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2009 VICTORIAN BUSHFIRES ROYAL COMMISSION

MELBOURNE

MONDAY 3 MAY 2010

(143rd day of hearing)

BEFORE:

THE HONOURABLE B. TEAGUE AO - Chairman

MR R. MCLEOD AM - Commissioner

MS S. PASCOE AM - Commissioner
CHAIRMAN: Yes, Mr Rush.

MR RUSH: Commissioners, I call Mr de Man.

ALEXANDER GERARD DE MAN, sworn and examined:

MR RUSH: Mr de Man, you have a long history with the CFA, joining as a volunteer in 1977?---I do.

That was with the Yarrambat fire brigade?---Correct.

You served as a volunteer with that brigade and as captain of that brigade between 1987 and 1995?---Correct.

You have been a member of the Victorian Rural Fire Brigades Association, now the Volunteers Association, a member of that and on its executive for a considerable period of time?---Yes, I was the secretary for the region 14 council covering the northern part of metropolitan Melbourne for many years and also for a brief period a state councillor for the rural association, correct.

Thirty-three years in all of volunteer service prior to becoming a full-time member of the CFA?---I'm still a volunteer, and proud to say so, and now with Mernda my home location, that's correct.

If we can just go through a couple of other matters before coming to your statement. You were a member of the Victoria Police force, joining in 1978, and attained a rank of senior sergeant of police, you had experience as a detective sergeant in the arson squad and you left Victoria Police to join the CFA after completing a police officers training course in New Zealand in 1998?---Correct.

You have also had significant experience in local government, serving as the mayor of the municipality of Nillumbik between 2002 and 2004?---Correct.

For the purposes of giving evidence today, you are giving
evidence in relation to various matters concerning the
volunteers of CFA from your perspective as general manager
of the Yarra area with the Country Fire
Authority?---That's correct.

And you have prepared a statement, but I understand there are
some amendments to be made to the statement prior to its
tender. I have just been given a sheet, Mr de Man, but
39.9, that paragraph, I understand there's an amendment to
be made there?---Yes, Mr Rush. At 39.9, second last line,
inclusion of the word "approximately" before the figure
30.

We might be working off a different document. My 39 only goes
up to 39.3?---Mine goes to 39.9.

CHAIRMAN: Mine only goes up to 39.3.

MR CLELLAND: So does mine.

CHAIRMAN: We might have to have a bit of liaison.

MR CLELLAND: Yes. Just pardon me, sir.

MR RUSH: The 39.9 you are referring to looks suspiciously like
my 39.3, Mr de Man. Do you have a lot more
paragraphs?---I have 39.9, 40, 75 and 184.

Perhaps if we can look at your statement at 0249 and paragraph
39.3, which commences, "The provision of career
firefighters", and I understand the amendment document you
have has 39.9, but it should be 39.3, and in the last two
lines of that paragraph you wish to insert so the last
sentence to read as follows, "I am advised that the
Craigieburn fire brigade currently has three appliances,"
insert the word "approximately" 30 and insert "active
operational" volunteers?---Correct.

So the insertion of the words "approximately" and "active
operational" and removal of the word "registered" there.
There is a typographic error in paragraph 40 in the sentence in the middle of that paragraph, "I understand" rather than "understanding"?---Correct.

In 72, an amendment to that paragraph to include, in the middle of the paragraph, after "volunteer brigades", to include the following: "Attached to my statement at annexure 11A is a table of numbers of career and volunteer members at all integrated fire stations as at 22 April 2010. The figures have been extracted from RMS"?---Correct.

So, with the insertion of that sentence, you require that to be inserted to paragraph 72. Paragraph 85, in the second last sentence, you wish an amendment to be made there so that the second last sentence reads, "Depending on the classification of their brigade, the volunteer may also have to undertake further training, for example in structural firefighting, to obtain minimum skills for the relevant brigade profile"?---Correct.

Finally, at paragraph 184 I think a typographical error in the first line to read, "CFA personnel, be they volunteers" and take out the word "and" and insert the word "or" so it reads "volunteers or career staff in all roles"?---Correct.

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


MR RUSH: Mr de Man, at paragraph 13 of your statement, and I know you have provided us with a document going to your responsibilities, but perhaps if you could just briefly
outline the responsibilities of an area manager?---The then area manager role, when I first commenced in CFA, was to manage the overall functions within a particular area. My first appointment was at Geelong and Colac. So I was responsible to ensure that the finance, the training, the community safety and operations functions were working cohesively and to provide strategic leadership to staff and volunteers in that role as area manager.

That name has now been changed to "general manager"?---Correct. But with primarily the same responsibilities?---Similar responsibilities, but there's been a greater focus on the strategic requirements of the general manager's position and in particular in line with the development of relationships at the strategic level between other regional managers across Victoria. So, hence the term "general manager" was born.

When you say the strategic requirements, what are you referring to?---I'm talking about the relationships, to ensure that the senior CFA manager in the region has a good, strong link relationship with other departmental managers from other departments such as DHS, links with municipal chief executive officers and so forth.

You set out at paragraph 24 a number of the committees and groups of which you are a member. If I could just ask you about a couple of those. At 24.3 you refer to "CFA structural ensemble steering committee". What is that?---CFA embarked approximately 18 months, two years ago on the roll-out of a new structural turn-out apparel called "ensemble". The committee that I sit on is the peak steering committee that oversees the roll-out of that particular garment across CFA.
So the "structural" there refers to the structure of CFA?---No, the structural gear, the structural ensemble, the actual clothing.

You indicate at paragraph 24.7 you are one of two delegated general managers to hear matters of discipline concerning volunteers. How are those sorts of matters dealt with within the CFA?---How those matters are dealt with is if in the event a discipline charge is laid under the regulations on a volunteer, which does occur on occasions, then my role, delegated by the chief, is to in essence be the hearing officer to hear the evidence provided by CFA on what they say about the charge, to hear evidence from the respondent, the volunteer, and then make a determination whether the actual charge is found to be proven and then recommend penalty to the chief officer. Myself and one other are delegated to do that task.

In that discipline procedure, does the volunteers association have a role?---The volunteers association has a role at the local level to assist the volunteer if the volunteer requires some representation, but more so at the next level when, if a determination is made that a charge is proved and then penalty imposed, there is an appeal process where the volunteer can appeal. On that appeal panel is one representative from the volunteer association.

If we can go back to 24.6. You indicate you were a member of the CFA boundary alignment project steering board. I know you talk about that to come in your statement, but that alignment is not a re-alignment so much of the current metropolitan against CFA boundaries, but to bring alignment onto a municipal basis which was changed some
years ago with boundaries of municipalities?---Correct.
It is to bring CFA's current boundaries in a line with the
Fairer Victoria boundaries or what we call the DHS
boundaries so that we do align with municipalities.

At 24.8 you say you are the deputy chair of the integrated fire
management planning regional committee. What's undertaken
there?---At the regional committee level is where the
regional heads of the various government authorities and
representatives from municipalities meet as a group, a
steering group, to implement the integrated fire
management planning process, which is a process which is
currently under way.

So when we talk about integrated fire management planning, is
that the planning of career firefighters into CFA fire
brigades?---No. Integrated fire management planning is a
process where - it started off a number of years ago to
bring all government agencies to the table so that at a
municipal level there can be an integrated plan on how to
deal with fire management planning process. It has
nothing to do with volunteer or staff allocation.

You refer at paragraph 26 to a volunteer charter that was
signed between the Premier, the Minister for Police and
the then president, Mr Lyttle, of the volunteer's
association and the chairman of CFA, Kerry Murphy. From a
volunteer perspective, what is the reasoning behind the
charter and why is it seen as important?---My
understanding, the charter evolved to ensure that - in the
early 2000s there were some concerns from the volunteer
associations, who were then two associations, that perhaps
consultation needed to be improved with CFA and there
needed to be some commitment between CFA, government, with
the volunteer associations that we would consult, CFA would consult, on issues with the volunteers. So hence the charter was established, I think it was December 2001, and was re-affirmed in 2008.

What is the nature of that consultative process? Are you able to tell us in general terms?---In general terms it is to ensure that CFA, before it starts to go down the path of implementing significant change or change, that it actually engages with the volunteer at the various levels. To me it's just good common sense, sound business practice, if I can put it that way. But it is a commitment. It is sort of like a contract to ensure that we do consult and to ensure that the State also engages with the Fire Brigades Victoria, the Volunteer Fire Brigades Victoria, on strategic significant issues.

Are all volunteers necessarily part of the volunteer organisation?---It is a funny setup insofar as a number of years ago the Victorian Urban Fire Brigades Association and the Victorian Rural Fire Brigades Association came under the umbrella of Volunteer Fire Brigades Victoria, which from my understanding is the peak representative body of volunteers. So an individual volunteer is actually not a member of the Volunteer Fire Brigades Victoria but their brigade is and that's how the representation occurs. It then flows from brigade level to the regional level, where there is regional representation, and then at the regional level a representative or a number of representatives are then elected by their peers to the state body, the state council.

You then go on to discuss what is a volunteer. You underscore
You take issue with the word "professional"? I take issue with the word "professional" - not that I take issue, but in my statement I've tried to make it absolutely, blatantly clear that the term "professional" to me is about the competency and the ability of our people. Because I am a volunteer, that does not mean that I am not professional. What makes me professional is my ability to do my job that I'm trained to do to whatever level I'm trained to do, and at the same time we've got a very large workforce, paid workforce, who are also professional. To me the term "professional" relates across volunteers and career staff, every one of them trying to ensure they do the best to their utmost to provide the service to their communities or to the state, and in the case of staff to ensure that we support our volunteers. The word "professional" is sometimes related with the term "paid". That's where I say just because you are not paid doesn't mean you are not professional. That's a very strong point in my mind. I hear quite often, and you hear it throughout the industry, not only in Victoria but elsewhere, a "professional" fire service and it may only be a paid fire service. I say that CFA is a professional organisation through its 1600 staff and its near on 60,000 volunteers.

COMMISSIONER McLEOD: Would you agree it is a difficult term to use because it has got different meanings in the community at large? We have professional footballers, for example. The term "professional" is commonly used to suggest a person has a very methodical and business-like approach which is a professional approach. It can mean a member of
a profession. So as a word it is open to
misinterpretation by people?---It is open to - correct.
To my mind it is a word that is open to different
interpretation and what I have tried to do is restrict it
to my interpretation with regards to the fire service and
CFA, because in our organisation we have volunteers who
have got outstanding professional services within their
own occupations and bring a quantum of experience to CFA.
We have volunteers from the lower socioeconomic side of
society right through to directors of major Australian
companies, the whole gamut. The same with our career
staff. They bring to CFA external skills that they have
gained in their professional life into CFA. So you are
correct, Commissioner, but in my term I like to think of
the word "professional" as the job we do, the competencies
we have in being trained to do the job, and the service we
provide to the state.

MR RUSH: Mr de Man, you then go on to discuss at paragraph 28
and following the differences between the operational
membership and the non-operational membership, being the
minimum skills retirement and the roles that obviously
significant numbers of people pick up in the
non-operational sense?---Correct.
You then indicate that in 2007 there was some research done
I think into 20 brigades, just to get an understanding of
the community involvement and the backgrounding in
relation to volunteers?---Correct.
Without going to that research and material, it indicated from
those 20 brigades that over half of CFA members had
participated in voluntary work for an organisation other
than the CFA and one of the other matters was that CFA
members were found most likely to be male aged between 35 and 44 years?---Correct.

COMMISSIONER PASCOE: Before we leave the profile and noting the mode of entry, I was interested that in paragraph 29 you talk about the members being voted in at the brigade level. That usually suggests a member based organisation, whereas when you look at the CFA it's got a large body of volunteers who have quite a specific task to undertake. Is that mode of entry - first of all, the basis of the voting, do people vote against specific criteria at the brigade level? Secondly, has there ever been discussion about that mode of entry and its fit with the nature of the CFA as an organisation in its entirety?---The method of people entering the CFA, that's been a time and tradition process; people are voted in. In many brigades a person, when they apply to become a volunteer, actually go through a selection process, particularly in the larger peri-urban or urban brigades, if I can put it that way, or brigades that deal with high activity levels. In those brigades I am aware that they do go through a selection process prior to them ever being put up to the membership for voting. It works reasonably well in those brigades. Because of the large diversity within CFA - CFA is very strange organisation, a very funny animal to get to know, because of the diversity of the parts of the state that we do cover. You have the brigades that may turn out once, maybe twice a year, to brigades that are responding in excess of 1500 times a year. So the level of membership is different, as I've explained in the statement. But, in the main, the entry process for members to come into brigades works well, from my understanding. However,
I would also like to put forward that in some cases where we've had issues in brigades with membership, it's very easy for someone to join CFA, it's very hard for someone to leave CFA against their wishes. In other words, if there is a discipline matter and so forth or if there is a disruption within a brigade, it is not simple to be able to ask somebody to leave.

MR RUSH: Mr de Man, at paragraph 34 you refer to work that, as I understand it, was commissioned by the CFA that sought to get an understanding in monetary terms of the value of the volunteer effort as it concerns CFA. Perhaps you might just give us an explanation. There are two figures referred to; one, value of output at $370 million and then one, value of input, which in today's terms is valued at $840 million?---In very brief and simplistic terms, if you were to value the contribution on a pure wage base to the state, you end up with one figure of what it may well cost the state if we were to engage full-time volunteers or staff in the organisation as we know it today. The intangible one is the benefits that each community and the state in turn derives from the integrated fire service model that we have within CFA. CFA, if I can, is an organisation that is an integrated base service with volunteers supported by career staff and a number of integrated fire stations with career firefighters, for example. The model works well, and that is because of the contribution of our people, particularly the volunteers, not only just in a response sense but also in a sense within their community. So that's the intangible, the unquantifiable delivery to those particular communities.

If I can just ask that we turn to that work that those figures
are based on, to look at another aspect, which is
(WIT.3004.047.0006) which is part of the summary of the
work by Ms Hourigan on the value of volunteer
collection, at 0006 of that annexure in the third
paragraph?---Yes, in that it outlines the amount of hours
that volunteers contributed during the 1998-99 period of
669,200 hours of time responding to fires and other
incidents. So that's a significant amount of time
provided by volunteers at that point.
I wanted to ask you: it says it represents 97 per cent of the
total time that volunteers and career firefighters
contributed, which is 687,500 hours. Is that just
relating to hours for CFA?---Correct.
You go on then at paragraph 36 and following, and we may see it
in some of the tables later, to make the point that in
some particularly rural communities the CFA is the last
community organisation?---Yes, correct. I use the term
the CFA in some parts of Victoria is the "glue" that holds
the communities together. Through time, through things
such as municipal amalgamations that occurred in the
mid-1990s, through the privatisation of authorities such
as water, gas, fuel et cetera, many of the smaller
communities have diminished. The only fabric that remains
there is that fire station, the CFA fire station. So you
find our volunteers, quite often not only are they an
officer of the fire brigade, they are also probably the
president of the local football club or involved in the
local football club, cricket club, the local Rotary or CWA
or whatever. But the one common bond you find is that
term "CFA". The CFA is there.
Again we will look at this in a little bit more detail, but at
paragraph 35 you set out statistics that indicate that the
majority of incidents the CFA responds to are urban based
and CFA's fire and incident reporting system recorded that
in 2009 CFA brigades responded to 30,876 urban incidents
and 8,664 rural incidents. I take it that is all
incidents, fire, road, flood and the like where CFA turned
out?---Correct. What those figures also highlight is the
fact that as an organisation we are that organisation that
provides that integrated service, not just wildfire.
I think the perception sometimes is CFA is just a bushfire
authority, bushfire brigade. It's not. It is a whole
integrated type of service that provides response to a
large number of different types of risks in the community.
You then go on to discuss brigades and in that context discuss
the evolution of brigades from being small brigades to
some of them becoming integrated brigades; that is, a
volunteer brigade with career firefighters involved in the
local brigade?---Correct.
You set out for us or provide an example of that, which is the
Craigieburn fire brigade, which commenced in 1945 but with
the growth of Melbourne it has been necessary for that
brigade to take on career firefighters?---Correct.
In that sense the brigade - it would appear to one looking from
out looking in that the nature of the brigade and the
volunteerism that you speak about would be compromised by
that integration?---I don't say it is compromised.
Craigieburn brigade I know quite well through my knowledge
when I first joined CFA in 1977. In actual fact I think
it was still then what we classified at that stage a rural
fire brigade. It then progressed to become an urban fire
brigade because the structural risk in the small
Craigieburn community at that stage grew and grew, so they needed an enhanced level of knowledge and training and so they became an urban fire brigade. As you have said, Mr Rush, as the growth continued to head up north up the Hume Highway, the time impost on the volunteers and the level of training commitment required and so forth meant that the brigade volunteers came under a lot of pressure with regards to ensuring that they could maintain that service delivery. Then we brought on board career firefighters at Craigieburn to support the volunteers. Craigieburn is a very good example, in my book, of how integration can be done. The brigade at Craigieburn is a very successful integrated brigade, from my understanding, with a strong volunteer base supported by a tremendous team of career staff who support the volunteers with not only responding but also assist with training and day-to-day activities at the brigade. It works well.

Some of the evidence and materials received by the Royal Commission suggest that there is an absolute contrast, a dichotomy between the volunteers and the union-based career firefighters. What you indicate is at Craigieburn that's not the case; it is something that works well?---It works well, but there are times of course where you have got a paid force and you have a volunteer force, there are those tensions at times. That is to be expected and that is something which we in management need to continually be across and to reinforce that the reason why we are there is to support our volunteers. But it would be correct in saying that at times of course there are those tensions there and it is a matter of, to be quite blunt, people ensuring that they consult, that they talk and that they
are mature in their approach when they're working together. What we did at Craigieburn when the staff came on board was we went through an integration process of not just saying on a Monday morning, "Career firefighters are here," but actually developing a process where over a period of time the career firefighters were brought on board and there was also an induction process brought into the brigade. But at times, yes, there are those tensions. But what you indicate there is that with that induction process and the procedures being established, that if we were to take Craigieburn as an example, am I right in saying there would be no reason why the two couldn't work together?---The two do work together. You are correct, Mr Rush, the two do work together and quite often when there are issues it is not about one person is a paid person or one person is a volunteer; it is quite often about a personality clash, and you get that amongst volunteers with volunteers, or staff with staff, or volunteers with staff. So you are correct in that, Mr Rush, yes.

You also give us the example of the Scoresby brigade?---Correct.

Which needed, as I understand it, a firefighter with experience that could not be provided through the volunteers, so there there was appointed a firefighter to take up the role of leading firefighter just to be sure that the brigade at all times was able to respond appropriately?---Yes, and the leading firefighter was brought on board at Scoresby on a day shift arrangement to ensure that during Monday to Friday during day shift we had a level of command and control ability within the
Scoresby brigade and that's what the leading firefighter has brought to the brigade.

Then we have also heard evidence in the Royal Commission of the processes that are undertaken at local brigades in relation to the election of the officials, both operational and non-operational, but the captain, for example, and the various levels of brigade officers under the captain. How does that work at Craigieburn?---At Craigieburn there is an election for a first lieutenant, the most senior volunteer rank, and that's done within the brigade by the brigade membership at a biannual meeting. That's when all the positions are actually filled or when there is a casual vacancy that occurs within the brigade.

So how is that accepted? For example, at the Craigieburn brigade, I take it the captain or the officer in charge of the brigade can never be a volunteer?---No, the officer in charge of the brigade at Craigieburn under our model is an operations officer and the most senior rank for a volunteer is a first lieutenant.

How is that accepted or not accepted amongst the volunteers?---It's accepted amongst the volunteers. It is a model that we've had in place now for many, many years and from my understanding it's a model that works well. I know previously there's been discussions and there may still be discussions going on in CFA at the moment between the volunteers and the authority with regards to whether a volunteer rank of captain should be instituted in those brigades, but I'm not aware of what the status of those discussions are.

Then in relation to the training of the career firefighters that take up an integrated role in a CFA station, are they
training in CFA procedures or MFB procedures? How does that work?---No, we recruit for career firefighters. We recruit from the general community and also the ability - there is an option there, of course, for when I say the general community, for our volunteers to also apply to become career firefighters. In fact, many of our career firefighters have been or remain CFA volunteers. They then are inducted into a training course at our training college at Fiskville at Ballan and they undertake a recruit training course. Following graduation, they are then appointed to an integrated brigade at a location within the state where they finish off their incremental training and then once they have completed their incremental training they then form part of our minimum manning.

Do those career firefighters work under the same terms and conditions - as I understand it, they are normally union members?---Yes, they have the right, as they should have, to be a member of a union and they are represented by the United Firefighters Union. They have an enterprise bargaining agreement with CFA with regards to their working conditions and pay rates et cetera.

And is that different to the way metropolitan firefighters - is it a different arrangement?---From my understanding it is a different enterprise bargaining agreement that our staff have entered into. It is separate from the Metropolitan Fire Brigade enterprise bargaining agreement.

Are the terms and conditions the same?---The terms and conditions, without going through every clause of it, it is very, very similar, very similar.

You then go on to point out at paragraph 41 the number of
brigades and indicate significant diversity in brigades. You at 0250 provide a table just looking at a couple of different brigades. As I understand it, the table is really pointing out two things; the high rate of volunteerism in country Victoria?---Correct. And, for example, if we look at the first brigade, Mitre, 60 per cent of the local population are CFA members?---Correct. It is pointed out perhaps what might be seen as the significance of the CFA at the bottom of that column, with it being indicated that it is the only community function left in the district?---That's correct, like I previously indicated. Then if we move to the town of Colac, the rate of CFA participation compared to population is 0.31 per cent, with volunteers 47 operational and 20 non-operational. In a country town, how do CFA view that level of participation?---That level of participation, if you look at it and you say there is a brigade of Colac, and I know Colac quite well through having been the area manager in the Geelong/Colac region, around the 60, 70 mark with membership sounds to me like a reasonably healthy brigade. The brigade needs to ensure, of course, that it has the capacity to be able to provide that 7/24 response ability within our required structural standards. That's the important factor with regards to brigade membership, so that there is a good level of membership that can provide that service. But to me that figure looks like a healthy brigade. Whilst the brigade numbers no doubt are good enough to handle the number of call-outs in a healthy brigade, just in
relation to looking at it, the number and the percentage
compared to population, does the recruitment process sort
of lower or stop or the involvement not get carried on if
it is considered brigade numbers are healthy?---No, the
CFA is always on the look-out for volunteers, very much
so. With a normal churn rate that occurs within brigades,
you need to constantly ensure that you are recruiting and
training new personnel for the brigades.

You then go on to discuss, Mr de Man, the surge capacity of CFA
and the importance of it that you refer to in following
paragraphs. To summarise, what you are saying, as
I understand it, is that the CFA has an ability to be able
to call on significant numbers for an emergency event. Is
the position that you are putting forward that with a
fully career structured organisation you wouldn't have
that surge capacity?---The proposition I'm putting forward
is if we were to pay everybody in that surge capacity
I think the state coffers would run dry rather quickly
insofar as the ability of the CFA, that has thousands of
personnel in metropolitan areas and also regional centres,
to be able to quickly, efficiently and effectively respond
to significant events of disaster, i.e. 7 February, or
other events such as, and I quote, Longford, where there
was a critical time when every gas meter in metropolitan
Melbourne had to be turned off or we had to make sure, we
the State, had to make sure that those meters were off. A
significant effort was put in by CFA as an organisation
through its volunteers and staff within the metropolitan
area, not within the CFA defined fire district, but right
across metropolitan Melbourne to actually ensure that that
was done for the safety of the community. Events like
hailstorms that we had recently and significant wind
events that we have in the eastern suburbs, we have the
capacity and we do provide that support to our sister
service, the SES, because of the sheer bulk of numbers
that we do have. The benefits to the state, if I can put
it, of the ability to quickly be able to call upon a small
army of people to respond to major disasters or
significant events cannot be underestimated. Of course,
also that surge capacity when called upon by our
counterparts in New South Wales previously on two
occasions, we have also been able to, whilst maintaining
our normal service delivery standards and requirements in
Victoria, provide significant resources to assist New
South Wales during periods of disaster in that state. So,
the surge capacity cannot be underestimated. I believe,
my personal view, it is vital for the Victorian community
that that be there.

