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TRANSCRIPT OF PROCEEDINGS

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*The attached transcript, while an accurate recording of evidence given in the course of the hearing day, is not proofread prior to circulation and thus may contain minor errors.*

2009 VICTORIAN BUSHFIRES ROYAL COMMISSION

MELBOURNE

THURSDAY 26 NOVEMBER 2009

(86th day of hearing)

BEFORE:

THE HONOURABLE B. TEAGUE AO - Chairman

MR R. MCLEOD AM - Commissioner

MS S. PASCOE AM - Commissioner

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

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

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

20 The witnesses who will be called today will speak  
21 to matters relevant to the meaning and implementation of  
22 those two recommendations, but also more generally about  
23 the matters of training, accrediting and endorsing level 3  
24 incident controllers, the question of how many level 3  
25 incident controllers there were available in Victoria in  
26 February, but also what efforts have been made to increase  
27 that number for the next five season and into the future.  
28 They will give evidence about changes that have been made  
29 to the system for ensuring that there are sufficient  
30 numbers of incident management team personnel available in  
31 the right places at the right times on days of high fire

1 risk. They will also attest to steps that have been taken  
2 in relation to resourcing and upgrading the physical  
3 incident control centres located around the state.

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

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

20 #EXHIBIT 546 - Report of the investigation and inquests into a  
21 wildfire and the deaths of five firefighters at Linton on  
22 2 December 1998 (TEN.132.001.0001).

23 MS DOYLE: In terms of mechanics, I need to indicate that  
24 during last week counsel assisting were notified that the  
25 first two witnesses wished to speak to a PowerPoint  
26 presentation as part of their evidence. I didn't have the  
27 opportunity to see the slides that comprise that  
28 presentation until last night and obviously haven't had  
29 the benefit of seeing it performed. What we would invite  
30 Mr Haynes to do is, at an appropriate point in his  
31 evidence, and it will be early on, I will invite him to

1 present the presentation. I should note, though, that it  
2 is in part repetitive of his statement, and today, as with  
3 all of this week, we have some time constraints and I will  
4 just where necessary ask Mr Haynes to either skip  
5 particular slides or perhaps summarise matters. But, as  
6 I say, I haven't had the benefit of the full presentation  
7 and so go into this not knowing quite how long it might  
8 take.

9 First, then, I call to give evidence Mr John  
10 Haynes.

11 <JOHN CHARLES HAYNES, recalled:

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

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

19 This is the statement that starts at witness page  
20 (WIT.3004.023.0011). I understand there are some  
21 corrections you wish to make to this statement dated  
22 19 November?---Yes, please.

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

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

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

30 The next correction?---Paragraph 5.1.3, first line, a comma  
31 after "ensure".

1 Yes?---Paragraph 7, I think it is a deletion because it is in  
2 another paragraph so it is a double up.  
3 You want the whole of paragraph 7 to come out?---Yes, please.  
4 Certainly?---Paragraph 11, first line, "Major fire events fall  
5 into two broad categories" and insert "relatively",  
6 "relatively slow moving".  
7 Yes?---And the second line, "Historically", can we insert  
8 "many". "Historically, many major fires have been  
9 so-called 'campaign' fires."  
10 Yes?---The next one, paragraph 79, the second line which starts  
11 "This training is delivered by CFA career instructors".  
12 Yes?---Could we replace "as well as" and put a comma after  
13 "instructors" - - -  
14 Yes?---And then "sessional instructors and volunteer  
15 instructors", so delete "who are predominantly  
16 volunteers". So, it reads "This training is delivered by  
17 CFA career instructors, sessional instructors and  
18 volunteer instructors."  
19 Yes, I understand?---And the final amendment, at paragraph 186,  
20 it is in relation to the state command and control  
21 arrangements for bushfire.  
22 Yes?---If you want to delete the last line, "At the time of  
23 preparing this statement I understand that the chief  
24 officer of MFB has not yet signed". That is still a  
25 correct statement, but the "I am informed that this will  
26 occur shortly", I assume it would have happened by now, so  
27 if we just delete that line. That's it for me, thank you.  
28 In that context, since you have provided your statement I have  
29 been given a document titled "State command and control  
30 arrangements for bushfire in Victoria" and this is a  
31 document that start as at (CFA.001.032.0300). Do I take

1 it from what you have just indicated, Mr Haynes, the  
2 document is ready but has not yet been signed by all the  
3 relevant parties?---That's correct, Ms Doyle, yes, still  
4 in draft form.

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

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

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

23 I tender those documents as a bundle.

24 #EXHIBIT 547 - Witness statement of John Charles Haynes  
25 (WIT.3004.023.0011) and annexures. Document titled "State  
26 command and control arrangements for bushfire in Victoria"  
27 (CFA.001.032.0300). Revised standard operating procedures  
28 J2.03 and J3.08 (CFA.001.032.0329) to (CFA.001.032.0337).  
29 PowerPoint presentation. Partnership guidelines between  
30 the CFA and DSE dated 2006 (CFA.300.040.0007). Heads of  
31 agreement between CFA and DSE (CFA.300.040.0004).

1 MS DOYLE: We noted at the outset, Mr Haynes, you are a deputy  
2 chief officer. Your full title is deputy chief officer  
3 operations and planning. You explained when you gave  
4 evidence on the last occasion in these hearings that your  
5 responsibilities include planning for the CFA's future  
6 infrastructure needs, including its incident control  
7 centres?---That's correct.

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

13 You mention in your statement, and it is annexure 1, the  
14 bushfire preparedness program. Perhaps if we can just  
15 look at that for a moment. That chart appears at page  
16 0067 to your statement. Before we go to the specifics of  
17 training, perhaps if we can orientate ourselves by looking  
18 at the programs that are being unveiled. We will just  
19 wait until that's spun around. If I understand this  
20 correctly, the different coloured boxes indicate which  
21 agency has carriage of these 47 projects?---That is  
22 correct.

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

25 We see some areas where of course the CFA would have a great  
26 deal of input, one would imagine. If we look at the DSE  
27 projects in the top left-hand box, there is reference to  
28 an enhanced IECC, preformed IMTs, pre-established ICCs.  
29 There are various project officers from the DSE listed  
30 there, but I assume that liaison is undertaken, as is  
31 indicated there, with senior officers from the

1 CFA?---That's correct, Ms Doyle. People are responsible  
2 for managing the project as such, but a lot of liaison  
3 work happens at a senior level.

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

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

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

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

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

30 You say in paragraph 3 of your statement that these bushfire  
31 preparedness programs are 75 per cent complete. Is that a



1 figure that applies to the whole suite of projects or were  
2 you just referring there to the CFA projects?---My  
3 understanding for the information given to me on that was  
4 that some are fully complete or nearing completion and  
5 some are still in work in progress, so the overall  
6 bushfire preparedness program, 75 per cent complete.

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

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

29 As you have noted and I have noted, we will go into that in  
30 detail. But what I'm just putting to you at this stage in  
31 terms of timeframes is that that element of the work

1 that's being done now is nowhere near completion because  
2 the packages that will support common endorsement or  
3 accreditation regimes across the agencies haven't been  
4 drafted and aren't expected to be finished until  
5 June 2011?---I think you are a little bit confused. The  
6 bushfire preparedness program is a program that deals with  
7 one issue, with preformed incident management teams. It  
8 will take into account some of that training issue, but  
9 I don't think it is going to be the whole total focus of  
10 that preformed IMT project.

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

17 Mr Haynes, I had intended to take you to the notion of  
18 endorsement and deal with training in some detail. That's  
19 not a matter that's dealt with in as much detail in your  
20 PowerPoint presentation, so it may be just as well if you  
21 present the slides you wish to present now and then I will  
22 move to that topic of training. Can I just indicate to  
23 you that, insofar as the presentation replicates matters  
24 in your statement, there is no need to dwell on them or  
25 repeat them as they will be explored through the  
26 examination today. If there are any particular points  
27 where clarification is needed, I will ask you to pause and  
28 I will invite you to explain further?---Okay. Thank you.  
29 Firstly, the purpose of what we are trying to do today  
30 with the PowerPoint is to inform the Royal Commission  
31 about the joint CFA/DSE positions relating to new

1 arrangements in place, so looking forward to the future  
2 for staffing, training and resourcing of IMTs, incident  
3 management teams, and incident control centres for the  
4 current fire season and the future fire seasons. The  
5 other issues related to the letter from the Commission  
6 actually in my statement as is.

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

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

25 Just a bit of an overview of the bushfire  
26 preparedness program. It contains a number of initiatives  
27 aimed at boosting the state's firefighting capacity. It  
28 commenced in June 2009 as a government initiative. The  
29 reason why it came out before the interim report was to  
30 give us some time to actually start to implement some new  
31 processes. It involves the Department of Justice, DSE,

1 the Department of Education and Early Childhood  
2 Development, Primary Industries and DHS; and CFA reports  
3 through the DOJ line, DSE fire reports through DSE, and  
4 the ultimate report via the state coordination management  
5 committee, which is the secretaries of departments, to  
6 ministers.

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

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

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

1 for bushfire in Victoria"?---That is correct.

2 Under that model the CFA and the DSE will implement a structure

3 which has some new aspects to it, principally the

4 introduction of a position known as area of operations

5 controller?---As one of the positions, that's correct.

6 All right. If you just want to explain how that will

7 work?---Can I explain that as part of the PowerPoint in

8 more detail?

