, it is obviously an
extremely small proportion of the number of volunteers
that exist statewide?---Yes. If you compare it to roughly
30,000 active firefighters, it is a small portion, yes.

I just want to ask you about something Mr Finanzio put to you
arising out of Mr Monti's statement at paragraph 32. In
Mr Monti's statement at paragraph 32 he refers to the
example of the Kilmore fire and suggests that the level 3
incident controller appointed for day shift travelled from
Wangaratta, 150 kilometres away. In fact, Mr Monti will
seek to correct that reference to Wangaratta to Mansfield.

Can I suggest to you that the evidence does disclose that
the incident controller for that fire was Mr Kreltszheim
who did travel from Mansfield, which is nevertheless about
150 kilometres away?---Yes. I'm not sure of the distance,
but he was at Mansfield, yes.

In that context can I ask you to look very briefly at the
incident management team planner that Mr Creak said he
used in order to resource the Kilmore ICC. The document
appears at (WIT.3004.008.0347). While that's coming up,
can I ask you to confirm whether you are aware of this one
other additional matter about the staffing of that team,
that Mr Murphy, a volunteer who has level 2
qualifications, acted as incident controller until 4.30 on
that day when Mr Kreltszheim arrived at Kilmore?---That's
my understanding, yes.

If we look at the IMT planner that Mr Creak said in evidence he
used for the staffing of Kilmore - the typeface on it is very small and I hope you are going to be able to see this. Just concentrating on the top where it refers to incident controller, you see Mr Creak there, then Mr Kreltszheim, Mr Healy, Mr Beer and so on?---Yes. So you have agreed with me that you understand it was Mr Kreltszheim who got to Kilmore at 4.30 and commenced then as level 3 controller. The evidence doesn't tell us much about Mr Healy, but does tell us that Mr Beer was located at Yea headquarters?---That's my understanding, yes.

So in the end it was a CFA employee from Mansfield who travelled to Kilmore to step in as level 3 controller when it would appear there was at least one volunteer who was a lot closer?---Yes. In that sense, yes, but I think - again I'm not sure of the evidence - but Mr Creak and Mr Beer had the discussion about Mr Beer's role for the day in the Yea group, is my understanding.

This is just of course one example. Mr Finanzio also asked you the broader question about whether culturally it is possible that paid staff are sometimes preferred over volunteers. You said it may be possible, it could occur, I think was the terminology you used?---Yes.

It may be that there is a human tendency or even convenience comes in to prefer people you've met and worked with before when trying to fill spots in a roster. It might be an aspect of human nature?---It could be. I'm not a psychologist.

But what might assist in ensuring that volunteers are used when they are available and appropriately skilled might be to have a sort of skills audit or a skills register which
enables one to know what qualifications a volunteer has
but also what other world or real life experience they
might be able to bring?---That would be a good point, yes.
One way that might be facilitated is at the regional level,
volunteers being invited or encouraged to talk about or
even document what experience and skills their day job
gives them, whether it be in the army, in schools or in
management?---And that discussion in my view should be
held at the brigade level initially because we inspect
every brigade annually and that's probably the best
discussion point with the officers of the brigade.

In light of the documents that Mr Clelland put to you
encapsulating the chief officer's view about the use of
volunteers as at August 2007 and January 2008, this
embodies a commitment on the chief officer's part to using
volunteers, including at what I have called the pointy
end, including in IMT roles?---Yes.

So if anybody in preparing IMT planners or in resourcing
incident control centres is not adhering to that
principle, that would not be what the chief officer has
indicated ought to occur?---That would be against the
chief officer's intent, that's correct.

Finally, I want to ask you about the modelling that you have
done, the figure 12 we have referred to a number of times
about the worst case scenario. You have said in evidence
that if the whole state is declared code red it may be
that in the end 12 incident management teams are needed to
deal with serious fires on the day. Can I ask you to
confirm, in light of the evidence you have given and the
regard you have had to preparedness levels for the next
fire season, are you confident that if a code red day is
declared for the entire state, that we have sufficient
people available to field 12 level 3 incident management
teams?---The analysis between CFA and DSE, although fairly
light analysis, indicates that we should be able to do
that, at least 12. Again, as a target on a daily basis,
on a preparedness basis, if we can't meet that 12, we can
instigate some - supplement from other states.

It might just be a matter of terminology, but why is it light
analysis? This is the most critical analysis we will do,
 isn't it?---What it is is looking at our training records
and our numbers. What we haven't gone down to is the
availability of each person individually.

Let me deal with that by asking this question. You have said
that you feel confident we can field 12 incident
management teams, if necessary perhaps supplementing from
interstate?---Yes.

I think you agreed in answer to a question from Mr Clelland
that you have even made inquiries with airlines about
whether, if there is a need to move people within
Victoria, you can?---My understanding is, through the
state airdesk, the availability of aircraft to move people
around the state, yes.

Then my next question is this: in light of all of that, are you
confident that if the entire state is declared code red on
a day, say, in February 2010, that we will be able to
field level 3 incident management teams in the right
places, by which I mean to fight fires, by having level 3
teams in place by 10 am in relevant places in
Victoria?---No, and we never said that. What we actually
said was that we will have the core IMT in by 10 o'clock
in the morning and where the fire starts or incident
starts, we will have the full team of 30 within the
timeframe.

When you say core IMT in that context, do you mean including a
level 3 controller?---If we can, yes.

So it might be a level 2 controller?---It may be, but our aim
is to have a level 3.

Isn't that exactly where we were on February this year? We
were aiming for 3 and we sometimes got 2?---No, not at
all, because again it is about the output we want the
eight people to do. If they actually do that output of
the four things, fire analysis, community warnings,
situation reports and operational structure, that is the
main thing. Output is the main thing, not how many people
in a building.

Is that another way of you saying what you said in paragraph 14
of your statement, namely sometimes level 2 controllers
can do a level 3 job?---I think it is not only the
controllers but the team itself. The team is the thing
that actually does the job, not one person. That's what
I wanted to say by that.

That seems a little out of kilter with the concurrent
suggestion that it takes five or six years to translate
from level 2 to level 3?---In what way?

You have said in answer to a question from Mr Clelland not long
ago that it can take five or six years to transition from
level 2 to level 3. I'm suggesting to you that is a
little inconsistent with also suggesting that on a day
when a fire breaks out that is of level 3 complexity, the
guy in the level 2 slot can do just as well?---For the
short time to do the four output things with their team of
eight, they can actually achieve the output required. If
we had a preference to have a level 3 controller in place, we will, and looking at our figures we may be able to do that. But I cannot guarantee, Ms Doyle, that we actually can achieve that.

The short time you are talking about, namely the time that elapses between ignition and the level 3 person turning up, could be the critical time during which the fire fails to be kept at the first attack stage and during which a community in need of a warning needs to receive that warning in a timely fashion?---Which is the role of the eight people to do. I can't see your point, when the output we want from the eight people is exactly what you are talking about.

So you are confident that, even if there is a level 2 person in the steering position, if you like, as incident controller, any deficits that they might encounter in terms of aptitude or experience, the breach will be filled by their other team members?---As a team I reckon they'll perform, yes.

I have no further questions for Mr Haynes. May he be excused.

CHAIRMAN: Yes. Thank you, Mr Haynes.

<(THE WITNESS WITHDREW)

MS DOYLE: We will now turn to the evidence of the lay witness, Ms Robbins.

MS NICHOLS: If the Commission pleases, I call Marisa Robbins. <MARISA ANN ROBBINS, affirmed and examined:

CHAIRMAN: If you can just stay roughly between those microphones, you can ignore them.

MS NICHOLS: Ms Robbins, can you state your full name and your address for the Commission?---Marisa Ann Robbins, 195 Albert Street, Port Melbourne.
Ms Robbins, are you the daughter of Lloyd and Rena Martin?---I am.

Rena was known as Mary?---She was.

And you lost both your parents in the fires on Black Saturday?---I did.

Have you made a statement with the assistance of the Commission's lawyers about your experience of their deaths on Black Saturday and some other matters that you would like to speak about in relation to the fires?---I have, yes.

Is that a true and correct statement?---It is.

I tender the statement.

#EXHIBIT 550 - Witness statement of Marisa Ann Robbins (WIT.124.001.0001).

MS NICHOLS: Ms Robbins, can I ask you about your parents. They lived in a 40 acre property in what you knew as Whittlesea?---They did, yes.

And the official address of that is Humevale?---It is, yes.

But you knew it as Whittlesea?---I did, yes.

How long had they lived on that property?---They moved there in 1980. They lived in a caravan for a year while the house was built, but they had been on the property since 1980.

You had never lived there but you would visit many, many times?---Yes, of course, being their daughter and stayed up there for weekends and things.

They built the house themselves?---They did. My father had a building company, a portable construction company, and so he had builders. He designed the house and had the builders build it while they lived in the caravan.

They bred horses on the property?---They did. They had a thoroughbred stud that they bred from brood mares and
raised horses and bred horses there, but they had retired
from that probably four or five years ago, so they had no
horses on the property, just their dog.

On Black Saturday your dad was in his early 80s?---He was, but extremely fit. They played golf three times a week
together, mum and dad. Very strong, very fit. You could still punch him in the stomach and he had rock hard
muscles, and he worked on the property. He was doing fencing a few weeks before the last time I visited him, he
was digging stump holes and rewiring fences. So both of them - mum was a lot younger and both of them very fit and able people.

Both very involved in their local community?---Yes. Dad played bowls on Wednesdays and, as I say, they played golf two or three times a week and went to social functions as well and knew other horse stud people as well as golf people and they'd been there for, what is it, 30 years or something so they knew lots of people.

Can I ask you about the property. It is 40 acres. Is it part of an 80 acre allotment that was divided into two?---It was. It was divided back in 1980 and sort of split down the middle and quite a clear property. When they first moved there it had hardly any trees on it at all, backing onto the Kinglake National Park, but a cleared property apart from trees that dad planted along the fence lines as wind breaks for the horses and a little bit of a fruit tree garden not far from the house but sort of small fruit trees and a cottage garden just with flowers, but by no means bushland or anything like that. Because they no longer had any horses on the property, the ground was quite barren. It just had a little bit of capeweed
growing on the ground. There was absolutely no grass left at all, which is why they didn't have any cattle or anything either at that stage because of the drought. So it was really quite sparse as far as vegetation goes.

And the nearest house to your parents' property?---Was on the other property that was the other half of the 80 acres. I'm hazarding a guess. It was maybe 500, 600 metres away on the other side of the fence further up towards the road. My parents' house was down quite a long driveway and sort of on the ridge of the hill and they were much further up near the road near their driveway.

Your parents' house was brick with a tin roof and concrete slab?---Yes. About 40 squares, brick with just a tin roof. It had a terracotta tiled verandah right around it, which was the only thing still there. Something must be about terracotta because he also had a bit of a wine cellar that he used the terracotta pipes to store wine in and they were pretty much untouched and so was the paving, but otherwise everything else was gone. The only wooden part of the house were the verandah posts, but they were actually on sort of metal cradles, and wooden window frames and inside there was a wooden ceiling in the main lounge room, like a timber-lined ceiling.

What about water supply on the property?---They had for their own consumption a big inground concrete tank that was sunk into the ground which was, I don't know, probably six metres across in diameter or something and quite deep. I never got in it so I don't know how deep, but they rarely ever ran out of water. They had a tanker come and fill it up maybe once in the time they were there. Then they had dams in all the paddocks, but they had a really,
really big dam, sort of just down the hill. It would have been maybe 50 metres, somewhere between 50 metres and 80 or something like that, away from the house, just down the hill, that was connected to a pump. It was about 20, 30 foot deep probably, probably about 50 feet across.

I should talk in metres, I suppose. Probably 10, 20 metres diameter. It was a big dam. That was connected to a pump that was housed inside a tin shed with a motor generator and connected to hoses, big hoses, connected to pipes that ran up to the house underground and then taps around the house connected to fairly substantial hoses to do the watering and for fire protection.

Were there sprinklers at the house?—And long, long hoses, too, so you could reach all around so it could get out to anywhere you needed to get to from the house.

The sprinklers?—And sprinklers on those, yes, big ones like those ones they use in the park to water the gardens and things that do big — —

Had your parents ever had fires come to their property?—Not on their property, but I know many, many times over the years, up in Kinglake particularly, there were fires breaking out. I even was up there one weekend minding the property and smoke was coming out from Whittlesea over the hill and I was like, "Gosh, smoke's coming," but it never seemed to come that way towards them, back towards Whittlesea, it would usually burn off into Kinglake, so they had never been confronted by an actual fire coming to within striking distance of their property.

Before 7 February occurred did you know what they had planned to do in the event of a fire coming onto their property?—My father, I don't know how many times over
the years, I couldn't tell you, but I know he did attend CFA meetings. They got all the instructions and the communications from CFA members and so dad and mum were very well - had a lot of knowledge about what to do and fires in the area and everything else that was happening so they were well prepared. The property was completely cleared up and cleaned up all around. The stables that used to be there were completely empty of any fuel or fodder or anything like that. Dad had his generator, his pump and his big firefighting hoses, so he thought he was well prepared.