At paragraph 44 you speak of an ageing demographic in rural
Victoria being offset by growth in the outer Melbourne
areas. Are you indicating in relation to this topic of
surge capacity that the CFA for it is more reliant on that
group, that is the outer Melbourne group, rather than the
rural group?---No, I'm not. What I'm saying there is that
when we have major events in country Victoria we have the
ability to actually rapidly deploy both staff and
volunteers to support those smaller rural communities,
especially when events of course of major wildfire.
Examples have been the Grampians previously or the
want that to be seen to diminish from the small rural
areas because that is very important that we keep
perspective that many of the incidents in those small
rural areas remain small because of the rapid response and
the ability of those small brigades and those small
communities to effectively and efficiently extinguish
those fires before they actually rapidly develop. But the
ability for us to say, "Okay, we need," for example, "five
strike teams, 20 trucks on the road, 15 minutes, bang,"
heading to some other part of the state is essential.
We will look at it later, but is there a recognition of an
ageing demographic in rural Victoria as opposed to the
recruiting process in the outlying suburbs of
Melbourne?---Yes, there is. That's a constant challenge
for CFA. A constant challenge is to - because of the very
fabric of a fire brigade, I have a saying that a fire
brigade is a reflection of its community. If its
community is small in number, then the brigade obviously
is going to be small in number. An example I give is Wye
River on the Great Ocean Road. Wye River is a small
community. When I was in charge down there, there were 67
members of the community. That was it, that was the
community, and the brigade was made up of the majority of
those community members. Because it is a retirement area,
of course that then reflects on the membership of the
brigade, but they still do a very good job. So, we have
to be very mindful that in parts of the state where age is
an issue and the demographic question is there, we have to
constantly think of how we can support those brigades to
recruit members from that community to ensure we can
maintain the service.
We might have a look at that a little later. Just in relation
to overall numbers, you indicate in your statement that
it's been difficult to go back further than 10 years because of the nature of the record keeping, but you have provided at 0252 figures that look at actual numbers over a period of the last 10 years?—Correct.

In essence, what you are pointing to is an overall, looking at the red which is operational membership, a general steady as she goes, if you like, in relation to operational members?—Yes, around the 35, 36 mark, correct. 35,000, 36,000 mark.

And the yellow number there are the non-operational membership?—Correct.

In looking at those numbers, some of the material that you have provided to us, Mr de Man, suggests that membership tends to go up a bit after major fires?—Yes. It's ironic that after major events, and I can go back to 1977, 1983, 2002, 2003, whenever the state suffers a significant event or there is a significant amount of publicity about a particular event, it could be just in the local community, I think there is a sense of wishing to help, a sense of belonging by other community members that come along and they join CFA. A number of them, they do leave, but many do stay.

In looking at membership, you refer at 48.1 to the introduction in 2000 of minimum skills training requirements. Was that an issue in relation to membership, the fact that people who previously hadn't had to undergo any basic requirement had to undergo it?—It was an issue, if I can explain. The CFA was going down the path of having a mandatory minimum entry skill prior to the disaster of 2 December 1998 when we lost five firefighters from Geelong West. It was decided after that by the then chief that we needed to
introduce these minimum skills. There were no ifs, buts
or maybes about that. I well remember at the time - and
I have a passion for minimum skills, as you may
appreciate. The five that died at Linton were my five.
Even today I still look back at those five people and
I think to myself perhaps if they had that minimum skill
regime, perhaps they would still be with us. So I'm
pretty passionate about minimum skills and I well remember
when the then chief brought in and decreed that the
minimum skills would be delivered over the five years, of
going to a number of brigades, especially in the rural
parts in the dairying country in region 16 near Colac.
I used to use the example to the volunteers that we
expect, CFA, that when you hop on the truck and you go to
the fire, that you are best equipped, that you have the
best minimum level of knowledge to be able to deal with
the fire, no different than a dairy farmer wanting to
ensure that the apprentice or the person coming along to
milk the cows knows how to milk the cows properly and has
that minimum level of knowledge and skills. When you
explained it in that simple term, overall there was pretty
widespread acceptance. There was a very small number who
left, but the majority now agreed with it and now the new
people joining CFA, it's their expectation. If you take
the workplace legislation that people need to be trained
and so forth, it's an acceptance. "If I join the fire
brigade, I'll be trained to be a firefighter." I think it
has been of significant benefit.

Looking at that minimum skills requirement against some of the
figures that you have given us at paragraph 50, that 389 CFA brigades have turned out less than 10 times per year,
we are looking at averages over five years there, I take it there could be occasions when local brigades don't turn out at all on an annual basis?---Correct.

So how are the operational skills of those members kept up to date and kept to a level that will enable them to operationally perform?---In those very small, remote rural brigades, as I call them, rural fire brigades, you will find that those brigades will have an annual training session ahead of the summer period. It is a fact. They will have a training session, make sure that the vehicle is operable, that their minimum skills are up to an appropriate level, that their equipment, their protective equipment is correct, and also through an inspection process that we have, a section 29, what we call a section 29, where we need to ensure, I think the terminology is, the chief officer of the brigade is effective and efficient in able to respond to fire. The local operations personnel ensure that the brigade's skills are maintained.

You indicate that by going back to the data you can say that for 2008 there was a 62 per cent turnout of operational personnel, volunteers, and that was a little larger, substantially larger, to 72.5 per cent for 2008/2009?---Correct.

You then go on, and I don't want to delay, to explain how a person can leave one brigade and join another brigade and it requires a resignation?---Correct.

So when we look at the figures for resignation, we need to look at them against the figures for people who are joining. There might be some overflow of the same people?---Correct.
You say there is no formal feedback in relation to volunteers that resign, at paragraph 56, but from the perspective of retaining people and the research that you refer to that has been done by Bushfire CRC with the La Trobe University, is there now an emphasis to go about trying to ensure people are not resigning and leaving the CFA?---Yes. We do the surveys and so forth and do what we can to ensure that the right level of training and equipment and so forth and support to brigades is there to ensure that people are maintaining their membership of the brigades.

You indicate that what you refer to as the churn level in Victoria for CFA, this is at page 0256, paragraph 55, is 6.3 per cent, but it is generally lower than rates in other states?---Yes. The research shows that; that's correct.

Then at paragraph 57 and over the page you set out and detail the increases in volunteer numbers that have occurred, if we look at the graph at 0257, since December 2008 compared to March 2010?---Correct.

So there's been a slight increase in relation to numbers?---Correct.

You were asked to tell the Commission, and you deal with it at 0258, paragraph 60, of where volunteers are located. We look at that table with the regions. If we took 17 to 24, we are looking at fairly strongly performing regions which are basically rural regions?---Correct.

Just to give us some idea, for example region 24?---Up in the Wodonga area.

The north-east area?---The north-east.

And region 17?---Region 17 is around the Horsham area.
Then regions 8 to 14 are, if you like, the outskirts of Melbourne area?---Yes, they're metropolitan areas of Melton, Lilydale and Dandenong.

If one looks at region 8 there, can you tell us where region 8 is?---Region 8 is what we call Westernport area. So, if you take the City of Greater Dandenong all the way down through to the Mornington Peninsula down to Phillip Island.

Just by way of example again, region 13?---Region 13 is my area and that covers the cities of Knox, all of Mount Dandenong, the Yarra Valley, the Maroondah Valley, currently the Nillumbik area and also the Kinglake Ranges.

Again, I will come back perhaps to these figures when we look a little further at the matter of integration. But, Mr de Man, the figure that you set out at paragraph 62 in relation to male and female volunteers, 47,836 males and 11,836 female volunteers. The Commission has seen a number of CFA female volunteers. Is it viewed that there is a much better potential for volunteers from females than what would be represented in those figures?---Sorry, Mr Rush, could you repeat the question?

At paragraph 62 you set out the difference, 47,836 male volunteers and 11,836 female volunteers. I just wondered if CFA sees a potential in increasing that number of female volunteers?---Absolutely.

So what's being done towards that?---Our constant recruiting programs is not only targeted at females but right across all communities. But certainly when you have a look at where we were some years ago with the percentage of female members compared to today, there has been a significant increase. That, I believe, will continue as we continue
to recruit and retain members within communities.

Is it being particularly targeted in recruiting?---It has been targeted in the past. I can talk from personal experience in my own brigade some years ago where, looking at daytime response, we went out to look at those community members that were around during the day and of course the vast majority of those are those doing home duties, and that worked very effectively.

At 0259, paragraph 63, there is a breakup there by age of the CFA volunteers. The great majority fall within the age group of 45 to 64?---Correct.

Has that traditionally been the age bracket where the heaviest or the greatest or the majority of CFA volunteers have resided?---Yes, traditionally. I put that down to a number of factors. It may well be that they are normally in that age group settled within their employment and also within their own personal commitments of life, be it their children or their mortgage or so forth.

If we look at 65 plus with 9,467, is there any age limit or any - - -?---There is no retirement limit to being a CFA volunteer.

What about operationally?---Operationally there isn't, but if a member gets to a stage where the brigade or the regional operations manager believes that the person's age just from a physical point of view, the ability to do certain physical things, then the person can be assessed and then either given the green light to continue or in some cases I'm aware of have had restrictions put on what they can actually do in an operational sense. But the great thing about, as people mature within CFA, those vast years of service, if we can capture those and transfer those to
newer members, then that can only be healthy for the organisation.

You then observe the change in classification from rural urban brigades to a breakdown, and you might explain. A brigade that is classified as, what is termed in paragraph 66, a wildfire brigade, what's that?—What happened, with the introduction of minimum skills we had to do an assessment of, when we are talking about minimum skills, what are we actually talking about with regards to the varying types of brigades that we have within CFA. So a wildfire brigade is what you would call purely a rural fire brigade. It has no major structural risk and it just deals with wildfire. The next classification, wildfire low structural, goes up the scale with regards that there would be a level of structural requirement for that brigade, wildfire structural a greater requirement, and then we have a structural wildfire which are brigades in your large regional centres and larger metropolitan type locations. So it is a way of assessing what level of skill the firefighters in those brigades require.

You have spoken of a minimum skills requirement for the brigade members, for example, in Colac?—Correct.

Do they have to go beyond minimum skills, because we are dealing there with a large rural community?—Every firefighter requires the base wildfire minimum skills to be operational. That's the base. If a firefighter wishes to progress to have structural competencies, that's a matter for him or her to choose. Then they are provided with the level of training to actually obtain the skill or the qualification for structural firefighting; for example, breathing apparatus.
It might be thought that the brigade, for example, in Frankston or indeed in Colac is primarily - let's deal with Frankston - is primarily going to be dealing with structural fires. Are the volunteer members required to have any training or efficiency beyond wildfire, beyond the basics, to get on the truck to attend a structural fire?---If they are going to go to structural fire, yes, they should be.

My question was required?---Are they required? Technically, no. But if they wish to proceed past that wildfire level and do structural firefighting within their communities, then, yes, they would need that skill simply to ensure that they can, from a safe point of view, perform the task with the best knowledge and in the safest manner.

There is some material before the Royal Commission that suggests there is a difference between - and I suggest there is a clear difference - between fighting a bushfire and fighting a house fire. So are the volunteers that are required to fight house fires, structural fires, trained for that?---Yes.

How?---They will receive training in structural firefighting in various levels; for example, breathing apparatus, how to don a breathing apparatus and other competencies to do structural firefighting.

Is that a requirement of attendance at a structural fire?---If they wish to do the training, they will have to do the training to actually undertake that role.

Just to be clear, a volunteer can't attend a structural fire unless they have training and have met a standard in relation to structural firefighting?---No. If they have the minimum skill, the wildfire minimum skill, they can
attend and do levels of firefighting to that level of
competency; i.e. holding a hose externally to a building.
They are not certainly qualified to go internally to do an
internal aggressive attack, as we call it, but they would
need to remain external of the premises.

Mr de Man, how does that work in a brigade which is required to
turn out fundamentally for structural fires that is not in
any way integrated?---If you take Colac, for example ---
Let's take Rye?---Rye, for example. Rye, they would be a
brigade that would require structural competencies, so
their brigade profile would mean that they would need a
number of volunteers that have got the structural
competencies for that brigade to be able to perform that
task. So the brigade has a required number and that's
worked with the operations manager in that particular
location, so the brigade would have a number of volunteers
trained to that level to be able to fulfil that task.
So the position would be for a turnout of the Rye brigade, that
it would have to have personnel on the truck who have the
qualifications to fight structural fires in addition to
those who may not?---Correct. That would be the
expectation.

Is it the requirement?---When you say it is a requirement ---
I guess I'm concerned that you say that's the expectation?---It
is a requirement that the brigade has that amount of
numbers of people trained to that risk level to fulfil its
role within the community. So, yes, it is a requirement.
It is a requirement that it has members who are trained to that
level. Is it a requirement that the truck that turns out
for the fire contains the personnel with the proper
qualifications?---The best I could say in answer to that,
Mr Rush, is it would be - you would expect that with the brigade profile there would be people on the appliance that would have that training level. 

So the answer really is no?---If you put it that way, correct.

You then deal with brigade structure and unless the Commissioners particularly want me to go to brigade structure, I don't intend to ask Mr de Man about it. You point out the nature and the structure of a brigade and the group and the way in which one can proceed?---Correct.

What I do want to ask you about is this: why is it that group officer is the highest rank that a volunteer can achieve in the CFA?---Under our Act the highest position for a volunteer is group officer. That is the most senior volunteer rank. Apart from of course leading a brigade as captain, you have then got the group of brigades with the most senior position being group officer.

You deal with it at paragraph 90 and following, but I just wonder why there is a limitation in an authority that prides itself on its volunteer structure, why you would necessarily stop at group officer?---The highest operational rank in CFA for a volunteer is group officer, but it is certainly not the highest position within CFA, of course, as we have got a number of volunteers in more senior positions. But from an operational perspective it is defined in the Act, group officer, and from group officer and above they are paid personnel there to support the volunteers, simply because in simple terms the complexity of the support required to groups, to the organisation, to the region and so forth and the time imposts, the skill requirements, the training requirements and so forth, that's where it sits at this point in time.
with just group officer - not just group officer, but the
group officer being the most senior operational rank.

Mr de Man, at paragraph 99 and thereafter you address a
question that was put as to the effect of the restructure
of CFA regions in accordance with the Fairer Victoria
boundaries. Perhaps you might explain to us, first, what
Fairer Victoria boundaries - what is being spoken about
there?---From my understanding, the Fairer Victoria
boundaries are the state boundaries that follow in essence
the Department of Human Services boundaries throughout the
State of Victoria. So it is a process of aligning all
government agencies to the Fairer Victoria boundaries or
the DHS boundaries. They are based on a grouping of
municipalities.

You refer to anomalies existing in the current boundaries.
Could you perhaps give us an example of that?---At the
moment there are 94 groups and 206 brigades where there
are anomalies where they cross municipal boundaries. An
example I can give is in my area with the municipality of
Nillumbik where we have two fire regions or two fire areas
servicing the one municipality, which adds to a lot of
duplication and the project is to ensure that there is one
CFA region across that one municipality.

COMMISSIONER McLEOD: What's the most obvious solution to that,
Mr de Man?---To align the CFA regional boundaries, large R
regional boundaries, to the Fairer Victoria boundaries.
If I can talk about Nillumbik again, in my part of the
world there are nine brigades from what was known as the
Lower Yarra group of fire brigades that will be
transitioning from region 13, which will become known as
eastern metropolitan, to region 14, which will be the
north-western region or district 14, which will mean that
when there is a meeting between CFA personnel at the
regional level and also at the group level, that I don't
sit opposite my counterpart and my operations manager
doesn't sit opposite his counterpart and we've got the
municipality in the middle saying, "Well, which region do
I deal with?" Can I say that when you look at the Lower
Yarra group of fire brigades, the volunteers, which also
encompasses Kinglake, Kinglake West brigades, they made a
decision themselves following discussions with us that
they needed to migrate and have one region, go to the new
region for that regional boundary work from an emergency
management point of view. I've said to that group that
showed to me really good, strong volunteer leadership when
you think of what those volunteers have gone through.
They have recognised that for future emergency management
arrangements they need to align to municipal boundaries
and we're working with them to ensure that occurs.

MR RUSH: I take it, then, in bringing it into alignment, you
refer to problems with groups and it will mean changes in
relation to areas of responsibility in those particular
areas?---Yes. It won't see internal change within a group
structure, but it will certainly see new groups being
formed or changes within the group, the possible number of
groups. By that I mean the Lower Yarra group, for
example, nine of the 14 brigades are transitioning across
to Nillumbik and they'll be transitioning to district 14
or region 14, and two will be going to the Hume region or
to region 12 as we know it today, and two will be
remaining within region 13 as we know it today. So, when
that occurs of course the Lower Yarra group will cease to
operate and a new group called the Nillumbik group will be born.

CHAIRMAN: Can I just interrupt. As to the position in Kinglake, where we have had experience where the municipal boundaries are not as rational, perhaps, as one might like to find to be the case, is the aim to accept that problem and still adjust your regions accordingly or to have a mix in the end where there is as much consistency with municipal boundaries as possible but accepting in some cases there will be differences?---In the case of Kinglake, with Murrindindi, for example, to align to the municipality, understanding that there are issues with that municipal boundary, but it is to ensure that our emergency management planning is done on that municipal basis so we don't have the situation where with a particular fire you've got three CFA areas, three CFA regions dealing with the one municipality and trying to coordinate a fire response or even a planning process with that municipality. We've seen, I think, if I can add personally, I think by aligning ourselves with the regional boundaries, and that is in essence the municipal boundaries, will make the liaison between brigades and groups with those key local contacts at the municipal level even stronger. It will take some time, but it will occur.

MR RUSH: Mr de Man, you were asked questions at paragraph 110 and following about were there enough volunteers. We referred earlier to the research that was commissioned through the Bushfire CRC of La Trobe University. Perhaps if I could ask that that be brought up, (WIT.3004.047.0109). It's annexure 8 to your statement.
If we could have the page brought up at page 0111. What the research indicated, and I'm merely looking at the summary, is that there is some reason to be concerned as to the numbers of people who are volunteering. For example, the second dot point, "Changing demographic and economic circumstances may represent some degree of threat to volunteer firefighting numbers in the future, with increased competition likely for a diminished pool of fit adult volunteers." Then it sets out what is reported as a difficulty in maintaining adequate numbers in remote rural communities and new housing developments on urban/rural fringes. If we look at the fifth dot point, "A majority of fire services report concerns that changes in work patterns and economic circumstances may increase to the extent to which employers are reluctant to release staff," particularly in relation to campaign fires. If we go down to the second last dot point, "Most fire services report crewing difficulties with some urban/rural interface brigades during business hours Monday to Friday." In that context of just that summary of the findings of Bushfire CRC, I wonder where that leaves your comments at 110 and 111 in relation to the nature of the volunteer numbers and whether there are enough at the moment?---If I can refer to the executive summary, I note the issue there on the third dot point. It talks about, "A majority of fire services report currently experiencing difficulties in maintaining adequate numbers of volunteers in some localities." Remote rural communities is certainly a challenge for us, but it is something which at the local level, brigade level and also at the community level is an issue that needs to be constantly worked on, as
I previously mentioned. "New housing developments on urban/rural fringes where a sense of community is weak" I would challenge and I would challenge very strongly that proposition. I can give an example where I know of a brigade that was a very small rural brigade on the fringe of Melbourne that went from a community of around 1600 people and I think it is now sitting at around 25,000 people, where the brigade itself has actually grown significantly in strength and in numbers because of that new community that has come into that new location, and I'm talking of my new home brigade, and the benefits in those new home developments, housing developments, is also that volunteers from other brigades move into those new developments on occasions and go and join the new local brigade or their new brigade. So I would certainly challenge that. But that is also - it is a constant requirement then for us to ensure that we support the volunteer brigades to recruit in those new locations. With regards to the Monday to Friday aspect, I mentioned just one aspect of the recruiting process of recruiting people who are at home during the day Monday to Friday is one strategy that's adopted and there are other strategies that can be adopted also with employers and so forth to ensure we can address those in certain locations. So some of those dot points I think can be challenged. But the organisation is always on the lookout and always welcomes new volunteers, certainly.

In this context could we have a look at (WIT.3004.047.0229_2) which is a table that you have provided in annexure 11A that sets out the numbers of career and volunteer members at all integrated fire stations. What we see here, as
I understand it, Mr de Man, is a list of integrated fire stations?---Correct.

So if one looks at the first one, Ballarat City is the principal fire station for Ballarat which has 33 career fire officers and 22 volunteers?---Correct.

Does that suggest something in relation to major provincial centres?---Certainly to me that suggests that at that particular brigade there are a smaller number of volunteers in comparison to the career staff, but to me it still provides an overview of the amount of brigade members within Ballarat city.

But for a city of the size of Ballarat, I'm just suggesting to you that that is a very small number of volunteers?---It is. But when you look at the neighbouring brigades around the Ballarat city, with Ballarat itself and then, from my understanding, I think the brigades of Wendouree, Sebastopol and so on, they are volunteer brigades in their own right. So within that urbanised regional centre of Ballarat itself, there is a large significant number of volunteer firefighters.

And with that being understood, CFA, as principally an authority, should it be looking in Ballarat to say, "Well, for the City of Ballarat it might be better, having regard to the nature of firefighting that's conducted there, which would be structural fires, better concentrating on the rural side of things"?---No, I would disagree with that proposition. Again, as I mentioned before, Ballarat is a regional centre. We talk about the surge capacity of metropolitan Melbourne, but I also suggest there is an important surge capacity within regional Victoria as well.

In those regional centres you may have one, two or three
integrated fire brigades made up of volunteers and career firefighters, but around those other brigades there is a large number or a number of volunteer brigades that provide that integrated level of service, not only wildfire but also the structural and the hazmat response, some locations, road accidents, rescue response, et cetera, so that's the strength of the integrated model. I don't think anyone is arguing that Sebastopol or that CFA brigade should in some way be integrated or lost. But if one looks at Ballarat City, and if we take Geelong City a little bit further down where there are 35 career firefighters and 18 volunteers, are we not better to be concentrating our career firefighters, or however you would like to describe it, on the structural effort that's required in our key provincial cities and allowing CFA to concentrate on maintaining its surge capacity, maintaining its rural base?---I would suggest that by just concentrating our career staff on structural firefighting would be the wrong way to go because many of our career firefighters are the future operations officers and operations managers in regions of the future under the current model. Our career firefighters do a role of not only structural firefighting but also wildfire firefighting in support of our volunteers. Again I come back to the integrated model. My concern would be that if we just had one part of the CFA workforce just doing structural and we say we won't need the volunteers to do structural in Ballarat and so forth, all the other support-type roles, the non-operational support-type roles within those brigades, then we would see the diminishment of the integrated model commencing.
In South Australia, for example, as I understand it, in their principal provincial towns the Ballarat City brigade and the Geelong City brigade would be effectively extensions of brigades of the metropolitan brigade here?---I think - I don't like the term or the thought process, should I say, that we would actually put this group of firefighters - "because you're a career firefighter, you do the structural firefighting, and because you're a volunteer, we will let you do the wildfire firefighting." Risks in various communities don't establish themselves just purely as structural and purely wildfire. They are right across the gamut. If we are to ensure that we skill our career firefighters to ensure that they can progress through their careers into management, into the operational support arrangements with our volunteers, they need to have the ability to have the level of skill, knowledge and attributes across the raft of risks, not just structural. Conversely, with our volunteers, many of our volunteers who live in those regional centres or provincial centres, of course they enjoy being part of CFA doing all type of risk mitigation, not just wildfire.

COMMISSIONER McLEOD: Mr de Man, would you agree that the extension of that argument is to argue for a single fire service for Victoria?---No.

Why do you say that?---I say that because the CFA, as I was saying some time earlier, CFA's culture, I would suggest, and our engagement at the community level and the involvement of our brigade personnel within the communities is a completely different model than a purely paid fire service model.
I don't think I suggested that?---I was just going from the one fire service point of view.

Your one fire service, the CFA is one fire service at the moment?---Correct.

Which has been able to successfully meld a paid career force with a volunteer force?---Correct.

Working together in an integrated fashion in a single organisation?---Correct.

Now, I put to you that the arguments that you were making earlier about the need for multiskilling and that fires comprehend both urban and country terrains argues for firefighters generally to have skills in both areas so that there is the maximum opportunity for surge capacity. As I understand it, that's the argument you are putting. Why wouldn't that be most strongly put with a single fire service for Victoria?---I go back to the current arrangements that we do have. I don't see a weakness in the current arrangements that we have, with CFA being an integrated model, as you have alluded to. I think if we were to talk about Victoria, I think there are cultural differences in one aspect with regards to the Metropolitan Fire Service, fire brigade, and the CFA as an organisation, which is a very complex organisation to understand how it operates. I also see that with the way that we operate with the volunteers and our career staff, it works well. Why other fire services have not maintained the integrated model I'm not quite sure of, but certainly the CFA as an organisation works well in that integrated model. My concern would be that I talked about the tensions and so forth previously that you get on occasions between career and volunteer firefighters.
I would have concerns with regards to the one fire service across the state because of those cultural differences.