9 Yes, certainly?---The other thing we have done in progress to

10 date is minimum standards for level 3 incident control

11 centre infrastructure. The main difference there from

12 last year is agreed on a personnel level at level 3, so 30

13 personnel for a level 3 IMT. Previously it was 14 in our

14 documentation.

15 Can I just stop you there and ask about that. On the basis of

16 what material or evidence has the view been formed that

17 the minimum number of incident management team personnel

18 required should expand from 14 to 30? What is it about the

19 last fire season which has inspired that change?---The

20 main issue for us of course is command and control at the

21 incident level, but also community warnings and

22 information flow. What we have done is between myself and

23 Mr Slijepcevic have put up that these would be the minimum

24 required to meet that need, and the chief officer's signed

25 that off.

26 Does that involve a view having been reached that one of the

27 difficulties on 7 February in the example of issuing

28 warnings to the community was a deficit in personnel

29 number?---It is not a deficit in personnel number, it is

30 about where they are actually located. Our analysis, we

31 have enough personnel and have actually increased the

1 number of information officers previous season. It is  
2 about where they are located and how we can get them there  
3 in a timely manner. I think that's the issue from last  
4 year.

5 Perhaps we will go to that in more detail when we come to this  
6 topic when it is addressed in your statement. But of the  
7 30 personnel, how many are intended to be devoted to the  
8 task of ensuring warnings get to the community?---If I can  
9 get you to go to the joint SOP, J2.03 from memory,  
10 I think.

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

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

23 Then it is version 0329, page (CFA.001.032.0329), November  
24 2009. There was an earlier version of this standard  
25 operating procedure. This is the new one going forward.  
26 There is a list on page 331 of the numbers of people who  
27 would comprise a full IMT. If you move down that page,  
28 "Full IMT, the following positions" and I think that  
29 numbers about 30. So, if we look at that list, first of  
30 all can you confirm for me this is the list of positions  
31 that you have identified would need to be in place for a

1 full IMT?---That's correct, yes.

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

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

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

24 Can I just ask you perhaps in that context an example. If you  
25 look at the logistics section, there is a logistics  
26 officer, catering, facilities, finance, supply.  
27 Presumably in a fast moving fire where all the damage  
28 might be done in four or five hours, there won't be a need  
29 to wait until the catering or finance or logistics  
30 officers turn up before one can start managing the fire,  
31 will there?---Correct. Can I take you back to the top of

1 the page, and the PowerPoint will explain it in greater  
2 detail, but a core IMT of eight, if you look at that.

3 Yes?---Controller, operations officer, radio operator, planning  
4 officer, situation resources, information and logistics is  
5 our fast running fire minimum, if you like. I can explain  
6 in greater detail why that's the case, but it is about  
7 output of that team. The outputs you really want out of  
8 the team in the first hour or so is an initial fire  
9 prediction map showing its potential and we have improved  
10 that this year as well; we have new EIMS mapping systems  
11 in which makes it easier to draw maps quickly and to share  
12 them statewide at a push of the button. Advice to the  
13 community via "One source one message"; that's the other  
14 thing we want that small team to do.

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

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

27 That helps orientate us in terms of why there are those numbers  
28 required and at what stage they might be required.

29 Perhaps if we return to your PowerPoint presentation. You  
30 were on the slide "Progress to date, joint agency  
31 preparedness based on risk." Now, as I understand your



1 statement, the entire notion or approach to  
2 pre-positioning is now going to be based on a risk based  
3 analysis in terms of the weather and the forest fire  
4 danger index?---Forest fire danger or grass fire,  
5 depending on what district it is. But also the further  
6 PowerPoints in the scenario I will show actually explain  
7 that a bit clearer because, if you read some of the joint  
8 SOPs, unless you are in the fire industry it actually is a  
9 little bit confusing. So, as part of the PowerPoint  
10 hopefully I will explain that and at the end of the  
11 PowerPoint we will be a bit happier.

12 There is a mention there of capacity for 12 IMTs on days of  
13 severe and above. We will go in more detail to that when  
14 we go to that part of your statement, but you've indicated  
15 in the body of it that some modelling has indicated that  
16 the worst case scenario the agencies should plan for this  
17 summer is the need to have 12 IMTs running level 3 fires  
18 at one time?---That's correct. We have previously had no  
19 target to aim at. Our previous - it will come out in the  
20 statement - our previous maximum we had going at any one  
21 time was seven. On February 7th we had 10 level 3  
22 incident control centres operating at once and on the days  
23 following it went to 11. We have had an analysis of our  
24 strengths between CFA and DSE only at this stage and we  
25 could accommodate 12 teams. But also in a  
26 pre-preparedness mode, if for some reason we couldn't  
27 accommodate 12 in days leading up to a fire, we could  
28 import them from New South Wales or South Australia as an  
29 option. So, previously we had no target and if we've got  
30 a target now and preformed, we can actually move them  
31 quicker to scenes of fires across the state.

1 You say you had no target, but the previous highest number of  
2 IMTs operating on one day was seven, and that was during  
3 which season?---I would have to go back to my statement.  
4 I think it was perhaps 2003 fires?---It is either 2003 or 6/7.  
5 I'm not sure.

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

14 The rapid onset in terms of ignition may have, Mr Haynes, but  
15 the weather conditions that were going to prevail on the  
16 day were known three or four days out?---(Witness nods.)

17 One was not caught out in terms of steps that might be taken in  
18 relation to positioning teams. Indeed, part of the body  
19 of evidence before the Commission is that the chief  
20 officer asked that there be a "hot start" of a number of  
21 IMTs in fire-prone areas around the state?---That is  
22 correct. The joint SOP now, we are trying to put some  
23 clarity into that because I think through the evidence  
24 there was some confusion about what the hot start meant.  
25 Now we have actually - - -

26 Who was confused? Mr Rees gave evidence that he asked that  
27 there be hot starts. By way of example, Mr Creak gave  
28 evidence that he was never going to be able to achieve  
29 that and he thought everyone knew that. Is that the  
30 confusion you are talking about?---No, I think it is about  
31 the level and the composition of what a hot start means.

1 In this preparedness based on risk now, we actually set  
2 levels of four or eight people, or maybe 30, depending on  
3 the day and the risk, into different locations based on  
4 the state controller's direction.

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

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

31 So would it be fair to say that, consistent with a move to a

1 command and control emphasis rather than coordination,  
2 there is stronger central direction?---Yes, and I hope to  
3 show that in the PowerPoints.

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

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

29 We will go to the scheme of that preparedness and the different  
30 levels in it later. Can we leave the increase in the  
31 number of level 3 incident controllers as it is a matter

1 I will deal with in detail in the context of your  
2 statement, as I will also do in relation to upgrading  
3 facilities and increased training. Can I ask that you  
4 move through these next couple of slides pretty quickly.  
5 We are all familiar with the single line of control  
6 model?---Okay. Happy with that.

7 It has been explained in detail by the Chief Commissioner.

8 "Triggers for the appointment of state controller." You  
9 identify a number of possible triggers there. Do they  
10 speak for themselves or is there something you wanted to  
11 explain?---The main thing is we have a state controller  
12 now, which through the heads of agreement of CFA, MFB and  
13 DSE is the chief officer of the CFA as default, unless he  
14 delegates it to one of the others. The main thing with  
15 the triggers is these are the things for a state  
16 controller to be appointed and a lot of it now is in  
17 preparation instead of on the day, so the state controller  
18 can actually direct preparation instead of just being the  
19 general on the day, if you like.

20 Yes, but given that the state controller is the chief officer,  
21 similarly I will put to you he always had the capacity,  
22 being in receipt of a four day forecast, to start doing  
23 some planning?---No. If I talk about the powers over the  
24 next page about the state controller, it is a definite  
25 difference from last year where the chief officer really  
26 is the chief of CFA and has no powers to do anything else.  
27 There is the responsibilities there. I think they do speak for  
28 themselves. But you do want to make a point about  
29 powers?---Yes. Under the heads of agreement and the state  
30 command and control arrangements, "Consults with other  
31 agencies and gives direction in respect of the level and

1 state of preparedness of resources." That is a difference  
2 from last year as a state controller. He can actually  
3 say, "This is the level I want to be met and I direct you  
4 to do that."

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

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

29 COMMISSIONER PASCOE: Again for clarity, having heard a little  
30 of the role of the fire commissioner in New South Wales,  
31 would you say that what we have got for the forthcoming

1 fire season is closer to that approach, with the  
2 commissioner able to direct operations, than what Victoria  
3 had for the 2008/2009 season?---Commissioner, I'm not  
4 100 per cent sure how the commission in New South Wales  
5 works but from my knowledge and working in New South Wales  
6 with fires, it is as similar as it can be.

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

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

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

31 They are different from and will overlap with the old CFA

1 regions?---That's correct.

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

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

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

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

31 MR CLELLAND: Mr Chairman, can I just make a suggestion, and it



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

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

28 MR CLELLAND: If the Commission pleases.

29 MS DOYLE: I'm prepared to try and work with that degree of  
30 difficulty being increased by the fact that I didn't see  
31 this until 6. So, perhaps if you would like to develop

1 the PowerPoint presentation but really focusing on what  
2 are the changes. If you can bear in mind the Commission  
3 has the benefit of a detailed explanation of command and  
4 control from the Chief Commissioner but that we look to  
5 you to explain whether there is any aspect of its  
6 implementation in relation to bushfires that needs further  
7 clarification. Perhaps with those caveats, if you want to  
8 develop the PowerPoint, it might be the most efficient  
9 way.