On the 7th you were at home in Port Melbourne?---Yes.
And you didn't actually speak to your mum and dad that day, but you learnt later that your mum had a couple of phone conversations, one with Barbara Duff?---Yes.
What did Barbara tell you about that conversation?---She said that she had spoken to mum, she didn't speak to dad, but that mum said she wanted to go. She wanted to put the dog in the car and leave. I can't remember, I don't know whether she said she had her bag packed or not, but she said, "I just want to pack a bag, get in the car and go." But she said that Lloyd wanted to stay. He didn't think it was - I don't know his words exactly - but she was telling Barbara that, "Lloyd's a bit of a problem. He doesn't want to go." And there is no way that she would have left without him. She made threats like "I'm leaving, I'm taking the dog and going," but she would never do that without him.

You were at home and you heard something in the afternoon about a fire at Kilmore East but didn't connect that with where your parents were?---I was sitting watching television all
day. I thought of them in the heat because it was often
an issue with the heat and the dog and they didn't want to
travel with the dog, because they always took the dog
everywhere. You know, it was "Come to visit, bring the
dog." I did think to myself should I ring them up and say,
"Come on down here because it will be cooler." I thought,
"No, they won't want to, they won't want to take the dog
in the car." I was just thinking of the heat, not fires.
I had spoken to mum the week before and she assured me.
I said, "If there's ever a fire, you just leave, there's
no way you should stay, you should get out." She said,
"Yes, I know, I know, we'll go. It's just a house." So
I was feeling quite comfortable that if anything happened
they would call and come down to us. So, I was just
watching television. I wasn't thinking. I hadn't heard
about any fires except there was one going across the
ticker tape some time in the afternoon saying "Fire has
broken out in Kilmore East" and I was thinking, "Gee,
I hope everyone's all right." But I'd never heard of
Kilmore East. It hadn't occurred to me. I know of Yea,
and Whittlesea and Kinglake and all those places, but not
Kilmore East. Then later, I think it was probably
4 o'clock or 5 o'clock, a ticker tape thing came across
and said "A house lost to fire in Whittlesea." That's
when I hit the panic button.

You made some calls?---Mm-hm.

And you obviously spoke to your sister and then you rang the
bushfire information line and got hold of somebody
there?---I think I got Travis to get onto the CFA because
the news came on then and they were saying "hotline" and
all this, so we rang the hotline. We got onto the CFA
website to see where the fires were, trying to figure out - because they lived another six or seven kilometres up the hill from Whittlesea. I still didn't know whether it was just a house down in the valley or something like that. So, at that point it was like ring everybody, listen, get the radio on, get onto the website, trying to find out where the fires really were, which I don't think - I can't remember in that moment, you know, how much we could find out of where they were, but I knew the fires were in that area, because the first thing I did was ring mum and the phone was ringing out. Then I rang their mobiles and they were saying the person has got their mobile switched off. That's when I started to really panic because I thought they'd be at home, they'd be in the house answering the phone. They wouldn't be out visiting in this heat or doing anything else.

So you decided to stay near the phone at home?---I rang my sister, I rang Paul, rang everybody I could think of to say, "Have you heard from them?" So I spent - I was on the phone constantly and listening to the radio and just trying to find out everything. I rang my sister. Then I'm thinking what can I do. It was sort of getting into the evening and I'm thinking - I kept ringing them of course every five minutes. I think I rang the emergency centres to see whether they had registered. Then I rang all the hospitals because I thought they've got to be out, I'm going to find them somewhere else, so I spent all night doing that. I thought, "It's no good me getting in the car, driving up." It's in the car you don't get good phone reception and I won't be able to find phone numbers for people I need to call, so I need to be like manning
the station trying to find them from home.

You ended up listening to ABC. At about 3 am you heard a
gentleman called Peter?---Yes.

And he was saying that the Whittlesea golf club had been
burnt?---No, he was driving from - he lives near the
Whittlesea golf club and he was driving out, you know, or
in, going from his property, out away from his property
and he rang in to say on the ABC program that all up the
hill from the Whittlesea golf club up towards Kinglake,
the entire mountain was gone, and I know that that's mum
and dad's mountain.

You managed to make contact with Peter through the
ABC?---I rang the radio and said, "Can he give me a call,"
and he did five minutes later. He knew mum and dad
because he used to deliver stock feed when they had horses
up there, so he said to me that he couldn't - because they
lived up the hill and then around a bend, from below the
hill you couldn't see right up into their property, so he
didn't know. He couldn't see whether their house was
still standing or not. But he said - and this is
3 o'clock in the morning - he said "I'll go up at first
light and I'll have a look for you."

And he did that?---Yes.

Then the next day you went to Whittlesea with your
sister?---I spoke to Peter. He rang back straight away.
He'd been on the property and he said that the cars were
there, the two cars were there, and he'd seen the dog, but
he hadn't seen any trace of my parents. So I'm obviously
hysterical at this point but I said to Jane and our
respective partners, "We'll go now, we'll get up there and
see. Maybe they're in the emergency centre and they
haven't put their names down or whatever. So, we've done
all we can from here. Now we can get up there and see
what's happening and see if we can find them."

When you did get there eventually, a policeman went to the
property and came back and told you what had
happened?---Yes. We begged them to sort of go up and look
for us.

And they did?---And they did, and they came back and said two
people were deceased on the property, yes.

After that point you were given permission shortly after to go
and have a look at the property?---Not really. I can't
remember how long it took for them to re-open the roads.
It was a couple of weeks later, I think, somewhere between
a week and two weeks, I can't remember. But we were
allowed up eventually, yes. We spent, you know, all that
day and that night and then we went back and I went up
there and helped get feed and water up to animals and
things up in the area for quite some time. So we spent
probably - I spent with my sister about a week on a daily
basis going up there and trying to help and waiting to see
if we could get in and all of that sort of stuff.

There was quite a lot of waiting because you were able to have
a funeral for your parents on 2 April, so it took several
weeks for you to be able to do that. Did you find the
lack of information during that process, during the time
at which the Coroner was trying to identify them,
frustrating?---Well, I thought because the circumstances
of our parents, that two cars and two people were found on
their property and the property is quite isolated from
anybody else, in my naivety I thought it would be a fairly
straightforward situation. But we had our DNA taken very
quickly and we had statements taken quite quickly. Then it went on and on for weeks. I rang every day to find out what was happening and to just get information. I wasn't expecting anybody to do anything faster than they could, but I wanted to know the process that was happening, why it was happening and what the results were. Nobody could tell me anything other than it could be weeks, it could be months, and I got that official line for a few weeks, I can't remember exactly how long, until I just really begged and pleaded with everybody, and then finally somebody told me DNA wasn't successful, but then they couldn't tell me why or what else would happen with that, so then I had to keep hassling. I just wanted to know what was happening so we could make decisions about a funeral or a memorial or what we should do. If you don't know whether it is weeks or months or days or whatever, if you plan a memorial and then they give you the phone call the next day - because they were releasing bodies as they were going along, and you don't know whether it's going to be yours or not. So you have a memorial and then they say the next day, "We've identified your parents now." So I wanted to know that sort of information, but eventually they told me, after many weeks, that DNA would not be successful and they said, "Have you had a statement taken?" I said, "I gave one right at the start." They said, "No, that's not the one we're talking about. We're talking about another police statement." I said, "Well, no." So then the whole police statement had to happen with myself and other people who had spoken to my parents. At this point I had finally been given the name of Jenny Haw, who was running the operation in the Coroner's office
along with Judith Leitch, by the policemen because I was ringing them, hassling them for someone to talk to about what was being on. I was finally given her name and everybody in the end, sort of seven weeks later, you know, the statements were taken and then everything happened very quickly then because I think they took it on board what my situation was and it shouldn't have happened, that they weren't in amongst 50 other people up in Kinglake all running into other people's houses. They were an isolated property, parents, dog, cars. So they realised that the case could be put together quite quickly and it was resolved then.

What did it mean to you to have that final advice?---It was just fantastic. I sent them all flowers and I was so thrilled that I could make the decision that we could have a funeral and I knew what was happening. I don't know; it's hard to say. That was the only thing - I can't say good news - but that was the only thing that was a relief, you know, was just so good to know. That whole thing of it could be weeks, it could be months, it's a bit like talking to Telstra or some bureaucracy that you can't get an answer out of. You need the information, you need to be kept in the loop what's going on when it's you and your family that's involved.

Have a glass of water if you need to?---I'm sorry, I hope I didn't upset Telstra or anybody.

No, I don't see Mr Garner approaching. Ms Robbins, you have made some reflections on your experience of what it was you understand your parents went through and what happened to them about, firstly, the "stay or go" policy and your understanding of it. What is it really that you want to
say about that?---I want to say that I think people have false expectations of what they are capable of doing, as my father did. They spent 30 years up there. He knew all about how to fight fires, supposedly, with your hose and your clear property. Their property was as prepared as any other property could be, and so he thought he could, given the information, given almost the encouragement, I feel, with this whole "Be fire ready, be prepared," that he was prepared and he could do it, so therefore he and my mother are both dead. I think that people need to be given instructions on a day where they have no hope of fighting a fire. I don't think anybody should be fighting a fire except a firefighter or someone who is a volunteer that is trained to do so, and they should be doing it in proper fire protection gear and they should be in proper firefighting vehicles. Even the firefighters struggled on that Saturday, let alone being told that if you've got your sprinkler, your hose and your bucket and you're going to get out the embers, that somehow you've got a fighting chance. It is just ludicrous. You know, if you were in an office here now and the warning thing went off and they said, "There's a bomb on level 3," you don't have a choice whether you're going to stay and protect your document you've been working on for the last two hours because you really don't want to lose it. You will be compelled to leave the building. I think people should be given clear instructions, when the authorities know that this is a very dangerous situation, that they must leave. I'm not proposing that you go and drag people out of their houses, but just as if you were given the instruction here to "Leave this building, there is a bomb," you would leave.
If you were given those instructions clearly and in time, in your house, you will leave too, you won't need to be dragged out. It is a matter of people taking the responsibility, the authority, to protect people's lives. If you want to fight a fire, go join the CFA, learn how to do it properly, put your gear on and go back up the hill and get your family out safely first. I think one thing that will save your house, if anything is going to do it, is you should install a sprinkler system in the roof of your house, have it hooked up to fireproof pumps with fireproof pipes, turn it on and then leave and let the water save you, because nothing else will. One more thing I think is that I know that people were given the idea, and I can't say exactly where from or if it is clear instructions from the CFA or whatever, to not leave your house, don't go and get in your dam or anything but stay in your house. I think in your house is a damn good way to die. I know on my parents' property they had a big, deep dam and it's the only thing that's standing on the property, was the horse shed directly behind the dam. The fire went right around it, there were beautiful green lilies and rushes still in the middle of that dam. If they had gone into that dam, they'd be alive, just as quite a few other people were still alive because they got in their water tanks or because they got to a little ditch with water in it. Any sort of water is what will save you, but I don't think anything else will.

Thank you, Ms Robbins. May Ms Robbins be excused?

CHAIRMAN: Yes, indeed. Thank you very much. You are excused.

<(THE WITNESS WITHDREW)>

MR ROZEN: Commissioners, the next witness is Mr Slijepcevic.
I call Mr Slijepcevic.

<ALEN SLIJEPCEVIC, recalled:

Firstly, an apology if I just mangled your name. Can you just please inform me of the correct pronunciation?---"Slepchevich".

Thank you. Can you confirm that your full name is Alen Slijepcevic?---That's correct.

And you of course have previously given evidence in this Commission and have previously provided two witness statements and you have now had produced for you with the assistance of the solicitors for the State of Victoria a second supplementary witness statement?---That's correct.

Have you had an opportunity to read through that statement before giving evidence today?---Yes, of course.

Are the contents of the statement true and correct?---That's correct.

Is there anything that you wish to change?---No, I don't.

I tender the statement.

#EXHIBIT 551 - Second supplementary witness statement of Alen Slijepcevic (WIT.3124.005.0001).

MR ROZEN: If I can start by asking you some questions about level 3 incident controllers. Firstly, have you been in the hearing room throughout Mr Haynes 'evidence this morning?---Yes, I was.

You would have heard Mr Haynes say that he was satisfied from the perspective of the CFA that there are sufficient level 3 incident controllers in place for the forthcoming fire season?---(Witness nods.)

Are you of the same view?---Yes, I am.