In New South Wales we have received evidence that there is a process in place that regularly assesses the changing interface between metropolitan/country interface and country in such a fashion that, if you like, maintains the integrity of what is essentially seen as a Metropolitan Fire Service and what represents a fire service that is more akin to the CFA covering regional New South Wales up to a defined boundary which represents a responsibility and a dividing line for the city fire brigade. While there are also arrangements for cooperation between the two services where there will always be a degree of blurring of the line, in Victoria there isn't that same arrangement that keeps under notice the gradual adjustment of boundaries to reflect the growth of a city. Do you have any comments on that, because I think the static arrangements that appear to exist in Victoria in comparison with New South Wales perhaps raise greater issues about the justification or the relevance of the distinction between the two fire services when there is no change in what becomes simply a historic boundary rather than the reality of urban growth?---I don't look at this from a boundary issue, if I can put it that way. In my view, if you take the New South Wales model, the New South Wales model is a distinct structural and rural fire service, from my understanding, and this is the perception, that CFA, because we are called the Country Fire Authority to some, but in more recent many years we are "the CFA", and it is a brand issue. We are not just a wildfire fighting service. If you have a look at the
statistics of the urban responses in comparison to the
wildfire responses, the overwhelming majority of responses
by CFA is to structural fires. It's the integrated model
of being able to provide a response to all different forms
of risk mitigation, be they wildfire, hazmat, through to
structural and so forth, that in one way makes the
organisation unique with its integrated model, from my
understanding, across the country. CFA has the ability as
the community grows to ensure it grows its brigades with
the risks within that community and I refer in my
statement to the volunteer continuum process.

I think that's where we started, though. I think I was
suggesting to you that that argument tends to run in the
direction of there therefore needs to be a single
integrated fire service for Victoria?---My understanding
was an understanding of what the organisation does do.
I don't believe that the one fire service or the New South
Wales fire service model that you referred to earlier is a
similar type that we in Victoria could move towards
because of the, I would suggest, more advanced way we
deliver our services today with a volunteer and career
fire service ability. That's where I'm coming from.

COMMISSIONER PASCOE: Just before we leave that topic, can we
pick up the issue of the brand. I did put to Mr Len
Foster on Friday the thought that perhaps CFA could be the
community fire authority to better recognise the reality
that you've just described. How would you react to
that?---The CFA to me, the brand CFA, is well known now
within the community. It is no different to me than the
brand of NAB or KFC or ANZ. The community understands
that "the CFA" is the fire service. I well remember -
I think Mr Foster alluded to this - about when he did change the brand, the issues that occurred around that period of time. But it is more to me "the CFA", and I think the term "CFA" is well known throughout the community today. Within CFA itself you rarely hear the words "Country Fire Authority". It is normally "the CFA".

I think what I'm really alluding to is the need for the brand to reflect the reality, and one of your dilemmas, I think, is that despite CFA being the acronym that is used and understood, it is also known that behind that sits Country Fire Authority, as National Australia Bank sits behind the NAB. That's not just an age demographic, I think; most people know that. So it is a reflection, I think, on perhaps as organisations move and change, the degree to which their branding has kept up with the reality of where they are.

MR RUSH: There is one matter, perhaps, to deal with before the morning break, Mr de Man. You point out that in relation to volunteers and recruitment, that that is generally handled through the local brigade?---Generally, yes.

At paragraph 117 you set out a number of matters that are recognised within CFA; the need, it might be said, to develop a more widespread response to recruitment, and that's one I take it that's existed for quite some time?---Correct.

Is that working?---The recruitment processes? I believe it is, but certainly constantly at the brigade level work continues to recruit people.

So if, for example, someone rings the toll free volunteer recruitment line referred to at 117.7, that will get them
perhaps to Burwood or whoever answers the phone. They are then put on to their local brigade and it is up to the local brigade to handle the inquiry?---My understanding is that process is then through to the region, and I can talk from my perspective. Quite often my brigade admin support officers will get the advice and then they will follow that up with the brigade to provide that support.

One matter that has been brought to the attention of counsel assisting is perhaps a more active central response and it comes from an advertisement that was recently placed in newspapers advertising through BP "Vouchers for volunteers" in relation to fuel. "It's our way of saying thanks." The person here is an SES person, but are you aware of that program, of "Vouchers for volunteers" in an effort to promote volunteerism and recruitment?---Yes, there are processes or a process in place, a system in place through member link where those type of arrangements through other companies, including BP, are available for our people.

How long has that been in operation and is it successful or is it well supported?---I think it is very well supported. It is advertised in every quarterly edition of our brigade magazine. It's been in for a number of years now and from my understanding, from what I've been advised, it is well patronised.

They are the matters, Commissioners, not the final matters, but if we could have the break.

CHAIRMAN: Yes, we will take the break.

(Short adjournment.)

MR RUSH: I will sneak in a few questions while you are not represented, Mr de Man. I think there is a fairly
non-controversial one I can go to, Commissioners.

CHAIRMAN: I will leave it to your discretion, Mr Rush.

MR RUSH: It is about training, Mr de Man. If we go to paragraphs 122 and 123 of your statement, and I'll come to the protocols in relation to training in a minute, but you make the point at paragraph 123 that, "It is important to note that volunteers are not just trained by career staff, but are also trained by suitably qualified volunteers who do not receive payment for the training they provide."

How does that work in the context of what you later referred to as the agreement between the UFU and CFA?---From my understanding, what occurs is volunteers are trained to competency to train small groups and also to conduct assessments. They do those within their own brigades or they assist in the assessments and training amongst other brigades and so forth. The enterprise bargaining agreement and the training process there is about, from my understanding, the appointment of trainers, training instructors and so forth within the organisation.

So in relation to, for example, the minimum skills requirement, is that a course that a very experienced volunteer can instruct a new recruit?---In some locations volunteers do instruct new recruits in minimum skills and in other parts instructors, wildfire instructors, also do that as well.

So how does it work in the context of what you later refer to as the enterprise bargaining agreement in relation to training instructors and training? How does it work, if it does, that a volunteer can give instruction?---Sorry, I'm not following the question. Sorry.

Can a volunteer - let's say we've got an experienced CFA captain at a local brigade who is well versed with minimum
skills requirement?---Yes.

Is that person able to give training to a volunteer of the minimum skills requirement?---That training does occur to a volunteer, volunteers to volunteers, with regards to minimum skills. Then the volunteers are signed off or assessed, can I say, with regards to someone who has the qualification to be an assessor, and they can be signed off in that respect.

Perhaps we can have a look at 143 of your statement in relation to the enterprise bargaining agreement. That is an agreement that sets up the protocols that are to be established or that are established between CFA and the UFU in relation to instructors?---Correct.

As I understand it, one cannot become an instructor unless one fits within the protocol that is established through the enterprise bargaining agreement?---Yes, in terms of the wording of the agreement which CFA and the UFU signed off on, that's correct.

So at the various training colleges, if you like, or training institutions run by CFA, the instructors have to fit in or comply with the experience and the protocols that are set down by the collective bargaining agreement?---Those employed by CFA, correct.

My question is a little bit outside that. Is it a requirement that only those instructors can teach the courses that are, for example, required, the minimum skills requirement?---From my understanding there are volunteers that do have the qualifications to instruct in certain aspects of wildfire and do the assessments as well, but in the main the courses are conducted by instructors that are employed by CFA.
Well, if we look at 0284 and 48.2 of the enterprise bargaining agreement, and if we go down to the second last paragraph on that page which reads -- -?---Sorry, Mr Rush, which part, sorry?

48.2, if we go down to the second last paragraph that is on the screen, "All applicants for instructor-structural positions must have as a minimum the practical career experience, skills and qualifications, as a paid career firefighter required to be eligible to transfer or seek promotion to the rank of leading firefighter or equivalent established by recognition of prior learning." That relates to instructor structural?---Correct.

Is it only in relation to structural firefighting that these preconditions apply to trainers?---No, because I think it's also in the EBA it talks about wildfire instructors as well.

So we look at the next paragraph?---Correct.

Has this created problems in relation to filling positions for training?---My understanding is that there are currently I think eight structural positions that are vacant. However, in filling an instructor's position the process that has been agreed to, and I need to emphasise agreed to, by CFA with the UFU with regards to the selection process for instructors can at times go up to 26 weeks simply through the process that one needs to follow if there are no internal applicants in the first instance.

So the position is that one can wait six months for the procedures that are required under the enterprise bargaining agreement to be fulfilled about internal advertising of the position?---Yes. In my statement I've been provided with advice that I include in my statement
on a number of the periods of time that it's taken to fill
some vacant instructor positions.

Have you prepared a graph that explains the process?---Yes,
I've had a graph prepared to try and simply explain the
process that is the agreed process between CFA and the UFU
on the selection process, and where the RPL, recognised
prior learning, and recognised competency panel fits into
that process.

We are just going to have that brought up on the monitor, but
it has the title "Instructor selection process" and I will
get you to speak to that, Mr de Man. So we start off with
the boxes of position advertised?---Yes, the position is
first advertised internally for firefighters and fire
officers only can apply for a vacancy. If there is no
applicant, then we move to the right. Then it must be
advertised again internally a second time. Then of
course, if we get an application, if we get an applicant
who applies at either the first or the second levels, then
we follow the stream to the left of the screen which goes
through an appointment process.

So if it is advertised on two occasions internally, then CFA is
required to write to the UFU indicating that there is no
applicant?---Correct, and that's the agreed situation, as
I'm informed. Then what occurs is the position is then
advertised externally for selection.

You may not be able to answer that, but why is the UFU involved
in the advertising of these positions?---From my
understanding, there is an agreed process between CFA and
the UFU on the appointment process of instructors.

So it is internally advertised, the UFU is informed and then
what happens?---Then what happens is applications are
received. Then the application is reviewed to ensure that it meets the EBA requirements and then, if that's the case, then an interview takes place. In that case the review of the application goes, from my understanding, through a panel consisting of CFA and UFU representation. Then if the panel agrees that the person is suitable for interview or can be interviewed in line with the current EB, then the interview takes place.

COMMISSIONER PASCOE: Can I just seek clarification, Mr de Man, is this only for career positions?---Correct.

CHAIRMAN: Can I just suggest in relation to the microphones, if you just talk from the middle of them, it will avoid the problem?---Thank you, Commissioner.

MR RUSH: You have gone to a great deal of work to inform us of the process. What's the point behind it? Is it because the process is a very lengthy one?---It just goes to show - I wanted to get a good understanding in preparing my statement, a number of things: how many vacancies we do currently have, an understanding of some of the time periods involved, but to gain an understanding of the process that's followed on the appointment of an instructor to one of our vacant positions. As can be seen, it can take a total of 26 weeks for that to occur currently.

At the moment, at paragraph 148 and following, the position is that, for example at paragraph 148.1.2 you say, "Of the 38 structural instructor positions, eight positions were vacant for less than 10 months, two positions were vacant for 11 to 13 months, three positions were vacant for 16 to 20 months and one was vacant for 25 months" and of the further nine structural instructor positions, six of these
positions have been vacant for less than 12 months, one
position has been vacant for 16 months?---That's what
I have been advised.

Has your advice indicated as to the reasons why it is taking so
long to fill these instructor positions?---My advice has
been through the process that needs to be followed and the
lack of applicants to meet the requirements as agreed to
by CFA.

COMMISSIONER PASCOE: Mr de Man, prima facie it comes across as
a grossly inefficient system. Is something being done to
expedite the process, particularly to move the appointment
process to a speedier result?---I have been advised that
there are currently discussions between CFA and UFU as
part of the current enterprise bargaining agreement
discussions.

MR RUSH: For example, if we go back to 0284 and the last
paragraph in relation to wildfire - - -?---Sorry. Which
one, Mr Rush?

We are going back to the enterprise bargaining agreement that
you have extracted and referred to in the statement. At
the bottom of that page we are looking at what's required
under the EPA in relation to wildfire, "technical and
management skills and experience commensurate with that of
an LFF or crew leader, who has served in a career or
integrated firefighting agency for a minimum of five years
or equivalent established by RPL," recognition of prior
learning. Does that rule out volunteers or experienced
volunteers from becoming instructors?---On the reading of
that, yes.

In the sense are you aware of any arrangements that have been
made in CFA to establish an equivalent career structure to
that that's set out in the EBA for that particular
instructional entity?---No, I'm not.

If I can just go back briefly in your statement to
qualifications and experience at 0278, paragraph 125.
Again you may not be able to answer this, Mr de Man, but
there referred to is a list, for instance 125.1 indicates
that "11 volunteers are endorsed as a level 3 incident
controller, with a further 14 in the mentoring
phase"?---Correct.

There has been evidence before the Royal Commission of
experienced level 3 qualified incident controllers who are
volunteers not making the list. Are you aware of the
reasons for that?---No, I'm not.

CHAIRMAN: Is this an appropriate point to raise the question
of mentoring?

MR RUSH: Yes, Commissioner.

CHAIRMAN: You have just had your attention drawn to "the
mentoring phase" used in paragraph 125. That appears to
be the only reference made in your statement to
mentoring?---Correct.

You presumably are very familiar with the report following
Linton in the light of your earlier comments. You may not
recall that there was a couple of pages devoted to
mentoring in that report?---I recall comment on mentoring
but not in detail, Commissioner.

It seemed, and you would have to take my word for it and I
don't have it in front of me, that mentoring was raised as
a matter that needed a great deal more attention, but one
of the difficulties in the Linton report was it didn't say
what mentoring was. That has apparently only given rise
to the confusion in the minds of many people as to what is
the difference between mentoring and coaching and
training, and that mentoring has now been added into the
CFA vocabulary without anyone giving much attention to
what mentoring actually means. You talk about "the
mentoring phase". Is that clearly defined anywhere in the
CFA materials?---No, it's not. It's a term that's used
and one could question what the term actually does mean.
I have asked other members of the CFA. Nobody has been able to
give me a satisfactory definition of mentoring and you
can't either?---No.

Okay. I don't think I can take it any further, can I?

MR RUSH: Not with this witness at least?---That's a good
question, Commissioner.

COMMISSIONER PASCOE: Just before we leave this section,
Mr Rush, I also wanted to raise a different matter. You
say in paragraph 124 that, given the wide number of IMT
roles, it is difficult to quantify the number of
volunteers that are endorsed or qualified to hold such a
position. Later at 157.3 you observe that a personnel
management system for all personnel needs to be
implemented and that work had previously been done on this
but obviously not completed. Then later in 175 you make
reference to the difficulty to identify accurate
information about IMT composition on 7 February. All of
these references are pointing to the need for an updated
human resource database. Again you may not be the person
to direct this question to, but you have made reference in
your statement a number of times, so can you give us any
comfort that work is being done in this area?---I can give
you some comfort that I'm advised that some work is
occurring. My concerns are shared. Your concerns are
shared with myself. In today's technology - with today's technology and if you think of our workforce as they move forward in especially the Y gen and so forth, clearly an organisation like CFA needs to have a system in place that it knows where its workforce is, what its availability is, what its competency is to be able to do the task and in preparing the statement that was one of the points that I pushed very hard to ensure that that is recognised and that is work that needs to be done.

It strikes me as important from a number of points of view, the aspects that you have raised, but in addition I think we could add a valuing of volunteers so that they are on the database in the same way as any other contributor might be to the CFA. But in addition we've heard from other witnesses about the need to be able to identify people involved in incidents, CFA volunteers and career staff, quickly, for example, at traffic management points when they might be prevented from entering a fireground and you could have quite a significant loss of time. We are advised that work is under way to improve speedy identification of CFA personnel, be they volunteer or career personnel. But you can imagine an integration of the kind of electronic identification that could be established for that purpose, for fireground purposes, but equally could be applied to a database and get the two systems speaking to each other?---Correct, and that's where we need to move towards so that we can ensure our volunteers and our career staff, that we've got them accurately recorded, we know their whereabouts and their competencies. Currently at the moment that can't occur and I concur with your comments on that.
MR RUSH: A couple of other matters, Mr de Man. You refer at 0289 to the question of payment and put the CFA position, concurring, it would seem, with the VFBV, that there should be in effect no payment for volunteers?---Correct. You do indicate at paragraph 153 the nature of reimbursement that can occur for volunteers such as reimbursement for expenses?---Travelling. Travelling to training and matters associated?---Correct. You refer to the utilisation of volunteers in response to a question. Again I guess to highlight something that we have just been to, at 157.1 you indicate that the number of volunteers endorsed for level 3 incident management roles is low?---Yes, and I also make a comment in the statement of the whole range of the positions or qualifications in the AIIMS system. Clearly CFA needs to address those numbers. In the sense of ensuring that volunteers are included and comprise an important part of what is an important process within fire management?---Correct. Again, and perhaps it is a question for later in the week, there are volunteers with level 3 qualifications as incident controllers but they don't make the list. Are you aware of that?---No, I'm not aware of that. I'm not sure why the reasons are for that. You refer to the New South Wales Community Fire Unit that was raised by Mr Whybro in evidence, and you were asked to comment from the CFA perspective in relation to that. You put forward the proposition that those units are inappropriate in Victoria?---Correct. Perhaps you might tell us why?---My understanding is community fire units are more so in the urbanised parts of New South
Wales, they are not in the areas undertaken by the New South Wales Rural Fire Service, and that it is a different model than what we have in Victoria. The people in Victoria, once they have a Community Fireguard, the majority of people I'm advised go from Community Fireguard, if they want to go to the firefighting aspect or the suppression aspect, they join their local fire brigade.

One of the reasons I suggest is that the New South Wales Rural Fire Service doesn't have responsibility for what's been termed here the urban interface. Here the CFA does. I want to suggest to you merely because of the division of responsibility between the states really doesn't provide a response as to why the units that, on the evidence the Royal Commission has received, worked successfully in New South Wales wouldn't work successfully here, for example if they were followed up and put into place by CFA?---They could. They could. That's an unknown. But anything would be possible in that sphere.

You were finally asked about matters that went to the response of CFA on 7 February, and you indicate that from a CFA perspective the response of volunteers was appropriate and as good as and exceeded perhaps expectations on the day?---Yes, and I hold that view for the organisation, our volunteers and staff, correct.

Commissioners, can I tender the instructor selection process document as part of the statement of Mr de Man.

CHAIRMAN: Yes.

MR RUSH: They are the matters, Commissioners.

COMMISSIONER PASCOE: Mr de Man, a further question about training. You have made some reference to leadership
training as well as broad-based training. We had some expert witnesses on Friday who were looking at it, if you like, from an academic perspective at the issues of optimal structures for emergency services agencies and in particular fire agencies and put a view – I'm thinking particularly of Professor Leonard from Harvard – that we would be better to maintain a decentralised model that had the expertise in dispersed units geographically, so the current model that we have, which fits with the history of the development of bushfire fighting in this state, but that the optimal utilisation of that model would be having well trained personnel. Both of the experts noted the scale of the training that would be involved and the need for it to be an essential component of a fully effective emergency services response. Now, you've in your statement made reference to the fact that you believe more training needs to be done. Do you want to just elaborate on the kind of training that would see the CFA being able to operate at the brigade level upwards in an optimal fashion?---At the brigade level, and I'll work upwards, at the brigade level certainly with the leadership training that occurs at the moment, one would wonder whether we can actually do it much better insofar as ensuring that when a person wishes to undertake a leadership role within a brigade they actually have the understanding for that particular brigade of what the role and the responsibilities are and that they have the attributes and the abilities to fulfil that particular role. There is no point in undertaking a leadership role or a management role unless you've got the abilities and the competencies to undertake that.
When we move up into the incident management team arrangements and crew leader, strike team leader and so forth, to ensure that we've got the right training systems in place with the right resourcing to ensure that we can train our volunteers and our staff in all facets of the incident management process that they require. An example is, at the regional level, regions in some parts of the state I believe do some leadership training or officer training for brigade officers and so forth; it is not really in a structured process.

I've had some concerns for some time that the level of ability for us to provide training for our people who want to progress through their career path, and you can count that as volunteer or staff, is very, very small. I'll take a fire officer's position, for example. We train our fire officers and qualify them to do the practical firefighting supervision, if I can put it that way for simplistic terms, but do we actually skill them adequately to understand their role within the organisation in a level of management and leadership? I think we can enhance that.

The same can be said for middle and more senior management roles in the volunteer areas. There's a lot more work to be done. In particular, if we are going to improve, and it is my personal belief we need to improve, the training capacity and ability for all of our people, be they volunteer or staff, to undertake incident management roles, then we need to ensure that we put in place the right level of training regime that's resourced and it is equipped and that we use the right tracking systems and IT systems to support the people once they've
done the training, because quite often you will do the training but what's the follow-up to ensure that they're quipped, what's the follow up to ensure that they maintain their competency?

It always intrigues me, for example, when there are major disasters occurring elsewhere within our Commonwealth or elsewhere, that within CFA we don't utilise or we can better utilise those experiences to enhance the knowledge of our volunteers and staff that will be fulfilling those incident management roles at some point in the future within our own state. That's where I'm getting from. I'm pretty passionate about training when it comes to our people because I think if you train the right people with the right skills, be whatever their role is in the organisation, the organisation can only but prosper.

I think the other thing is that the individual can and often the training can be of benefit to the individual in, let's say, a volunteer firefighter, in the person's paid employment, so you can have a tremendous transfer of skills?---I allude to that at the start of my statement with myself. Had I not been a senior volunteer leader within the organisation - not had I not been - but the skills I acquired and the knowledge of leadership that I acquired within my own home brigade as captain provided me with a good grounding to be appointed, for example, to various supervisory positions within Victoria Police, because I had managed people in an emergency management sense but also led people. So those skills transference that volunteers have, and can I say also our career people when they come into the organisation from other parts of
employment, that is a great bit of knowledge that
sometimes we can capitalise on a little bit better than
what we do.

Just part by observation and then for reaction, at an earlier
hearing we had representatives of the Volunteer Fire
Brigades Victoria talk about some of the problems for
volunteers with the delivery of the training, so not so
much the content, and challenges for them getting to some
of the scheduled sessions. So it strikes me that that is
one of the real challenges that you've got and I'm
interested to know whether you've looked at on-line
delivery of some of the training to provide more
accessibility for trainees. That's one half of the
question. I suppose I make it in recognition of the fact
that our experts on Friday also noted the benefit of
exercises or simulations or real life events. So it is
easy to see the challenge of providing a mode of delivery
that enables people to access the material, and that will
probably be parts of the material, but then a mode of
delivery that gives some kind of experience, whether it be
an exercise of itself, a simulation, or indeed an
opportunity to be mentored during a real-time
event?---With the first part, the on-line training,
I believe there has been some effort and from my limited
knowledge, I have to say that, I think it would be a very
small effort at this point on on-line training, but it is
a way that, if you look at the technology that's
available, if you look at the use of the IT systems today,
not only by Y gen but more senior members of the
community, if I can put it in that respect, it makes
sense, does it not, that we do a lot more on-line training
for our people. I would fully support that mode of training being looked at, enhanced and that type of delivery coming into more of a - not as an exception but as the normal standard process.

The second part of the question with regards to simulation, simulations are a tremendous way of actually testing the skills and the competencies and the knowledge of those that will be fulfilling those roles. Again, through the right IT processes and the right structure of simulated training, that can only but benefit. Can I just say on that, my concern would be that it has to be done in an integrated manner across all agencies that would be involved in whatever the simulation would be, not just the siloed effect within the organisation itself.

CHAIRMAN: Could I just add a question to that. When you refer to training, you not only include on-line training, simulation exercises, but coaching in a sense of more individual coaching, mentoring in whatever sense you understand that to be, the use of evidence books and the use of evaluation, are all parts of what you generally put under the heading of training?—Correct. Correct.