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

31 MS DOYLE: The way in which you devised whether an area or a

1 place should be at level A, B or C, was that a risk based  
2 analysis?---Yes, likelihood and consequence, so through  
3 the matrix under the Australian New Zealand standard.  
4 You didn't use the Victorian fire risk register? That might  
5 have provided a useful tool for determining which are the  
6 most fire-prone areas of the state at present with  
7 the most risk in terms of assets or population?---My  
8 understanding is the Victorian fire risk register is not  
9 100 per cent complete, I think it is still in development.  
10 But in the future, yes, we would take that into account.  
11 But the main thing is about looking at the difference  
12 between a Belgrave to a Bendoc, for instance, on the map,  
13 Bendoc up here, Belgrave here next to the Dandenongs. The  
14 likelihood and consequence of major problems at Belgrave  
15 is greater than Bendoc in a timeframe sense. This is  
16 again a worst case scenario for the whole state.  
17 But the likelihood of the consequence or outcome being poor is  
18 bad because of what? Because of some information you fed  
19 in about fuel load and assets in the region, or what?  
20 What are the criteria that have enabled you to devise the  
21 risk and the possible outcomes?---Yes, pretty well the -  
22 if you look at a PESTLE analysis, which looks at  
23 political, economic, social, technical, legal,  
24 environmental as a model as well, it is about trying to  
25 get the right people in the right place to meet the risk.  
26 Have we got it 100 per cent right? Maybe not, but at  
27 least we reckon it is 99 per cent right.  
28 Can I just take an example. Traralgon you have here as level  
29 A. Why? Is it because of the assets located in the  
30 Latrobe Valley of great importance to the state, is it  
31 because a lot of people live there, is it because it has a

1 high fuel load or what account do you take of the fact  
2 that vast tracts of it were burnt out last year? What do  
3 you actually factor in?---Exactly what you said. Because  
4 of the infrastructure around Traralgon and Latrobe Valley,  
5 we need an immediate, a larger emphasis on incident  
6 management. Again, these will vary depending on the days  
7 and the risk, because Gippsland, for instance, might have  
8 had floods and might be totally green. This again is our  
9 minimum standard we are trying to meet and try to give  
10 some advice to our regional people to say, "This is what  
11 our expectations are."

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

18 Thanks for that.

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

23 MS DOYLE: I just want to confirm while it's there, this  
24 replicates the eight Fairer Victoria or DHS boundaries  
25 about which we have been speaking?---That's correct, yes.  
26 This map shows a different view which is actually fire  
27 weather forecast boundaries. This is one of the typical  
28 days you may have in Victoria, where we have a higher fire  
29 danger in these three areas, which is extreme and above,  
30 in these two areas severe, and the bottom very high. A  
31 lot of the times, and 7 February was an exception, the

1 whole of the state is very rarely at the top level all the  
2 time. As an example, we have just taken out the Hume  
3 Fairer Victoria region and talked about if we had a fire  
4 in the King Valley, and this is our pre-determined  
5 location of people in incident management teams for an  
6 extreme or above day. So what we are saying is that  
7 initial attack, which happens all the time anyway, is the  
8 same as a level 1. On a day of extreme fire danger, what  
9 we want to do is transform as quickly as we can to level  
10 3.

11 That slide you just showed there has CFA as the control agency,  
12 dealing with initial attack on a fire at King Valley, and  
13 then I take it that this slide helps us understand what  
14 will happen in the minutes or hours after that?---That's  
15 correct. We would have a team of eight people in the  
16 Wangaratta incident control centre, so the transition from  
17 the initial attack, and it might only be minutes,  
18 15 minutes or so, people are in place and people are in  
19 place at the area of operations control level at Benalla.  
20 So we have an incident management team at Wangaratta  
21 managing this fire, reporting straight to the area of  
22 operations controller, straight to the state controller  
23 and the two different teams, the area control team at  
24 Benalla, which is agency commanders and the area of ops  
25 controller, and the state controller and the state control  
26 team in Melbourne. Your question before, Ms Doyle, was  
27 about where do the regional duty officers and area duty  
28 officers sit. They are outside the area control team  
29 looking after the security of their own regions as far as  
30 another fire starting and also providing resources through  
31 to the incident at Wangaratta. So strike teams and

1 staging area management, whatever they need. So the  
2 difference between last year and this year is that the  
3 incident controller will not talk back to a regional  
4 coordination centre, it will go straight to the area of  
5 operations controller.

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

18 Just sticking with this example for a moment, in the minutes  
19 after one becomes aware of a fire in King Valley, I think  
20 you said the incident management team would be at  
21 Wangaratta. According to the new standard operating  
22 procedure J2.03, at the chart it tells people in that  
23 region how prepared they should be. On a day where the  
24 forest fire danger index is about 75, Wangaratta is at  
25 preparedness level B, is that right?---That's correct.

26 Preparedness level B means that they have their base staff  
27 available by 10 am on the day. Is that a correct reading  
28 of the way that this scales up?---That is a minimum  
29 standard we are trying to achieve. The state controller  
30 can actually direct otherwise for the purposes;  
31 potentially it might be lightning activity in that area,

1           there might be known arsonists, there might be a fire  
2           already going somewhere, so that is the minimum standard.  
3           The state controller can actually say, "We want them there  
4           the night before or 6 o'clock in the morning", or "We need  
5           30 instead of the eight."

6   Assuming one is running from the minimum standard, preparedness  
7           level B, as is indicated here, Wangaratta would be  
8           required - let's stick with a Saturday. The forest fire  
9           danger index is going to be over 75 on the Saturday. On  
10          Friday they need to make sure they have arrangements in  
11          place for a core incident management team of eight people  
12          to be at the ICC in Wangaratta by 10 am, and what it  
13          provides here is that in order to get to the full  
14          complement of 30 level 3 IMT personnel, they have  
15          120 minutes to achieve that?---That's correct.

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

28   So even within those first two hours, even if there were only  
29          eight people there, one would expect them to have the  
30          complement of skills and experience to enable them to get  
31          out a map, draw where the fire is going and get the first

1 warning out to the community, as well as directing initial  
2 attack?---That's correct.

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

8 But isn't the ideal to have those eight people trained to level  
9 3 competency? Isn't that part of what all of this is  
10 about?---Ultimately that's where we would probably like to  
11 be and if we can have the best people at the best level,  
12 that's our ultimate goal.

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

28 And critically important if, as was the case on 7 February, the  
29 first few minutes of a fire, like Murrindindi, are the  
30 critical minutes. You don't want to be coming up to speed  
31 or getting out your slide show on that day, do you; you



1 need to be experienced and ready to go?---Yes, you do, but  
2 again it is about - a lot of people have a lot of  
3 experience and we get caught up on level 2, level 3. It  
4 is about what actually can the person do. A person at  
5 level 2 is quite capable, with the right team around them,  
6 to actually do those four things and do them competently.  
7 We will go to competence later. Had you finished exploring the  
8 matters you wanted to in terms of either that example or  
9 the way that command and control will operate?---Yes,  
10 thanks.

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

22 The incident control centre facilities, our main  
23 issue there is about making room for 30 people, to improve  
24 our IT and our connections between the agencies. We have  
25 17 currently at minimum standard and working towards the  
26 rest, the 42 in total.

27 The last two slides. Longer-term goals for  
28 CFA-DSE. There are agreed endorsement standards and  
29 currency for key IMT roles and I think you will want to  
30 explore that as well. The joint annual state and regional  
31 exercises. We are trying to get some rigour into our

1 exercising, not only to make sure we have the right  
2 standard, but also too to provide some mentoring  
3 opportunities.

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

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

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

18 That is a long-term goal, is it not? It is the one I drew your  
19 attention to at the outset. June 2011 before the packages  
20 are complete?---That's correct, yes. And reviewing all of  
21 our standard operating procedures, not only to bring them  
22 up to date with the new arrangements, but actually to take  
23 the long-term view to go to doctrine and principles and  
24 reduce the number of SOPs. The US Forest Service have  
25 started this journey, are six years into this journey and  
26 we could probably learn a lot from what they have gone  
27 through. In summary, we reckon we are better organised  
28 between agencies to allow incident, area, state levels to  
29 deliver better responses. Our facilities have improved.  
30 Now we have a single line of control and we are heading  
31 down the agreement for training standards for the future.

1 I have looked back at some of the earlier slides. Although we  
2 didn't go to every one we seemed to touch on each topic  
3 including the core IMT structure. But is there any part  
4 of the PowerPoint that you wanted to make sure you explain  
5 before we leave it?---No, I think I'm happy, Ms Doyle.