What about for the last fire season? What do you say about whether there were sufficient numbers of level 3 incident
controllers on 7 February 2009?---If you look, the
difference between last and this year is about 15 people
potentially, so we still had about 85 people at that time.
So I take it that the answer is the same, that there were
sufficient numbers?---Yes.
But you would agree, I take it, in general terms that it is not
just a matter of numbers, it is a matter of having them in
the right place at the right time?---That's correct.
I will explore that issue with you in a little more detail.
Before doing that, I just want to get a bit of an
understanding from you, based on your experience, of the
difference between a level 2 incident and a level 3
incident and therefore a level 2 incident controller and a
level 3 incident controller. I wonder if I can do it in
this way: In your statement of 25 June of this year, and
I don't want to take you to the detail of it, but as
I read that statement you make the point that at a level 3
incident the incident controller would normally delegate
all functions, that is operations, logistics, planning and
so on?---That's correct.
By contrast, at a level 2 incident there may be fewer functions
that are delegated and some that are actually performed in
an operational sense by the incident controller, him or
herself?---That's correct.
Does it follow from that that one of the key differences
between the two roles, that is between a level 2 incident
controller and a level 3 incident controller, is that a
level 3 incident controller position is essentially a
management function?---The same applies to level 2 as
well.
Yes, there is obviously a management role associated with a
level 2 function, but at the level 3 level, if I can put it that way, given that everything is delegated, then it is largely a management role?---That's correct. Is that a fair way of putting it?---Yes, that would be.

So in a properly running level 3 incident control centre you wouldn't expect, for example, the incident controller to be seeking weather updates personally. You would expect that weather information to be coming through the appropriate channels, the situation officer and through the planning unit?---That's correct.

The incident controller's function would be more one of oversight that the appropriate roles are being performed at the appropriate levels?---(Witness nods.)

In your statement of 25 June 2009, which is exhibit 202, you attach a career path document. I wonder if it could be brought up, (DSE.HDD.0012.2145). This was annexure 3 to your statement of 25 June 2009. Does that document look familiar to you?---Yes, it does.

If you could scroll down to the bottom of the document. On the left-hand side we see the second last entry, "Incident controller level 2 is usually achieved after seven to 10 years experience as a level 1 controller." What is the source of this document. Is this an accepted AIIMS document? Is this something that has been created in the DSE?---This is based on the experience within DSE.

Generally speaking, that level of seven to 10 years experience at level 1 is an appropriate level of experience to move to level 2, and similarly the progression from incident controller 2 to incident controller level 3 occurs after a considerable experience as a level 2 controller which you put at usually six to 10 years?---That's correct. I just
have to clarify that this was based on years through 80s
and 90s as people are moving through, so this is based on
the analysis how people actually move between the roles,
so achieve the accreditation in between. Throughout 2000s
we actually have a lot more fires, unfortunately, and a
lot more opportunities to practice, so what used to be
seven years now potentially is much shorter than that.

So I think you have anticipated my next question. Mr Haynes
just told us, as I understood his evidence, that three to
five years at the level 2 role was probably an appropriate
level of experience to qualify you to move to level
3?---(Witness nods.)

I think he explained that's in light of the greater number of
fires, the greater opportunity to obtain the experience
now?---Yes, and we actually use some different ways of
providing opportunities to people by sending them on
secondments to other agencies or sending them to do
shadowing overseas or being mentored overseas as well, so
to shorten that time that is required for people to gain
the experience.

In your statement at paragraph 111.13, which is at page 0022,
page 22 in your hard copy that you probably have in front
of you, sir, at 111.12, 13 and 14 you are there describing
presentations and training opportunities which are being
made available to level 3 - sorry, do you have the correct
page in front of you?---Yes.

Perhaps I will start the question again. At paragraphs 111.12,
13 and 14 you are there describing initiatives which have
been made available for level 3 incident controllers and
other members of level 3 incident management teams in
anticipation of the forthcoming summer; is that
right?---That's correct.

What's the thinking behind targeting that information to level 3 incident controllers rather than incorporating level 2 incident controllers in the provision of that information?---This is really not just for the incident controllers. This is for key members of the IMTs, level 3 IMTs coming together in those events.

But it is targeted at level 3 accredited personnel?---That's correct. One of the major reasons is obviously the complexity of the fires and what we want to give to these people, but also the number game as well because we are conducting this in one location. Usually in Melbourne we are constrained by the number of seats as well and then the same information is that given to level 2 people and the people that maybe missed it, the level 3 people, during the regional briefings.

The complexity of an incident is of course what primarily sets it apart as a level 3 incident compared to a level 2; would you agree with that?---Yes.

And I suggest to you that the provision of the information which you there describe, and there are other examples in Mr Haynes' statement which I don't think I need to take you to, indicate that there is an awareness within the agencies that incidents that are of sufficient complexity to be called level 3 incidents need to be managed by level 3 personnel?---Ideally. That's correct.

There has been a lot of evidence in the Commission about level 3 incident management teams, albeit with an incident controller who wasn't qualified or accredited or endorsed as level 3. The fact of the matter is this, isn't it, that unless there is a level 3 incident controller in
charge of an incident management team, it is not a level 3
incident management team; would you agree with that?---It
really depends on the circumstance. I can point that
Mr Tony Lovick is also accredited operations officer level
3 as well, so these people actually perform the roles
already within the level 3 IMTs before. It is not like
this is the first event when they are doing the job.
I understand that. But there is a difference, is there not,
between being a level 3 incident controller and a level 3
operations officer?---Yes, there is.
The point you are making is that a man such as Mr Lovick, who
was accredited as a level 2 incident controller, who was
in charge of the Alexandra incident control centre, had
other experience which made him a particularly well
qualified level 2 incident controller?---That's correct.
But he is still not a level 3 incident controller?---He is
coming through the level 2 to level 3 program at the
moment.
In your statement at paragraph 108, which is on page 0020, you
make the point that there were 15 fully available
accredited DSE level 3 incident controllers on 7 February
2009?---That's correct.
In addition, we know from the statement of Mr Haynes, in a
paragraph which I understand you to adopt, that there were
83 CFA level 3 incident controllers available on
7 February 2009?---I believe it was - what did you say,
80? I think it was around 60, 63 CFA.
There seem to be two numbers referred to. We will go on the
lower of the numbers. There are 63 endorsed level 3
incident controllers referred to in paragraph 170 and 83
are referred to in paragraph 172. Accepting the 63 figure
for the sake of the question, it is nonetheless the fact that for the Alexandra IMT, for which DSE was the control agency, there was not a level 3 incident controller in place until 8 February 2009?---That's correct.

Mr Caddell commenced as the incident controller at some time on the morning of 8 February 2009, by which time of course the fire had impacted on Narbethong and Marysville with the loss of life that the Commission has referred to.

Given that the numbers of incident controllers were, as you have told us, sufficient for 7 February, do you agree that it was unacceptable that a level 3 incident controller wasn't in place at Alexandra until the morning of 8 February?---We had a couple of incident controllers based at Mansfield which moved across to Kilmore fire, and it was just the time it would take for others to come to that that made Mr Lovick become the incident controller there on the day.

Do you agree, sir, that it was unacceptable that there wasn't a level 3 incident controller in place until the morning of 8 February?---I would say that Mr Lovick performed brilliantly in that role on the day.

Do you want to answer my question?---I think I did.

In relation to the question of whether there were level 3 incident controllers available on 7 February to fill the role at the Alexandra ICC, the evidence before the Commission from Mr Farrell is that there was a local mutual assistance plan, an LMAP, a concept that I think you are familiar with?---Yes, I am.

In operation for 7 February. I will take you to it if I need to, but it indicates that there were five level 3 incident controllers, including Mr Rice of the CFA, who were
apparently available to perform the level 3 incident
control function at Alexandra. Are you aware of that
document?---I'm aware now, yes.

Are you able to assist us with understanding why use wasn't
made of one of those five rather than waiting until
Mr Caddell could be available?

MR CLELLAND: Mr Chairman, this has been the subject of
evidence at this Commission and we are conscious that the
Commission is very pressed for time. This witness and
Mr Haynes were responding to a specific letter sent to the
State that they provide certain information, which they
have done to the best of their ability. We ask why are we
going over this evidence through this witness when the
people who could properly answer these questions have
already given evidence and been asked about these same
matters. We object.

MR ROZEN: Commissioners, the reason I'm raising it at this
time is because it goes directly to the next topic that
I'm going to address, and that is whether the arrangements
that have been described and put in place for the
forthcoming summer are likely to lead to any different
result.

CHAIRMAN: Yes.

MR ROZEN: If I can turn to the issue that you describe in your
statement of the best qualified person being utilised as a
level 3 incident controller, and I think you understand,
sir, that this arises out of the recommendation 9.2 in the
Commission's interim report?---(Witness nods.)

We have evidence before the Commission, not only the example
that I have just drawn you to, but also the example of
the Traralgon incident management team where Mr Lockwood
of the CFA was appointed as the incident controller in preference to the considerably more experienced Mr Jeremiah. You deal with this issue by making reference to a joint standard operating procedure which will govern the appointment of incident controllers in the forthcoming summer. That is joint standard operating procedure 3.08, which is at (WIT.3004.027.0380. It is attachment 33 to Mr Haynes' statement. Commissioners, I think this might have been one of the ones where an amended version was provided to us, but for present purposes the aspects of it I want to take the witness to are no different. If we go to page 2 of this document which is in front of you, clause 2.1, do you agree that the wording of clause 2.1, and I quote, "The control agency shall appoint an incident controller (from either agency) for each multi-agency incident" is for all practical purposes identical to the wording that was in the standard operating procedure that applied on 7 February 2009?---That wording would be. Why in those circumstances do you think that there will be a change in approach from what Mr Haynes has described as the traditional approach, which is the control agency appoints the incident controller from its agency and the other agency appoints the deputy?---The biggest difference this year is that you will have area operations controller or the state controller that will be appointing incident controller for the job, and that might not necessarily be the person from the same agency or the agency that is the lead agency or control agency for that fire. So you point to the identification of the person making the appointment as an explanation for what the Commission has recommended, that is that the best qualified, most
competent person be appointed regardless of agency, and you point to the fact that it is the state controller or the area of operations controller making the appointment that will achieve that end?---Definitely.

Why does the identity of the person making the appointment make any difference?---Because on a day like the 7th or preceding that day, we will have more rigorous checking of who the people are, so it is about the area of operations control team filling the positions for all those IMTs. So it is about a discussion between the area controller and the agency commanders to coming up with the best people for the job.

Surely it would assist in achieving that if the standard operating procedure which governs the process of appointment spelt out in terms that the incident controller is to be the most experienced, qualified and competent person. Wouldn't that reinforce the message?---Yes, I think so.

Are you able to assist us with why that hasn't been done in the standard operating procedure?---No, I didn't work on the operating procedure.

In your statement and in the annexures to it you describe in some detail the level 2 to 3 transition project. I would like to ask you about that?---Yes.

Is that a project that you had a personal role in relation to?---No. When it started in 2006 I wasn't part of it. I wasn't in my current role.

I understand that. Do you now have a level of oversight over that project?---Yes, I do.

You explain in your statement and in an attachment which is at page 286, it is attachment 17 to your statement and it
starts at (DSE.HDD.0074.0284). You were in the hearing room this morning and did you hear the evidence Mr Haynes gave about the history of this project?---Yes, I did.

I take it from reading your statement that the process that is described in the standard and in your statement continues to apply so far as the transition of DSE personnel from level 2 to level 3 is concerned?---Yes, that's correct.

We review the process and change it slightly, but it still applies.

Mr Haynes told us that he personally had been through the process as part of his transition to level 2 to level 3.

As far as you are aware, does it have application to the CFA presently?---How do you mean? Does the CFA participate in it?

Yes?---No. I think you heard that from Mr Haynes.

Mr Haynes explained that, as he understood the reasoning for that, it was to do with a concern over psychometric testing?---Yes, I heard that.

Are you able to explain to us is it the case that the psychometric testing used as part of this transition project results in either a pass or fail for a participant?---No, it doesn't result in a pass or fail. It results potentially in a development plan for the person.

Can you just explain that to us a little further. A person goes through a process of psychological testing, is that right?---Yes, that's correct.

Which is referred to as psychometric testing. The purpose behind the testing is what, exactly?---The person that does the testing is a psychologist.

That's the person who does the testing. What is the purpose of
the testing. Why is it done?---The purpose is to assess the work preferences for people that will work in the roles, and it is about critical thinking, decision making, working under stress, self-awareness and so on.

The personal attributes that are described as either role critical or very important in the standard; is that right?---That's correct.

So if the reason behind the CFA not participating in this is because of a concern that the psychometric testing only results in a pass or fail, then that would be a misplaced concern; is that your evidence?---Yes. But I think there was some confusion about it, is it pass or fail or not, at the time.

Was it at any stage pass or fail?---Not to my knowledge.

At paragraph 93 of your statement you explain that the transition process from level 2 to level 3 is presently applicable to incident controllers and operations officers; is that right?---That's correct.

At paragraph 96 you explain that it is proposed for the forthcoming summer to extend it to planning officers and logistics officers?---That's correct.

Mr Haynes in his statement explains that as part of the future addressing transition from level 2 to level 3, that there is a project which has a completion date or target date of 30 June 2011?---That's correct.

Concerning a number of key IMT personnel?---(Witness nods.)

I wonder if I could take you, please, to paragraph 126 of Mr Haynes' statement, which is at (WIT.3004.023.0041). If we could scroll down to the bottom of the page, please.

Mr Haynes is there setting out the commitments that the CFA and the DSE are making in terms of future
arrangements. At paragraph 126.4 he says, "By 30 June 2011, to develop joint training packages for key IMT personnel where they do not currently exist and to agree on long-term training plans and targets." He then sets out eight key IMT roles from incident controller through to division and sector commander. Do you see that?---Yes.