<CROSS-EXAMINED BY DR LYON:

Mr de Man, my name is Greg Lyon. I represent the 77 councils and the MAV. I want to ask you some questions about a pretty narrow topic. It arises out of some of the evidence that you have given, and that is that there has been a continuous extending outwards of the Melbourne metropolitan boundary and as a consequence we have a number of what we border councils now that take in the peri-urban fringe, where there is both urban and rural development. If I can just set the topic up for a moment,
in addition to your CFA and police experience you have
also had considerable experience within local government,
is that right?---I have.
You were a councillor for Nillumbik and you were mayor of
Nillumbik for a couple of years?---Correct.
You only resigned from the council in 2005, so in relatively
recent times?---Correct.
In addition to that, it is also apparent from your statement
that you have ongoing liaison with the CEOs of local
governments in your CFA region because you sit on the
eastern regional management forum?---Absolutely. That's
one of the core parts of my job, is that liaison.
Correct.
So you have a tremendous familiarity with some of the
peri-urban councils that we are talking about?---Yes,
I have a good knowledge of those councils, yes.
Of course, for these councils there are consequences for the
firefighting agencies because there must be a point at
which the metropolitan fire district finishes and the CFA
districts commence; is that right?---Correct.
And right on the edge of those there is a mutual assistance
program; is that right?---Correct.
That mutual assistance program is supported first of all by
legislation, both in the CFA Act and the MFB Act; is that
right?---My understanding, that's correct.
Where, just to put it in simple terms, Mr de Man, both the MFB
within certain regions can call on the CFA for assistance,
the CFA can call on the MFB for assistance within those
regions?---Which occurs today and there is also an
agreement in place between both.
Indeed. That's the second thing I wanted to get to, and that
is that there is an MOU. The head of the MFB, Anthony
Murphy, previously gave evidence that he considered the
provision of services in that region, that is the mutual
assistance, to be a seamless service?---Yes.
Do you agree with that description?---Yes.
From what you have said in your evidence this morning, you said
also that you considered that the alignment of boundaries
with municipal boundaries will provide stronger liaison
points for CFA working within those municipalities?---Yes,
I think I gave an example on that.
Pardon?---And I gave an example on that.
Indeed. The issue arises here, if I can just get to it. Under
the MFB Act a council can request to extend the coverage
of MFB services within its municipality; do you understand
that?---Correct.
And, really, for a number of reasons that I want to get to with
you, there is absolutely no incentive for councils to opt
into that system, is there?---If you are asking me with my
former local government hat on, I would agree with you
entirely, and I would agree with you right across the
board.
CHAIRMAN: In fact, there is a disincentive?---I think there is
about a 12 per cent disadvantage.
DR LYON: 12.5 per cent. The bottom line here is, if you want
to increase the MFB services within your peri-urban
region, you then have to contribute to the total of the
12.5 per cent of the funding for the MFB?---I believe
that's the understanding.
Yes, which for some of the councils that you have dealt
with, not all of them have enormous revenue bases, the
cost can be a very important factor?---All local
governments, especially those I've talked of with my knowledge of local government, especially on the peri-urban area of metropolitan Melbourne, they are certainly under a lot of financial pressure because of a whole range of factors, and that would be one of them.

It will become a disincentive also to opt into the system if the CFA service with which that council is being provided meets the requirements of the people in that region?---So do you mean if under the current arrangements the MFB were to go into where the CFA are currently providing the service?

Let me put it another way. If the current services provided by both the MFB and the CFA meet the requirements of people in that area, there is even less incentive to opt in to the MFB ---?---A council could well and truly take that view.

Do you agree, from having been a councillor, that there are other factors as well and that is that the presence of a strong CFA culture within a community and for what it is that the CFA volunteers give back to the community, councils and councillors would be reluctant to disenfranchise those CFA members?---I think the very essence and the basis and the fabric and the building blocks of the CFA brigade is the community. The CFA brigade is not a stand-alone type of entity within a community; it is actually embedded within that particular community, and so it should be. Communities have a strong affiliation with their local CFA brigade in many parts of the state, so I would agree with you on that one.

Councils would be very loath to disengage that aspect of community.
Thank you, Mr de Man. They are the matters.

COMMISSIONER McLEOD: Just to add to that, could it be said that the councils in the peri-urban edge are getting it both ways, in the sense that, unlike councils that are further away from metropolitan Melbourne, the CFA policy is that citizens cannot expect a fire truck to attend a fire necessarily, whereas in peri-urban areas they can through the mutual aid arrangements and the perhaps greater facility of the Metropolitan Fire Brigade to attend, particularly to a structure fire according to their operational standards, but where the peri-urban council is in fact not contributing to that level of service in the same way that people in metropolitan Melbourne proper are?---I will answer it in this way, if I can, and that is that the benefits of the people in the peri-urban areas with the mutual aid arrangements, they can certainly be assured of a response and a service. But to say that we can't guarantee - we say we can't guarantee an appliance at every house during a fire, the beaut part about the peri-urban area, of course, is the high concentration of fire brigades and the amount of appliances and so forth. But when you get a major disaster or a major fire, we still can't guarantee a fire truck to every house in that peri-urban environment also. But certainly in those communities in the peri-urban area they have and they do experience, like other parts of the state, a good level of service.

Not entirely answered my question, but I'm satisfied with the response?---Okay. Thank you, Commissioner.

<CROSS-EXAMINED BY MR DEAN:>

I just have a few matters, if I may. Mr de Man, can I take you
to paragraph 39 of your statement, please, in relation to
the Craigieburn fire brigade.

COMMISSIONER PASCOE: Just for clarification, I'm not sure
which party you represent.

MR DEAN: I'm sorry, Madam Commissioner. Mark Dean is my name.
   I appear for the UFU. I have been here before but it was
   quite some time ago.

COMMISSIONER PASCOE: Thank you.

MR DEAN: During the course of your evidence you described the
   integrated structure at the Craigieburn fire station as a
   very successful one; is that correct?---Correct.
   And that is that the volunteers and the career firefighters
   work successfully together?---Correct.
   Would that be true of a number of other integrated fire
   stations throughout metropolitan Melbourne?---I would say
   so, yes.
   Indeed, within metropolitan Melbourne are there any fire
   stations the responsibility of the CFA that are not
   integrated fire stations?---None.
   So they are all integrated fire stations?---They are all
   integrated as per my statement.
   In your opinion, do all of those fire stations work together as
   well as they do at Craigieburn?---I can't speak for all
   those stations because I'm not across all those stations
   about what issues are what at various stations.
   But, generally speaking, would you say that the CFA's position
   is that the integrated model works successfully within
   metropolitan Melbourne?---Yes.
   In your statement at paragraph 39 you said that Craigieburn
   became an urban volunteer brigade in 1984. Did that
   involve the employment at that time of career
staff?---Sorry, 19 ---

1984, prior 39.2?---Became an urban brigade?

Yes?---Correct.

An urban volunteer brigade in 1984. Did that at that time
involve it also employing career staff?---No.

Can you say when Craigieburn first did employ career staff,
approximately?---Approximately 2006, to my knowledge.

2006?---To my knowledge, yes.

So when you say in paragraph 39.2, "The workload and time
commitment of the brigade members, both in incident
response and internal management, grew to such an extent
that it became too onerous for the brigade and volunteers
to meet service delivery requirements, and career
firefighter support was introduced to ensure that
community and volunteer needs continued to be met," that
didn't occur until 2006?---It was about 2006, correct.

By what criteria was it determined that the requirements of the
brigade had become too onerous for the volunteers? How
was that decided?---To my knowledge, there had been
discussions - and I stand to be corrected on
this - previously with the brigade, with the industrial
body, within CFA on a number of locations and Craigieburn
was one of them. As the growth occurred and the brigade
was suffering from the stresses of the growth that was
occurring, Craigieburn at a point in time had been
identified as a location where career firefighter support
was required.

What are the nature of the stresses experienced by the
volunteers? And please understand, Mr de Man, I'm not
being critical of the volunteers at all?---I understand
that. The stresses are quite - when you have volunteers
that are responding to a significant amount of calls in
the hundreds and the training requirements and so forth
and the management of a large number of volunteers and the
numbers responding into providing support response to
other brigades, it can come to a point in time where a
brigade does need that intervention with career staff to
lessen the burden on the volunteers. That's what would
have occurred at Craigieburn.

What mechanisms are there within CFA to determine when that
point has been reached at a particular brigade?---There's
no formal document that we can go to and say, "X amount of
calls means career staff" or "X amount of lack of training
attendances means career staff". In my experience it has
been that the brigade - you will start to recognise that
the service delivery starts to be affected. The brigade
has problems responding during the day. You look at what
mechanisms can be put into place to support the brigade or
ultimately the decision is made, like we have done
at Craigieburn, like was made at Craigieburn, that to
ensure that the brigade is able to provide that response
to the community with the volunteers, that we need the
staff support.

So there is no actual formal mechanism of review within the CFA
to decide whether or not a particular brigade requires the
need of career staff?---If you're talking about a
particular process or a document ---

Yes, I am talking about that?---Not to my knowledge.

What about on a regional level? Are there any reviews,
periodical reviews conducted as to whether or not
particular brigades do require career staff to support the
volunteers?---Yes, that is done at a regional level with
state level and with brigades as well.

Does the CFA refer to the MFB standard of fire cover in deciding whether or not a particular CFA brigade is providing the necessary level of service to the community?---In a structural sense we respond to the eight minute response requirement.

Your standard of fire service cover is different to the MFB's, isn't it?---The MFB in a structural sense is 7.7, I believe.

Yes?---And CFA is eight.

Why is there that difference?---I don't know why there is that difference. My understanding is that the eight is based on time to respond, receipt of call to respond to what's called room of origin, to maintain a fire within a room of origin.

So in terms of the decision, that is the CFA decision, as to whether or not a particular brigade requires career staff, there are no periodical reviews conducted; is that the case?---No, I didn't say that. Reviews, for example in my case, I would review - at the moment we are reviewing one location. We've put up that we need, for example in the Manningham area, looking at putting in some support to the brigade and that's been through the discussions with the group of brigades in that locality, with South Warrandyte and others, to say we're struggling during the day, we've looked at the statistics and so forth, we've engaged within the organisation, so we're moving forward. So that's the type of regional discussions that have been occurring.

Would you agree that this is an ever-increasing issue for the CFA with the population growth of both urban Melbourne and
Victoria generally?---I would say it is a challenge for all organisations such as CFA that as the population increases and especially in the emergency services sector, the provision of services need to be commensurate with that growth. How that's delivered is ultimately, of course, determined by the ability of the organisations to deliver it. In CFA's sense, as the boundary grows, as we have seen in the Craigieburn example, we require the support of staff to assist the brigade as the risk has increased. As I mentioned previously, in other parts of growth areas in metropolitan Melbourne you can actually see a brigade, a fully volunteer brigade, actually grow, in a sense, its volunteerism aspect simply because of the new members that are coming into the community who wish to participate and create a sense of community in that locality.

But every CFA brigade in Melbourne has career staff, doesn't it?---Sorry?

Every CFA brigade within Melbourne has employed career firefighters?---Every CFA brigade?

In Melbourne, in the city of Melbourne. You told us that a short time ago?---No.

I'm sorry, I must have misunderstood you. I asked you whether or not there were any brigades - I'm sorry. Metropolitan Melbourne. In metropolitan Melbourne - - -?---We have a mixture of volunteer brigades and career staff, and career brigades in our integrated brigades. But every brigade has career staff within it?---In metropolitan Melbourne?

Yes?---No. You wouldn't find career staff, for example, at Ferntree Gully.
I see. All right?---There are 31 integrated brigades within CFA.

Yes?---A number of those are within metropolitan Melbourne, what you classify as metropolitan Melbourne, and the remainder brigades are volunteer brigades.

In relation to those brigades that do not have career staff that are in metropolitan Melbourne, are you aware of the findings of the recent board of reference in relation to the desirability of career staff being placed in those brigades?---I am.

Indeed, it was recommended by the board of reference that in many of those brigades career staff be now employed?---So was the board of reference; correct.

Thank you. Can I just ask you about one other topic, and this relates to the establishment of one fire service. During the course of your evidence and in answers to Commissioner McLeod, you referred to I think a purely paid fire service. That was your understanding of a single fire service; that is, that all of the fire officers were paid?---That's one model; correct.

That's one model?---That's one model.

In relation to an integrated model, that is a model where volunteers continue to perform fire response services and there is a component of career staff, you also I think identified what you described as cultural difficulties with that model?---Correct.

What are those cultural difficulties as far as you are concerned, Mr de Man?---If I can put it in this context. CFA is very much a community based organisation, fire and emergency services organisation. Our people, our volunteers that are members of brigades are actually
members of those particular communities. They are
supported by, in 31 cases of course, as I mentioned
before, the integrated brigades. So the CFA culture
within Victoria is that the brigade is a reflection of its
community, the brigade exists through its community and
the brigade is the community. That's the culture I'm
talking about.

Could I just stop you there and ask you, because there may be a
number of features that you will want to go to, but if
I could just stop you there in relation to that particular
feature. How would that change with an integrated one
fire service model in the state of Victoria? How would
brigades no longer be part of their own communities in the
event of such a model?---I would suggest that the CFA
brigade, and it is made reference in a report that's
referred to in my statement, that many of our CFA brigades
or the membership in our CFA brigades are members of a
whole range of other community activities. It is only but
one activity that they are members of, but the CFA appears
to be the driver or the pinnacle organisation or the group
that they are members of, and it is through that support
and that association that they support other community
organisations.

How is that going to change with one fire service?---In my
opinion, this is only my personal opinion, if you have a
career fire service, then you don't have people within
that community who are actually part of the
community -- --

But we are not talking about a career fire service. We are
talking about an integrated fire service?---If I talk
about an integrated fire service, you've got - there is a
cultural difference in my book, and this is only my opinion, that the CFA is based on its community and its career staff also have a sense of, in our organisation, they have a good sense of community as well and they work to support the volunteers in provision of their service. That's the very nature of the organisation, so that's where the integration comes from. I can't speak about another organisation or any other organisation's types of models because I'm only aware of the one model.

All right. So is that cultural reason that you identify concerned with where people live?---No. What I was getting to was that the strength of a CFA brigade is that it is part of its community.

Yes?---It is part of its community, so the membership know the community. They know the intricacies of their local environs and both in an operational sense and in a community sense that is an enormous benefit. I'm not saying the other non-integrated model is any better or any worse, I'm just outlining my own thoughts. But if I, for example, work at a location and I'm being paid to do the task, I can be located 20 kilometres from where I live, so I don't have the same sense of community that I would have if I'm actually part of that community. That's what I was getting at. I use the basis of the old local policeman, country copper, that knows his community, and that's a correlation.

COMMISSIONER McLEOD: How would that be any different to the situation that exists, for example, in Bendigo today?---Many members of the CFA there live within that local community there. One or two may not, but many do, from my understanding.
If Bendigo was part of a Victorian-wide integrated organisation, how would that differ in respect of Bendigo?---It may not differ, but where I'm going to is with regards to the integrated model that I referred to before, the strength of community that allows us that model, because you are bringing in community members - without the volunteers in that integrated model or that integrated model, then it starts to impact on things like your surge capacity.

I don't see the connection, but go ahead.

MR DEAN: Career staff live in Geelong, don't they? You ran the Geelong region and you were involved in the Linton inquest, weren't you?---Such as yourself, Mr Dean. Correct.

That's where we met?---That's exactly where we met, Mr Dean.

That's right, all those years ago. The career staff involved in that incident who were managing the volunteers that day lived in Geelong, didn't they?---Correct.

So their connection with the brigade, the Geelong West brigade, was based on their common residence of that area?---Of Geelong, correct.

So what are the other cultural differences, apart from where people may live? What other cultural differences do you see as impediments to an integrated one fire service for the state of Victoria?---Other cultural differences?

Yes, other than what you have just described, that brigades are a product of their locality?---Another aspect is, and it has been mentioned previously, I believe, and that is the industrial environment at times has not been good between the CFA and its employees, and we have done a lot of work on trying to rectify and to manage and to do a lot better.
with regards to the career staff that we do have. I think we've gone a long way to ensure that we do recognise the importance of our staff and we also do recognise the importance of our volunteers at the same level. That is not an easy process to manage on a day-to-day basis, but both the volunteers, and I talk in general terms here, and the staff are very important to the organisation. So those are integrated. Now, when we look at culturally, there have been issues, as we know, over the past number of years with enterprise bargaining discussions and so forth, but culturally I believe that the model that we currently have and the structure that we currently have with the MFB and the CFA, as those two agencies, is the right model.

Just one or two more questions in relation to cultural differences. Are there cultural differences between the CFA and the MFB that you are aware of that would be an impediment to one integrated fire service in the state of Victoria?---Yes, there may well be because I think the last retained firefighter in the MFB was in 1969, and I think before that around the 1940s or 1950s was the last volunteer in the MFB, if my memory recalls me. So that to me sends to me a message about the cultural differences of that organisation compared to CFA.

Are there any other cultural differences that you can identify that you would like the Commission to take into account in determining this question?---I don't think so at this stage, Mr Dean.

Thank you. I have no further questions.

<CROSS-EXAMINED BY MR CLELLAND:

Mr de Man, you were asked some questions by Mr Dean, counsel
for the UFU, about the placement of career staff within
volunteer stations, and some further questions about
integrated fire stations. I want to ask you about
something slightly different, if I might. Are you aware
of a report provided to the Commission by a Professor
David Hayward on behalf of the UFU?---I've had a read of
the report.

Can I suggest to you, without taking you to the specifics of
that report, that what Professor Hayward seems to be
proposing on behalf of the UFU is that there be a career
based fire service for the whole of Melbourne, including
the outer metropolitan area and major regional centres.
Are you aware of that?---I'm aware of that, yes.

The proposal is made that over a period of five years
volunteers in those areas would be replaced by
professional or, to use your terminology, career
firefighters?---Correct.

From your statement that's been tendered this morning and in
particular at paragraph 60, can we get some assistance,
and indeed can the Commission derive some assistance as to
just what sort of numbers of volunteers that would
involve, firstly, in the outer metropolitan area, that is
those volunteers who would be "replaced" over the period
of five years? Can I invite you to go to paragraph 60.
What I want to ask you is whether the outer metropolitan
region would be - sorry, outer metropolitan area of
Melbourne would be served by or encompass regions 8, 13
and 14?---Yes. Correct. I'm just doing some quick
calculation here, sorry.

That's all right. I have the table at paragraph 60 in front of
me?---My figure is, if I was to add 8, 13 and 14, we are
looking at 9,228, roughly.

So that's in excess of 9,000 volunteers who are currently stationed in that outer metropolitan area. Now, Professor Hayward goes further. What he contends is that indeed that process of replacement of volunteers should then extend to not only major regional cities but major regional centres. Now, without Professor Hayward being able to assist us as to just what he would describe as a major regional centre, are you able to give any sort of approximate figure as to how many volunteers we would be talking about?---If I look at the regional centres of Bendigo, which is region 2; Geelong, which is region 7; if I have a look at Ballarat, 15; if I look at Wodonga, for example, at 24; there would be, if you look at those figures, probably a couple of thousand as well, taking on board that there would also be volunteer numbers in there from remote areas.

Mr de Man, do you have any comment to make broadly about that proposal of Professor Hayward's?

MR DEAN: If I could just object to that proposition, if the Commission pleases. During the course of Mr de Man's evidence -- --

CHAIRMAN: I think you will have to come forward, Mr Dean.

MR DEAN: Those questions, in my submission, are calculated to not assist the Commission. During the course of Mr de Man's evidence he gave evidence in relation to the number of volunteers at particular integrated stations. Those figures were obviously significantly less than the figures that Mr Clelland has taken the witness to. These figures represent total numbers of volunteers, not volunteers who are engaged in response at particular urban stations.
They are the figures that the witness should be taken to
if the questions on behalf of the State of Victoria are
intended to assist the Commission.

CHAIRMAN: Yes, it is appropriate that the basis of that
objection be noted, but you can still proceed.

MR CLELLAND: If the Commission pleases. I had asked you,
Mr de Man, what your response was to the proposal of
Professor Hayward for the replacement over five years of
volunteers in the outer metropolitan region and in major
regional centres. Do you have a comment to make?---If we
were to take the urban area of metropolitan Melbourne and
include those figures, that figure of 9,228, and we
include the couple of thousand from those other regional
centres, you are looking at - these are only approximate
figures - around about 10,000. If you look at that on the
basis of operational strength of volunteers, around 30,000
plus the support, you are looking at somewhere around
possibly a third of the workforce being affected. That's
only a rough figure.

COMMISSIONER McLEOD: Is it possible to express that in terms
of full-time equivalents, because we are really talking
about volunteers generically, who in most cases are only
providing part-time support to the CFA of varying amounts
of time.

MR CLELLAND: Quite.

COMMISSIONER McLEOD: It is an apples and oranges comparison
without any further definition, I think.

MR CLELLAND: What we might be curious to know is whether
Professor Hayward has done that conversion. I'm not sure
whether Mr de Man has done it.

COMMISSIONER McLEOD: We will be able to test that later today.
MR CLELLAND: That's right. Mr de Man, I think you understood Commissioner McLeod's question. Can you do the conversion for us? Is there a basis for it?---The conversion that you could do would be simply to calculate the number of fire brigades within those areas multiplied by 15 because, if you took it on the current staffing model, you would have three across each shift plus a relief shift, that's 15, so you would multiply that number of brigades by 15 which gives you the number.

I'm not going to do the maths while I'm on my feet. Mr de Man, finally, one of the reasons that Professor Hayward calls in aid to support the argument for the replacement of the volunteers is what he suggests is the need for a capacity to protect crucial state infrastructure, and he makes reference to the Longford gas plant. Are you aware of that?---I am.

CFA responded to the explosion and fire at the Longford gas plant, which was inquired into by the Royal Commission chaired by Sir Daryl Dawson?---Correct.

Can I suggest to you that a reading of Sir Daryl Dawson's report reveals a highly sophisticated, effective and dare I say courageous response by CFA?---It does.

And that response included both career and volunteer firefighters?---Correct.

Those are our questions.

MR RUSH: I have no re-examination, Commissioners. May Mr de Man be excused?

CHAIRMAN: Yes. Thank you, Mr de Man; you are excused.

<(THE WITNESS WITHDREW)>

CHAIRMAN: Yes, Mr Burnside.

MR BURNSIDE: Mr Chairman, may I come forward and make an
application?

CHAIRMAN: Yes. Please come forward.

MR BURNSIDE: If the Commissioners please, with Ms Costello, we seek leave to appear for Russell Rees on Wednesday when he returns to give evidence, and subsequently for the purpose of making submissions as may be necessary. Mr Rees's interests are clearly affected by this proceeding. The interim report of the Commission has been interpreted by some at least as criticising him unfairly, and we would say that the unfairness of the criticism perceived in it is highlighted by the evidence which was given on Friday by Professor Leonard and Mr 't Hart. It is on that basis that we seek leave to represent Mr Rees's interests.

CHAIRMAN: Yes. You don't want to say anything, Mr Rush?

MR RUSH: No.

CHAIRMAN: Yes, you are granted.

MR BURNSIDE: Thank you, Chairman. May I just raise one matter. I have been promised as of last week that we would receive a list of dot points of the matters to be covered in Mr Rees's further evidence on Wednesday. We wait in hope. I'm simply saying it for the record because we would say that as a matter of fairness it is desirable that he be given at least some forewarning of the territory to be covered. I should say we are instructed by John Lynch of the Crown Solicitor's Office, I think.

CHAIRMAN: Yes.

MR BURNSIDE: Someone like that anyway. If the Commission pleases.

MR RUSH: Commissioners, I will start the next witness. It is Mr Ford.

CHAIRMAN: Yes.
MR RUSH: Mr Ford, you currently hold a position with the Volunteer Fire Brigades Victoria?---That's correct. Could you tell the Commissioners what that position is?---Volunteer Fire Brigades Victoria is the body established to bring matters affecting the welfare and efficiency of volunteers to the attention of the CFA board. It is effectively the representative body of CFA volunteers.

And your position with that body?---I'm the CEO of that body.

Mr Ford, you are here to speak to a submission that's been put forward by Volunteer Fire Brigades Victoria which particularly focuses on the potential discussion of amalgamation?---That's correct.

I tender the submission of Volunteer Fire Brigades Victoria. #EXHIBIT 910 — Submission of Volunteer Fire Brigades Victoria, dated 19 April 2010 (VFBV.002.001.0001) to (VFBV.002.001.0016).

MR RUSH: At 002 of that submission you refer to the previous submission of the organisation supporting a single control agency and line of control for bushfire management in Victoria?---That's correct.

In that sense you support the idea that on a particular day or fire emergency there should be a direct line of control through the chief fire officer of CFA?---That has been our proposal, yes.

In relation to the discussion of amalgamation, the position of the association is that it is opposed to amalgamation?---That's correct.

At paragraph 8 of your statement you start with the proposition that's been spoken about this morning and indeed through
the course of the Royal Commission of the volunteers being integral to the emergency management and to CFA. But I would particularly ask you then to go to matters that are addressed this morning and give the association's perspective in relation to the issue of surge capacity and what you say amalgamation would do or has the potential to do to that capacity?---Okay. It is a big question, but I will see if I can start at a sensible point. As you understand, the CFA services more than half of metropolitan Melbourne, provincial centres across Victoria and all of country Victoria. Throughout that network of 1,200 brigades volunteers are able to be deployed to any major incident that may occur across the state, multiple major incidents if need be and prolonged incidents that might go for up to two months, as we have experienced in the past. That network of brigades and particularly the surge capacity that exists by virtue of the numbers in metropolitan Melbourne and provincial centres is critical to CFA having the numbers of people to be able to be deployed out of area to major incidents and at the same time to be able to retain service coverage for their local area. If I could give you an example, I'm a volunteer member of the Edithvale fire brigade, which is on the boundary of CFA and MFB and reasonably deep in suburban Melbourne. On the day of 7 February, as is the case and the practice not just in the Edithvale volunteer brigade but many others across metropolitan Melbourne, being a bad day or a hot day or a total fire ban day as the case may be volunteers will be on station ready to roll to anywhere that is required in the state; that's trained volunteers ready to roll. On that day, as soon as we realised and
I realised personally that this was going to be a day of significance, I as with about 23 other volunteers, I think the number was, attended our station, gear ready and ready to roll. I was deployed as a firefighter on the back of a truck to the Narre North Harkaway fires on that day and for a number of subsequent tours of duty in the following week. It is that surge capacity that is needed to man the trucks that are required for major incidents. While we were there doing that, other trucks were manned by Edithvale and other volunteer brigades across metropolitan Melbourne and provincial centres to other parts of the state at the same time as retaining a capacity to respond within standard to incidents that might occur in our own brigade area. That's the surge capacity that we talk of.