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

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

31 Do you see that distinction?---Yes.

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

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

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

25 And then there is an evidence-based check, logs and field books  
26 and comments from people you have worked with prior to  
27 accreditation being conferred?---Yes. CFA has some  
28 similarity in that we have a system where we have role  
29 evaluation sheets. So, if I perform a role at level 2 or  
30 as a deputy somewhere, the incident controller can sign  
31 off and say, yes, they have met that standard or no,

1 haven't met the standard, based on actually what they've  
2 done and that goes through to the operations manager for  
3 consideration for endorsement. So that's similar to the  
4 log book-type thing for the DSE. The difference in what  
5 we have done with Mr Stuart Ellis with DSE was we actually  
6 put it through some live scenario exercising, which  
7 I reckon was of benefit, it actually put you under  
8 pressure and made you think as a level 3 should think.  
9 I thought that was a very good feature of their process.  
10 Just sticking to the concepts first, there is formal  
11 qualifications and then accreditation. Endorsement seems  
12 to be a third way, if I can put it that way. It has some  
13 elements in common with each of the first two, but you  
14 would accept, wouldn't you, that it is a less rigorous  
15 process than accreditation?---Yes, it is. I think it is  
16 probably a bit more subjective than the DSE process.  
17 Because in fact the way it works at the CFA, if one is at the  
18 position of level 2 incident controller and wishes to be  
19 promoted or to take up the responsibility of level 3, is  
20 that you nominate yourself and then you need to be  
21 endorsed by the chief officer. Just in simple terms, is  
22 that the process? We will go to how it happens in a  
23 minute, but is that the process?---The operations managers  
24 for each region have to identify their people. Again, one  
25 of our problems in the CFA is consistency across the  
26 state. Some people do it really well and some need a bit  
27 of a hand. The issue is that the operations manager will  
28 nominate or highlight the people that need to go to the  
29 next level and put them through a process either by giving  
30 them some work as a deputy in a real life situation or  
31 through some joint exercises or through some more training

1 to get to the next level.

2 Then let's talk about the process by which that might occur.

3 In the end the final call is for the chief officer, but on  
4 advice from operations managers in the region?---That's  
5 correct, yes.

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

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

24 There are some risks in that process, aren't there, that people  
25 might be missed or not known to the operations manager?

26 It introduces a degree of subjectivity that may mean  
27 people are not noticed when they are performing well or  
28 not noticed when they are performing poorly?---I agree.

29 I think that is the flaw in our system, that we need to  
30 put some more rigour in it, but also to have what we call  
31 a pick the team process, which is actually about

1 identifying people for future roles and having a training  
2 plan for them, and I don't think we're there.

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

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

12 It explains in it that this project was going to be reviewed in  
13 March 2007. What happened to it? Why has it not been  
14 implemented at the CFA?---I tried to find that out in the  
15 last few days and spoke to a few people. My predecessor  
16 talked about some issue with the psychometric testing, and  
17 psychometric testing is part of the DSE process, about  
18 whether it is a guide or whether it is a pass/fail.  
19 I think there were some discussion at state level on that.  
20 I asked why that didn't continue on from there and he  
21 wasn't sure whether they just had the impetus to keep  
22 going with it; they were distracted by other issues.

23 Psychometric testing was only one element of an overall package  
24 aimed at training and accrediting level 3 incident  
25 controllers?---That's correct. Actually, the psychometric  
26 testing was actually made by the CFA and DSE participants  
27 in that trial. So the level 3 controllers like myself  
28 actually said, "This is the issues you need to look at for  
29 a psychometric test" to ensure that a level 3 controller  
30 can handle the complexity, if you like, of the role.  
31 Because of course it is not surprising that psychometric

1 testing might be part of the package. The type of person  
2 you are looking for as a level 3 controller, they will be  
3 someone who has technical skills but they will have  
4 leadership skills, won't they?---Technical skills, HR  
5 management, leadership skills as well. You are correct,  
6 yes.

7 Communication skills?---Yes.

8 Ability to delegate?---Yes.

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

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

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

29 Let's not get bogged down on psychometric testing. Was there  
30 not the possibility that if that component of the  
31 standards that the two agencies discussed was a sticking



1 point at CFA, that it could be abandoned and the rest of  
2 the package adopted?---It could be. Again, I wasn't in  
3 the position at the time, so I'm only going on second-hand  
4 advice.

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

26 A lot of what you talk about in your statement, Mr Haynes, has  
27 been done. We are reinviting the wheel. Why can't this  
28 project now be adopted if it has fallen into  
29 disuse?---Ms Doyle, actually it probably could be. The  
30 reason why we put I think June 2010 or 11 - I'm not sure  
31 now, 11 I think it was - was to make sure that we could

1 meet it. Now, we may meet this prior to and adopt a  
2 similar or an amended version of this system. Again,  
3 I like this system. It was a good system. It had a lot  
4 of rigour in it.

5 It has already been developed and it has the benefit that as at  
6 2006 there was at least in principle commitment to  
7 exploring whether it could be adopted. It sounds like the  
8 wheels fell off, but there was in principle commitment to  
9 that. Mr Haynes, I'm going to put it to you simply: Why  
10 are we sitting down to draft training packages that might  
11 be ready in 18 months when we've got one here?---Good  
12 question. Again, it is probably, worst case scenario,  
13 June 2010 or 11. As I say, if we can actually get through  
14 any issues we had with this, we can actually implement it  
15 a lot quicker.

16 In terms of the attributes I just asked you about, if we can  
17 look at page 0288, they seem to have already been  
18 identified and acknowledged by the people who ran this  
19 project. Just above those circles there it says, "The  
20 skills and knowledge component", this is for a level 3  
21 controller, "comprises four elements: leadership,  
22 management, technical expertise and communication." It  
23 notes they are interrelated and you cannot only be a good  
24 leader or good manager or have good knowledge or be a good  
25 communicator; you must have all four. That seems to set  
26 out the attributes. But if you go to page 0290 there is a  
27 list that puts more meat on the bones, if you like. It  
28 gives you what the skills and knowledge are and there is a  
29 list there of what it says level 3 controllers should know  
30 and how they should be qualified. On my read of it, it  
31 seems to be a comprehensive list of the sorts of skills,

1 experience and aptitude you would want a level 3  
2 controller to have?---Yes, that's correct, Ms Doyle. You  
3 are preaching to the converted because I was actually part  
4 of the team that actually put this together.

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

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

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

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

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

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

30 I think you refer to that in your statement. As far as I could  
31 see from the annexure that details it, it involves

1 60 hours of instruction?---That is correct.

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

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

12 That brings me to the next perhaps component of recognising or  
13 accrediting competencies. Of course, prior learning is a  
14 valid field of inquiry. One might not have to do the  
15 60 hours if one can demonstrate in an appropriate fashion  
16 that one already has those skills. Would you agree with  
17 that?---That's correct, yes.

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

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

31 COMMISSIONER PASCOE: Is that recognition of prior learning

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

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

23 MS DOYLE: Picking up Commissioner Pascoe's question about the  
24 possible exposure, perhaps if we just look at the standard  
25 operating procedure which presently applies. It is  
26 attachment 11 to your statement (WIT.3004.024.0321). We  
27 have really talked about some of this without going to the  
28 structure, but this is the procedure which relates to  
29 endorsement of incident team managers. There is a number  
30 of definitions of roles over the first couple of pages.  
31 But at page 0323 it gives us the process in paragraph 4:

1 "The chief officer annually endorses CFA members to  
2 undertake the incident controller, planning officer,  
3 operations officer and logistics officer roles during  
4 level 3 incidents, and the role of incident controller" at  
5 level 2. Paragraphs 4 and 5 seem to echo what you have  
6 been telling us about the operations manager nominates,  
7 the chief fire officer endorses?---That's correct.

8 Is there ever a situation where the chief officer knocks people  
9 back on the operations manager's list?---I'm not  
10 100 per cent sure. It is probably a question for the  
11 chief himself, but my understanding is that has happened  
12 in the past. There has been a discussion about whether  
13 this person is up to the mark or not.

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

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

1 The operations manager day to day is based in the regional  
2 office, is that right?---That's correct.

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

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

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

25 You have mentioned mentoring. Can I ask you about how that  
26 actually operates at the CFA because it is not a formal  
27 mentoring process, is it?---No, it is fairly informal,  
28 based on the operations managers and the regional staff to  
29 look at who potentially needs mentoring or is identified  
30 for mentoring as part of the process. Mentoring happens  
31 at all levels, so even a crew leader, as they go through a

1 crew leader course, the training instructors will say,  
2 yes, they are competent but they just need a little bit  
3 more to get an idea of the management side, for instance.  
4 So mentoring happens at different levels, but it is very  
5 informal.

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

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

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

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

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



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

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

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

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

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

24 Mr Lockwood just caught up with it, too, during the hearings  
25 because he didn't know about the burnover reports or the  
26 investigations until preparing to give evidence in the  
27 Royal Commission. Wouldn't one expect that the person who  
28 had been incident controller at a fire would be given the  
29 burnover reports for many reasons, including discussing  
30 whether it reveals any deficits in the way the fire was  
31 handled?---I agree with you, yes.

1 If he doesn't know about it and if he didn't have a mentor,  
2 what program or system is there to enable Mr Lockwood to  
3 improve his skills or to discuss what this means for him  
4 moving forward as a level 3 controller?---This is where  
5 our mentoring process is pretty lax in that we don't give  
6 the commitment we need to and I think I have said that in  
7 my statement.

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

31 Linking that to the concept of a mentor, Mr Lockwood's evidence

1 was he'd never had one and he didn't have one on the day.  
2 The deputy incident controller at that fire was  
3 Mr Jeremiah who has been acting as a level 3 incident  
4 controller for DSE since 1998?---Yes.  
5 That leads into an aspect of one of the other recommendations  
6 that's in issue here. But on a day like 7 February, would  
7 there not have been merit in having Mr Jeremiah acting as  
8 the incident controller, with all his years of experience,  
9 and effectively he could have mentored Mr Lockwood in the  
10 deputy role on the day?---Yes, in a theory sense that  
11 would be good. What we have actually said in our  
12 commitment between CFA and DSE is to have a suitable and  
13 available incident controller for each incident. The  
14 complexity of the differences of incidents - for instance,  
15 some person might be a level 3 controller but have no  
16 skill in interface firefighting. Some people have no  
17 skill in a major structural fire like the Longford gas  
18 incident. So, there is a level 3 qualification and there  
19 is a skill base as well that attaches where your strengths  
20 are. What we have agreed to do is have a list between the  
21 CFA and DSE chief officers and talk about people's  
22 strengths and skills at the level 3 controller level so  
23 they can be best positioned to meet the risk.  
24 But your statement through paragraphs 63 to 65 highlights  
25 mentoring. You say, "It is part of the way endorsement  
26 works. What we do is we give people mentors." I suppose  
27 part of what I'm putting to you is what kind of mentoring  
28 scheme is a scheme where there are no mentors?---Again,  
29 back to my previous statement before, some places are good  
30 and some places aren't. Our problem in the CFA in a large  
31 organisation is consistency, and also whether we have a

1 whole mentor process which we aim to do as highlighted in  
2 our statement.