So far as the first four are concerned, incident controller, operations officer, planning officer — certainly as far as the first three are concerned, incident controller, operations officer, planning officer — the training process is part of the level 2 to 3 transition process, is it not, so far as DSE is concerned?---Yes.

What about situation officers? What is in place so far as training for a situation officer to move from level 2 to level 3?---At the moment we have a training for the level 2, and after that is based on performance at the incidents.

So there isn't a formalised assessment process such as that that we have just been talking about for incident controllers?---That's correct.

So there is still work to be done in relation to that?---Yes.

What about the other four roles that are identified? So far as sector and division commanders are concerned, there are training packages already in relation to those roles are there not?---Not within DSE. We don't train people formally for the role of the sector commander or the divisional commander. We train them for what we call ops 2 role, which is not the same as the operations officer level 2. It is the ops 2 and people can then perform the roles of sector commander or divisional commander.

To use a concrete example, if we take, say, Mr Williamson who
performed the division commander role at the Murrindindi fire, he would be qualified for the ops 2?---He would not have a formal qualification as a divisional commander, but he is certainly qualified as ops officer level 2.

Which in substance would qualify him to perform all the roles of a division commander?---Yes.

What about the information officer and the fire behaviour analyst roles? Is there still work to be done in relation to those areas?---Yes, there is.

Just before leaving the topic, returning to the transition from level 2 to level 3 for incident controllers, as far as you are concerned is it the case that there is nothing to prevent the CFA participating in that process as things stand currently?---No, there's not.

Other than a willingness on the part of that agency to do that?---We have committed that we will do that. You heard that from Mr Haynes.

If I could turn to the question of level 3 incident control centres. You would have been in the hearing room this morning when Mr Haynes was asked about the apparent change in the view of the agencies as to the minimum number of people necessary for a level 3 IMT. The traditional position had been that 14 was an appropriate number of people; is that correct?---That's correct, to start with.

We saw that reflected, did we not, in the previous standard operating procedure that applied to the establishment of an incident management team?---(Witness nods.)

Just in relation to that, do you have any familiarity, and I know this is going back some time now, with the fire agencies improvement initiative that occurred in the late 1990s?---No. I wasn't here at the time.
Are you able to explain to us what the thinking of the agencies was that led to the view that 14 was an inadequate number and that 30 was the appropriate number for minimum staffing in a full level 3 IMT?---I cannot explain 14.

I wasn't here when that was formed. But for 30 we actually looked what is required for the level 3 IMT to function fully on day one of the fire and that's why we formed the view that 30 is the appropriate number for that one. To clarify, that's a minimum. We had a number of incident management teams working through last year, in 2006/7, that had up to 90 people.

I understand that. Was there any consultation with interstate agencies operating under the AIIMS system to see what their view was about the appropriate minimum number of people?---Not to my knowledge. It was based on our experience.

COMMISSIONER PASCOE: Mr Slijepcevic, I'm wondering if part of the move to larger staffing was the new classification of the catastrophic code red and the experience of 7 February, the speed and the intensity and the scale of those fires. Was that part of---?---That was definitely part of the consideration.

MR ROZEN: Just in relation to that, to follow up the question from Commissioner Pascoe, as I understand the 30 roles that are identified, two of them are specifically concerned with the provision of warnings; that is, an information officer position and a public information officer, I think is the correct title?---(Witness nods.)

Was any assessment, as far as you are aware, made of the role of information units on 7 February 2009 to ascertain what's the optimum number of people in an information unit.
at a significant level 3 incident?---Well, that was part
of the analysis. That's why we put two information
officers in the team.

I want to refer you specifically to the evidence that's been
given about the Churchill fire. The evidence is that
there were six people in the information unit, including
two information officers and others whose roles people had
difficulty describing. Is it possible in your experience
to have too many people performing a function like that?
Has consideration been given to that?---To some degree,
yes.

It is on that basis that two has been identified as an optimum
number?---That's correct.

Can I take you to one aspect of the arrangements for staffing
of IMTs. This is in standard operating procedure J2.03 at
(CFA.001.032.0331). If we could go to the second page of
that document, please. About halfway down the page there
is a heading "Full IMT". Sorry, it is the third page. Do
you see at the top of the screen there, "Full IMT. The
following positions are considered to be the foundation of
a level 3 IMT." If I can just stop there, the reference
to "foundation" there is consistent with the evidence you
have already given to us, that this is the minimum number
of people you need for a properly functioning full level 3
IMT?---Yes.

"The incident controller shall expand the IMT based on the
needs of the incident and the determination of risk." The
first dot point then reads "Controller - incident
controller" and then in brackets "Level 3 where determined
by the state controller." Wouldn't the expectation be,
Mr Slijepcevic, that in a full level 3 IMT operating under
this standard operating procedure, that the incident
controller would be a level 3 incident controller?---That
would be preferred position.

What are we to understand by the reference to "Level 3 where
determined by the state controller"?---I'm not sure.

That would seem to suggest, wouldn't it, that the incident
ccontroller would only be a level 3 incident controller
where there had been a specific determination to that
effect by the state controller, or is that misreading
it?---I'm not sure.

Presumably the ideal situation and the preferred situation
would be that a full level 3 IMT, to use the expression in
the document, would be headed up by a level 3 incident
controller?---That's correct.

It would only be in exceptional circumstances, wouldn't it,
where a full level 3 IMT would be headed up by anyone
other than a level 3 incident controller?---That's the
intent of this.

Just while you have got that document in front of you, you will
see that the third dot point in a full level 3 IMT is a
safety adviser. Under standard operating procedures that
apply to both agencies, the safety adviser position is a
mandatory one for level 3 incident management teams, is it
not?---That's correct.

And it has been since well before this document was created,
which as we know is November 2009?---That's my
understanding.

It was a mandatory requirement for a level 3 IMT on 7 February
2009, was it not?---That's my understanding.

You have heard evidence today from Mr Haynes that, other than
the incident control centres at Bunyip and Pomborneit,
none of the level 3 incident management teams that
operated on 7 February 2009 had the safety adviser
position filled. Do you understand that to be the
position?---Yes, I do.
Is that something that you became aware of only in preparing to
give evidence today?---That's correct.
Are you able to assist the Commission with understanding how it
was that there were not safety advisers in place in level
3 incident management teams, for example at Murrindindi,
where the DSE was the control agency?---No, I can't.
I can only speculate. But you already – I think it was
heard already this morning that Mr Steer, who is qualified
safety adviser, was already filling another role within
the IMT.
But we know that in addition to Mr Steer there were 15 other
people identified as being available to perform the role
of safety adviser on 7 February 2009 at
Alexandra?---I don't know that.
Is the experience of 7 February 2009 exceptional in this
respect or is it in your experience often the case that
level 3 incident management teams don't have a safety
adviser as required?---I can't answer that question.
I don't know.
Who had the responsibility to appoint a safety adviser at the
Alexandra ICC on 7 February?---It would be the incident
controller or requesting from the regions.
So that's either Mr Miller, who started off there, or
Mr Lovick, who took on the responsibility later in the
afternoon?---That would be correct.
Is there any process within the DSE of calling an incident
controller into account for a failure to comply with a
standard operating procedure in this sort of way, as far
as you are aware?---I don't think we have done that.
As far as you are aware, has it been part of any debrief that
has occurred involving IMT personnel since 7 February
2009, this issue that there weren't safety advisers
appointed?---No.
Are you able to explain to us why that is?---No, I can't.
CHAIRMAN: Are you going to move to another topic?
MR ROZEN: I am, sir.
CHAIRMAN: It is just that we have concerns for our transcript
provider. Even if it is only a short break, I think it is
desirable that we take a short break.
MR ROZEN: Yes, I think that's a very good idea.
(Short adjournment.)
MR ROZEN: Mr Slijepcevic, in relation to incident control
centres and their state of readiness for the forthcoming
summer, the Commission has heard evidence that an approach
has been settled upon between the agencies which has
different states of readiness in respect of a day that is
described as of severe fire danger?---Mm-hm.
Do you understand that? The arrangements are as set out in
standard operating procedure 2.03, which is the document
that we have in front of us. Appendix 2 sets out the
default preparedness levels of incident control centres.
It is on page 4 of the document. You have it there.
Mr Haynes explains that the levels of preparedness and
their allocation to particular incident control centres
has been settled upon as a result of a risk based
approach. Are you able to explain to us what the
methodology was that led to these preparedness levels of
A, B, C and D and their allocation to particular
locations?---Not completely, but it was based pretty much on the consequence part of the risk equation. So it is based on human life or the infrastructure or the properties or environmental or the economic basis.

The default settings are based on preparation levels for days of severe danger. Was any consideration given to whether these default settings are also appropriate for code red catastrophic days?---Yes.

Why do we only see default settings for severe days rather than default settings for code red catastrophic days?---Because in our opinion, straight after 75, fires have a potential to produce a catastrophic consequence to say that.

From the table that we see on the following page, if I can just take the example of Alexandra, which is just to the bottom of the screen there, three from the top, do you see Alexandra?---Yes, I do.

The fourth column is the state of preparedness for an incident control centre on a day where the fire danger index is 75 or higher; is that correct?---That's correct.

From the document we know that preparedness level B, this is page 0332, the previous page of the document, means that a core IMT of eight is in place by 10 am?---Yes.

And we have already looked at what a core IMT is. Then a level 3 IMT of 30 is in place within 120 minutes?---That's correct.

My question is 120 minutes of what?---120 minutes of call being made that the fire started.

So 120 minutes of the first call indicating that the fire has broken out; is that right?---(Witness nods.)

Is that the 000 call you are referring to, the first 000 call to indicate ---?---Or any other means of detecting
fires. We detect fires through our fire towers or detection flights or anything else.

Or a member of the public?---Or a member of the public.

Whatever it is?---(Witness nods.)

If we apply the default settings in the new standard operating procedure to the Murrindindi fire so we can get some understanding of how these default settings would operate were there to be a repeat of a fire of that nature, the fire commenced, on the evidence that we have heard, at approximately 1500 hours, 3 pm. So, under preparedness level B, there is an expectation that the ICC at Alexandra would be at level 3 state of readiness, level 3 incident management team, by 1700 hours, by 5 pm?---(Witness nods.)

Now, we know from the evidence that by 5 pm the fire had impacted on Narbethong and was well into the Black Range forest and completely out of control, and we know that by 5 pm there was considerable intelligence available to the ICC that Marysville was potentially at risk on the arrival of a wind change. I suggest to you that the default setting of two hours in which to have a level 3 incident management team in place in those circumstances is too long. In other words, you need to have a level 3 incident controller and a level 3 incident management team in place in those sort of circumstances before 5 o'clock, to use the Alexandra example?---My understanding, preparedness level for Alexandra took into consideration the fire that already occurred.

What do you mean by that?---That there is a lower risk now because of the fuel that has burnt in the area.

So you are saying that, but for the fire that we had on 7 February, Alexandra may be at a default setting of
A?---That's possible. The whole intent is that this is
the minimum standard. Area controllers and state
controllers can still increase the number of people that
will be there on each given day.

I understand that. But we also know that we had local mutual
assistance plans in place on 7 February 2009 with
arrangements to get level 3 incident management teams in
place and, so far as Alexandra is concerned, as we know,
we didn't have a level 3 incident controller there until
the following day. Why should the Commission, and for
that matter the public, have any greater confidence that
under these arrangements we will see a level 3 incident
management team with a level 3 incident controller in
place in accordance with the timeframes set out in this
document?---Because we have new positions of area of
operations controller and the state controllers on a state
level to make sure that we have that in place.

They are the questions I have for Mr Slijepcevic. I understand
the State have some questions.

COMMISSIONER PASCOE: Mr Slijepcevic, I just have a question
that in many ways takes us back to your earlier appearance
and earlier evidence we have had about the training of
fire behaviour analysts. Can you give us any information
about what's in place for the forthcoming fire season and
beyond?---We organised another couple of training courses
this year. At the moment we've put in place again the
full mentoring program through the SCC and also people are
rostered now on the regional basis as well to perform the
role of the fire behaviour analyst which will to some
degree be mentored and helped by the state control centre
as well. On top of that we are putting Kevin Tolhurst's
Phoenix model into our system, so as soon as a fire starts the model will start producing the fire behaviour predictions as well. So that will help with the rapid analysis.

Has there been any, then, related training for your planning officers in the interpretation?---At the moment it is really only for fire behavioural analysts who will do the interpretation and pass the information on to planning officers. Once the trial is complete, because this is a new model so it hasn't been tested in the operational use, once it is tested then of course it will be situation officers, planning officers will be trained in it.

Given the elevated positioning of information officer, can you explain to us the training that's in place for information officers for the forthcoming fire season and beyond?---Jointly we conducted a number of updates for information officers which included or includes things like "One source one message", that's only new, and NEWS also.

Can you perhaps give us a brief description of the "One source and one message" program?---"One source one message" is basically the tool that displays the same information on both websites, so it goes to CFA and DSE websites as soon as it is published.