I just ask about your brigade. Is that a completely volunteer brigade?---That is a completely volunteer brigade, and supports into highly urbanised areas, supports into the MFB area and also supported by and supporting into surrounding brigades that happen to be integrated CFA brigades. So that's an example of the integrated model working and it is an example of the mutual aid arrangements working. If I could, Mr Rush, what we are saying is that there are improvements that need to be made, and they are primarily around the issues of accountability and coordination and inter-operability. The risk of eroding or losing or designing out that volunteer capacity and that surge capacity in metropolitan Melbourne is significant if we look at amalgamation of the agencies. There are cultural differences, not just community linkage cultural differences but organisational and workforce design cultural differences, that pose a
real risk to losing the volunteer capacity, losing the
surge capacity and not necessarily doing anything to
achieve the improvements that are sought.

I will take up two of those matters perhaps after lunch, but if
I can ask you perhaps two questions. Firstly, in relation
to your assessment of the volunteers that are members of
your brigade, why would amalgamation or the potential of
one amalgamated fire service impact on the
volunteerism?---The issue is really around the workforce
design that you may end up with in that amalgamated body.
There are already, I guess, substantial workforce
arrangements and cultural and industrial pressures that
are tensions, if you like, that need to be managed by CFA
and generally are managed well. For example, if we take
the MFB - and I'm talking about our local brigade
perspective, which is different from a state perspective
that I need to come to later - from a local brigade and a
local member perspective the MFB model has no need for and
no design element for volunteers. Something that I have
been listening to through various sessions in this
Commission is I think a misconception about what CFA is.
CFA is not a body that has volunteers tacked on to the
side of it to do the bits and pieces that can't be done by
paid staff. CFA is a volunteer based organisation with
paid staff and management structures employed and deployed
to support and supplement volunteer capacity and build
volunteer capacity. If volunteers don't have that
front-line involvement, if volunteers aren't there as the
primary service provider, as you would assume they would
need to be in the MFB model unless we were completely
unpacking it, the risk of one model eroding the other is
quite significant. They are quite different organisational models.

Is that a convenient time?
CHAIRMAN: Yes, it is a convenient time.

MR RUSH: There are two matters, if I might. The first,
Commissioners, is I think we are going to be put under some pressure in relation to time this week, and I would ask that we renew the idea that people who cross-examine provide us with notice and approximate times of cross-examination of witnesses.

CHAIRMAN: Yes, I agree with that.

MR RUSH: In relation to Mr Burnside, it was at the suggestion of counsel assisting that some dot points would be provided in relation to the examination of Mr Rees. No time was put on that, but we will attempt to do so by tomorrow morning.

CHAIRMAN: Yes, thank you. We will resume at 2.

<(THE WITNESS WITHDREW)

LUNCHEON ADJOURNMENT
UPON RESUMING AT 2.00 PM:

<ANDREW JAMES FORD, recalled:

MR RUSH: I suppose in a way, Mr Ford, one of the questions that underlies what we were speaking about before lunch would be this: we heard evidence, and I think you were in the hearing room this morning, when Mr de Man spoke about the Craigieburn station. Putting that into the context of the discussion about surge capacity, why would it be, for example, that surge capacity would be impacted upon if volunteers can work together with career firefighters in the way in which they do at Craigieburn?---Sorry, could you just go back to the question again?

One of the arguments you put forward against the idea of amalgamation is on the basis that it would affect volunteers. In Craigieburn we have a brigade which is working with career firefighters and volunteers and, according to Mr de Man, working satisfactorily. Why is it then that, if we use that as an example, that amalgamation would impact on volunteer numbers?---And surge capacity?---I think this is where there are a number of factors keep playing back on one another. One of the aspects of the question of amalgamation seems to have been an MFB/CFA boundary change and the critical point is that were there to be a boundary change or a move outward of the MFB boundary and a change in the CFA paid staff and volunteer integrated model and a reduction of or an abolition of volunteers in those outer metropolitan areas or provincial centres, you hinder the surge capacity, whether it be by designing them out or by negligence, if you like, or a lack of focus on building and maintaining volunteer capacity, so there is that one issue. The other
issues around amalgamation and the benefits of come from
the broader issues of organisational role differences,
organisational workforce design differences, cultural
differences in the organisations. So the boundary change
surge impact is a subset of the overall question of the
future structure of the fire services. Does that make
sense to you?

I think so. Can we deal with some of those matters. You at
paragraph 39 of your statement at 0009 say, well, the VFBV
understands that for some time the CFA management has been
confronting industrial issues that impact on its ability
to fulfil its functions. The industrial issues that our
members most frequently raise as impacting on volunteer
welfare and efficiency are, point 1, the apparent right of
the UFU to veto CFA management decisions. What is the
basis for that statement?---If I can just context this
submission also, and you need to understand that VFBV
represents CFA's 60,000 volunteers. Not all volunteers
are affiliated with the organisation but the paper
reflects the views of consultation and discussion with
volunteers across Victoria, not just my personal views.
These issues are and have been for some time continually
raised, not just, may I add, by CFA volunteers, but often
as frustrations of CFA management. One of the concerns we
have is if they are so widely recognised as impediments to
effectively running CFA, why do they still exist. The
issue of veto is complex and really needs CFA to explain
it in the context of how it comes about by virtue of the
enterprise bargaining agreement, but a couple of examples
come to mind. One of them is the selection of structural
protective firefighting clothing some years ago, an issue
that created, if you like, a very long-term, protracted and frustrated consultative process whereby CFA management was not able to move forward and make a decision on that particular set of gear without reaching the agreement of the union, by virtue of clauses, as we understand it, in the industrial enterprise bargaining agreement. That issue was examined by an external inquiry undertaken by Judge Lewis who reported on the issue and made findings about those frustrations slowing down and making management decisions less effective in CFA. The concern that volunteers have is often that impacts on volunteers getting on with the job that needs to be done.

There are other clauses in the agreement that require the CFA chief officer to have the agreement of or you might call it the approval of the industrial process before he can make resource allocation decisions and we have talked and heard others talk about today how CFA responds to growth in service demand. CFA brigades, and I guess another issue that needs to be quite clear, volunteer brigades can have their capacity supplemented in many ways other than just paid firefighters and certainly other than simply replacing volunteer capacity with paid firefighters, whether that be provision of administrative support, additional training support, community education support, the way we design and implement policies and procedures or, if need be, daytime firefighter support or full 24-hour, seven day a week firefighter support. As we understand it, as it currently stands, the CFA chief officer, who is accountable for service delivery, cannot make that decision of where and what and when he provides resources to support volunteer brigades without the
agreement of the union.

If one looks, and I don't intend to take you to it all, but from paragraph 34 through to 39 what one may take out of that is that from the volunteers' perspective there seems to be - correct me if I'm wrong - but what you are putting forward is a real impediment to volunteers working effectively over a period of time because of the differences that you put forward in relation to the way in which a career firefighter will work and a volunteer will work?---I think I understand the question, and I'll have a go. Understand that, on the ground, paid firefighters and volunteers work very well together in most occasions. Volunteers can't do what they do without the support of paid staff and paid staff can't do what they do without the work and support of volunteers. But there are industrial instruments and limitations on the way CFA management goes about its business that frustrate the effectiveness of that volunteer based and integrated model and they are widely discussed frustrations within CFA and particularly amongst CFA volunteers.

But would they not be frustrations that have been overcome if we look at the model that has been put forward this morning by Mr de Man in relation to Craigieburn?---And that would be again an example of what we would call one of the more - not an end point, but a more evolved point in what I have termed a brigade support continuum. So a brigade in a growth area, for example, and if I can use my own brigade, Edithvale, a busy urban brigade servicing suburban Melbourne, one of the first things that is going to be quite a workload impost on that brigade will be managing the training requirements. So, in addition to
what the brigade might be able to do for itself in terms of training and assessment against minimum skills, ensuring that the provision of support to do that additional training or that extra training workload is provided at times and at places and in formats that suit the volunteers. Likewise, there is a lot of administrative work that becomes a burden for busy brigades, just as it would for any fully paid workforce, so providing administrative support to those brigades. In time there may be fluctuations in brigade leadership or there may be fluctuations in seasonal capacity. Being able to target the resource along that support continuum to supplement and support the brigade and to build volunteer capacity needs to be the priority. Too often there is a push to jump, if you like, and I talk about slipping up the continuum to put paid firefighter support in perhaps prematurely when there is another solution that is more effective. Craigieburn and the integrated model would be an example where supposedly they've worked through a support continuum, needed to put some paid firefighters on shift to supplement and support volunteers, not to replace them but to supplement and support.

But if we put aside the issue of boundaries for a minute, how would amalgamation impact on the volunteer Edithvale brigade?---In terms of the integrated model, the amalgamation itself wouldn't cause the change to the integrated model. Certainly a boundary shift would. But I mean for your volunteer brigade, and this would be the case around Victoria, if we bring the fire agencies together into one amalgamated structure, why will that
impact on volunteerism at Edithvale or Penshurst or
anywhere else?---I think I need to go back to what our
submission is saying. It doesn't start from the point is
amalgamation good or bad. It starts from the point of
what are we trying to achieve, and we are trying to
achieve a more unified control, better coordination,
clearer accountability and better service delivery.
Forget the boundary issue in that sense; because of the
organisational cultural differences and workforce
differences and the role differences between CFA and the
MFB and DSE, there is a real risk that the eye is taken
off the main game of achieving the improvements to bed
down a complex change management and amalgamation of
organisations that are fundamentally quite different. So
that's where you run the risk of not keeping the eye on
those things that are fundamental to a successful
volunteer based model in a CFA sense or in fact achieving
the improvements we are pursuing. In amongst that
amalgamation, if there were pressures on the service model
to change it, it would be those pressures that would
destroy, potentially, the integrated model. The way
I understand one of the proposals that you have, as
I understand the United Firefighters Union proposal, it
talks about the abolition of volunteers ultimately in
places like Edithvale, so by design that sort of approach
would in fact remove volunteers. Whether they walked away
or were disenfranchised or squeezed out of the culture or
not, they would be removed. So there is a number of ways
you risk impacting on that volunteer capacity.

COMMISSIONER McLEOD: That's only a proposition, of course,
that we need to consider. Integration as such doesn't in
itself require elimination of volunteers because, as we have observed earlier today, the CFA already is an integrated organisation with paid firefighters and volunteers working together in an integrated multi-skilled fashion under the one leadership and the evidence we have also had today is that it's working. So, to have organisations with a mix of volunteers and employed people working in an integrated fashion in itself doesn't appear to be impossible to achieve?---I agree. Theoretically and certainly---More than theoretically. In practice it is working well in the CFA, isn't it?---In practice it is working well in the CFA because the CFA is what it is. The risk we are pointing out is that if we were to try to glue a community based, volunteer based, integrated workforce, decentralised workforce and work model, together with a paid only, highly centralised, highly industrialised model---That's one model. A paid only is one model?---Okay. I guess then the view would be that the challenges associated with reforming one of those models, and I'll be saying to you reforming the paid only model, so that it were a fully functioning, volunteer based, integrated model, are such that we don't think that that is likely to be achieved and haven't ever seen a model that proposes a changed management regime that could achieve it. If you join those two organisations together without having those preconditions in place, then you run the risk of the destruction of what is valuable today.

I just emphasise again you are looking at it as a particular kind of outcome that implies that over time the need for volunteers would gradually be eliminated?---No, no.
Sorry. I'm accepting that that model is at one end of the extreme. I was going to say absurd. The other model would be that you combine, for example, MFB and CFA and leave their workforce design as they are today, and you just simply join the two cultures. Another, and I thought it was the assumption you were putting to me, that you could achieve the integrated model in the metropolitan fire district or MFB organisation and therefore you are talking about amalgamation of two like cultures, like work practices. There is a lot that would need to be done to achieve that before that question could really be contemplated, I would put to you.

MR RUSH: At paragraph 38 you put forward the view that, "Long established industrial and workforce arrangements have contributed to the distinct culture of the DSE, CFA and MFB. In respect of some of the agencies, the workforce culture has developed over generations and perpetuated within the agencies' operational and training ethos." So what's the point that you wish to make out of that paragraph?---It is pretty simple. They are very different. They are very different organisations and bringing them together would create a significant number of organisational challenges. Those challenges, we put to you, run the risk of consuming the energy toward addressing the challenges of making a major change at the expense of pursuing the improvements that need to be made, which we put in our submission can be achieved through means other than amalgamation and that amalgamation may not achieve those improvements anyway.

We had a submission on Friday to the effect that there be a form of amalgamation bringing DSE in with CFA with a state
fire officer responsible for fire prevention, with the MFB really off to one side in relation to the structure. Do the volunteers have a view - which is really the CFA submission back to the Esplin inquiry in 2002/2003?---I can't talk to you about what the volunteers' view was in '02/03 and I suspect their involvement in that discussion may have been less than the involvement we've had in this more recent consideration of the future, and we did consider that issue. Extracting out simply the fire management part of the overall land management function and putting it in another organisation, splitting those two functions, we believe is really just creating another problem. The solution that we have put, which is contrary to the witness that was here on Friday, is not status quo. The solution we put is for a unified control and an allocation of that control, a single agency responsible for the control of bushfires in Victoria, being the arrangements that have been put in for an interim. Our proposal talks about addressing that unified approach through the control arrangements and through the interoperability and through coordination and through training, and driving it with a body that will actually ensure it is achieved, as opposed to leaving it up to chance. We firmly believe that's a better approach than simply plucking some of the resources out of one organisation and pasting them into the other, leaving another problem back in the host organisation.

You speak, going back to paragraph 29 and following, to the importance of the CFA and volunteerism and the local pride in the CFA in local communities. The first question is: in the position of your organisation is there a view as to
the retention of the name "CFA"?---CFA means a lot to the
people who are CFA and who have been CFA for a long time.
We have talked this issue specifically and I think a name
change, if we were asked today, would not be supported.
If there was to be contemplation of a name change, it
would require I think very, very careful discussion and
consultation with volunteers across the state in a broader
sense than it's happened today. But my understanding,
based on all of the conversations we've had, is that that
name is important.

COMMISSIONER PASCOE: Mr Rush, just to tease it out - I'm
getting like our Chair with the definition of fire here -
when it comes to what sits behind the acronym CFA, would a
move to that being "community fire authority" be
acceptable, do you think?---Look, I would only be
answering that from Andrew Ford's personal view, and if
the cultural perceptions and the leadership that is given
to the issue isn't there, it will still be Country Fire
Authority by another name, so I don't know that that
answers the problem. I think a better solution would be a
very concerted effort from top to bottom, both outside the
organisation and from the leadership of CFA, to ensure
people in Victoria understand that CFA or Country Fire
Authority doesn't mean it's only country, doesn't mean
it's only bushfire, doesn't mean it's second rate. I put
to you it's the same issue with the term "professional".
We need to educate everybody in the decision-making loop,
we need to educate everybody in the community that this is
what you have in CFA. It happens to be called Country
Fire Authority but, once you understand what it is, you
can overcome that problem. I think just changing the name
without changing and a concerted effort to change the
perception won't achieve much.

MR RUSH: Perhaps this submission, together with some evidence
that will be called this afternoon, one might interpret it
as there being an ethos in the CFA that for many members
the word "country" is important and also an ethos towards
independence in relation to the role of your
volunteers?---I think if we talk about independence
perhaps in the terms of community ownership and the
community embedded nature of CFA and that connection. If
that's what we talk about, ownership, I think it is very
important. Certainly a distancing of an organisation that
may become another bureaucracy that is somehow divorced
from what is happening on the ground meets with very
strong concern of the people on the ground. They feel an
ownership for CFA, communities feel an ownership for their
local CFA, and that is an important part of what has made
it successful today.

COMMISSIONER McLEOD: While we are still talking about culture,
could I just make the point that from what has been said
today there are perhaps cultural issues on both sides.
There may be reasons for this other than just historic,
but it does seem to me to be strange that the CFA can't
recruit operational staff as volunteers without the
consent of volunteer brigades, which I would have thought
is an example of the CFA as an organisation not having
total control over its own resourcing?---Commissioner,
I think what I heard you say was that CFA can't employ
operational personal without the consent of brigades.
Not employ; add to their resource profile people who seek to be
members of the CFA as volunteers, but who need to be given
the consent of a local brigade as to whether or not the
local brigade judges them acceptable to be able to join
the CFA's workforce. That is a widespread practice, isn't
it?---It is, and I think ---

Isn't that a kind of workplace restrictive practice that takes
away authority from the CFA that could be seen as a
cultural aspect of volunteerism that perhaps inhibits
efficiency?---I think it almost, the way I'm hearing you
interpret it, paints a picture somehow that the CFA
brigade isn't in fact the CFA and that the CFA brigade
captain isn't in fact one of the critical line managers of
CFA, just happens not to be paid. So to recruit and
maintain and retain that workforce across 1200
decentralised brigades across the state, as you would in
any organisation - let's forget the business of whether
people are paid or not for a second - your unit managers
would be making those decisions, and the process that
happens to be is interview and selection and ultimate a
vote. Now, I think the fact that it happens at brigade
level and that volunteers do it is not a cultural issue
that volunteers are impacting on CFA's decision making
ability. It is a recognition that CFA is not only
serviced by volunteers on the fireground, it is led and
managed by volunteers at every level, so you have to
empower and trust volunteers to be able to make those
decisions. If it is the process of whether a vote is a
sensible process or not, I think that's a different issue.
I suppose what I'm putting touches on that, but perhaps that's
another issue?---I'd like to explore it if you need to,
but it's a really important factor to understand that
volunteers need to be engaged and empowered and respected
in the decision-making process at every level. You cannot run a 60,000 strong workforce and with only 1,000 paid people. The notion that the 1,000 paid people or those that aren't at fire stations somehow sit at the top and make all sensible decisions and the volunteers carry them out is what a lot people think CFA to be. But there is volunteer management making those decisions that in other organisations paid people might make at every layer of CFA.

MR RUSH: Two more matters, Mr Ford. Back to 39.4, you might just tell us what are the restrictions at the moment on hiring paid sessional instructors for volunteer training?---If I can answer it from the end result as opposed to the restrictions, because if I can get a straight answer to what the restrictions are I think I'd be able to tell other people. The reality is, as I understand it, there are either none or a very, very small number of paid sessional instructors in existence today, despite that issue being a priority for CFA management, being a priority need for volunteer brigades and being one that has supposedly been worked on for several years. So that I'm clear, paid sessional instructors is about providing a flexible paid workforce that can deliver training on a sessional basis rather than have static training instructors, and there'll be full-time training instructors as well, but you need to be able to have that capacity to go and meet and train these brigades when and where it suits volunteers to be able to participate. Not able to be done with the current CFA workforce, not able to be done solely with the volunteer trainers that exist and are used. Therefore, get another
flexible arrangement in place. I really couldn't tell you just why it can't be resolved. It is widely aimed back at the enterprise bargaining agreement issues that CFA is working through. But the fact that there isn't a good body of sessional instructors out there today tells me that there is a big problem. The fact that brigades are saying, "We need to have this training that we don't have access to" tells us there's a need.

Could I come back to perhaps where we started. In your summary at paragraph 59 you indicate the VFBV has made a submission in support of a single control and command structure as it relates to bushfire, so on a bushfire day there will be a single command and control structure which puts the CFA chief officer in charge?---(Witness nods.)

If it is right for days of extreme bushfire, why isn't it right on a day-to-day basis?---Are you saying why is a single line of control not right or why can't that be taken to be amalgamation?

If it's right to have a single control and command structure, bringing all entities together on the bad day, why isn't it right to have it every day?---I'm just making sure I understand the question. I understand part of it. But what we are saying is that that is something that needs to be aimed for. Remove any lack of clarity about who is in charge, who is accountable, manage the pool of resources as one, have that seamless command and control and in the absence of being, in our view, able to easily or neatly or even with a fair bit of change amalgamate the organisations, that is a way of achieving the end outcome, despite the difficulties of the different organisational cultures. On a day-to-day sense, and if we're talking
about the smaller incidents, if you like, they are already
managed in that way through that line of control. That
can happen. Mutual aid arrangements around the MFB/CFA
boundary enable that seamless operation to happen. But
just because we can do it as a single line of control is a
different issue to actually addressing the cultural and
organisational differences that are associated with
 bringing the organisations together.

Perhaps it is summed up by paragraph 4, my question, at 0001 at
the bottom of the page. "Volunteers support the
integration of agencies under command and control of CFA
during fire emergency events," as set out in the
submission. I just wonder, forgetting who runs it, if it
is appropriate to have that single line of control in the
emergency event, no doubt because you would say it brings
efficiency and it brings a structure, a good structure
together to run the emergency, why isn't it proper to do
it on a day-to-day basis?---I feel what you are saying is
if it can be thought of for a single line of control, why
can't it be thought of for day-to-day, and it can be
thought of for day-to-day, then load in the reality that
you have different models, you have different roles, you
have different cultures and you have different histories.
That, we say, would be very difficult to bring together.
So it's not that it couldn't be, that's the facts of what
exists. So, in lieu of that, let's address the real
issue, which is about better coordination, better
accountability, better clarity of accountability through
the single line of control, despite the organisational
difficulties and differences.

But on your submission it is expected to come together and run
in an efficient way on emergencies?---Yes.

They are the matters, Commissioners. I think Ms Dixon has some questions.

MS DIXON: Mr Dean should probably go before me.

MR DEAN: I need to get some instructions so the time would be best—-

MR RUSH: I think as a matter of fairness Mr Dean should question before the volunteers.

CHAIRMAN: Yes.

MR DEAN: Rather than unduly hold things up, Mr Chairman, if necessary we may make some written submissions about the evidence. We don't propose to cross-examine.

CHAIRMAN: Yes. Thank you.

<CROSS-EXAMINED BY MS DIXON:

Mr Ford, I don't know if you explained your own personal background and history prior to taking the position you now have. Could you just tell the Commission a little bit about that, please?---Prior to joining the Volunteer Fire Brigades Victoria as CEO I was employed by CFA for the last— for 15 years. I have been with Volunteer Fire Brigades Victoria for about three and a half years and for the 15 or so years prior to that worked as a paid employee of CFA, initially employed and working from CFA head office as the manager of corporate planning, involved in obviously strategic planning and organisational development, but also some of the structural changes that have occurred in the CFA over the past 15 years. And for the last six years or so—I'm sorry, I don't have the exact dates—I was area manager, which is now known as general manager, of the Westernport area, which is that area that Lex de Man referred to today that essentially
starts at the south-east suburbs of Melbourne, takes in all of the Mornington Peninsula and through to just beyond Pakenham and up to Gembrook area. So, a highly urbanised area of CFA.

In short, have you seen any model for amalgamation of either the CFA and the DSE, or the CFA and the MFB, or all three, that you think will be satisfactory to the volunteers that you are here to represent or speak on behalf of?---A physical model, a physical structural change model I have not. What we have looked to do, as I have said, is address those issues that need improving and, if you like, that's creating not so much a virtual model but to tighten up the multi-agency network that we have heard some of the expert witnesses talk about on Friday. So, rather than look at the structure, look at how we work, look at the single line of control, look at integrated fire management planning as a process that can coordinate our fire prevention planning efforts better and establish a more focused coordination group to drive coordination and drive interoperability rather than leave it up to chance.

What do you see and what do your members see as the risks of merging it into one monolithic single fire agency in Victoria?---The big risk is that we destroy what exists today and works today, either by virtue of volunteers distancing themselves from the work they do because of that disenfranchising, that feel of a move away from the organisation that they are part of and own and have built for generations. That's at one end of the scale. At the other end is an organisation that becomes so big and preoccupied with managing the bureaucracy and some of those industrial and cultural challenges that the eye is
taken off the ball and we lose what exists today through the volunteer capacity right across metropolitan Melbourne, right across provincial centres and the rest of Victoria. At the other extreme, which would be I think quite a matter of neglect, is that it could be physically designed out of a model - and I know that's not what is being proposed, Commissioner McLeod - but if there were a model that looked to alter the configuration of integrated brigades and volunteers in outer metropolitan Melbourne and intentionally destroy volunteerism, that would be a very significant problem for the state.