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

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

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

28 Although there are examples in some areas of people who had  
29 worked before in the agencies, it is not really a  
30 mentoring scheme, is it, if your only contact with the  
31 person is during a fast-moving fire and they are from

1 another agency? You may not see them again?---That is  
2 correct. Mentoring also is built on relationships. You  
3 have to have a relationship with the controller and the  
4 deputy controller. Again, it comes back to teams working  
5 together and training together in a more formalised way.  
6 A lot of the other mentoring is done at lower levels. For  
7 operations officers you might have two deputies working  
8 with an operations officer which makes mentoring for that  
9 position, but an incident control level, level 3, it is  
10 difficult, yes.

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

25 MS DOYLE: Even bearing in mind that distinction, you have  
26 accepted that the process, such as it exists, at the CFA  
27 is informal and not always observed. Can I put to you  
28 that the need for some sort of system, whatever label is  
29 attached to it, was identified some time ago as well. One  
30 of the recommendations in the Linton report,  
31 recommendations 20 and 21, were that the CFA and the then

1 DNRE consider developing a standard, a training package  
2 and an accreditation system for mentors and that both  
3 agencies train an appropriate number of mentors to the  
4 standard referred to in recommendation 20. Those two  
5 recommendations are at page (TEN.132.001.0641) of the  
6 Linton report. Were you familiar with those  
7 recommendations made by the Coroner in 1998?---I have read  
8 them, yes.

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

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

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

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

22 CHAIRMAN: Yes, we'll take a break.

23 (Short adjournment.)

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

1           our current process, yes.

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

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

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

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

30   MS DOYLE:  Do you receive confirmation on an annual basis that  
31   your endorsement is going to continue to be recognised?

1 The reason I ask you that is Mr Small, who will give  
2 evidence this afternoon, says that he doesn't know whether  
3 he has retained his level 3 endorsement for next fire  
4 season. Is there no system for letting people know?---No  
5 documented system. I have actually had a chat to some  
6 other key volunteers who do incident controller roles.  
7 They are of a similar thing. They were unsure whether  
8 they were or not. The engagement of our regional staff to  
9 the team I think needs to be explored.

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

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

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

29 I want to ask you about endorsement for the future, briefly.  
30 Attachment 12 to your statement is a new process, you say,  
31 that will operate from now onwards in terms of



1 endorsement. Page (WIT.3004.024.0326). I think you say  
2 in your statement and it confirms it is to be read with  
3 the old procedure, 8.03, but it seems as though they are  
4 to co-exist. Under the heading "Guidelines" on that page  
5 it says, "When nominating CFA members for level 3 roles,  
6 operations managers shall give consideration to formal  
7 qualifications and relevant experience. Appendix 1  
8 provides considerations on which operations managers may  
9 base their decision." Pausing there, this is new. This is  
10 the system that has just been developed and committed to  
11 writing; is that right?---That's my understanding, yes.  
12 In terms of formal qualifications for level 3 incident  
13 controller, you have already told us there is no course.  
14 So what formal qualifications will be looked to? I think  
15 it starts to be explored in the table that's at page 0328.  
16 It says "for all roles other than level 1 people should  
17 have completed introduction to AIIMS" and then "level 3  
18 incident controller preferred qualification, operations  
19 officer or planning officer". That's not a reference to a  
20 course, is it? That's a reference to having performed  
21 those roles?---No, operations officers and planning  
22 officers are AIIMS courses.  
23 It is the AIIMS course?---Actually ticketed courses, yes.  
24 So one would look to see whether they have done that course and  
25 then one looks at experience, and that's the component  
26 which is actually having worked in those roles?---That's  
27 correct. That's like the current endorsement process,  
28 yes.  
29 Then the third column is "experience within or outside  
30 emergency services which has led to the development of  
31 skills". Now, obviously that could always be something

1 one would have regard to, but it looks as though that's  
2 been given some more prominence in the checklist that  
3 people should have regard to?---I think as you stated  
4 previously, a lot of our volunteers especially have got a  
5 lot of experience in day-to-day management. They could be  
6 inspectors of police. They could have their own large  
7 business where they actually operate. So it is about  
8 saying some of the skills which will fit into an incident  
9 controller could be used looking at their past day-to-day  
10 jobs, pretty well.

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

24 The only other point I would seek to explore with you there is  
25 having worked as an operations officer or planning officer  
26 is obviously a good introduction, but that particular  
27 attribute of leadership and decision making, there is as  
28 yet no course at the CFA which is geared to that and no  
29 particular prerequisite which is geared to prior learning  
30 in that sphere?---Only at the level 2 which we spoke about  
31 previously, the incident management AIIMS course, which

1 gives you the base knowledge, if you like, about  
2 leadership and how to manage, and the complexity part is  
3 the hardest bit to teach.

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

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

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

16 I want to take you now to the separate question of the  
17 appointment of the incident controller and some of the  
18 matters thrown up by recommendation 9.2, that being the  
19 recommendation that the agencies ought to ensure the most  
20 experienced, qualified and competent person is appointed  
21 incident controller. You acknowledge in your statement  
22 that there is to be a change in relation to the approach.  
23 You seem to accept in your statement that the old way was  
24 to determine the incident controller by reference of  
25 identifying the control agency. That in itself is  
26 determined by the land tenure question in terms of where  
27 the fire ignites?---Yes and no. To get to a determination  
28 of the incident controller the control agency looks at the  
29 potential of the fire. So if it potentially is going to  
30 run into country area Victoria, the CFA incident  
31 controller may be nominated. That's how we have operated

1 in the past. What the chief officers have agreed to do by  
2 the end of this month is to have their agreed list, which  
3 also the area of operations controllers will have access  
4 to, about the different skills of people for a specific  
5 task which again will allow the area of ops controller or  
6 the state controller to make an informed decision.

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

11 In paragraph 160 of your statement you say that the agencies  
12 have agreed that suitable and available people shall be  
13 appointed. If we can just look at paragraph 160. It is  
14 at witness page 0050. In the second sentence you say,  
15 "This will avoid the tendency for the agencies' personnel  
16 to default to the old position of appointing the incident  
17 controller based on the control agency or based on public  
18 or private land." That's the past. Let's look at the  
19 future. There was a standard operating procedure which  
20 governed that but, as I understand it, that has also been  
21 redrafted. The new standard operating procedure is J3.08,  
22 if I have the correct number. I'm just checking whether  
23 that's one of the ones that were revised in the last day  
24 or so. It was. This is at (CFA.001.032.0334). So this  
25 will apply for the next fire season. It seems to be dated  
26 November 2009. The preliminaries to the document look a  
27 lot like the previous example. Can we just have a look at  
28 page 0335, where it talks about identifying incident  
29 controllers. So this is the system for this fire season.  
30 The chief officers will identify and endorse personnel who  
31 may undertake level 2 or 3. They will maintain a joint

1 register of personnel. Is that element new?---That's a  
2 new element, yes. The new part of it also, too, is based  
3 on their skill and their attributes.

4 I don't see that spelt out there, but is it an understanding  
5 that the register will spell out the particular  
6 attributes?---To give guidance to the area of ops  
7 controllers and the state controller, the chief officers  
8 have talked about having a table of controllers, if you  
9 like, who have particular skills. So you can say I would  
10 be better suited for a Longford gas incident than deep  
11 Alpine forest firefighting, for instance.

12 For this fire season will there be a joint register ready that  
13 will have each person's formal qualifications but also a  
14 narrative as to particular attributes they might have  
15 gained, a particular experience?---That's my  
16 understanding, yes.

17 Is the list ready now, do you know?---End of November is our  
18 target date.

19 That's a few days away, so it must be more than 75 per cent  
20 complete ?---There have been some names considered by the  
21 two chiefs and they are still to formalise the list.

22 In terms of appointment, in paragraph 2 it says, "The control  
23 agency shall appoint from either agency for multi-agency  
24 incidents." That's exactly the wording that was in the  
25 old standard operating procedure. So what here will  
26 prompt or guide people to make sure they get the best  
27 person rather than revert to habit?---A couple of things.  
28 The area of operations controller under the new command  
29 and control structure will have pre-determined people in  
30 place on those extreme days and, secondly, if a fire does  
31 start outside the preplanned days for some reason, then

1 the area of ops controller and the state controller  
2 converse to appoint an incident controller.

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

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

28 It is just that prominence is intended to be given to  
29 experience, qualification and competence. I wonder why  
30 one wouldn't spell out those goals when one is identifying  
31 the appointment of the incident controller?---Can you say

1           that again, please?