If it is inputed in any incident control centre, is it simultaneously displayed on websites in both agencies?---That's correct.

COMMISSIONER McLEOD: Mr Slijepcevic, could you just confirm for me against the current fire danger rating index or classifications which level would apply or which levels would apply to preparedness level D? Is it from very high
down to high - well, is it very high, that that level - -?
---It is very high. It corresponds to some portions of very high.

Sorry, you are confirming it is very high?---And below.
And below. If I could go back to that previous screen. In a sense there is a kind of perhaps contradiction that the less severe the fire danger is, would you agree the more likely it is that the fire authorities will be successful more quickly in controlling the fire?---That's correct.

Why would it be, then, that the less serious or the less severe is the fire rating danger, the more time you give yourselves to actually staff up the IMT, when it might be at that level where you have got the highest chance of getting the fire under control if you are staffed up very quickly? It seems illogical to me that you are providing greater time to establish the core IMT or the full level IMT the lower the risk, and yet the lower the risk, the better chance you have got if you are staffed up quickly. Doesn't that make sense?---Yes, I agree with you in the sense that - -

So where is the logic in this structure that grades the time that is given as a standard to get the management structure organised, which seems to make it harder to be able to get on top of the fire at the lower levels because you are giving yourselves greater time to set the IMT up as a standard?---Yes, but it is a lower danger that the fire will escape the initial attack on the day.

That's true. But if it is a lower danger, the quicker you get into it the more likelihood you will get it out quicker?---Yes, but this doesn't specify that we will have a lower level of response to the fire. It just says the
IMT might not be in place, full IMT on it.

But the IMT surely exists as a fully developed management response to a fire that's unable to be extinguished quickly, but in a situation where, while the fire might still be difficult to control, it is not assessed to be uncontrollable at the very high level. It is only once you get into the severe and extreme that the prospect of a fire becoming uncontrollable becomes stronger?---That's right, yes.

So I just question the wisdom of being more relaxed about the time that can be taken to set up a proper management structure simply because the rating of the fire danger on that day appears to be less extreme than might otherwise be the case. Do you have any response to that?---Well, we still have our normal arrangements in place. So, for example, in DSE the district duty officer will be in his position, which is ultimately incident controller when the fire starts, as it is.

But what I'm getting at is what is the logic, if it is good enough for very extreme fires to give yourselves more time to set up an IMT, when the risk of the fire continuing to be out of control still exists? What purpose does the IMT serve with all the resources that are made available? It is surely to provide a better level of management?---That's correct.

And control of the resourcing of that fire. The sooner that gets fully established the better, surely, in any fire?---That's correct. What we are saying here is that this is minimum levels for those days. If you look in our normal day-to-day operations, we will have a large number of people in our offices in the normal roles already doing
their normal jobs which are available to undertake the roles into the IMT. And the same applies on the weekends, of course, that people will put a different level of preparedness depending on the levels of fire danger in their district.

I just think there is a kind of flawed logic built into having a classification structure that seeks to distinguish between the resourcing needs of fires of different levels of severity against the background that all fires need to be put out as quickly as possible, whether they are very severe or whether they are severe or whether they are moderate?---Yes.

Because they can always cause danger until such time as they are under control and the sooner that happens, the higher is the risk of minimising loss of property and danger to life?---I agree with you, but these components at that level still won't prevent people putting the fire out in the field.

That's true, but that assumes that the IMT is not going to play any contribution to putting the fire out in the field, as you have put it. If the first attack is successful, that's fine?---Yes.

But it may not always be successful?---No. Correct.

And it often isn't?---At that level there is a quite high success rate in putting fires out in the initial attack. I will just leave the thought with you because I think I'm not absolutely convinced that it is logical the way the resourcing is constructed?---Okay.

MR ROZEN: I have nothing arising from that. Mr Clelland has some questions.

<CROSS-EXAMINED BY MR CLELLAND>
If I might, Mr Slijepcevic, can I just take up Commissioner McLeod's point first of all. I think you have been at pains in your most recent answers to explain the distinction between initial response, that is the response out on the fireground, as opposed to the timeliness of the establishment of an incident management team; am I correct?---Yes.

What is being dealt with in your statement and indeed the explanation provided by Mr Haynes today is really dealing with establishment of IMTs and the constitution of those IMTs?---That's correct.

Broadly speaking, would you expect that initial attack is likely to be more successful in days of more moderate fire conditions?---That's correct.

The time in which the IMTs are to be established, at least with a level 3 IMT in place, is really not representative of the intensity or the type of first attack on the fire at all, is it?---Yes.

Can I ask you then: You were being questioned about the situation with Murrindindi and it was pointed out that in the default position, according to the standard operating procedures, Murrindindi would be at a preparedness level B; is that right?---That's correct.

Just to explain this, under the SOP 2.03, which the Commission has, if I could invite you to go to - and if this could be brought up - page 0331, which sets out the staffing levels for the IMTs. Can I suggest the first thing of significance is this: Even at preparedness level B it is intended that there be a core IMT in place by 10 o'clock in the morning?---That's correct.

And that will occur at any of the preparedness levels, at least
A and B, by 10 o'clock?---That's correct.

And the difference between A and B, as I understand it, is a
level 3 IMT of 30 staff being in place within either 60 or
120 minutes?---That's correct.

The constitution of the core IMT will be an incident
controller, operations officers, radio operators, planning
officers, situation officers, resource officers,
information officer and logistics officer?---That's
correct.

So if the region in which Alexandra is located within the
Fairer Victoria boundaries, if that region were to be
experiencing a fire danger index of extreme and above, but
other regions within Victoria were not, could one expect
that there might be additional IMTs, first of all,
available to go into that region?---Yes, that's reasonable
to expect.

Secondly, in anticipation of that occurring, because it is not
statewide, the preparedness level might actually work to a
preparedness level A, for example?---That's correct.

You were asked some questions about the appointment of incident
controllers. You were asked in particular about the
description given to the full IMT where the incident
controller is "Level 3 where determined by the state
controller." Do you remember being taken to that in the
SOP?---Yes.

I think you have attempted to explain that in your view a
properly constituted incident management team can manage
without necessarily a level 3 incident controller,
nonetheless a complex level 3 event?---That's correct.

It was put to you by our learned friend that unless there is a
level 3 incident controller in charge it is "not a level
3". Can I suggest to you that, whilst as a matter of strict definition that might be right, nonetheless an IMT can be appropriately staffed with level 3 people occupying some or all of the other key roles and in that form could competently manage a complex level 3 fire?---That's correct.

The preferred position is to have the level 3 incident controller there as quickly as possible?---That's correct.

To that end, as I understand it, and the Commission will find this explained more fully in the statement of Mr Haynes at paragraph 167, it is intended by 30 November that there will be a list of endorsed level 3 incident controllers that is agreed upon by the two agencies which will identify the level 3 incident controllers to be located in those ICCs identified as being exposed to the highest risk?---That's correct.

So in the 12 ICCs or 12 IMTs that we have identified, the expectation is that we will have a level 3 incident controller in place from the outset, that is from 10 o'clock?---That's correct.

It was further suggested to you by Mr Rozen that it was unacceptable that there was no level 3 at Alexandra on 7 February, and I think you made the observation that in your opinion Mr Lovick performed brilliantly?---(Witness nods.)

Again, was that an example of the team, that is the incident management team, functioning with Mr Lovick, albeit not formally endorsed as level 3, but in your opinion functioning as well as a level 3 IMT could be expected to?---That's correct.

Just finally, lest it be misunderstood, the proposals that are
both enshrined in SOP J2.03 and indeed the subject of the PowerPoint presentation, the whole intent there is that they represent minimum standards for extreme days and above?---That's correct.

None of that goes to the question of the initial response or the fireground response?---No.

If the Commission pleases.

<RE-EXAMINED BY MR ROZEN:

Just one brief matter in re-examination. You were referred by my learned friend Mr Clelland to a list that is in preparation, referred to by Mr Haynes at paragraph 128 of his statement. Mr Haynes says that, "The chief officers of the agencies have agreed to identify from their list of endorsed level 3 incident controllers those who have demonstrated the ability to operate in highly stressful incidents." In effect, an elite group of level 3 incident controllers, is that right?---I would say the most experienced.

Could you undertake to provide to the Commission that list when it comes to fruition?---Yes, I can.

On that basis, could Mr Slijepcevic be excused, please.

CHAIRMAN: Yes. Thank you, you are excused.

<(THE WITNESS WITHDREW)

MS DOYLE: Commissioners, I now call Mr Allan Small. His statement can be found at (WIT.7529.001.0001). I have taken the step of marking onto a copy of the statement some minor corrections Mr Small wanted to make. I'm not sure if the version has made its way to you yet. That's to save time just so that he can adopt those corrections.

<ALLAN TYRIE SMALL, sworn and examined:

MS DOYLE: Thank you, Mr Small. You have been a CFA volunteer
since 1967?---That's correct.

You have held a number of positions in your professional life, including the position as governor of the Coburg Prisons Complex?---I have.

You are now retired?---That's correct.

Have you prepared with the assistance of Duncan Lawyers, who represent the Volunteer Fire Brigades of Victoria, a statement for the assistance of the Royal Commission?---I have.

Did you indicate to me over the lunch break a number of amendments that you wished to make to the original statement?---That's correct, approximately eight. Some of them were just typos and the others are a bit of context.

You have now in front of you a version of your statement with some handwritten corrections to it?---I do.

With those corrections, are the contents of the statement true and correct?---They are true and correct.

I tender that statement.

#EXHIBIT 552 - Witness statement of Allan Tyrie Small (WIT.7529.001.0001).

You explain in your statement your professional history, which I won't spend too much time on, but in paragraph 4 onwards you explain the roles you have held in our corrections services, including that role as governor of Coburg Prisons Complex, deputy governor or operations manager at Pentridge. You also refer to holding senior managerial roles in the Victorian Office of Corrections and prior to that working in the Inspectorate Division. You have a long history as a volunteer and have also served with the Australian Army in Vietnam. With that potted history of your career, can you tell the Commission whether in your

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BY MS DOYLE
view you have gained in your working life, and your life
in the army, skills that equip you well for working as a
CFA volunteer, first of all as a firefighter and in
incident management team roles?---Absolutely, Ms Doyle.
Yes, in the first instance, the discipline has helped in
the firefighter role, but I have also learnt a lot in the
management role as well.

When you worked, let's take your last position, say, as
governor of the Coburg Prisons Complex, your capacity to
work as a volunteer, by which I mean literally the time
you were available, was that a job where you worked shifts
or where you were able to organise life so that you could
still operate as a volunteer and fight fires?---It was
generally a fixed hour, but unfortunately some of those
hours went into 24 hour days. However, my position
enabled me at times, because of the staff I had, to cover
my position if I was to do training or CFA activities and
I went to a lot of fires during that period.

Indeed. You set out in your statement from paragraph 10
onwards that when you started as a volunteer you were
first a firefighter with the Basin fire brigade, one of
eight brigades within the Knox fire brigade group and that
when you returned from service in Vietnam you were
promoted to the position of officer. You then rose
through the officer ranks, becoming a captain, a position
you held for 22 years. Again, all of that service was
with the Knox fire brigade group?---That's correct, with
the Basin fire brigade, which is one of the brigades in
the Knox fire brigade group.

You mention having also held concurrent roles at the group and
regional levels. Did those roles at the group and
regional levels call on more of your managerial skills?---They did indeed.

You became, for example, deputy group officer for the Knox group of brigades in 1977. You explain the hierarchy of that in paragraph 14. You say you also served as a delegate and chair of the regional planning committee in region 13?---That's correct, yes.

There were four or five subcommittees there that were comprised of senior volunteers and CFA paid staff?---That's correct.

I want to ask you about being strike team leader, sector commander and planning officer. This is something you mention in paragraph 16 of your statement. Let's take strike team leader as an example. Did you undertake any formal qualifications or courses in order to act in that role or was it experience based?---Not in the first instance. In the first instance it was experience based and then when training courses became available I undertook the strike team leaders' training course.

In relation to being a strike team leader, in fact for you you got the experience first and then the formal qualifications later?---That's correct. I learnt on the coalface or on the ground.

You set out your formal qualifications in paragraph 17. You have certificate 2 in firefighting and you have done the elements required for operations officer and planning officer at level 3. Again, let's perhaps take operations officer as an example. Is that something where you have done classroom time or has it involved recognition of your skills and experience?---Both, Ms Doyle, as in the former I gained the experience somewhat on the ground or on the coalface and then undertook the study with the CFA and
through the Office of Corrections and other avenues as
I went along.

You point out in paragraph 18 that you are an endorsed level 3
incident controller. In what year did you obtain that
endorsement?---To the best of my records in 2005, but
I need to say that was in a mentored position.

During what period of time were you subject to the requirement
that you have a mentor?---I'm sorry, I have no idea.

But you were aware at some stage that you carried the
designation M, namely needing a mentor?---Indeed. I have
records from 2005 of all of the IMT positions for region
13 and in that I was listed as a level 3 incident
controller, mentored.

Have you ever had a mentor?---Not to the best of my knowledge,
no.