You are aware of the Hayward document that's been put forward to the Commission and his suggestion of a phasing out of volunteers in some areas of Victoria. You also heard evidence I think from Professor Leonard on Friday afternoon when he spoke about what sometimes happens, for example with the Department of Homeland Security, when there is a lot of time spent within a merged agency with different parts of the former agencies jockeying for position in the new agency. In terms of those sort of factors, do you see any of them as being potentially problematic if there was a merger?---Absolutely. One of the scenarios I paint is that volunteerism is somehow eroded by virtue of a clash of cultures or a lack of focus on maintaining and building volunteer capacity and maintaining and building an effective integrated workforce model, so that might be a complacency or a neglect issue. The fact that the Hayward report intentionally talks about abolishing a capacity that exists today and works today and is critical to our firefighting surge capacity for major incidents, I cannot understand how somebody could
come to that determination.

The question has been put to you, "Well, these integrated brigades in some areas seem to work quite well. Why not just have this perhaps amalgamation?" Do you think amalgamation answers all the industrial tension issues and the other issues that have been referred to in the submission put forward for the volunteers?---Answers them or creates them? I think what it will do is exacerbate some of them. There are two issues you ask there, and one is about that capacity to meet that service growth and the integrated model and supplement the volunteer brigades and build both community and brigade capacity as needs change, as opposed to needing to move to a different model. That's quite regardless - that is done now and needs to continue to be done in the CFA model regardless of amalgamation. The shift of an MFB/CFA boundary, I think somebody referred to it last week, is a side issue. It doesn't do anything to achieve the improvements we are seeking to achieve, as I see it, through this Commission and through some of those areas that have been identified as improvements that need to be made. What it has potential to do is destroy something that was critical to our capacity on that day of 7 February, on many other days and for campaign fires across the state.

That's what you refer to as the surge capacity?---Absolutely. Just taking the model of, say, a fire station that is manned by career firefighters and comparing it to volunteers, what's the difference in terms of rosters, for example? What impact do rosters have on the 24/7 ability of firefighters to attend a fire, current rosters under the industrial relations?---Again, I need to answer it from some of the
other issues that have come up today, and that is the
notion that somehow volunteers are part-time. The
volunteer workforce model is not a part-time model.
Volunteers are on call, they have their pager with them,
they are ready to respond when needed. They are just not
there at the station all of the time, but they will be
there when needed. The paid model in Victoria is a
rostered model where people work predominantly a 24-hour a
day, seven day a week roster. There are many
circumstances when perhaps a daytime roster or a weekday
only roster might be what is required for the community,
but CFA has not been able to implement many of those
situations. So, suffice to say most of it is that 24/7
roster where people work two days on, two nights on, four
days off.

Just explain what that usual roster then is?---It is commonly
known as -- --

For career firefighters?---For paid firefighters, that 10/14
roster where they will be rostered to work two days, then
-- --

Sorry. 10/14, what does that stand for?---Ten hours and
14 hours, so 10 hours during the day and 14 hour night and
then have four days off. While they are on station on
that roster -- --

This is your salaried firefighter, who maybe earns $100,000 a
year, works -- --?---That's right, works two days on, two
nights on, four days off. I think the figure that was
used in one of the reports and provided, I'm pretty sure,
by the state, was an average of about $90,000, including
your salary related costs, average paid firefighter cost.

If you were to achieve one crew on one truck in one
station, for example, if that's the question, let's imagine a crew of four on that truck. To achieve the 24-hour roster you need to employ roughly five and a half is the ratio, I think. So, what's that, 22 people to man that truck 24 hours a day.

The equivalent of five and a half paid firefighters?—Twenty-two paid firefighters to provide you with a crew of four on a truck 24 hours a day, seven days a week. There is no exact science of the way you do the calculation, but there is some 200 plus urban brigades in Victoria. I think the number of brigades that service what would be known as predominantly a structural risk or an urban risk is somewhere just short of 200. If you assume that each of those brigades had only one truck, which is in fact not the case, most of them have two or more, but to just crew those trucks up, and it's pretty hard to do the maths on the run, but let's say we had 200 brigades, 22 people per brigade to man one truck per brigade, we have there 44 something or other.

I don't expect you to do the calculation on the run. You are talking about the cost of replacement?—To replace, let's say, a couple of brigades, you're talking about $400 million a year in salaried costs alone for somewhere in the order of 200 of the existing volunteer brigades, let alone the cost or the opportunity cost that has been lost of not having the capacity, if you went to that model, to do any more than the norm, other than what you might be able to achieve with an initial surge or movement capacity around that resource in an afternoon or for a day, but to be able to— if you went to that model, and Lex de Man put figures up that showed the number of
volunteers in those outer metropolitan areas where these urban brigades we're talking about are, not only would you have had that additional recurrent salary cost per year, but you have lost in the order of thousands of volunteers available for your surge capacity. That's the real cost.

In terms of issues of locality, do paid staff always live in the locality that they service? Do they have an intimate knowledge of the locality, career staff?---No, there is no set rule. They may or may not. There is no requirement for them to have come from the community that they are employed in, and over the career of a paid person they may work from many different locations.

COMMISSIONER McLEOD: That's true I thought from your evidence earlier that your brigade was available to serve anywhere in the state of Victoria?---The question - I will come back to yours, Commissioner McLeod. I thought the question was do paid personnel generally live in the community of the brigade that they are employed to work from.

MS DIXON: You were taken to the Linton example before. It so happened that I think Geelong was involved?---Yes. So on one question is do - as a volunteer I will live, in my case, within two minutes of the station, so I will live close to the station because that's going to be important for me to be able to get there. As a paid employee, you have more flexibility. You might work or live many, potentially 100 kilometres from where you work. In terms of the deployment of volunteers, there is no limitation on where a volunteer from a particular brigade might be deployed to, and certainly an expectation that you will be deployed to wherever you are needed. In that week of
7 February, for example, the weeks leading up to it there were many fires down in Gippsland and from our brigade we had crews of volunteers around the clock on trucks at the Gippsland fires. On 7 February, myself and others were at Narre Warren, Harkaway fire, and in fact other fires along the way, in Carrum Downs and those areas, and the next night I was back up in Kinglake and then the following weekend in Kinglake West and I could have well been in Kilmore or somewhere else in the state. Does that answer your question?

COMMISSIONER McLEOD: Yes. I guess what was behind my question was that local knowledge is very important with a local fire, but if the emphasis is on the deployability of fire services, and that's true of the CFA and maybe it's true of an employed fire service as well, it seemed to me that perhaps it's six of one and half a dozen of the other, if it's an argument about which type of service is likely to have better local knowledge?---I think you run the risk of mixing a couple of issues. The major incident, if you like, the out of area incident such as, in this case, the Narre Warren North or Kinglake, if we were up there working independently of a strike team without some local knowledge, it wouldn't be sensible. That's in that situation. Obviously I don't have local knowledge of Narre Warren North or Kinglake, but was in a crew which was part of a strike team which was part of an overall firefight that had local knowledge embedded into it and we took our instructions in that way. The local knowledge advantage, and again we're talking about a model that should not only work for major disasters and not only work for fire, it needs to work for all hazards and needs to
work every day of the year. The local knowledge issue
that I talk about for Edithvale, for example, is the
knowledge that is beneficial every day of the year. So,
no, that local knowledge benefit doesn't transpose
automatically to a go away fire, if you like, but it is
there. The members of our brigade, as they would with the
brigades across the state, live in that community, their
children go to school in that community, their families
and friends are from that community, their eyes and ears
every day, every night, understanding what is happening
and are connected in that way, not just in provincial
Victoria, not just in small rural communities where they
may be the entire community, but deep in the suburbs of
Melbourne.

MS DIXON: Just on that point in terms of that local knowledge,
taking the rural example, say we are talking about
somewhere in the Otways, is the advantage of that local
knowledge and that local brigade that they will know the
geographical locale or the behaviour of fires in the past
in that area, but then they may be backed up by brigades
from other places?---Exactly. So they will know the
location, they will know the weather, they will know the
fire behaviour patterns, they will know the issues and
they will know the people. They may know the vulnerable
groups and the idiosyncrasies of that community. The
other thing they will have is those relationships at the
local and semi-local area, if you like, that are needed
for the overall emergency management effort to be
effective, and if you remember Mr Hart that was here on
Friday talked about more important than structure will be
those relationships and that ability to get things
happening when they need to with people who may not have
worked together before. True there are going to be people
coming in from other areas, but you have a core of local
connection and local relationships and very often the
local brigade leaders are involved in leadership roles
across many other facets of that community. They know who
makes the community tick. So not only are they vital for
the base knowledge and the preparation and the prevention
work and response on the day, but it also is a critical
factor in the success of the recovery. People sometimes
talk about it as community resilience, that capacity to
take a knock. I would say that community based brigade
and that community based leadership and that embedded
nature of CFA into the communities that they are a part of
is vital to that resilience.

Just in terms of recruitment factors, you have heard about the
demographic and the potentially ageing communities in some
rural areas, for example. Do you have a concern that
recruitment is going to be a problem in the future or do
you regard that as an issue that can be dealt with by
resourcing recruitment potential?---There will be an
example of, again, different communities, different
situation. Overall, the demographics that I think are in
Lex de Man's report and my recollection of one of the
tables is that about 60 per cent of volunteers fall into
that age bracket 18 to 55, so that's a pretty healthy
spread of demographic globally. There are many examples
in - let's go to the small rural communities where the
community has all but shut down. There may be nothing
left in terms of a common meeting place or a common
structure other than the brigade. We have looked
specifically at communities out in western Victoria where a volunteer brigade is still quite viable and the age profile of that brigade is still quite young. We have brigades - I think Joel Joel is the example, and I may have the age in the example wrong, but a captain in their 30s, a healthy brigade number, despite a community that is quite small and has in fact seen a lot of decline over recent years. So, yes, it is possible.

If there is nobody left in the community, then there is not going to be much chance of recruiting them. All the more reason to understand the network capacity of CFA and it will be those surrounding communities that might come in and give support to that community in case of a fire, all the more important to have your provincial centres with a surge capacity through the volunteer model so they can go to those communities that might have a capacity for an initial attack but not be able to prolong it, and all the more important to ensure we're doing what we can all the time to recruit.

A critical factor that has been identified in many examples across Victoria is that if you can find someone in that community with a bit of leadership potential and support that person, they will grow a brigade around them if there are people there and I think there is opportunity for CFA to do more in that sense. There is certainly opportunity to do everything that can be done to have recruited females into CFA and recruit people from cultural backgrounds that aren't I guess as represented in the CFA pool as they are in the broader society, so there is work that can be done.

You were asked about coverage in regional centres like
Ballarat, Geelong, Bendigo, those sorts of places. How important are the satellite brigades around the city brigade in those areas?---Brigades don't work in isolation, and in the Ballarat example or in the Edithvale example, if there is an incident there will be a number of brigades responded to that incident based on who is closest. In Ballarat it might be Wendouree and Sebastopol, in Edithvale it may be CFA Edithvale brigade and MFB Mentone brigade. It is basically a badges off scenario, the two closest brigades will go, so that network is critical.

In terms of the New South Wales model, is it your view that it provides the kind of surge capacity that is provided for in Victoria?---I don't know that I have enough detailed knowledge of New South Wales to answer that adequately, other than in the New South Wales situation, where there is a community that maybe once was serviced by the Rural Fire Service and experiences growth, I understand the model would ultimately move that brigade out or establish an additional or replacement New South Wales Fire Brigade. If volunteer numbers were either discarded or slowly eroded by virtue of not having a focus on keeping them up, then by definition their surge capacity is reduced.

Just in terms of the issue of continuous monitoring - for example, you have spoken about the volunteer continuum - of whether or not volunteers are coping with demands in rural-urban interface areas, what do you say about whether that's occurring?---That occurs continuously. As area manager in CFA, there would probably be no other issue more top of mind of the question of, "Do the brigades that I support have the capacity and the capability in terms of
resources and equipment to meet their local service
demand?" So as population changes cause risk changes, as
urban growth demographic changes, those are continuously
factored in, as are changes in the brigade's composition,
whether it be changes in the leadership pool, changes in
the work patterns of the members that may alter who has
traditionally been their core responders. That is the
work of CFA. It happens every day. The most important
thing that needs to be understood and the solution as that
capacity is challenged is not automatically paid
firefighters. The solution, as a first priority, is to
see what can be done to build community capacity and build
brigade capacity, build volunteer capacity. That starts
with recruitment. It might go to training. It might go
to administrative support. It might go to helping them
build relationships and profiling their community so that
other people understand their need, and ultimately only if
those measures have not worked might you look to put paid
firefighters in to support and supplement the volunteers.

Just finally, you were asked some questions by Mr McLeod, and
I think in answer to them you said, "Because the CFA is
what it is, if we were to try and glue a community based
decentralised model together with a highly centralised,
highly industrialised paid workforce the challenges to
such a reform would be almost insuperable." I'm not sure
if those were your exact words. But do you have any idea
about what kind of a lag time we might be looking at to
try to make it all work, or is it just too hard to
say?---That's the million dollar question, isn't it? We
have heard in a much smaller scenario, for example,
Tasmania, that the entire state - the population is
roughly half the population of the region that I managed in CFA. It is a smaller situation. It took them some 10 or 12 years to achieve what CFA has today. You would have to assume that the changes that would be required in Victoria are quite substantial, if in fact they could ever be achieved. The real question is: what damage do you do along the way? Even if you managed to get an organisation working effectively at some point in time, you mightn't have it working without the people on the ground that are actually what you need to do the job when the day comes.

Thank you.

MR RUSH: No re-examination, Commissioners. May the witness be excused?

CHAIRMAN: Yes. Thank you, Mr Ford. You are excused.

<(THE WITNESS WITHDREW)

MR RUSH: Two reasonably short witnesses. I call Mr Holland.

<RODNEY WILLIAM HOLLAND, sworn and examined:

MR RUSH: Mr Holland, you are at the moment group officer for the Whittlesea-Diamond Valley fire brigades group?---That's correct.

And you have held that position for eight years?---Correct.

Prior to that you were the deputy group officer for I think approximately 12 years?---That's correct.

You have been captain of the Diamond Creek brigade for 10 years, had other officer ranks within the CFA for approximately 20 years and I think in all your service with the CFA is over 40 years?---That's correct.

Mr Holland, you have provided two statements; one has been tendered, but a further statement in relation to the volunteer nature and ethos of the CFA. There are a couple of corrections, as I understand it, to be made. One is to
paragraph 9. It should read "emergency medical response" rather than "rescue"?—That's correct.

And at paragraph 13 I'm not sure of the amendment you want there?—The local IGA, rather than supports the CFA through fundraising events, in fact if a customer nominates a particular organisation or charity or whatever they donate a percentage of the bill.

So IGA donate a percentage of the bill to a charity that's nominated by the customer?—By the customer; correct.

With those amendments, I tender the statement of Mr Holland.

EXHIBIT 911 — Statement of Rodney William Holland, dated 19 April 2010 (WIT.7553.001.0001_R) to (WIT.7553.001.0003_R).

MR RUSH: Mr Holland, in your statement you refer to the area that your group covers as being a heavily developed residential allotment — this is paragraph 5 — and that overall there are eight brigades, with each brigade in your group having approximately 50 to 60 volunteer members?—That's correct.

You speak of some of the group brigades, at paragraph 8, having up to 400 call-outs a year, with traffic accidents accounting for approximately 20 per cent of the work?—That would be correct.

Firstly, I take it those brigades are quite capable of looking after the load that's put on them?—Correct, at the moment, yes.

Then you go on to talk about the matters that encourage CFA personnel to become CFA members, and you refer at paragraph 11 to a motivation to get involved with community being a general characteristic of CFA volunteers. You speak about that characteristic in terms
of what you call amalgamation. What's the point that you want to make?---It's probably a difference in culture. I don't think we have really explored what actually motivates a volunteer and the difference between someone who is directed to do particular things. Members of volunteer brigades, they are the ones that decide locally when they meet, when they train, how often they train. Certainly there is criteria that they have to meet, but it is to do with the personal responsibility of each of those members as to how they achieve that. But, as I said, it is the difference between an employee being directed to train on a Monday night and collectively a brigade making the decision to train on a Monday night or whatever night or day they choose to.

So that might raise two things. Firstly, how important do you believe that form of independence is to local brigades?---It is fundamental to them being involved in a brigade. In any organisation that you are in, because it is of a volunteer nature, you must have some control over your destiny. That's what brigades feel and members of the brigades feel.

You put forward in your statement the feeling of community belonging to CFA in that sense to your members. How important is the identity of CFA and the independence of CFA?---It is great. I can just quote on my own local brigade; some of the organisations that they are involved with, that they meet regularly with and speak at. Conversely, we get support back with the local Apex, Lions and Rotary clubs that we have a dinner with once a year. But also they conversely support financially all the local brigades. Preschools and schools. We also work with the
police with the local blue light discos. The brigades put back into the community as well. They support the Royal Children's Hospital and the Salvation Army. Those sorts of things come back into the community from our brigade as well.

So in relation to that engagement both ways do your members see the independence of the CFA as being important?---Definitely so.

Perhaps you might explain why?---It is the community that has the involvement in it. I can just relate a couple of things financially that come back to local brigades. The local Bendigo Bank branch, for instance, has donated tens of thousands of dollars over the last five years, in fact probably close to $100,000, I would imagine. The local Mazda dealer has supplied two forward command vehicles, one of which has come to our particular group. For the last two years we have had the use of that $40,000 vehicle. That's the sort of thing that the local businesses feel part of a CFA brigade because they see it as a community based organisation.

So what is it about bringing CFA perhaps into a structure under one scheme of management that would get in the road?---I think the biggest problem is, as I started with, you need to understand volunteers to be able to manage volunteers. On the fireground you can direct them to do things, but other than that they want to retain their identity. I think people coming from another culture that is purely on a directive and a command basis rather than being able to explain and sell - you have to sell an idea to a CFA brigade or the CFA volunteers as a whole. If you want to change a particular thing you have to go and
explain it to them rather than just tell them, "You need
to wear this piece of gear" or "You need to do something
or other." It is the independence that they feel, and
that's why they volunteer. I think to change that culture
is going to be very dangerous.

In your experience have there been any issues that you want to
bring to the attention of the Commissioners, or do you say
the potential is raised in the statement?---Not
particularly, no. Nothing directly.

Can I ask you about a couple of other matters that go to your
previous statement that you supplied to the Royal
Commission, which I briefly want to go to at
(WIT.3004.021.0209). You probably don't have a copy in
front of you?---I do, but I just haven't picked it up yet.

You were on duty from about 9 o'clock on that day?---That's
correct.

And your responsibility was as group officer for the brigades
obviously that fall into your group?---Yes.

I don't want to go over a lot of old ground in relation to
this, but Ken Williamson, who was captain of the
Whittlesea brigade, you sent him out to in effect
reconnoitre and provide information back to you from the
fireground?---That's correct.

And in that context, to remind us in the last week of the
Commission, do you want to describe the fire conditions
reported back, what they were like and in your experience
where they rated?---Certainly Ken is highly experienced.

He is the first deputy group officer. I sent him to
Wandong just as the fire crossed the Hume Highway because
up until then we believed from - we had been talking to
the FMO, Steve Grant, from DSE, and we believed with
the northerly it was actually going to run down through Eden Park right down through Mernda, Doreen, all those sorts of areas, but the wind started to swing around. Ken certainly plotted the fire for us. As he drove back to Whittlesea it was actually spotting alongside the car at 100 kilometres an hour. He relayed every few minutes the progress of the fire. But it was a firestorm that he had never seen before.

You were, as I understand it, attempting to get resources from was it region 14?---From within our own group, we wanted to step up our local strike team, yes.

And you were unable to do that?---Yes.

Why was that, do you know? Was it because of the commitment of resources elsewhere?---No.

Why?---Reluctance of the operations - the duty officer at region 14 to implement that request.

How many times did you ask for that?---Three.

Did you get those resources?---Only as individual resources once the computer aided dispatch system responded them.

Why did you think you needed them?---We knew where the fire was going because Ken had indicated where it was coming from and where it was due to go, and we had relayed this on to the region 14 RECC as well.

And the region 14 RECC is based?---At Melton.

There are just a couple of other matters. You also refer at paragraph 37 to your use of the region 14 Mount Disappointment wildfire response plan, which outlines operational structure for a fire at Mount Disappointment, including the approved communications plan, the contacts for the relevant MERO, MECC and MERC and the divisional emergency response, incident control centres, and the plan.
had not been updated to include the current level 3 ICC footprint for Kilmore. You were working off a plan that was still utilising 2005 DSE offices at Broadford as the main ICC with the Diamond Creek emergency service complex as an alternative?---That's correct.

What did that mean in relation to your attempts to communicate with the incident control centre for the Kilmore East fire?---It made it impossible because we only had the one advertised number, which is the Kilmore fire station number, and we were unable to get through. It was constantly engaged, because we didn't have a copy of the Displan numbers.

So in the sense that Ken Williamson was reporting back to you, what sort of difficulty did you face in reporting his observations to the Kilmore ICC?---It was impossible. So I had to go back through the region 14 RECC.

The Arthurs Creek-Strathewen brigade with its captain, David McGahy, falls into your group?---That's correct.

He has given evidence of his conversations with you. There was one issue I wanted to go to at paragraph 85 of your statement at 0225. It concerns your overview in relation to 7 February, where you indicate as I understand it after 7 February that "for several days we acted as an independent ICC and received little support from Kangaroo Ground. Support was organised through region 14 RECC, strike teams from groups in region 14 and throughout the state". What happened? What did that mean for you?---Probably at Whittlesea, where the div comm was, we were pretty well resourced because we had the staging area there and we were probably pretty right. But for Arthurs Creek, because they weren't originally in our division, it
did mean that they were unable to access food, fuel and we
had to make alternative arrangements to get that. I think
they were overwhelmed, I think is the ---

Mr McGahy told us of those circumstances that existed
afterwards. I'm just not quite sure why that
existed?---No, neither am I.

At paragraph 87 you indicate that the lack of communication
with Kilmore meant that you, as the group officer,
received no advice, no strategy, nothing was put to you as
to how this fire was being run?---No. Probably, to be
fair, though, I felt they were overwhelmed and we operated
independently and did the best we could with the resources
we had available.

Indeed. I think there is an understanding of what was called
upon at least initially by the Kilmore CFA. Mr Holland,
is there anything else that you wanted to bring to the
attention of the Commissioners out of the two statements
that have been tendered?---No. I would perhaps just like
to take the opportunity to publicly thank my people and
the people that came to assist. Some of the things that
they did on that day and the weeks after were
unbelievable. I have great respect for all those people
on the ground, the work that they did, and in the weeks
and months after. It is still lingering now, some of the
psychological issues that the members of the brigades and
the communities up that way are still suffering.

I think you mentioned in particular immediately afterwards the
efforts of the Salvation Army in providing resources, food
and the like?---They were fantastic, yes.

They are the matters, Commissioners.

MS BUTTON: Commissioners, no questions for Mr Holland, but if
we could just reserve the State's position. There has been no notice given that matters pertaining to the Kilmore fire would be revisited in circumstances where counsel assisting have made submissions on that fire and the State and other parties have responded.

CHAIRMAN: Yes. Thank you.

MR RUSH: Commissioners, may Mr Holland be excused?

CHAIRMAN: Yes. Thank you, Mr Holland; you are excused.

<(THE WITNESS WITHDREW)

MR RUSH: Commissioners, I call Mr Ackland.

<DAVID PETER ACKLAND, sworn and examined:

MR RUSH: Mr Ackland, by occupation you are an acting sergeant of police and a volunteer firefighter as well?---That's correct.

You at the moment are a member of the Seymour CFA?---That's correct.

And you have been a volunteer with the CFA for 31 years?---I have.

I think you have provided a statement in relation to issues concerning volunteers. Are the contents of the statement true and correct?---They are.

I tender the statement of Mr Ackland.

#EXHIBIT 912 - Statement of David Peter Ackland, dated 19 April 2010 (WIT.7550.001.0001_R) to (WIT.7550.001.0006_R).