2   The wording in recommendation 9.2 was "to ensure the most  
3       experienced, qualified and competent person is appointed".  
4       I'm just exploring with you the fact that the wording is  
5       no different from the previous position, simply "from  
6       either agency". Why not simply add the qualities that one  
7       is looking for: experienced, qualified and  
8       competent?---I would agree with you; "experienced,  
9       qualified and competent" would be fine. "Most" is the  
10      word I have the most problem with.

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

17   You provide in your statement some of the historical data about  
18      the numbers of incident control centres that have ever  
19      operated, and we spoke about that during your PowerPoint  
20      presentation, and then literally the number of incident  
21      controllers that there are in the state. I think it is at  
22      paragraph 170 where you give the stats for 7 February. If  
23      we can just look at paragraph 170. That's at page 0053.  
24      You recite that on 7 February the CFA had 63 level 3  
25      incident controllers, 14 of whom were volunteers; and 47  
26      with the qualification they were to be mentored, of whom  
27      14 were volunteers. Then you set out regionally where  
28      they were located. Between the fire season and now you  
29      provide a couple of different figures, so I wasn't sure  
30      about the arithmetic. But it looks as though about 10  
31      more level 3 incident controllers have come

1 on-line?---That's my understanding, yes.

2 They have been endorsed pursuant to the old regime, unless they

3 have been endorsed in the last couple of weeks, by the

4 sounds of it?---No, I think the endorsement was probably

5 about October, I think the list was completed.

6 In paragraph 172 you say there are at least 93 but it might be

7 101, depending on the outcome of some accreditations at

8 DSE?---That's correct. Mr Slijepcevic the other day was

9 accrediting some people, and I think from memory there's

10 another three I think to be done in the next few weeks.

11 Let's call it 100. We have about 100 level 3 incident

12 controllers available, and your own modelling suggests

13 that the worst case scenario is needing to have 12

14 incident control centres running big fires

15 simultaneously?---Yes.

16 We have more than enough people. It seems the difficulty is

17 where they are and where they should be placed?---That's

18 correct. The other thing is I think also I said in my

19 statement on 172 about the availability of the 100.

20 You said that about 50 per cent might be available. That's a

21 low strike rate. Why do you estimate that only

22 50 per cent will be available on any given day?---Mainly

23 because the level 3 controllers are also people like

24 myself who are undertaking other roles at the state level

25 - potentially I'm available for a level 3, but again

26 someone would have to backfill me in my role - and an

27 estimate also about availability of people. Some people

28 may be on leave or holidays or just unavailable.

29 That's I guess possible. But if I can explore a couple of

30 examples with you. In terms of availability for personal

31 reasons or leave, when the state knows that a catastrophic



1 day is scheduled and your own stats indicate it could be  
2 as few as two or on past records six in a season, is there  
3 some capacity to do two things: recall people from leave  
4 and backfill someone like you, if you are needed?---That's  
5 a possibility. I think earlier today I talked about we  
6 have probably got enough people but in the wrong places.  
7 In the past we have relied on a regional filling where we  
8 actually need to go to a statewide filling for positions.  
9 If we have the available level 3 controllers to do the  
10 job, then they will actually be placed in the position.  
11 How did you come up with 50 per cent? Is that based on some  
12 modelling about turn-out rates or is it based on some HR  
13 tool or plucked out of the air?---It's the third; it is  
14 plucked out of the air. Again, it is just an estimate to  
15 say that we just can't rely on the 100. It might be 50.  
16 It might be 60, whatever. It is just my estimate with no  
17 science behind it.  
18 But this is just a complicated example of a rostering or an HR  
19 problem, isn't it? When you get the four-day forecast  
20 which tells you there is a catastrophic day coming up,  
21 with 100 incident controllers to draw from is it not  
22 possible to do better than 50 per cent turn-out and to do  
23 better than not being able to work out where to place  
24 them? You can do a risk analysis and figure out where  
25 they should be located?---Yes, I agree with you, and  
26 I think we should be able to do that. Yes.  
27 The addition of 10 incident controllers is a step but a small  
28 one. Have any steps been taken to try to recruit more  
29 people from level 2 and other places into the level 3  
30 realm?---Not at a statewide level but potentially at a  
31 regional level. One of the gaps that I reckon we need to

1 cover off on is having a statewide strategy for planning  
2 for incident management. Again, how much is enough? Do  
3 we need 100; do we need 180; do we need 50; and each of  
4 the different positions and have a statewide strategy to  
5 match that. At the moment we have regional strategies  
6 which have got some disconnect, in my view.

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

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

31 In terms of the pool that's now available, sticking to the

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

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

14 In terms of who is available on the day, both Mr Small and  
15 Mr Monti, long-term volunteers who will give evidence this  
16 afternoon, suggest in their statements that the CFA could  
17 do more to ensure it draws on volunteers with level 3  
18 qualifications who are available and want to put  
19 themselves forward. They suggest that there is some  
20 deficit in getting the information in; namely, knowing who  
21 is available and ready and willing. Do you have any  
22 comment to make about that?---It may be on a different  
23 regional basis. My experience in my old role was that we  
24 had phone contact with all our level 3 volunteer  
25 controllers and planners, logistics, about their  
26 availability prior to the day. The issue for us is that  
27 as part of our emergency information management system,  
28 which we are trying to do in the future CFA wise, has an  
29 availability collection of data module on it, if you like,  
30 that people can input and we know that they are available  
31 electronically at any time. So we can pick from a pool.

1 Is that available to volunteers as well as paid staff?---It  
2 would be on Brigades Online. It is a place we want to go  
3 to, but again we haven't got there yet.

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

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

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

24 Another matter I just wanted to touch on briefly, you mention  
25 in your statement a new system in terms of the shifts that  
26 incident controllers will operate. You explore this at  
27 paragraphs 163 to 165. It looks like the main difference  
28 is going to be, rather than incident controllers strictly  
29 operating as day shift and night shift, you will have one  
30 incident controller for the whole of the fire, although  
31 they can leave others working in their stead while they

1 sleep at night?---Yes. The chief officers of both CFA and  
2 DSE are going to utilise one incident controller for fires  
3 beyond one day's duration. The idea of it is consistency  
4 amongst the shifts. So one person who floats between the  
5 two shifts, and the deputy incident controllers have a  
6 greater role in managing the day-to-day affairs.

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

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

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

31 MS DOYLE: The embodiment of the leader's intent, no doubt that

1 is to be found in an incident action plan and the  
2 communications plan for the fire?---That's right.  
3 Incident shift planning, yes.

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

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

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

30 I see. Presumably each of those matters were the  
31 responsibilities of an incident controller last season,

1 but the difference is that it is now formally encapsulated  
2 in this instrument?---Yes, and also it's the auditing, if  
3 you like, of the right person is in the right job either  
4 based on the area of operations or the state controller  
5 signing it off.

6 I want to ask you about incident management teams now and the  
7 pre-positioning which occurred in the past and will occur  
8 in the future. In annexure 31 to your statement you set  
9 out a list of the ICCs which were intended to operate on  
10 7 February. Annexure 31 is witness page 0371. You have a  
11 list there of the pre-positioned incident management teams  
12 on 7 February, and there is a column which indicates who  
13 staffed them, which agency, and to which level. In  
14 relation to Alexandra, first of all, can I just confirm  
15 with you this suggests here that there was a CFA incident  
16 control centre ready to go, but in fact the evidence in  
17 the proceedings is that there were some DSE team located  
18 at the DSE office in Alexandra and CFA staff in their  
19 office and there was no integration or co-location when  
20 the morning dawned on 7 February?---Yes, if I can explain  
21 the difference. The 42 level 3 incident control centres  
22 which were identified before are the top level. Below  
23 them are 155 divisional command/level 2 incident control  
24 centres, which also we are upgrading as part of the  
25 bushfire preparedness program. So what the Alexandra CFA  
26 would mean would be the level 2 probably at the Alexandra  
27 group headquarters. The level 3 designated place is the  
28 Alexandra DSE office.

29 But this chart suggests there was a pre-positioned team ready  
30 to go. In fact some of the team were not at that  
31 location; they're at the DSE office, as it turns

1 out?---Not to my knowledge, no.

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

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

15 This list here is not all the ICCs that existed as at  
16 7 February. These are the, I think, 29 out of a 43 total  
17 who were supposed to have pre-positioned teams as at  
18 7 February?---That's my understanding, yes.

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

30 I think the only local mutual aid plan, which is apparently  
31 known as an LMAP, which has been produced so far in the



1 proceedings is that produced with respect to the  
2 north-east region by Mr Creak. Do you know whether each  
3 area and region, as is required by this, had an LMAP as at  
4 7 February?---My understanding is that all of them had  
5 one, yes.

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

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

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

23 I have to say I am not aware of any witness here who has  
24 either identified themselves as an IMT coordinator or  
25 referred to one. Are there people who held these  
26 positions in February?---My understanding is there were.  
27 The idea of the IMT coordinator, especially if you are  
28 talking about the north-east, is to talk to the regional  
29 duty officers, get their strength of numbers, formalise  
30 teams and be ready for deployment. That's the idea of an  
31 IMT coordinator.

1 Is the regional duty officer the IMT coordinator or are they a  
2 different person?---In a single regioned area, which CFA  
3 has some, they are one and the same. In an area like the  
4 north-east, where they have four separate CFA regions,  
5 they would nominate one of their regional duty officers to  
6 be that person.