Have there ever been situations where you have worked in the
deputy incident controller role?---I have on many
occasions.

In that capacity has it been possible for the incident
controller on that incident to provide you with what we
might call informal mentoring or even coaching?---It has
indeed, yes, and in fact I followed that up sometimes with
the evaluation sheet that one now is able to use for those
particular circumstances.

That really leads me to what I wanted to ask you next. In
obtaining your endorsement as a level 3 incident
controller, did you submit any documentary proof in order
to establish your skills and experience in the
area?---I did, and I believe it was in about 2005. I'm
not quite sure. But the requirement was becoming well
known, shall we say, that one needed to have some
justification to hold that role. So I backtracked, if you like, to my superiors in previous incident control situations for a document, an assessment of my capabilities doing that task of deputy incident controller or operations officer, whatever it happened to be.

From what you say, Mr Small, I take it what you did when you were seeking endorsement was revisit supervisors who may have worked with you in previous fires and ask them to create a historical record?---That's correct.

What did that include; them recording their observations of how you performed during the fire?---Yes, all of the indications that are on that form, and it was about how you carried out yourself in that role, how you performed and their perceptions and their experience of what you did under those circumstances, whatever it happened to be.

Mr Small, do you know whether you maintain your level 3 endorsement as an incident controller?---No, I don't.

Why don't you know that?---The system doesn't have a return focus, if you like. What happens is, in region 13, which I'm a part of, as the group officer I would have, along with my operations officer, sent a list of people into the region, to the operations manager each year prior to the fire danger period, with the people we believed had the expertise and the ability to do particular functions.

That goes then to the OM. The OM authorises that, if you like, or those positions and then that goes to the chief officer for endorsement. But to the best of my knowledge there is no return functioning of it.

But you assume, rightly or wrongly, that you have retained your endorsement. You assume that it is current for the moment?---Absolutely. My opinion would be that, unless
I was removed from a position and/or somebody, my operations manager or above, came along and said, "Allan Small, you are no longer competent in that position," I would retain that.

Prior to the fire season we just had, Mr Small, did you avail yourself of some way of indicating to people in your region that you were available to work if needed as a level 3 incident controller?---I did. It was a normal region 13 or perhaps CFA-wide, actually, function for a code red day or what was to be a code red day, that I acknowledged that I was ready to undertake an IMT position or whatever was called on.

I think you mention this in paragraph 47 of your statement, if we can jump ahead to that for a moment. In paragraph 47 you say that in your role as group officer you activated headquarters as part of a preplanning process to ensure the Knox fire brigade group was ready for a "hot start". But in addition you became aware of a request published by the CFA on the Friday for an available level 3 IMT personnel to assist. Was it in response to that that you notified the CFA you were available to step into that role?---That's correct. We had already done that notification, if you like, but because of the circumstances of the weather over that particular previous fortnight and the coming week, that was enhanced. So there was, if you like, a double check.

You say you had taken the step of backfilling your own role, if you like. You had made sure there were sufficient deputy group officers to assume your role if you were asked to act as level 3 controller?---Absolutely. It was my responsibility, if I was to absent myself, that somebody
was there to protect the group's security.

Your statement records that, in the event, you were not called upon to serve on Black Saturday?---No, I was not.

However, about a week after 7 February you were asked to fill the role of deputy incident controller at Woori Yallock to deal with - I will just say mopping up the fires that were continuing to trouble the state. You were asked to make yourself available for three days as part of the ongoing management of the Kinglake to Healesville fire complexes. You say in paragraph 49 you made some personal arrangements to ensure you could do that?---That's correct, yes.

So you put aside the time Monday to Wednesday?---That's correct, yes.

Were you then told late on the Sunday evening you were no longer required?---Correct.

Do you know why that was the case?---No, I was given no reasoning during that telephone conversation.

Do you know who was used in your place to fill the role that you had been asked to fill?---I do. Who was that?---A very senior career officer with the CFA.

You say in paragraph 52 or you point to what you regard as the difficulty or perhaps your personal dismay about the way this turned out. Did you want to work on the Monday to Wednesday in a level 3 post?---Absolutely. I'll go where I'm called as to the job to do. If I felt I wasn't up to the task, I would say so.

You say in paragraph 53 that in your view this example, this incident, reflects "a wider cultural issue within the CFA and the DSE". Can you tell the Commission in your words what is the "cultural issue" to which you are
referring?---Ms Doyle and Commissioners, in my experience, and it is not widespread but unfortunately it does exist, there is a cultural indifference between what some staff in the many organisations we work with, DSE, PV, Melbourne Water et cetera, that they are professional officers and we, or I, am a volunteer, so somewhat lesser abilities than they may have. I'm thankful to say that's not widespread but it certainly occurs.

Has it been your experience that that has led to an under-utilisation of your skills?---That's correct, yes. Have you been in the position to observe whether it has given rise to the under-utilisation of other skilled volunteers?---Yes, absolutely. Some of my more senior peers across the state now have a preference. They won't wear their volunteer uniform or roundel on the shoulder. They will go in civilian clothes so that they are not standing out as a volunteer.

Can I take you back to the body of your statement to deal with the separate matter of training, which you pick up at paragraph 22 in your statement?---Yes.

In paragraph 22 you commence by expressing your view that the system is flawed insofar as it relates to senior volunteer firefighters. You talk about some of the difficulties for volunteer firefighters in accessing the senior levels of training and in accessing the endorsements that are required. Can you explain to the Commission why you hold the view that there is a difficulty for senior volunteers getting into those ranks?---Yes, indeed. If I could, I just wish to clarify that that relates to what I term senior or management positions within the field, so that's strike team leaders, sector commanders et cetera, but also
the IMT or ICC positions. It is my experience that it is extremely difficult for a volunteer, a senior volunteer or other that might have the capacity to do those roles, to be able to undertake the training. My experience is that, unless that individual pushes himself or has a self-direction to attain those particular roles or a senior officer volunteer or career taps them on the shoulder and directs them to a line that they think they would be very good at, the ability of a volunteer in the middle management level is very difficult to get on courses.

You refer at paragraph 24 to some aspects of these difficulties you describe. You say in 24.1 the process for advancement above crew leader level "is subjective and ad hoc". Why do you describe it in those terms?—It relates to the statements I have just made that it really relies on the individual's desire to push themselves forward and/or for someone else to note their potential and then guide them in that particular direction. But it is also very difficult to get on the state central courses, as we have seen and heard today, for no other reason that in general terms those courses are four or five days in duration, they are during the week and it is not easy for volunteers to obtain the time off, and in my experience it is very difficult to get on the courses because CFA career staff, and I have nothing against them, they are mandated for their promotional aspects to do those courses as well.

So you are suggesting there, Mr Small, that there is the difficulty of the volunteer getting to the course in the times that they are available, but it sounds as though you are also suggesting getting a slot because they may have
already been filled by the paid staff?---That's correct.
Some few years ago, if I may very quickly, I made some
inquiries in regards to that very thing and I suggested,
"What about if there are short notice vacancies from the
career staff, that you let us know," and I mean by the
region, "that there is availability?" If we can get
somebody there in short notice, we would, but that
wasn't - that did not come to fruition.

You suggest in paragraph 24.3 that part of it might be that
there are insufficient numbers of trainers. Are you
suggesting there that if you have more trainers you may be
able to run courses more often?---In the circumstances of
those middle management senior field positions, that's
exactly right. CFA, and rightly, you have heard, provide
at the local level, regional level, many dozen of courses,
but those courses specifically relate to the
technicalities of being a firefighter. They are not about
the management abilities in the field for volunteers, in
this particular case, to go on with. There are lots of
other managerial courses; we have heard some of those
mentioned. They are not about managing in the field, in
the firefighting sense. They are generally management
courses.

So is it your view that, in order for there to be more
volunteers to make the progression to the stage of level 3
incident controller, there may need to be a more frequent
offering of the types of courses that skill them up in
management and leadership?---The organisation needs to
address that in being able to fit the volunteer into
courses when they are able to and/or provide the training
function at the local area so that that can be done. We
only have three career staff trainers at region 13 and
they generally do those higher level courses and they are,
in relative terms, flat out doing those courses. Previous
practice has shown that unless the region, and that's the
career staff, operations training group, push that we need
a component done at region, it wouldn't necessarily get
done. Other things are done that are seen to be more
important. But we do get them done by making a push
through operations, through operations management, and the
training wing to get them done.

You mention in paragraph 27 one other additional alternative
and that is, if more courses were offered over weekends or
offered in an off-campus style, that there may be a
capacity for more volunteers to take them
up?---Absolutely. I am somewhat bewildered at my stage of
life that the organisation really hasn't investigated that
off-campus, adult learning-type process that many other
institutions, training institutions, undertake.

What about incentives? In paragraph 29 you suggest that
because the out-of-pocket expenses associated with
attending training are borne by volunteers, including loss
of wages and any other on costs of attending the course,
you say it might operate as a disincentive. Has that been
your experience?---It has indeed. The only remuneration,
if you like, that a volunteer will get for going to a
training course, if they put in for it and request it, is
travelling expenses and accommodation. Sometimes
accommodation is at the central training course. If it is
off the training course, then the CFA will refund those
expenses.

So at this stage there is no capacity to either provide some
even gratuity to acknowledge the loss of wages or to cover any additional travel or other costs which might arise if one attends a longer course?---No, it relies on the volunteer's generosity and in many cases their employer's generosity.

Can I ask you about the example in your region. You explain in paragraph 34 onwards that the Knox group of fire brigades within your region has developed a program, a training program, that fills some of these gaps. What has that initiative involved?---That initiative was about, in the circumstance of the Knox fire brigade group, the majority of our responses in that group are urban-based or structural, if you like. There is no current way that a senior volunteer or a leader in the volunteer sphere can obtain that level 2 incident controller decree unless they do the complete incident management or the AIIMS incident management course, in which case they will come out either as a level 3 operator or a level 2 needs mentoring or level 3 needs mentoring. So, to overcome that difficulty, we in Knox devised a project over some years that we would be able to give to our middle managers that, having done that course, that they would then have an acknowledgement that they were able to manage as an incident controller level 2, generally in the structural sense but not always, and so that's what the course was aimed and designed at. We gained permission from CFA learning and development to run that course, because we needed to match in and make sure that the outcomes of that course met the national competencies and particularly from my point of view as a group officer at that time I wasn't going to have my people putting in a lot of time over a course to gain some
sort of outcome that in the future would not be recognised. So what they have done now I'm most hopeful that will be able to fit into, say, a level 3 stance if they intend to push themselves on.

That's been a local or regional initiative that has taken some two years to develop and reach that stage?---That's correct. It started with Knox fire brigade group with the support of region 13 management and our CFA L and D.

You explain in paragraph 38 that your region, region 13, has a few permanent training officers, these are paid positions, and this has proven to be immensely beneficial to the volunteer firefighters in your region because of the capacity to put on training?---Absolutely. Without our career trainers we would not be to the status that we are now with our training.

What about volunteers providing training? In your view is there a good take-up of the resource that might be available there, namely for volunteers to train volunteers and others?---There is a good take-up but over the years since minimum skills a lot of our volunteer trainers and assessors in region 13 have been burnt out and we have done studies on that and we have put in place circumstances to rest those people. They are volunteers, they have their other duties, and because of the enormity of the training we have undergone, it is not right to expect them to keep going and going, particularly to do courses over several days or several weeks which they may need to do for continuity.

Finally, Mr Small, there has been a number of occasions in this morning's evidence, and I take it you have been here for the bulk of the day, where views have been expressed about
the appropriateness of a level 2 endorsed incident controller running a level 3 incident. Do you have any view in light of your experience about whether that is a good approach or whether it is not?---In my view it has happened. I don't think it is a good approach in the circumstance that that level 2 person may very well be managing a significant level 3. There are different levels of level 3 incident management, but if it was significant, anything like February 7th and some previous fires we have had, certainly not. Way out of the capacity of that person to manage in that circumstance and I think they have been put under unnecessary duress. They may do it, but I don't think that it is a wise move.

Commissioners, do you have any questions for Mr Small?

COMMISSIONER PASCOE: Mr Small, just a couple of questions. You raised yourself the challenges for people who are working full-time and then trying to undertake training. We have heard some evidence in the Royal Commission of that very issue, including some resistance to training by some volunteers. Now, is that something you have encountered in region 13 as well?---There is resistance, Commissioner, but not in the circumstance that I speak about, about middle management, senior management and the field. Those people, if they have the capacity and the drive to do that, they want to do that. There may be some resistance by people in doing some of those other technical skills about firefighting. A lot of the volunteers, depending on what their risk is as to where they are, will say "I only need to know this much" about that particular - whether it is wildfire, low structure or whatever. In the circumstance of most of region 13,
they're very much urban based and structural, so that the
volunteers in general terms have a real capacity to pursue
the nth degree, and that is as a structural firefighter.

Is it possible for you to give an indication of the average
amount of time per week that a volunteer would put
in?---It would go across many spans, Commissioner.