MR RUSH: You identify at paragraph 6 that you're a state councillor for region 12 with the Volunteer Fire Brigades Victoria, a fire investigator with region 12, you are third lieutenant of the Seymour brigade and you indicate at paragraph 9 other roles as a leader of juniors in Seymour and as a logistics officer with incident
management teams. Just dealing there, the juniors at
Seymour and around the state, can you explain just how
that operates? I'm particularly looking at their role,
and also I think you mention later on competitions between
CFA personnel?---I was a junior leader with the Seymour
brigade and I was actually the full leader of the junior
fire brigade which has juniors between the ages of 11 and
16. We basically train them in competitions which we
travel the state to compete at regional and state level.
We also conduct firefighting activities like basically
teaching them the basic firefighting requirements to get
them up to standard before they go into the seniors so it
makes it a lot easier on them when they start completing
minimum skills.

Is the competition and the leadership in relation to the junior
brigades the function normally of volunteers?---Normally,
yes.

You then go on to give some details of the Seymour brigade,
indicating a town of about 7,000 people and 30 active
members. You speak about it in the second last sentence
as being an urban brigade with members having a high level
of obligations in terms of training, meet every Sunday and
train twice a month. What's the increased level of
training and the meaning in that term of "urban
brigade"?---Just in relation to being an urban brigade and
you're expected to be able to complete more training than
the average rural brigade within the area. There's more
structural firefighting components, breathing apparatus
training. There's vehicular collisions. There's more
training required at an urban brigade than what there is
at a rural brigade, basically.
You indicate your experience both on 7 February of last year and with other fires, and then go on to address why you became a CFA volunteer, indicating that your father had been a volunteer for 50 years, your son is an active member. Is that a history that is common within the CFA, of family membership?---It is in my family. There are numerous families where there is a lot of history; sons and daughters join after their parents; even some wives carry on after they are married, in a relationship they have joined brigades as well; and grandchildren carry on as well.

You then address the issue of amalgamation, saying that you don't support amalgamation. At paragraph 24 you say, "I would probably leave the CFA if an amalgamation led to a devaluing of volunteers." Firstly, in terms of amalgamation what do you mean? What's the issue that you don't support?---The way I see amalgamation is the start of the end of volunteerism, basically. I see career firefighters coming into my brigade, like Seymour, and basically in a way taking over, I suppose. I have seen and heard throughout the state of other brigades where there is a bit of friction between career staff - and I'm not knocking career staff because I have some good friends who are career firefighters as well - but I see where brigades clash with the career staff and volunteers, and I don't want to see that happen. My region, region 12 where Seymour is, is totally volunteer firefighters. We are quite proud of that, and we don't want to see career staff come into our stations; that's all.

And you speak about your members in saying that. Is there a pride in the fact that it is a volunteer organisation, a
volunteer brigade?---It is very much. Seymour has been around for 117 years. It started off as a volunteer brigade and it is still a fully volunteer brigade. It is a community service, is what I call it. It is my contribution to the community as well.

In paragraph 21 you raise an issue in relation to an instructor at Seymour and waiting a couple of years, two years I think, for a sessional instructor. Could you perhaps expand on what you are addressing there?---Well, I heard a lot of evidence today about this and how long we had to wait in our region for an instructor or a structural instructor. Members of our brigade and the region had to basically travel further distances to get the qualifications in relation to low structure breathing apparatus et cetera because we had no structural instructor in region 12, and that was because of the EBA issue with the five years experience in a career station. There were volunteers in region 12 that were actually qualified to apply for the job but couldn't obtain the job as an instructor there because they hadn't completed the five years at a station as a career firefighter.

You indicated that your associates and friends are career firefighters. From what you have ascertained in speaking with them, is there an issue about instruction as opposed to active firefighting?---If a career firefighter takes on a job as an instructor, they go away from the shift work. From what I gather, they are working two days of day shift and two days of night shift. They can obtain second jobs. Whereas an instructor, you are sort of on a basic wage. So it is not what you would call attractive to them, I suppose.
The other issue you raise at paragraph 22 is, speaking on behalf of yourself and others, that there's no issue about being paid. That's not wanted by volunteers?---Certainly not wanted by volunteers that I know of anyway.

Is there any other matter, Mr Ackland, you want to address that you have raised in your statement?---I would like to carry on from what Mr Holland said at his closing statement. I was on the back of the truck on Black Saturday. I have heard a lot of criticism over the months after Black Saturday, but there were a lot of good saves that happened on Black Saturday as well that I witnessed.

Thank you. They are the matters, Commissioners.

COMMISSIONER McLEOD: Just one question, Mr Ackland. I think it has become quite clear to us that there are strong feelings in parts of the CFA about the volunteer culture that has grown up historically over 100 years and historically there has been this very strong identification with rural Victoria. The sentiments you have expressed today I think are easy to understand in relation to a town like Yea which, you know, is still a bush town in many respects.

MR RUSH: Seymour.

COMMISSIONER McLEOD: Sorry, Seymour. Seymour is too, I guess. A slightly bigger town. But in relation to the growth of urban Melbourne, where suburbs that previously were outer Melbourne and verging into the countryside are now totally metropolitan in their character but where the CFA has traditionally been providing fire services to those built on a rural fire suppression model but now comprise responsibilities in relation to what is essentially an outer suburb of Melbourne, do you see those traditions
still having the same relevance, particularly in the
context that a number of the CFA stations in that
situation in Melbourne have been obliged to take on
full-time firefighters to meet the particular structural
needs of the locality as it has become more urbanised? Do
you see that as having some impact on the underlying
character of the CFA in a locality such as that where the
same historic relevance doesn't seem to quite have the
same appeal?---I think there is an historic relevance
right across the state within CFA. It doesn't matter
whether it is in an urban development or a rural place as
such. I don't see Craigieburn or even going further in
any different to Seymour with regard to the CFA. We
certainly have a lot of tradition in the CFA. If I go
back to competitions, I still see Dandenong and Patterson
Lakes and places like that still complete at our
championships. They are doing okay, too, Dandenong; they
win quite often. But, no, I think nothing changes whether
it is a growing urban development or a rural area, even
though Seymour is an urban area as well. But no
different, no.

So another 20, 30 years as Melbourne continues to grow, what
impact will that have on the character of the CFA, do you
think, as the CFA becomes more and more urbanised?---If
the metropolitan area reaches Seymour, in 15 to 20 years
it might, but we will have more people living there who
can become volunteers as well.

So would it be still a rural fire service in that
situation?---Well, Seymour is not a rural fire service.
It is an urban fire brigade with rural risks as well.
I think even metropolitan urban developments have rural
risk as well. They do have grassland and paddocks.

MR RUSH: I don't think there is any further examination.

CHAIRMAN: Thank you, Mr Ackland. You are excused.

<(THE WITNESS WITHDREW)

MR RUSH: Commissioners, can I tender two statements that have been provided by the Volunteer Firefighters. I tender a statement of Mr Nevyn Jones of Moorooduc,

(WIT.7552.001.0001).

#EXHIBIT 913 - Statement of Nevyn Jones, dated 21 April 2010.
(WIT.7552.001.0001_R) to (WIT.7552.001.0006_R).

MR RUSH: I tender a further statement of Mr Ronald Neil Beer,

(WIT.7551.001.0001).

#EXHIBIT 914 - Statement of Ronald Neil Beer, dated 19 April 2010 (WIT.7551.001.0001_R) to (WIT.7551.001.0005_R).

MS DOYLE: Commissioners, before I turn to the next witness, can I take the opportunity to tender a further supplementary statement of Mr Maxwell Roland Jennings from Telstra Corporation. The supplementary statement pertains to matters relating to Ms Nixon's mobile phone records.

#EXHIBIT 915 - Further Supplementary Statement of Maxwell Roland Jennings, dated 29 April 2010 (WIT.5004.003.0001_R) to (WIT.5004.003.0004_R).

MS DOYLE: I now call Professor David Hayward.

MR DEAN: Mr Chairman, I just wonder if it would be appropriate for the positional paper which has been filed on behalf of the UFU to be tendered. It is to that paper that Professor Hayward's statement or report is annexed.

MS DOYLE: I don't have any difficulty with that. What we would need to do is tender the position paper of the UFU and the bundle of attachments to it. It is at
(UFU.002.001.0001). If I can tender the position paper and all the attachments as one exhibit.

#EXHIBIT 916 - Position Paper on behalf of the United Firefighters Union of Australia in respect of the amalgamation of the fire services in Victoria, dated 14 April 2010 plus 10 attachments (UFU.002.001.0001) to (UFU.002.002.0839).

<DAVID HAYWARD, affirmed and examined:

MS DOYLE: Thank you, Professor Hayward. Your full name is David Hayward?---That's correct.
And you are presently the dean of the school of global studies, social science and planning at RMIT?---That's correct.
Prior to the position you have now, you held the post of dean of business at Swinburne University of Technology from 2004?---That's correct.
You have other appointments. At the moment you are, first of all, a member of the Australian Institute of Company Directors?---Yes.
A member of the Australian Institute of Public Administration?---Yes.
An academic board member of the Australian Institute of Management?---Correct.
And a member of the board of directors of Melbourne Health and chair of its finance committee?---That's correct.
Your CV recounts that your research interests include the fields of urban policy and service provision, with a focus on state governments and housing. Perhaps if you could expand on that a little and inform us as to your areas of expertise and research?---My PhD is a multi-disciplinary degree that involved economics and sociology, looking at the Australian house building industry. From there
I developed an interest in urban policy and took up a position on a board of one of Australia's leading urban policy journals. I have focused on the states because in Australia, unlike many other jurisdictions, the states are crucially involved in the provision of urban services.

And that PhD you obtained from Monash University?---I did.

Your CV, at least that which was able to be obtained from the internet, includes that you have a large number of publications, book chapters, books, journal articles and other conference and seminar papers. Your published work, does that tend to be focused in any particular part of your discipline that your research expertise straddles or is it different areas in which you have published?---It is different areas. So the earlier work tended to be more housing related and the more recent work tends to be more focused on the state governments and state budgets and the financing of policy initiatives at the state level.

Included in your publications are book chapters and journal articles that chart to some extent the progress of the Victorian Labor Party and some aspects of personalities in the party, including some biographies of Mr Bracks?---Correct.

You have also been involved in preparing materials called technical reports for unions, including the Victoria Police and United Firefighters Union?---Correct.

You have prepared a report which is attached to the United Firefighters Union's submission to the Commission. It is technically attachment 9 to that submission, but we will treat it separately and as your report for the purposes of today. That is at (UFU.002.002.0786). That report you jointly authored with Ms Lucy Groenhart?---Correct.
I want to tender it. I want to ask you whether its contents are true and correct and represent your expert opinion?---That's correct.

I seek to separately tender that. I think that's appropriate to now tender it as the statement.


MS DOYLE: In terms of the preparation of this report, when you were retained by the union to prepare it were you posed any particular questions that you were asked to respond to?---The task that we were set was looking at the issue of an efficient provision of fire services for the metropolitan area of Melbourne.

So the brief was that broad? It was the topic of the efficient provision of fire services?---That was meant to be the focus.

Prior to preparing your report, did you read the submission which has been filed by the United Firefighters Union or did that come after your report?---That came after my report. I think it might have been being written simultaneous with the report that I was doing.

I assume, though, you have subsequently read the submission, the position paper and the attachments to it?---I have.

At the back of your report at page 0802 is a list of documents under the title "References". It is the last page of the document. Are those the only documents to which you had regard in preparing this report or were you provided with other briefing or background materials?---No, they are the main materials. Actually we were provided with more material, but it was vastly more than was necessary. So
some of the things were things like powerpoint
presentations that bore no relevance to the research topic
that we had set.

Had you been provided prior to finalising your report with any
materials emanating from this Commission; for example, any
witness statements that have been tendered or any
transcript of the proceedings?---Not before finalising the
submission, no.

Can I take you to the body of the report and I want to work
through with you the matters expressed in it. You say on
the first page of the report, which is page 0787, that the
purpose of the report is to review the evidence in support
of moving to a single firefighting service for Victoria.
So can I ask, Professor Hayward, you identified at the
outset that the scope of the report was one focused on
efficiency. This tends to suggest it started from the
premise that you were to review the evidence in support of
the conclusion; namely, moving to a single firefighting
service?---It was efficiency and effectiveness of the
provision of fire services. That's what the focus was to
begin with. It was intended that we begin by looking at
urban issues, and it spread into a single fire service for
the state of Victoria. I should say that some of the
content of the report was also driven by conversations
that we had at RMIT, because I have a very substantial
planning area within my school, and I think one of my
colleagues has also tendered evidence here at the
Commission. We were discussing issues like urban service
provision and how that relates more generally.

I'm not sure that I understand that. Are you refer to
Mr Buxton?---Michael Buxton, yes.
He has given evidence in the planning under the rubric of the planning topic in the Commission. Are you intending to indicate that part of the material we find in the report is drawn on discussions you had with him?—Indeed.

But if we go back to what in paragraph 1 is identified as the purpose of the report, what I was really putting to you was did you not start this report from the premise that you're investigating what exists in support of or what arguments might be marshalled in support of a single firefighting service?—That's the purpose of the report, yes.

Just above the heading in bold "2" you set out the conclusion, "The report concludes that based on the evidence presented there is a case for expanding professional career based firefighting services to cover the whole of the Melbourne urban area and other major regional centres ... and moving to a single firefighting service for the state." You propose a model with respect to that. Perhaps if we can look at the model. It is most graphically demonstrated by the chart or flowchart that appears in your report at page 800. That will come up on the screen. This is the proposed single fire service model to which your paper is directed?—Yes.

It depicts here one Victorian fire board with two divisions, urban and rural?—Yes.

As I understand the model that's proposed, it envisages that within the urban division it is solely staffed by professional firefighters?—The urban division will predominantly be career based firefighters, yes.

Predominantly? To what proportion or what split?—One of the reasons why we set up the board is that there are
decisions that would need to be made by the board. So the
actual split wouldn't be determined by me but it would be
determined on the basis of indicators of what would be the
most efficient and effective delivery. So, what we
suggest, we suggest in there that the reliance upon
volunteers should be lowered. Some people have suggested
that we implied that the role of volunteers should
completely disappear. That's not what we were intending
to suggest.

I think that's what is suggested by the introductory passages
I just read to you; a case for expanding professional
career based firefighting services to cover the whole of
the Melbourne urban area?---Indeed, which is effectively
happening as we speak, I think, in any case.

Are you suggesting that this model envisages that the urban
division, say after any reasonable transition period to
get it up and running, would still have volunteers within
it?---I think it would be most likely the case that there
would be volunteers continuing to be used; yes.

Do you accept that the report doesn't say anything about
that?---I think what we are trying to do is set up a model
and also set up a governance structure that would enable
that to be determined by that board rather than by us
doing a consultancy project at the beginning of an
exercise.

COMMISSIONER PASCOE: Just for clarity, under that model, so we
are on page 0800, in the middle of the larger paragraph
beneath it there is the sentence, "The urban division
would be staffed by full-time, professional, career based
firefighters." It is just a little bit further down than
what we can see on the screen there?---I think a little
later on we talk about a transition phase that we suggest would be five years. Something as complex as bringing together two organisations is going to take a substantial period of time. So it is a transitioning that would be required.

MS DOYLE: Professor Hayward, after the five years or, as I suggested earlier, any other reasonable transition period required this model envisages the urban division is, just as that sentence says, staffed by a full-time, professional, career based firefighting force. Isn't that what the model is proposing?---Yes, it is what the model is proposing.

And the rural division, it is proposed, will have a mixed character; namely, some career staff and some volunteer staff?---Yes.

Are you able to identify what proportion or split or even how that proportion or split would be determined is to be ascertained under this model?---That would be determined by the board.

The membership of the Victorian fire board would be?---That's a decision that we have left open at this stage about the composition. It would involve professional expertise, but it would also involve people who have an expertise in the delivery of fire services.

Now just so that we understand the model before we go to what are said to be the grounds for it, as newly envisaged, the urban division, what would it encompass that is not presently in the metropolitan fire district? I think that might be best answered by going to the map which is on page 789 of your report. The grey area there shows the current metropolitan fire district in Melbourne, and it is
obviously nestled among the CFA regions around the outside. The CFA regions that border the MFD are regions 8, 13 and 14. But perhaps just using this map as a guide or any other way you can explain it to us, under your model which areas would fall within the urban division that aren't presently marked in grey here?---It is all of the metropolitan part of Melbourne.

Which is what, because I'm just concerned we might all be using different terminology?---It's the boundaries currently specified: greater Dandenong, Knox, Yarra Ranges, Manningham, Nillumbik, Hume, Melton and Wyndham.

So when you refer to those areas there, let's take Knox as an example, you are referring to the current municipal boundary of Knox and you are suggesting that under your model the new urban division will encompass all of Knox?---Yes.

And I think you mentioned Greater Dandenong?---Yes.

Casey?---Yes.

Yarra Ranges?---Yes.

Manningham?---Yes.

And I lost you after that. Is it intended to include Nillumbik?---Yes.

Whittlesea?---Yes.

Hume?---Yes.

Melton?---Yes.

And Wyndham?---Yes.

So it doesn't work by reference to entire CFA regions as such; it works by reference to the municipal boundaries that are closest to the present edge of the MFD?---Yes.

The model, if we return to page 800, just so we understand the entire way that it works, at page 800 it seems to envisage
that the DSE would continue to operate as it does under
that departmental structure, but insofar as it's fire
management division or bushfire division, to use that
terminology, is concerned those professional firefighters
engaged by DSE, the model envisages them still being
employed by the department but turning out under the
auspices of the single fire agency or, in other words,
being commanded and controlled by the agency at which
Victoria fire board sits at the apex?---Yes.

Your further explanation of the model suggests that DSE
firefighters would fall under the command and control of
this single fire service. I think the union submission
takes it a bit further and explains that this will occur
in relation to fires over level 2 complexity. Is that
your understanding of the way that this command and
control model is intended to operate?---Something like
that. We have left it open so that the actual trigger
point is left undefined in our paper.

I'm not sure if you are aware; have you read the response from
the Australian Workers Union in relation to this
proposal?---I have.

You will have noted there that the Australian Workers Union
have a number of concerns, but one of their concerns is
they find it difficult to understand when their members,
professional firefighters employed by the DSE, are to fall
under the command and control of the single fire service
you propose, and they also express some concerns about how
and who determines when a fire progresses from level 2 to
level 3 or 1 to 2 if that be the trigger?---Yes.

Have you got any answer or response or explanation to
that?---The determination of that would be by the
Victorian fire board.

But during a fire? I think that's really the question the AWU is posing. A fire is burning. It seems to be a level 1 fire. It rapidly progresses to being the complexity of a level 3 incident. Under your model a different command and control structure arises. Is the board the kind of entity that can actually on the day indicate a formal handing over of the reins from a DSE incident controller to the Victorian fire board?---That's the intention.

Let's go back to the case for change. At page 790 you deal with some of the matters relevant. I want to take you to the statement at the bottom of page 790 and we will go through the factors one by one in a moment. At the bottom of page 790 you state, "Victoria currently has a fragmented fire service, with three organisations with very different levels of professionalism, SOFC" - which is defined elsewhere in your report as standard of fire cover - "and reporting." So you refer to those three items: professionalism, standard of fire cover and reporting. Then you go on to say, "This creates administrative complexities and costs, and multiple levels of service which affect resident safety and property." I just want to break those down first. When you say that Victoria's fragmented fire service has different levels of professionalism, what aspect of professionalism are you referring to? Are you using that as a synonym for "paid" or as a synonym for "qualified", "skilled" or "competent"?---I think it is really - we are using it in the sense of career and in the broader academic sense about the construction of professions as careers open to talent rather than based on any other basis.
So you are not suggesting there that the CFA as a fire service offers a substandard or a lesser level of professionalism compared with the MFB?---No, indeed not.

So, if it doesn't, then what does that do to that aspect of the case for change? If there is no difference between them, does that become irrelevant to the case for change?---No, sorry, I probably misunderstood what you said there. I have heard people say that people who work for the CFA are doing a professional job, and I don't wish to take issue with that. It is about firefighting as a career and as a profession. That's the sense in which we used it. As I understand the literature around professions, it does talk about the construction of full-time - linked up with full-time occupations linked with clear criteria for entry, usually based around an exam, about achieving senses of competencies and normally being represented by some sort of professional association which has rules of membership and ethical guidance. So it is in that sense that I am using the term.

The CFA has all those things, although of a different order and at times of a different type to the MFB; for example, obviously all its volunteers are required to undergo basic training and advanced training if they want to progress to other roles?---It is a pretty complex organisation, the CFA, with 60,000 members and I think it is something like 30,000-odd that take up auxiliary roles and something like 30,000-odd that have a firefighter front-line role. So it is pretty diverse, and it is intended to be that way to enable a broad range of people to participate.

Let's turn to the second item which is suggested there, the standard of fire cover. This is a little more detailed...
and perhaps to a degree a little more technical. I think it goes back to what you identify in terms of the make-up of these fire services and the way they respond. So if we can go back to the bottom of page 787 where you start to touch on some of these matters relating to standard of fire cover. It is the bottom of page 787. You note there that the MFB is a professional firefighting service, and you give us the stats; about 1,700 full-time firefighters providing a 24-hour service from 47 fire stations. You note that its emergency response role is varied, and you set out some of the types of incidents to which its members respond. You note at the bottom there that the MFB responded to some 35,000-plus calls in 2008/2009. I take the reference there to be something you have drawn from the annual report of the MFB?---Yes.

I just note for the transcript that report is exhibit 856. You then compare that with the CFA over on page 788. It is noted there below this map that the CFA is urban and rural, a mixture of professional and volunteer. We won't rehearse the stats. The evidence has been given about them. In the bottom line there you note that the CFA in 2009 responded to a total of 39,000 calls. You obviously also draw on that from the CFA annual report?---Yes. Which I note is exhibit 855. Have you had a look in terms of that reporting in the CFA annual report to ascertain how many of the CFA's 39,000 or so incidents were on the continuum ranging from a false alarm to a large campaign fire or a fire of sustained duration?---I have looked at those, but I can't recall them without having the paperwork before me.

On the face of it the number of call-outs don't look remarkably
different as bare and raw totals. We have the MFB 35,000, CFA at 39,000. But do you recall from your analysis of those reports that the MFB has quite a high proportion of false alarms, some 40 per cent of its call-outs, and the CFA false alarm call-out rate is about 17 per cent?---I don't recall that, no. But I'm sure that's true.

Stepping back from the figures and just thinking about the type of coverage that the CFA provides and just even thinking about 2009, the summer period, obviously some CFA incidents are going to be fires of long duration requiring a sustained deployment and continual deployment of resources throughout the period of the fire?---Yes.

Would you accept that?---Yes.

Whereas it is difficult to talk about standard type of incident, but if we were to talk about an incident in the MFD, a house fire, it might be likely to endure a number of hours but obviously not weeks?---Could be, yes.

You then move from this to talking about the standard of fire cover at page 789. You talk about the methodology there, the criteria that's used to devise this notion of standard of fire cover. Just looking there at the second sentence that you can see on the screen, the standard of fire cover methodology employs three criteria to measure the cover provided to a town or region: risk classification, the time taken to respond and the most appropriate weight of attack. As your paper goes on, you explain that the MFB is justifiably proud of its - to put it in simple terms, turn-out time - response time under the standard of fire cover model. It has for a number of years now aimed to have the first fire truck at the scene within 7.7 minutes.
and, although it hasn't always achieved that, that remains its goal and it often gets very close to achieving that?---Yes.

The science that underpins this fixing on 7.7 minutes is of course, in the MFB model, very related to what we know about the science of the way in which structures burn and the features of flashover within a house when a house reaches a certain temperature in the room of origin of the fire; it is all based on ensuring that there is a response as quickly as possible after the ignition of a house fire?---Yes.

When one looks at the science of flashover and containing a fire to the room of origin, it has been known and it is now understood that if you can get a truck there within 7.7 minutes you have a much higher capacity to confine a fire to the room of origin?---Yes.

And indeed that's another reporting mechanism that the MFB places a great deal of weight on: its success in containing fires to the room of origin at the point of ignition?---Yes.

Of course all of that is fascinating but doesn't have much to do with a bushfire or fire in grasslands, does it?---No.

When one looks at the quality or the level of success of responding by the CFA, one would expect that it would still take into account time to get to the scene of a fire but would not be so fixed on questions of containing a fire to a very small spot or the science of dealing with a house fire and the practicalities of the way you combat a house fire?---I think what you would probably expect is to see a more detailed breakdown of the types of fire incidents because you have the urban and the rural parts
of the CFA operating simultaneously.

We will come to that division in a moment. But you do suggest in your report that the CFA requires one fire truck with minimum staffing within eight minutes and a second truck within 10 minutes. I think this is at page 790 of your report?---Yes.

If we can just see the third main paragraph on the page there where that is set out, you suggest also that the CFA does not report on their actual performance against the standard of fire cover. The 2009 annual report of the CFA does contain tables that report against the CFA's service delivery standards?---Yes.