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

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

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

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

23 So as at February this year there was a requirement when  
24 leading up to a day that was expected to be a high fire  
25 danger to have regard to the LMAP, which presumably would  
26 contain some preparedness markers or goals; is that  
27 right?---The LMAP talks about pre-positioning of teams but  
28 what it lacks is the clarity that we now have; so what are  
29 our expectations of what a team should look like preplaced  
30 or preplanned. Then what the next goal is I suppose is to  
31 say we need a full team within 60 minutes or two hours or

1           whatever. Beforehand I don't think they had that clarity,  
2           and that's where the confusion came.

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

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

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

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

30 The standard operating procedure which will replace this, if  
31          you like, is the new J2.03, I believe. If we can just

1 turn that up. So this is the new version of the sorts of  
2 arrangements we have just looked at. The objectives  
3 section of this document says that it will ensure incident  
4 management capacity is in place to effectively manage  
5 fires that may occur. Similar language but it seems to be  
6 more directly geared at ensuring we can manage what  
7 eventuates on a particular day?---(Witness nods.)

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

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

22 The procedure then sends you off to the default levels which we  
23 have already looked at and the table in appendix 1.  
24 Perhaps if we can just look at appendix 1. So that's page  
25 0331. Appendix 1 to that procedure, page 0331. We have  
26 already looked at this in a different context, but the  
27 preparedness levels are rated as base, core and full  
28 IMTs?---That's right.

29 The way you work out in your region what you should do is by  
30 having regard to the table at page 0333?---That is right.  
31 I tried to show that a bit clearer on that map in the

1           PowerPoint.

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

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

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

27   In terms of that statewide approach, with reference to the  
28       example of the Kilmore fire, Mr Creak gave evidence that  
29       it was always clear to him, and he thought it was  
30       notorious, that there would never be enough people in his  
31       region to pre-position level 3 teams. But equally he said

1 he didn't seek additional resources on 5 or 6 February to  
2 be moved into his region. Will there be a capacity in  
3 this season for someone who identifies that gap, say, on  
4 the equivalent of 5 February to make a call and get more  
5 resources into their region?---That's correct. The whole  
6 idea of this joint SOP is for the area of operations  
7 controllers to plan days before about the capacity to  
8 deliver. If they can't deliver to this standard, then  
9 they will inform the state controller, who will move  
10 people around the state to fill the positions to meet the  
11 SOP. So it is about a statewide approach, not a regional  
12 approach.

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

26 Another example that has emerged in these proceedings, and  
27 I will use the example of Murrindindi, is a resourcing  
28 situation where there is in fact no gap but sufficient  
29 inquiries aren't made to identify who might be around.  
30 What I'm putting to you is the example in Murrindindi  
31 pertaining to Mr Farrell's evidence. He made a decision

1 to appoint Mr Lovick as the incident controller for that  
2 fire who was at level 2 in terms of his endorsements. He  
3 was on the way to Kilmore and needed to divert back to  
4 take up that position. But as it turns out there were CFA  
5 level 3 incident controllers physically closer, like  
6 Mr Rice?---Yes.

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

19 Can I just pause you there to suggest to you in a shorter way  
20 the difficulty here. The right person was in the right  
21 place. Mr Rice, level 3, was a kilometre away.

22 Mr Lovick, level 2, was an hour and a half away.

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

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

31 Let's step away from Mr Rice then and talk about the situation

1 where somebody needs to make a decision quickly and they  
2 have on a list level 2 and level 3 controllers, they have  
3 on a list where they are located?---Mm-hm.

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

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

27 In terms of the broader question of using your resources,  
28 Mr Monti, who will give evidence this afternoon, suggests  
29 in his statement that there is an under-utilisation of  
30 volunteers who are qualified to the level 3 standard  
31 generally. He says that there are a number who were



1 available on 7 February with the right qualifications but  
2 whose services weren't sought or whose availability wasn't  
3 drawn on. Do you have any comment to make in relation to  
4 that?---I have had some evidence given to me personally  
5 that some people, yes, were under-utilised. It wasn't a  
6 great number, but some people were, yes.

7 I have put the examples of Kilmore and Murrindindi to you. But  
8 can I also suggest to you that the pre-positioning and the  
9 planning that went on in Bendigo was of a different  
10 calibre. Mr Deering from region 14 gave evidence. He was  
11 the incident controller at Epsom in Bendigo. He gave  
12 evidence to the effect that he had a team who engaged in  
13 some simulation type scenario training in November but  
14 also on the day before the fires, were ready to go, spent  
15 time getting ready to go on the Friday. He said at  
16 transcript page 10151 his goal was to have everything  
17 ready to go by 11 am Saturday, and achieved that?---Yes.

18 Indeed he had gone to the degree of working out that he would  
19 be the incident controller in most circumstances if a fire  
20 broke out. Can I put to you that's an example of  
21 appropriate regard being had to the level of risk and  
22 steps being taken to be prepared on the day?---I would  
23 agree, and he should be congratulated for it.

24 The new arrangements for pre-positioning and being ready to go  
25 on the day that we have just explored, is there going to  
26 be a way of auditing whether regions are appropriately  
27 applying the new standard? I understand LMAPs are  
28 annually audited. Is the same sort of process going to  
29 occur under the new standard operating procedure  
30 J2.03?---The LMAPs are audited every year. We actually  
31 look at them in our regional audit reviews. For the

1 allocation of staff on the day, the area of operations  
2 controller has got the responsibility to make sure that it  
3 is in place.

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

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

21 Throughout the evidence that's been heard by the Commission and  
22 at places in your statement there's a suggestion that one  
23 not ought to go out all guns blazing on the first forecast  
24 catastrophic day, that there needs to be some  
25 consideration given to keeping crew in reserve to work on  
26 the second day of the fire, to ensuring you still have  
27 coverage in other areas. I assume those sort of  
28 considerations are also given some weight?---If we are  
29 aiming for a target of 12 incident management teams for a  
30 code red day for the state, then that is actually 24-hour  
31 teams day and night shifts. So we have to ensure that's

1 right. Some of them, based on risk, with agreement with  
2 the area of ops controller and the state controller, may  
3 be pre-positioned as 30 people for lightning, arson,  
4 whatever; other people may be pre-positioned so we can  
5 actually meet the standard.

6 Can I put a suggestion to you, Mr Haynes. Given the past data  
7 - and I understand we don't always know with certainty  
8 what will happen this summer; but the past worst case  
9 scenario was six catastrophic days in a season - there is  
10 no harm done, is there, if we ensure that there are level  
11 3 incident management teams pre-positioned, by which  
12 I mean at the location, at the incident control centre, on  
13 the day? The worst that can happen is that they are not  
14 needed?---I don't think we have got the numbers and  
15 availability to man 42 incident control centres on one  
16 day. That's the reason why we have had the target of 12,  
17 based on our past history and also to move them around the  
18 state to meet the need. It is really about the general  
19 being the state controller, if you like, moving the troops  
20 around to each different battle site. That's what we are  
21 trying to achieve.

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

1 bit of realism in it and the likelihood and the  
2 consequence of a fire occurring.

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

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

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

1 operational management?---Yes.

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

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

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

30 Just in terms of the type of course one might do if one was  
31 interested in skilling up to level 3, can I just take you

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

19 I want to ask you about joint training between the agencies.

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

27 For completeness, I think I will tender those two documents  
28 which you have quoted in your statement but not attached.  
29 The partnership guidelines between the CFA and DSE, which  
30 are dated 2006, are at (CFA.300.040.0007). The heads of  
31 agreement between the two agencies are (CFA.300.040.0004).

1 I think they may be in evidence through other witnesses,  
2 but I will make those part of the statement which is your  
3 exhibit. I just want to remind you that the heads of  
4 agreement document also dated 2006 has a short list of  
5 principles that the DSE and CFA have committed to.  
6 Principle E is, "The agencies intend to take every  
7 opportunity to participate in joint programs, projects or  
8 training where a united approach will benefit the  
9 communities they serve"?---Yes.

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

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

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

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

28 Can I just ask you to clarify in relation to that is that  
29 scenario based training where people from both agencies  
30 work through a scenario side by side?---It is a computer  
31 based scenario where people are given some live examples,

1 if you like, of fire incident management and they go  
2 through a process of working towards a scenario, if you  
3 like.

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

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

23 This may assist you. At annexures 26 and 27 you have attached  
24 a long list of all the regional joint training exercises  
25 that have gone on. What I want to suggest to you, looking  
26 at that, is it is very variable. Some regions appear to  
27 be committed to using every opportunity and exploiting  
28 every avenue. Others may have only achieved the minimum,  
29 the one session a year. What's been done to have the  
30 regions align and to have the regions improve the amount  
31 of interagency training?---Yes, and that was my train of



1 thought I was going to go to, actually. In my statement  
2 CFA and DSE have agreed to do some joint state and  
3 regional exercising in a more formalised manner. I agree  
4 with you that looking at the list and myself as part of  
5 the evidence that some do the minimum, some do a lot.  
6 Again it is personality based. People who get on well  
7 together do a lot more. People who don't interact as much  
8 do less. So we want to put some formality to actually  
9 raise that and also help with our coaching/mentoring  
10 problem.

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

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

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

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

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

25 The development or the coming to the understanding that a full  
26 team has 30 members, has that impacted on the capacity to  
27 do up these centres? Previously you were gearing up to  
28 house 14 people. 30 is more than double. Has that slowed  
29 down the process?---Yes, it has. What we are trying to  
30 achieve in the upgrades for the ICCs is, one, to get  
31 better interoperability in a network sense, but also to

1 allow 30 people to operate successfully. Once we did  
2 audits of our level 3 ICCs in about June this year we  
3 found that some of them wouldn't be able to accommodate.  
4 So we have got some work-arounds as part of the upgrade to  
5 bring them up to the 30 personnel level.