I think it depends on what level of volunteer that you
are. If it is just - I don't use the term - if you are
just a volunteer in a fire brigade in The Basin perhaps,
you are mandated to attend at least one training evening a
week, subject to whatever else you may be doing in your
ongoing training. If you have the opportunity, you will
get there on a Sunday morning to do the practical tasks.

So is that about four hours?---It would be four to six hours.

We have been exercising of recent times and the folks the
other night spent six hours just doing the exercise, so it
varies. But as the expertise or the requirement of the
volunteer to do other things, officers, crew leaders,
strike team leaders, expands, and the lieutenants and the
captains to the group officers, their time just mounts up
quite considerably.

In your experience do volunteers typically offer themselves
with boundaries around the time that they can make
available?---One of the things that - I do the recruits'
awareness session for them and one of the things we tell
them is that first of all you have a family, then you have
a job or some sort of profession, and then you have the
fire brigade. That's what you have to take into account.

Most do. Some don't, unfortunately. Some will just keep
putting in and putting in to the detriment of their family
and job at times, but we try very much to keep that
So there is, if you like, a welfare perspective taken to that?---Absolutely. We are there to look after the community, but we expect, as the community, to look after ourselves as well. Because you are probably aware that the trend in volunteering is for people to offer short episodes, not for long-term volunteering. So, in many ways the CFA is contrary to the trend in that it is able to retain long-term volunteers?---Yes, absolutely. We have done some work with La Trobe University in regards to that and I have a particular interest in that as regards our volunteers. And maintaining them?---It is very difficult. Things have changed over the years. Volunteers have a lot of pressures to deal with over and above just dealing with the community and the brigade. It is not like it used to be and people would just give their time and no problems. They worked in the area, they lived in the area. Now there are a lot of other circumstance they have to take into account. The brigades and the groups try to manage, as does the CFA, try to manage that to the best of their ability. Just finally, we often hear the dichotomy of a career and a volunteer firefighter. Do you think in the minds of some people there is a parallel dichotomy of professional and amateur?---There are indeed. In my view, the organisation as a total, CFA, misses out on delivering to its greatest source, its people, a career path. I personally believe that volunteers should have just as much a career path as do the career personnel within the CFA. In fact, in region 13 we designed a pathway some years ago about
training and your future direction. It went to 
headquarters but unfortunately it was - my words, these 
are my words - a bit hard at the time. It was sent back.

<CROSS-EXAMINED BY MR CLELLAND:

Mr Small, my name is Clelland. I appear on behalf of the 
State?---Yes, sir.

Which includes CFA, I should add. Just a couple of things. 

I think, listening to the exchange between yourself and 
Commissioner Pascoe, would you agree that one of the 
problems here is there is a real tension between the need 
for skilling up and the time that that must necessarily 
involve and the time demands otherwise on people who are 
volunteers?---Yes, that's correct. Quite correct, yes.

Managing that and achieving good outcomes, both in terms of 
volunteers personally but also for the organisation, is 
I suspect what your evidence is driving at?---That's 
correct, yes, indeed. It is a very finite, in some ways, 
balance.

I note you state very fairly that the concerns you have or the 
experiences you are relating are not widespread, but 
nonetheless they are, in your view, significant enough to 
warrant you coming before the Commission and explaining 
them?---Absolutely. It relates to, in my view, that the 
organisation is not using its best resource to an 
appropriate level that would benefit the organisation and 
the people of Victoria.

So it is a case of volunteers being undervalued by CFA, but 
rather being under-utilised?---Well, I think there may be 
a little bit of undervaluing in the under-utilisation as 
well.

I tendered some documents earlier and I'm not sure whether you
were in the hearing room or not. They are exhibit 549. One was a memorandum from Mr Russell Rees and it was to the various operations managers in each of the regions in Victoria?---I'm very aware of that document, sir.

From an organisational point, it was unequivocally a statement that there should be a recognition of the value and importance of volunteers and the very special skills that they bring to the CFA and in effect instructing operations managers in each of the regions to do whatever they could to properly utilise their skills?---That's correct. That was after a movement by VFBV and a personal approach by myself and a letter to the chief officer in regards to the fact that volunteers were not being utilised appropriately in that preceding period. Absolutely.

I was going to go into a little bit of the history of it, but thank you. Thereafter I think you are also aware of a letter written by Mr Rees to the South Australian Coroner that I referred to earlier, and indeed I think your organisation responded very positively to that letter and thanked Mr Rees, noting - - -?---Yes, that would be correct.

Noting that, "Many firefighters in this region," but I point out that was region 11, "have had invaluable input into IMTs both here and in other parts of the state and interstate." You are aware of that exchange?---I wasn't particularly, but I do not discount it.

It doesn't surprise you?---No, not at all.

Your concern, I think, is that the training that would permit a volunteer to in effect go above the level of crew leader is simply unavailable to senior volunteers?---It is not unavailable - - -
That's in these limited circumstances you have explained?---Indeed. It depends on the individual's drive and also somebody in the organisation senior tapping them on the shoulder and suggesting that, "This would be a good career path, you have the expertise, let's do it", or "Go and do it."

You may have heard the evidence of Mr Haynes, but he was explaining to the Commission that there were weekend and evening courses available for volunteers. No doubt you are well acquainted with those?---Yes, indeed.

Can I suggest that even specifically within region 13 there are specific courses for volunteers?---There are.

And again they are in effect customised for those who work during the day and have other commitments?---That's correct, yes.

I put to Mr Haynes some figures. I'm instructed that the roles occupied within the CFA above the level of crew leader as at November 2009 are as follows: There are 1240 individuals in total, and of those 563 are volunteers. Do those figures surprise you or do they sound about right?---No, they don't surprise me. I'm disappointed.

You think it should be more volunteers than permanent employees?---Not at all, but the figure of - and I agree with the figure that was given earlier, about 30,000 operational firefighters I think are our numbers, and I know from my experiences that those numbers should be higher. The training is not readily available to equate those people to those positions. We can certainly give them the operational, on the ground training as best as we can, and we have done that this year, but to gain the theoretical side, that certificate, is not easy to
undertake.

Do these figures sound right to you that, as you say, if you
like, the theoretical part of it to be a crew leader is a
weekend course?---That's correct, yes.

To be a strike team leader it is one and a half days and some
self-study?---Indeed, but it also depends on the
individual's previous practical experiences.

I understand, and I thought you were making the distinction
that you were really focusing on the theoretical study. A
sector commander is a weekend course with
self-study?---That's correct, yes.

And an operations officer, that requires one to have completed
the AFAC module 4.03 in operation management?---That's
correct.

And to be able to demonstrate the ability to perform the role
of operations officer?---Indeed, and/or to have been RPL'd
or RCC'd.

The organisation, can I suggest, encourages both volunteers and
career officers to forward materials in support of
nomination for endorsement for an IMT position?---That's
correct.

Ultimately, your concern is really this: Notwithstanding those
arrangements that have been put in place, those efforts
that have been made by CFA, your view is that it hasn't
gone far enough and more needs to be done?---That's
correct, yes.

One final matter, if I might, the out-of-pocket expenses.

I was given to understand that in region 13 there is in
fact reimbursement for use of private vehicles and
reimbursement for out-of-pocket expenses such as
meals?---Yes. No, I did indicate that those very
functions were applicable to volunteers who went on
training courses, yes. Travelling, accommodation, meals,
if they were not funded.

If I might, just one final matter. You were asked about
whether a level 2 incident controller in a perhaps level 3
event, as it was described, I think, is a "good approach".
Your answer suggests that your view is that that's not the
preferred position, it should be a level 3 incident
controller, in your view?---That's correct, but you also
need to take into account that there are differing level 3
incidents in that circumstance, and I think since
7 February this year that's changed.

And it might depend also on who the level 2 incident controller
is and the team that he or she have with
them?---Absolutely. You can't beat a good team that's
practised and worked together.

That is the essence of the IMT, isn't it?---Correct.

It is the team working together with their various skill sets,
working hopefully in a complementary way?---Yes.

<CROSS-EXAMINED BY MR FINANZIO:

Mr Small, you were asked a couple of questions about exhibit
549. I wonder if that document could be brought up. It
is the memo of 30 August 2007 from the chief fire officer
to operational managers. It was a document you said that
you were familiar with?---Yes, I had some significant
background to the issuing of that document.

You said you wrote a letter yourself in relation to some of
those matters, is that right?---That's correct, yes, to
the chief officer of the Country Fire Authority.

I want to refresh your memory about that document. Can you
have a look at it. It is on the screen there. What the
document says in the first couple of paragraphs in
substance is that it is a memo from the chief officer
responding to specific issues raised by the VFBV some time
prior to its date, being 30 August 2007?---That's correct.
If we just go down to the first one, for example, utilisation
of volunteers, the first point, it says there that
"Volunteers have expressed concern that there is a
perception that career staff are being given priority."
Can I just ask you to read that sentence to yourself. It
is probably faster if you do it that way?---Yes.
And read the paragraph at the bottom of the page. If you can
you indicate when you have ---?---Yes.
And if you could go over to page 2, the passage there referring
to the perception by many as cherry-picking of roles.
Now, they were all matters that were raised by the VFBV
with the chief officer and were the basis upon which he
wrote this memo?---That's correct.
Can you tell us whether there has been any real change in the
conditions that were brought to the chief officer's
attention before 30 August 2007 and now?---There has been
some change.
Have the issues that were raised and have been dealt with by
the chief officer in this memo been completely dealt
with?---No, they still exist - in some elements, not
wholly across the organisation.
<RE-EXAMINED BY MS DOYLE:
One matter arising from the questions that Mr Clelland put to
you. He asked you about the figures in relation to staff
and volunteers above the crew leader level. Just to
remind you, what he put to you was that there are 1240
people in total across the CFA qualified to crew leader or
above. Obviously above crew leader we have strike team leader, sector commander, divisional commander and people who are ready to go into an IMT?---In the four functions, yes.

He said to you that there are 677 career staff in that group and 560 volunteers. You indicated you were disappointed with that figure. I want to clarify what you were referring to. You said 30,000. Are you thereby stating that you are disappointed by the percentage, namely 560 volunteers out of 30,000 operational volunteers is what you regard as disappointing?---That's correct, yes.

Because that's close to, say, 2 per cent?---Indeed. That's quite true.

If we break down that group of 560 volunteers further, there is also evidence from Mr Haynes that at the very high end, namely level 3 incident controller, there are only 14 volunteers who are presently endorsed as level 3 incident controller and a further 14 endorsed as level 3 incident controller but subject to a mentor. So let's call that 28. That is then 28 volunteers out of what you have described as a possible 30,000 who have obtained the rank of incident controller level 3?---Yes. I take those numbers of the deputy chief. It is not for me to disagree.

Which is more like 0.09 per cent?---Indeed. I might add when I say the 30,000 of operational, there are another significant amount of volunteers who may very well be able to fit into those positions equally that may not be operationally focused. There shouldn't be any element of that, but the percentage is what I'm getting at.

Yes. When you use the term "operational", you are assuming
that there are many more volunteers on the CFA books than 30,000. In fact, I think the figure usually referred to is about double?---That's correct, yes.

When you refer to "operational", are you referring to people who have particular competencies or people who are more active? What distinction are you drawing?---Both; that they have the minimum skill competencies and/or above and they are actively involved in operational firefighting. But we shouldn't discount the other people as well. They have very good skills that we should as an organisation utilise.

Just one matter also flowing from what Mr Finanzio just asked you about the exchange of letters and views in 2007. Have you attended any debrief post the February fires this year in relation to looking at how those fires worked on the day?---No. I was invited, but I was unable to go due to other duties.

I have no further questions for Mr Small. May he be excused?

CHAIRMAN: Yes. Thank you, Mr Small.

<(THE WITNESS WITHDREW)>

MS DOYLE: We are really pushing the timeframes today, Commissioners, but we beg your indulgence to finish the topic and to allow Mr Monti to be concluded quickly today.

CHAIRMAN: Yes.

MR ROZEN: We are grateful for that indication. I call Allan Monti.

<ALLAN FRANCIS MONTI, sworn and examined:

MR ROZEN: Mr Monti, is your full name Alan Francis Monti?---That's correct.

You hold a position with the Volunteer Fire Brigades Victoria. What is that position?---Executive officer.
Mr Monti, with the assistance of solicitors for Volunteer Fire Brigades Victoria, have you prepared a witness statement for the assistance of the Royal Commission?---I have. Have you had an opportunity to read through that statement before giving evidence today?---I have. Are there two minor changes that you seek to make to the statement?---There are. Is the first of those to be found at the bottom of page 8, paragraph 32?---That's correct. Do you wish to change the reference to "Wangaratta" to a reference to "Mansfield"?---That's correct. Is the second change to be found at the top of page 10?---Correct. The second word of that indented paragraph is presently "an". Do you seek to add a D?---I do. So that it is now "and"?---Thank you. With those changes, are the contents of your statement true and correct?---They are. I tender the statement. 

#EXHIBIT 553 - Witness statement of Allan Francis Monti (WIT.7530.001.0001).