Are you aware of that?---Yes.

And have you had regard to those service delivery standards?---If I remember correctly, it has a graph up the front that actually doesn't say what is being measured, but it does have a line across the graph saying this is the particular target that's being aimed at and it reports against that target.

Perhaps if we can go to that page of the CFA 2009 report. It is exhibit 855 and the page is (TEN.205.001.0023). It is figure 4. Is that the chart you are referring to?---It is.

So this shows the statewide service delivery compliance through to the period reported there. It shows the percentage of occasions on which the CFA has met its own standards. I have had look, as you probably have at this report. The report itself doesn't contain the set of statewide service delivery standards; is that the point you are making?---Yes.

Commissioners, I have made inquiries with the State and we have
obtained a copy of the statewide service delivery standards just today. At the conclusion of this witness's evidence I will seek to tender them. Those standards do indicate, Professor Hayward, that the CFA service delivery standard for responding to a fire in a medium urban area is eight minutes, low urban area is 10 minutes, rural is 20 minutes and so on; there is a cascading series of service standard delivery criteria that they are intended to meet. Given that the standard for a low urban area is eight minutes, that's not very different from the MFB standard of 7.7 minutes. I'm just wondering what point you are making about the standard of fire cover differences?---I think it is probably two points, one which isn't directly said in the report, but it was interesting trying to get comparable figures so that we could make a clear and unambiguous comparison of how one fire service compared versus another one. There is a difference in the standards of the annual reports going back some time. The second issue is that I'm pretty sure that there is literature that talks about an expected longer time for volunteers to get to a fire service by virtue of not being present at the fire brigade at the time the fire is called. So there can be a time to respond. So you would expect there to be an extra minute. So you are making a not unreasonable call for some consistency in reporting, content and standard so that we can compare apples with apples?---Indeed.

I think the gist of what you are saying in this part of your report is we want to compare the standard of fire cover or, in other words, the level of success that these two fire services are generating when they attempt to suppress
fires?---Yes.

I understand that. But even in doing that, of course, one would expect there to be different criteria for success and different standards for success when comparing a structure fire with a grass fire let alone a forest fire?---Sure. If I could just add another point which will probably come up later. One of the issues that we have raised in underpinning the report is the urban growth of the next 30 years. Importantly over time what will happen is you will see places like Officer which will take on a form not unlike some of the inner city parts of metropolitan Melbourne with new medium density structures, and the requirements for firefighters is going to be very different to what is required right now with a population of just a few thousand.

I understand that. So if I have understood your point entirely what you are saying is you want accountability?---Yes.

But I think you also accept that that accountability has to be contextualised?---Yes.

So, if one is looking at response to bushfires, you would want to compare the response of the MFB and the CFA to bushfires?---Yes.

If you are looking at structure fires, you would want to compare the response of each to a structure fire?---Yes.

That would obviously be useful. Are you aware at this stage of any examples of CFA responding to a structure fire in a CFA region and not doing as well as an MFB crew if they were tasked to respond to that fire or indeed if they were travelling to the same fire? Are there particular examples like that?---I can't give you specific examples, no.
If we can turn it around the other way, under your proposed model some of the fires that burnt on 7 February would be covered by your new single fire service. I will give you three examples. Narre Warren North would obviously be captured by the new urban division?---Yes.

As would Upper Ferntree Gully?---Yes.

Because of the points you make about large regional cities, so would Bendigo?---Yes.

They are three places where fires burnt on 7 February. The fires were handled by the CFA with the caveat that MFB crew also attended the Narre Warren North fire?---Sure.

Are you aware of any modelling or analysis that's been done to indicate that the MFB, using them as a proxy for your new urban division, would have done better on those three fires?---No, I do not have any specific evidence that relates to those fires.

Also when we look at success, I touched on one of the determinants of success that the MFB focuses on, and that is containment of the fire to the room of origin. It sounds technical, but that is a proxy for the fact that that is how you keep down the structural damage and the cost, and no doubt it is also one of the ways that you might minimise the serious risk to life that is posed by structure fires?---Yes.

Stepping away from structure fires, what are the sorts of determinants of success when you are looking at combating a bushfire? A fire, for example, might be contained to grassland but do vast amounts of damage in terms of the hectares burned. It might also engulf structures, including vulnerable structures in which people are living or attempting to defend the property. Have you given some
thought to what are the best determinants of success when you are talking about combating bushfires?---No, I haven't.

This is not a technical suggestion, but surely it would also include things like how much property is lost and damaged and the cost of it?---Sure.

How much life is lost?---Sure.

Which is incalculable, on one view?---(Witness nods.)

You might also look at number of hectares burnt just as a raw measure, I would assume?---Sure.

You might also look at bang for your buck, by which I mean how much you have to spend in trying to suppress a bushfire to get particular levels of results or to contain the fire to a particular number of hectares?---Sure.

You accept that those might all be good indicators taken together or taken individually?---Yes.

Have you done any analysis of how the CFA comes out using any of those measures, how its performance might be judged under those criteria?---No.

This is only a raw measure, but have you for example looked at how many lives are lost in structure fires for which the MFB are responsible compared with bushfires that engulf homes that the CFA is responsible for?---No.

Now I want to ask you about the other matter at the bottom of page 790 of your report. We have talked about professionalism, standard of fire cover and reporting. What you suggest in the last line there is that these things create administrative complexities and costs. Can you just identify for us the administrative complexities and cost caused by those three items: professionalism, standard of fire cover and reporting?---No, what I was
The one referring to in that paragraph was the kind of
sentiment that came through from the 1982 public bodies
review committee report into the fire services, the one
that recommended the --

The one attached to the union submission, yes?---Which pretty
much used very similar terms; talked about a fragmented
fire service. I think it estimated the efficiencies from
a merged single service of something like $1.3 million a
year, and that was in 1982 dollars.

Where do the efficiencies come from? For example, under your
model will we have fewer fire stations than we do at
present or would we have the same number of fire stations
just staffed differently?---What's referred to in that
particular report is a sharing of headquarters, of
administration. They talk about economies of scale in the
purchase of equipment, they talk about economies from the
purchase of similar clothing, insignia. I think they are
the key economies that they talk about and estimate.

But you would still need under your proposal an HR model which
enables both the urban division to have sufficient
managers and administrative staff and the rural division
to have sufficient administrative staff and HR
infrastructure?---Yes.

So have you done any analysis as to how many positions, whether
they be middle management, admin or whatever they are, how
many we would lose or save by going to your model?---No.
The only thing that is by implication is that there is
work that has been done, not I believe recently in
Victoria, that can work out the efficiencies that can be
gained by relocating, for example, a particular fire
station from one point to another point; so what would be
the overall cost, what would be the overall benefits.

But under your model why would we be relocating any stations?

If we just take one example, there is a fire station in

Dandenong and there is one in Springvale. They are

presently both integrated stations with career and

volunteer staff. Under your model that staffing regime

changes; they all become professional. But we wouldn't

move the station, would we?---That would be up to the

board to work out the criteria on which they

identify - that you would locate the fire services and

also for them to be manned.

The Victorian fire board under this model has some very

important roles to perform then. You are not able to shed

any light on the type of person or the profession or

firefighting service they would be drawn from?---Look,

I guess there are two broad models that you could look at.

One would be one where it was staffed by people who had a

career in the fire service. An alternative would be that

you look to professional directors. Then you have a

midway point where you might have mostly people who have

qualifications in management or finance, HR, whatever it

might be as a general management background together with

one or two people who have expertise in the fire service,

in much the same way that the current hospital boards are

configured.

They would have to have that expertise in the fire service,

wouldn't they, if they are going to be delving into

complex matters like standard of fire cover but also being

able to rapidly identify whether a fire itself has

progressed from level 1 to 2 or 2 to 3?---They would have

to have some expertise. But in the same way that the
hospital boards at the moment are predominantly dominated by non-clinicians, the same issues obtain where decisions have to be made regularly about performance and strategic issues.

One of the other cost savings you identified in passing there was uniforms and insignia. It is the case, though, isn't it, you need different protective gear to fight a structure fire compared with a grass fire?---I imagine so.

And that won't change. A firefighter under your new model, even if they be a firefighter who one day might fight a structure fire and one day might fight a grass fire, might have to take different gear with them, different apparatus with them or drive a different truck because, for example, MFB's trucks are not four-wheel-drive?---Could well be. I was actually referring to the report that was written in 1982 and its findings on what the cost savings would be. Because protective gear I think for the members of the MFB has moved on a lot since 1982?---Sure.

Just focusing on cost still for a moment, there are a number of matters identified in the union's submission at paragraph 8. I might ask you to look at that. The submission at page (UFU.002.001.0004) contains a list of inefficiencies that it said have resulted from having multiple agencies dealing with fire in Victoria. I preface it by saying in this context they seem to be including the DSE. This is paragraph 8, page 0004. Do you see there, paragraph 8, "The existence of multiple agencies (including the DSE) responsible for the suppression and response has resulted in the following inefficiencies: duplication of costs" and then they cascade through. I assume you have seen this paragraph before?---Yes.
Funding arrangements, approaches to training, uniforms, safety equipment; and then over the page, equipment duplication and incompatibility. Just pausing there, that's the current reality, isn't it? Even now when the MFB travel out of their area they can encounter these difficulties; incompatibility of hoses and couplings and the inability to use their equipment to draw on water supplies?---I believe so.

Then there is an issue about terminology, command and control duplication, communications duplication, the need for complex memoranda of understanding. I might just stop there. The memoranda of understanding, one example is of course the mutual aid agreement between the MFB and the CFA?---Yes.

Have you had the opportunity to read either the statement of or the transcript of evidence of Mr Murphy when he gave evidence in these proceedings last year?---No.

He gave evidence that that mutual aid agreement works well, has been operating well and in fact it was under the auspices of that agreement that MFB crew stepped up on 7 February. He was complimentary about the way it works and said that it works in practice. Do you have any information to the contrary?---No.

Then cultural differences are referred to, and irrelevant and outdated territorial boundaries are referred to. Paragraph 9 suggests these inefficiencies, presumably the ones listed above, have resulted in systemic failures leading to the loss of life and property. Can you identify occasions on which or even types of events during which items A to L have led to loss of life and property?---No.
Are there any other administrative savings or administrative duplications to which you point in your report in terms of justifying the case for moving to a single fire service?---No, I think they have been outlined fully.

At page 799 you make the point that there is a misconception about volunteers being completely cost free. This is in the paragraph that starts on page 799, "There is a body of academic literature"?---Yes.

It is page 799, and it is the third paragraph down on that page?---Yes, I'm familiar with the section.

This is a body of literature which reminds people, I suppose, that it might be easy to think about volunteers as being completely free because you don't have to pay for their labour, but that you must always take into account the infrastructure that supports them; so in simple terms that is the stations they turn out from, the trucks they use, the uniforms they wear; but of course the paid staff that work with them, support them, roster them all, of that kind of add-on that needs to be taken into account?---I think it is also recruitment, retention and importantly training.

Have you done a costing or do any of these studies shed any light on approximately how many paid staff you need, let's assume in the CFA as presently constituted, per volunteer to ensure they are recruited, retained for service, rostered and trained?---No. The best that we could find was the Brundley and Duncombe report, which is mistakenly referred to as the 2002 research paper that was written. It was actually published in 1992. But what they attempted to do was to estimate what would be the costs of having a volunteer fire service and what would happen if
you increased the costs because you had difficulty recruiting or you had training challenges, whatever it might be, and at what point would it become more efficient to have a fully paid fire service. In that particular study, like a number of others, the research that they're quoting is that the cost of volunteers is the delay in responding to a fire incident. So there is an inefficiency cost.

But what about the cost of loss of volunteers? Can we just talk about what would happen within the urban division as envisaged by your model. Even allowing for a five-year transitional or phase-in period, it necessarily contemplates that all of the municipalities you referred to, Greater Dandenong, Knox, Yarra Ranges et cetera, would be covered by a professional firefighting force, although during your evidence you have suggested that the board would retain some capacity to supplement that with volunteers?---I think it would be very important to have that, and I think it would be important in a model like this to appreciate that there would need to be some pragmatism. There wouldn't be a great deal of point in thinking that you would get rid of or see the need to get rid of all volunteers from that urban division. I don't think that that would necessarily be wise or necessary.

So, in terms of the costs of seeing fewer volunteers, it would depend on what you are replacing them with. So that research report that I have just referred to suggests that at a particular point it could actually be cheaper to have a paid fire service rather than have a largely volunteer service.

Isn't that exactly what we need to grapple with?---It is.
If we assume there is to be a move to one fire service and
assume that it offers some at the moment unquantified
benefits by virtue of streamlining - let's take as read
all the factors that you and the union have put forward,
stuff to do with uniforms, admin, insignia, hose couplings
- assume that that delivers X dollars of savings, in order
to know whether you come out ahead after the amalgamation
you need to know what that needs to be offset against, and
that needs to be offset against providing an adequate
standard of fire cover to the communities that were
previously serviced at least in part by the CFA?---Yes.
That has to be the end point, doesn't it? We don't want to
leave these communities with any less
coverage?---Certainly.
That being the case and given that your model proposes an urban
division to deal with the municipalities we have just
spoken about, can we take one as an example: Greater
Dandenong. It falls within CFA region 8 at the moment.
It just has a tiny corner that falls within the
metropolitan fire district, but all of the rest of that
municipality is CFA and, as it happens, within region 8.
Now, that region, CFA region 8, presently has 3,274
volunteers. Now, we can't with any specificity ascertain
how many of them live right in close to the MFD and how
many are in further-flung parts of the region. But, even
if we assume that they are evenly spread - it is a false
assumption - but evenly spread across region 8, how many
of the 3,274 do you say would go under your model?---Can
I say that one of the other extra qualifications is that
I understood that not all of the volunteers that are
listed are active or there is an uncertainty about the
percentage. I think some of the evidence that may have been tendered today talks about that.

Let's assume that that split is even in region 8, that it is about 50 per cent as it is across the state. So, of 1,600 and so volunteers who are active, how many of those would no longer be required?---I think that would really be up to the board to try and work out what those determinations would be, and bearing in mind what we are trying to do is look not just now but into the future. So, over the next 30 years you can expect Dandenong to change fundamentally, become much more like an established, middle ring part of the metropolitan area and in many ways it already is.

I think what we should be thinking about is what are the skill sets that are required to provide an adequate fire service for that area, rather than how many extra or how fewer volunteer firefighters would there need to be.

The type of skills that are likely to be required now and into the future for Greater Dandenong are very likely to be a mix of people skilled in fighting structure fires and bushfires?---That really depends on the nature of Dandenong's future development, I think, as I said, over the next 30 years, with the state government's policy of increasing densities.

Can I take you to a map that we have prepared. It is at (DOC.CFA.002.0001_M1). The map is coming up on the screen. I'm going to have you given a hard copy as well. Just one quirk about your hard copy, Professor Hayward. It is just being explained to you it had an error on it. It had the numbers 13 and 8 transposed incorrectly. I'm looking down in the bottom right-hand corner of this map near Greater Dandenong and we will need to have that
expanded a little so we can see it better. Your map of
Greater Dandenong will in error say region 13 but it is
region 8. The evidence that's been given this morning by
Mr de Man establishes matters including the following:
First of all, across CFA region 8, as I have already
pointed out to you, there are 3,274 volunteers and we have
made some assumptions about how many might be active or
not. If it is not going to work I will just ask you to
look at your hard copy, then. Within the Greater
Dandenong area, see those red stars, those are CFA
stations?---Yes.
And Springvale and Dandenong are shown on the map?---Yes.
Do you see those fire stations there? The evidence of Mr de
Man is that both of those are integrated fire stations,
which in CFA parlance means Springvale has 15 career
firefighters and 32 volunteers making up its brigade and
Dandenong has 43 career firefighters and 31 volunteers
making up its brigade. Just while we have it there, you
can also see that tiny triangle at the top of Greater
Dandenong falls within the MFD, that little grey area at
the top?---Yes.
You would also know that the mutual aid arrangement means that
to a kilometre, give or take, either side of the grey
divide, strictly speaking, both fire services turn out to
each other's emergencies. So the MFB regularly travel
over the grey line into Greater Dandenong and vice versa.
You understand that to be the effect of the mutual aid
arrangement?---Yes.
We already have there integrated stations right near the
metropolitan fire district which have career and volunteer
firefighters, we have the rest of the region covered by
volunteers and we have the MFB offering support by travelling over the border when it needs to. What about this suggests a need to move to a single fire service? What I'm suggesting to you is Greater Dandenong is being covered and adequately covered by the two fire services and the two types of firefighters who already service the city?---I think, to come back to what I said before, I think you are going to see Dandenong change considerably in its complexion over the next 25 or 30 years. I think if you have a look at the history of those particular fire brigades, you will see the composition of them has changed significantly over that time period. So the proportion of staff who are career based has increased and I would expect that that would happen under whatever system obtained into the future. So, in a sense the model is being put into effect by virtue of the decisions that are being taken now, but it seems to me that they are not being based on a clear set of criteria. So at what point does the CFA decide that it requires to have additional career based firefighters and at what point does it decide that it doesn't require them any more, for example.

Can I suggest to you one criteria for even asking the question "Do we need to change the model" might be: is the standard of fire cover to residents of Greater Dandenong inadequate, either with respect to structure or grass fires?---The assumption that I'm making is that over time the need to have career based firefighters in that area is going to increase quite considerably.

Why is that?---Because Dandenong has been identified as one of the key district centres under the state government's policy, so it is intending for it to become effectively
like a CBD. So the skills that will be required will change dramatically.

I take it from what you are saying now that the skills that will be required will be as follows: there will be more likely a need to respond to a structure fire than a grass fire. Is that the simple point you are making?---Yes.

What is it about either being career or volunteer in terms of your status as a firefighter that renders you more or less able to do that?---Again, I understood that the research showed that volunteers by virtue of having other occupations, other jobs, other tasks to do, take longer to get to a fire than do the career based firefighters.

I also understood the literature had talked about the increasing complexity of fires and the fire settings because of things like climate change, and also because of the complexity of the multi-unit dwellings that we are seeing, and multi-storey dwellings, on a scale we haven't seen before.

Yes, but I asked you earlier whether you were aware of any particular examples or types of incidents in which it has been demonstrated that the CFA does not do as well as the MFB in turning out to them, and let's stick to the City of Greater Dandenong?---I cannot give you any specific examples, no.

This all began because I was asking you about how we cost the solutions. So if the solution is moving to the single fire service with its urban and rural division, we need to know what it will cost to provide the kind of standard of fire cover, the kind of service the people of Greater Dandenong or Nillumbik need, and therefore that's going to be driven by things like the mix, how many structures are
there, what the topography is, the risk profile for
bushfire. You would accept those sorts of things would be
relevant?---Yes.

Once we do that, one would then need to work out if there is a
need to replace volunteers at a station. Let's take
Eltham as an example. The Eltham station is right at the
edge of Nillumbik, not far from the edge of the MFD. This
is further up the map. You will probably see it on your
hard copy?---Yes.

Eltham is also an integrated station. It has 14 career
firefighters and 39 volunteers. For argument's sake, say
your model was accepted and the board determined that
Eltham should be a career firefighting station because it
is essentially now a suburb. We need to know what it will
cost to replace those 39 volunteers and/or to give the
right level of standard of fire coverage to the people of
Eltham?---Yes.

I suppose there are a number of ways of doing that. Mr de Man
this morning spoke of a 1998 article by Hourigan which
gave us a global figure, and this is quite an old figure,
1998-99, that 669,200 hours of work were done by CFA
volunteers turning out to incidents in that year. If you
wanted to cost your model for the whole state, I suppose
replacing that number of hours with paid staff might be
one raw measure; would you accept that?---Could you just
tell me what that measure was again?

669,000 hours of work done by volunteers in turning out to
incidents?---Right.

So I'm taking out the other sort of work that is done. That
would be one statewide broad measure?---Yes.

Another measure I suppose would be to work out how many more
fire stations you would need to build or man for the
purpose of maintaining the appropriate level of coverage;
would you accept that?---Just run that past me again, that
last measure.
I'm just trying to find a measure for comparison. One might be
how many more paid firefighters do we need to run your
model?---Right.
Okay?---Yes.
If we are going to do that, the way that we would need to
approach that is by reference to the applicable industrial
arrangements?---Right. So you are assuming that you would
go immediately from one to another, you would go from what
is at the moment ---
Not making any assumptions, Professor Hayward; reading your
paper, seeing what it calls for and just trying to help
cost it?---But I thought I had already made it clear
I wouldn't expect to go from one to another one
immediately. I'm trying to be clear about the question
you are asking me. So you are saying you are going from
one system at the moment to another one, so you are
assuming you are going from a complete volunteer setup and
you are trying to work out what that would cost to them to
go to a fully paid service.
Yes, within your urban division?---Right.
I accept that you understand there will be a transitional
period, but if someone is going to make a decision about
this they need to know the ballpark costs, right?---Yes.
What I'm suggesting to you is, if we stick with Eltham as a
simple example, it has 14 career staff at its station and
39 volunteers. Say in order to provide the same level of
coverage we need to staff up, let's just say, by 20
firefighters, because we will take it as read that some of those 39 probably aren't active all the time, some of them may not have been putting in many hours in any event; all right?---(Witness nods.)

So there are a number of assumptions here. But say we need to increase the number of paid firefighters at Eltham by 20. I'm not suggesting that's the correct figure or the figure the board would devise, just trying to find a way to cost this out. What I suggested to you was that that would need to be done by reference to the current industrial agreement which tells us what those 20 firefighters would be entitled to be paid and what their conditions would be?---Yes.

We would assume, wouldn't we, that in moving to this model one would go to the highest common denominator in terms of industrial benefits. You would go to the best industrial agreement on offer?---Are you talking about the one that's available at the moment?

Yes?---Yes, sure.

Now, under that regime, the new paid firefighters who are engaged would have to be paid pursuant to that certified agreement?---Right.

And they would also work the roster that is offered by that certified agreement?---Right.

And you have some familiarity with that, I assume, from your earlier work for the union?---A little bit, yes.

Perhaps the easiest way is I might get this put up on the screen for you. You may not have seen the roster for 2009, but have you seen a similar document for earlier years?---No.

Well, it's just a pictorial representation of the way the
roster mix works. You no doubt understand that the MFB is comprised of four platoons, A, B, C and D?---Yes.

And Mr Murphy when he gave evidence said we should also understand there is a notional E platoon. The fifth platoon is comprised of those on other kinds of leave, for example long-service leave, leave by reason of injury, family leave, scheduled annual leave and the like. He said there were about 316 firefighters in each platoon and that the way the roster works, and this is demonstrated in the certified agreement, is that a firefighter works two days on, two nights on, four days off. Do you understand that basic rubric?---Yes.

And as has been mentioned earlier in evidence today, the day shifts are 10 hours long, the night shifts are 14 hours long?---Yes.

You no doubt also know that during the night shift firefighters under this certified agreement have rest and recline time between 11 pm and 7 am?---Right.

You weren't aware of that?---No, I don't know the details of the certified agreement so I'm taking what you are saying as correct.

So this is the type of roster that would need to be staffed. So, if we were replacing our 20 paid firefighters in Eltham, we would have to understand that the level of coverage that you could offer is affected by this regime which requires that people are rostered the two days on, the two nights and four days off?---Yes.

Now, I'm not an HR expert, but that obviously means that even when you are trying to man up by 20 you obviously need a lot more than 20 people to give this sort of coverage?---Yes.
One of the witnesses this afternoon suggested it might be a ratio as high as five to one; five people are needed to cover a firefighter being on call 24 hours a day. Is this an area you have looked at?---I haven't done those ratios, no, but I will accept that that's the ratio.

So do you accept, then, that even just using cost, even just focusing on cost, which is of course one element of efficiency, we would need to know the answers to all of these sorts of things in order to work out whether we are getting anything in this trade-off?---Yes, sure.

Commissioners, I note the time. I have at least 15 minutes to go and I assume that there are others who have questions of Professor Hayward. We are having timetabling difficulties. Apparently the option that's being proposed to me is that if we don't finish Professor Hayward today we would have to hold him over to Wednesday morning rather than tomorrow because of the full timetable. Professor Hayward, are you available to continue your evidence Wednesday morning?---I will have to look in my diary, if you don't mind. Yes, I'm available Wednesday.

Perhaps we will liaise with you after today's proceedings to figure out the best time for Professor Hayward to attend. Otherwise I think we will be really pushing it this evening.

CHAIRMAN: I think that's right. If it could be contemplated that it could be done in a relatively short space of time, it would be worthwhile staying on, but given the uncertainties I think it best to call it a day at this stage.

<(THE WITNESS WITHDREW)>

ADJOURNED UNTIL TUESDAY 4 MAY 2010 AT 9.30 AM