MR ROZEN: Mr Monti, the position that you hold with Volunteer Fire Brigades Victoria is a full-time position, is that right?---That's correct. It is a paid position?---That's correct. How long have you been an officer of the organisation?---Fifteen months. As you explain in your statement, you are also a CFA volunteer of 22 years experience?---Correct. And you are the first lieutenant of the Somerville brigade?---Yes, that's correct.
And by way of your professional background you hold a bachelor of education and you have 27 years of teaching experience?---That's correct.

What is the nature of that teaching experience?---Predominantly within the engineering trade field as a trade instructor and assessor.

That no doubt assists you in relation to the observations you make about training and education of volunteers, which I will ask you about in a moment?---Absolutely.

In terms of your qualifications, your CFA qualifications I should say, they are listed at paragraph 7 of your statement. You explain that you are a level 2 incident controller under mentoring and that you are endorsed as a level 3 planning officer and a level 3 logistics officer.

If I could briefly ask you about the first of those, that is level 2 incident controller under mentoring. What has that meant in practice for you? Have you had the benefit of mentoring?---I have just received the endorsement as a level 2 controller for this coming fire season. I note the large capital M beside my name, so I have no other knowledge what that means at the present, but look forward to the opportunity.

What about in those other roles? Have you had any experience of mentoring or what's perhaps been referred to as coaching in those roles as planning officer or logistics officer?---Yes, look, I have worked in both roles in subordinate positions and we have seen in previous evidence there are a number of reporting structures within the principal pillars of the incident management team. I have worked in level 2 and level 3 IMTs across the state and interstate and have received
mentoring/coaching/feedback on my performance in those roles, much to the extent that I received a full endorsement without mentoring several years ago for both.

If I can ask you a little bit about Volunteer Fire Brigades Victoria. You do describe the VFBV at paragraph 9 of your statement. You explain it is an amalgamation of the Victorian Urban Fire Brigades Association and the Victorian Rural Fire Brigades Association. You go on to explain that each of those organisations has statutory recognition under section 100 of the Country Fire Authority Act 1958?—That's correct.

In fact you quote from section 100 of the Act in outlining the purpose for which the organisations enjoy that statutory recognition, and that is it is for the purpose of enabling brigades to consider and bring to the notice of the CFA all matters affecting the welfare and efficiency of brigades?—That's correct.

In your role with the organisation I take it you have frequent contact with volunteers and volunteer brigades?—Yes, a substantial part of my role is as a field officer, and a large part of my particular role is to move around the state discussing matters of welfare and efficiency of volunteers and understanding their voice and understanding what they wish to have brought to the attention of the CFA.

At paragraph 11 of your statement you set out in some detail your views about the roles volunteers play within the CFA and you describe volunteers as being the largest resource available to the CFA in any emergency scenario. You point out that the model of volunteers assisting and working with the CFA in relation to its functions is a model that
operates interstate in Australia?---It does.

Do you as part of your role have any contact with people holding equivalent positions interstate?---I do.

You may not be able to answer this at the level of generality, but I invite you if you can: do the sorts of concerns you describe, which I will come to in a moment, about planning and training opportunities, are they concerns that are raised by your interstate counterparts as well?---I think there is a consistent theme where competing interests for volunteers in terms of family life and their volunteer capacity are of interest right across the nation and internationally. Certainly my peers in other states would indicate that there are similar issues that fall upon volunteers in terms of making those balances, apply equally across the state as well as interstate.

You point out at paragraph 13 of your statement that from your dealings with the membership of the VFBV, that is volunteers and volunteer brigades, that there is a strong feeling of loyalty amongst the membership towards the CFA?---Absolutely. The volunteer associations as they exist today predate the formation of the CFA. Much of the organised fire service capability evolved in small townships, became organised and were in existence in the late 1800s and have existed certainly well before the formation of the CFA in the mid-1940s.

Is it fair to say, Mr Monti, that the matters that you raise in your statement for the assistance of the Royal Commission are raised by you with the intention of improving both the position of volunteers and their role within the CFA, but also of improving the CFA itself in its ability to carry out its statutory functions?---Yes, the focus from
volunteers that I meet on a regular basis across the state is they have a strong desire to join with the CFA and other agencies in an improvement process and a learnings process that will allow them to fully engage, cognisant of the abilities of them to balance as I said that life, family and volunteer community service obligation.

You explain at paragraph 15 of your statement, Mr Monti, that you have over the years through the association and through its predecessors made a number of submissions to both government and the CFA about the efficient utilisation of volunteer firefighters. I think we just heard an example of that via the previous witness, Mr Small, in his correspondence with the chief officer in relation to a specific matter that arose?---Yes, indeed.

You then go on and say that you understand the Commission today is focused upon training issues and the operation of IMTs, and therefore you have limited the evidence that you provide in this statement to those areas. But you wish to reserve the right to the association to address other issues of concern at an appropriate time with the Commission?---Yes, certainly.

Is that right?---Correct.

Paragraph 17, by reference to Mr Small's evidence, you express the view that based presumably on your dealings with other volunteers that Mr Small's position exemplifies a broader issue concerning the utilisation of volunteers?---Absolutely. Mr Small is indicative of a number of very senior volunteers right throughout the state that have enormous potential to offer, a great deal of life experience plus fire service experience, that at times feel under-utilised and could provide so much more
if we can learn from those issues from the past and apply
different techniques in the future.

It is a matter that you expand upon in paragraph 23 of your
statement at page 6 where you make a reference to a
culture where volunteers, although actively used as
firefighters on the ground, are routinely overlooked in
terms of the position they are able to hold and in fact
also their input into issues affecting the efficiency and
welfare of volunteers. As I understand that statement,
you are really there referring to two things that arise
from a culture, and I will ask you in a moment what you
mean by that. Firstly, the failure to utilise fully
volunteers in positions which might be described as
command and control positions?---Yes.

And, secondly, a related concern, and that is that volunteers
have insufficient input into matters that actually affect
them as volunteers; is that right?---Indeed, yes.

What do you mean when you refer to a culture in respect of
those matters?---Culture in relation to the change in
circumstances that has prevailed in the last decade, if
I might say, that our constituents relay to me in relation
to the opportunities volunteers may be given to assume
some of those senior roles and a culture in the
organisation that it is far easier at times to use a
resource that is intimately known to them and is easy to
introduce into practice. For example, the appointment of
a career officer into a role is much easier in the current
circumstances because that career officer's qualifications
and location are known on any given day and his
availability is usually known on that day. It is
naturally, as we have heard previously in evidence today,
human nature that if you have a solution to a problem you will take that solution. We maintain that there are opportunities in preplanning for particularly major events where volunteers are capable of delivering the responsibilities of those positions, particularly in IMT roles. Those roles should be made available on a routine basis similarly as with career officers.

If I could turn then to the two specific areas that you refer to in detail in your statement. They are, firstly, in relation to planning and, secondly, in relation to training. So far as planning is concerned, at paragraph 28 of your statement, page 8, you say, "I have received feedback from volunteers that indicates that fully qualified volunteer firefighters endorsed as level 3 incident controllers and other key IMT roles were not utilised on Black Saturday." Can you expand on that, Mr Monti? What other key IMT roles are you referring to other than the incident controller role? The full range of functions that we have heard referred to?---In essence we have heard evidence today that the incident management team is a team approach. The function or the pillars of AIIMS ICS apply with some major substantive positions within that incident management team. The incident controller is but the head of that team and relies significantly on the input from all of those substantive officers. Below those substantive positions there are a range of other reporting roles. All of those are integral to a fully-functioning and capable and efficient incident management team. Ultimately I have heard a lot of evidence today about the incident controller and his or her qualifications and experience. But in essence the
contribution any member capable, endorsed or accredited
can provide to those positions is important to consider
and should be weighed up in accordance that the incident
controller is taking on board a team approach to the way
they do their role.

At paragraph 29 of your statement you say, "It remains unclear
what system, if any, the CFA has to plan or program for
the deployment of people to IMTs, which addresses how many
IMT personnel are likely to be needed in an emergency,
which identifies appropriately qualified and experienced
personnel and their location, and which deploys those
personnel (whether career or otherwise) at the appropriate
time and place." I think you have been in the hearing
room today while Mr Haynes and Mr Slijepcevic of the DSE
have given evidence to the Commission about the
arrangements that are in place for the forthcoming summer
that deal with some of the matters that you raise in
paragraph 29. I take it that at the time of making the
statement you were unfamiliar with those
arrangements?---I was.

Having been in the hearing room and heard about those
arrangements, do you have any observations to make about
what is apparently in place from the point of view of the
volunteers?---Certainly we are hopeful that the
preplanning from that point of view in relation to the
establishment of future IMTs will take into account all
capable people that are appropriately qualified that can
and are available to undertake roles. The mechanism that
exists for volunteers to indicate their availability is of
great interest to all volunteers. We know that process is
undertaken locally, particularly within regional areas.
Even of more interest is in situations of a statewide nature of understanding that the CFA understands who in fact is available at any given time, and we would be interested in working with them to understand any future system that will be able to do that in a timely fashion.

Is there some consultative mechanism that is available through which you would be able to have input into that sort of decision making as things presently stand?---We look to a strong relationship with CFA in relation to having strong and vibrant consultation. We do through a number of committees and a number of working parties work closely on many issues. Ultimately the CFA management is responsible to implement those decisions. So in a consultation process we do provide input and we do seek to have a stronger consultative approach with them.

If I could turn to the specific example that you use to illustrate your concerns about the planning approach and the utilisation of volunteers as part of incident management teams. At paragraph 31 you say, "From a quick analysis of information available to me through CFA, I calculate there were approximately 18 CFA endorsed level 3 incident controllers within a 50 kilometre radius of the Kilmore fire ICC comprising both career and volunteer firefighters that is within half an hour's drive." You make those observations having regard to what you then describe in paragraph 32 that the level 3 incident controller that was appointed for day shift, who we have heard was Mr Kreltszheim, in fact travelled from Mansfield to fulfil that role. The figure of 18 CFA endorsed level 3 incident controllers within a 50 kilometre radius, where did that come from? What is the information that you rely
on for that?---As I have indicated in my statement, it was a really quick analysis based on a map, a compass that could draw a reasonably accurate circle of a 50 k radius and then using the CFA's resource management plan that was available to us at the time to indicate who potentially would have been available on that given day, given their home or work location. It in no way understood deployments or tasking of those members on that day.

You describe in paragraph 34 that it is unbelievable from your perspective that an incident controller had to travel the distance he did for day shift and also the incident controller for night shift given the availability of the CFA volunteer and career level 3 endorsed incident controllers that were available?---Yes, I find it quite strange when there is a readymade pool quite widely distributed throughout the state.

You describe in paragraph 36 several explanations for this approach. I want to take you to the third of those, if I could, at the foot of page 9. You say, "Where an incident response requires the deployment of a person with higher level training, the culture of the CFA is often to respond by calling upon volunteer personnel as a last resort, looking first to career staff resources, then external agency sources and sometimes to resources imported from interstate or overseas before deploying accredited volunteer personnel." What I would like to explore with you briefly if I could is why in your experience what appears on the surface to be an irrational use of available resources might in fact operate in practice. It seems to me there are a number of possible explanations for it which I would like to test with you.
The first might be that there is a concern on the part of those that are making the decisions about who to deploy that even though, particularly in the case of volunteers, they nominally have certain endorsements to perform particular roles, that in reality they are not as able to perform those roles as career staff with the same endorsements. It is really the point that Commissioner Pascoe raised with you, the professional-amateur dichotomy. I think you have perhaps addressed that. But, in the context of what you are raising here, is that at least part of the explanation, do you think?---Significantly as I move around the state and talk to volunteers that are endorsed to those roles and capable of delivering those roles and making themselves available, that would be their opinion. They feel that, number 1, it is a comfortable process to fill a position with a person known to them that comes from a career service; number 1. Number 2, at times from those people's point of view, they see their value being questioned. They may well have to go the extra mile to have been perceived to have had the same respect as a person from career ranks that holds a similar endorsement and qualification.

If I could leave the topic of planning and touch upon the question of training ---

CHAIRMAN: Could I have some indication. I am concerned about the transcript provider, who has been in effect ---

COMMISSIONER PASCOE: I think it is a real occupational health and safety issue.

CHAIRMAN: Even though I appreciate it is undesirable to cut the matter short, it really is desirable from other points of view, if you are going to be much longer.
MR ROZEN: I will be two minutes.

CHAIRMAN: That's fine.

COMMISSIONER PASCOE: Other parties?

MR LIVERMORE: I will be five.

MR FINANZIO: I can't imagine asking much at all.

MR TRAGARDH: Just two minutes maximum.

CHAIRMAN: I think it might be better to start tomorrow at 9.

    I know we have other witnesses, but I think to go for
    potentially another half an hour is just unsatisfactory.

MR ROZEN: We are in your hands. I understand we are already
    starting at 9 tomorrow to accommodate witnesses.

CHAIRMAN: I understand that. But I think the end result is,
    for occupational health and safety factors, I have noticed
    the problems encountered by looking over my shoulder.

    I think there are really just too many difficulties.

MR ROZEN: Certainly, sir.

<(THE WITNESS WITHDREW)

ADJOURNED UNTIL FRIDAY 27 NOVEMBER 2009