6 As I understand it, \$28 million has been devoted to the upgrade  
7 and the due dates are cascading in the sense that you have  
8 a number that are ready; 17 that are ready?---Yes.  
9 24 where you are aiming for the end of this year?---That's  
10 correct.

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

21 So, other than Geelong and Mount Gambier with their particular  
22 issues, all of the others should be upgraded by the end of  
23 2009?---To our minimum standard, yes.

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

31 So the interoperability has been enhanced within the CFA but

1 also between the two regions?---That's correct.

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

4 MR ROZEN: Mr Haynes, the first of those questions is a  
5 straightforward one and the second will take a little bit  
6 more time. The first concerns an issue that's arisen in  
7 the evidence that's been given by Victoria Police to the  
8 Commission about traffic management points and roadblocks.  
9 In particular a concern that's arisen in the redrafting of  
10 the TMP guidelines is the issue of identification for CFA  
11 and DSE firefighters, and particularly whether there is  
12 anything in place which would enable a police officer that  
13 is in charge of a traffic management point to determine  
14 for him or herself whether or not a CFA, start with,  
15 volunteers is in fact a CFA registered volunteer when they  
16 say so. Are you able to assist the Commission in relation  
17 to that matter?---I haven't been involved in the  
18 implementation of the traffic management point guidelines.  
19 But, what I have read of them, my understanding is if a  
20 CFA volunteer has their helmet or an identification card -  
21 and again ID cards are not statewide; some have, some  
22 haven't - that will be enough to get them through the  
23 roadblock.

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

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

31 What's the position so far as career staff is concerned?

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

7 Just so I can clarify that, this issue has arisen in the  
8 evidence of a number of witnesses concerning the events of  
9 7 February 2009. What I'm exploring with you is whether  
10 anything has changed since February of this year for the  
11 forthcoming summer so far as identification procedures are  
12 concerned?---Not for volunteers as such. My only  
13 understanding is that the traffic management point  
14 guideline has been agreed to and it has been part of our  
15 pre-summer training.

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

26 Commissioners, a folder has been provided which I seek to  
27 tender now. Some of these reports are already in  
28 evidence, it having been dealt with in other fires. The  
29 folder appears at (CFA.001.027.0001). In addition, a  
30 summary of 19 of the burnover incidents has been prepared  
31 in a table which is at (TEN.143.001.0001). Perhaps, given

1 the complexity of the existing exhibits so far as  
2 Mr Haynes is concerned, it might be appropriate to tender  
3 those separately.

4 CHAIRMAN: Yes.

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

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

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

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

26 The burnover incidents occurred at the following fires: at the  
27 Kilmore East fire, the Murrindindi fire, the Churchill  
28 fire and the Horsham fire. If I could be permitted to  
29 summarise some of the themes that emerge from  
30 the investigation reports. The investigation reports  
31 indicate deficiencies in the manner in which the crews

1 were briefed in some circumstances, in which they were  
2 deployed in some circumstances and in which they were  
3 supervised in others. If I can give you an example of  
4 that which has been already referred to briefly in  
5 evidence whilst the Churchill fire was being examined,  
6 there was an investigation into a burnover involving the  
7 Glengarry West tanker number 1. I don't know if you have  
8 any awareness of the circumstances of that?---No, not at  
9 all.

10 In the investigation report into that burnover the following  
11 appears in relation to a red flag warning that had been  
12 provided to the tanker crew. I'm quoting here from  
13 (CFA.001.026.0149). "The red flag warning that was  
14 received at about 1730 hours warned of a south-west wind  
15 change for 1900 hours. The change in fact impacted the  
16 fire area at 1805 hours. While the red flag is given as  
17 guidance and a heads-up for field crews and commanders of  
18 a significant event coming, in this instance the warning  
19 may have provided a false sense of time security by  
20 leaving the crew to believe they had plenty of time to  
21 establish themselves at their new assignment." There were  
22 two other investigation reports into burnover incidents at  
23 the Churchill fire which reached similar conclusions about  
24 the red flag warning that was provided on that day.  
25 I think Ms Doyle asked you some questions about those.  
26 One further matter about the burnovers at Churchill that  
27 is discussed in the investigation reports is that there  
28 was a spot weather forecast which had been provided.  
29 1600 hours is the time that it bears. It indicated that  
30 the south-westerly wind change could arrive as early as  
31 1730 hours, that is considerably earlier than the time

1 that was mentioned in the red flag warning. It is in the  
2 context of those reports and those incidents that I want  
3 to examine briefly with you some issues concerning  
4 management of firefighter safety. In particular one of  
5 them concerns the role of safety advisers in incident  
6 control centres. I think you have indicated in an earlier  
7 statement you have made that you had a role in relation to  
8 the Linton coronial inquest?---Yes, I was part of a joint  
9 CFA-DSE reporting crew that did the preliminary look at  
10 from a firefighting point of view.

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

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

20 Just in relation to the Linton fire, it is another example,  
21 isn't it, of a fire that commenced in mid-afternoon and  
22 then was impacted by a south-westerly wind change in the  
23 early evening along very similar lines to the fires on  
24 7 February 2009?---Yes, which is a similar pattern for  
25 south-east Australia.

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

31 You have already been taken to recommendations made by the

1 coroner in relation to mentoring?---Yes.

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

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

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

12 If I can just focus on one aspect of the Coroner's  
13 recommendation in the Linton matter, and it concerned the  
14 role that could be played by a safety adviser in an  
15 incident management team. Perhaps if we could refer to a  
16 passage in the findings in Linton at (TEN.132.001.0576).  
17 If that could perhaps be brought up on the screen. It is  
18 part of exhibit 546, if that assists. It is at page 0576.  
19 It is in the middle of the page, paragraph 20.9.30. It  
20 should be on your screen in front of you. Do you see  
21 there, Mr Haynes, that the Coroner concluded as follows,  
22 "A safety officer was not used by operational command at  
23 the Linton fire. It is understood in the past the  
24 position of safety officer had not been used in any  
25 wildfire. A safety officer is an important part of risk  
26 control in the wildfire environment. The firefighter's  
27 job (elimination of wildfire) may mean that focus is on  
28 understandable and necessary operational management and  
29 there is potential for safety issues being inadvertently  
30 missed or not elevated to the correct level. Thus a  
31 safety officer is an important adjunct as a resource for



1 safety advice and audit to the firefighter on the  
2 fireground. This important issue is further developed in  
3 chapter 23 (with recommendations)." If I can just end the  
4 quote there. Firstly, I think you have already told us,  
5 Mr Haynes, that you were aware that this was a matter that  
6 was the subject of discussion in the Linton coronial  
7 findings?---Yes.

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

1 and the area of operations controller must ensure that's  
2 ready to go before we actually have a fire.

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

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

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

30 Just so that the position is clear as at 7 February 2009, the  
31 Commission has been provided with joint standard operating

1 procedure 3.04. It is at (CORR.0911.0109). Do you see,  
2 Mr Haynes, this is the standard operating procedure for  
3 safety adviser?---Yes.

4 It bears the date 28 September 2007. Do you see that on the  
5 foot of the page?---Yes.

6 This was applicable clearly on 7 February 2009?---Yes, I agree  
7 with you.

8 It replaced, did it not, separate SOPs. I will take you to  
9 them if I need to, but I would prefer not to. There were  
10 previously CFA procedures and DSE procedures which made  
11 similar requirements in relation to safety  
12 advisers?---I agree with you, yes.

13 Just for completeness, Commissioners, the CFA procedure is  
14 SOP11.07, and it is part of exhibit 127. The DSE  
15 provision is part of the DSE fire management manual, and  
16 it is part of exhibit 254, which is an attachment to  
17 Mr Farrell's statement. Returning to the text of 3.04, at  
18 the bottom of the page in relation to "Objective" it  
19 states that it is there to "provide guidance to incident  
20 controllers regarding the implementation of the safety  
21 adviser function at multi-agency incidents". Then it goes  
22 on at clause 1, "A safety adviser must be appointed to all  
23 level 3 IMTs. The person appointed as safety adviser  
24 shall have no other responsibilities within the IMT." Can  
25 I just pause there for a second. Why is that second  
26 requirement imposed in the standard operating procedure;  
27 that is, that the safety adviser is a standalone  
28 position?---The main reason is that they focus purely on  
29 safety and don't get distracted by trying to do two jobs  
30 at once.

31 So, really picking up the observations that were made by the

1 Coroner in Linton, it is a role that's solely concerned  
2 with the safety of firefighters rather than also involving  
3 some operational function?---That is correct, yes. That's  
4 the intention.

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

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

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

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

30 It has now been brought up on the screen for everyone else's  
31 benefit. One of the roles is to assist with monitoring of

1 the effectiveness of incident communications and  
2 information flow. That really relates to something you  
3 said a moment ago about the role that could be played by  
4 safety advisers in relation to red flag warnings?---That's  
5 correct.

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

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

29 Now, you have anticipated of course, Mr Haynes, where this is  
30 going, and that is that the Commission has been advised in  
31 a letter from lawyers for the State that there were only

1 safety advisers appointed at Bunyip and Pomborneit  
2 incident management teams. I should tender the letter  
3 that has been provided to the Commission in relation to  
4 that. The letter appears at (CORR.0911.0106) through to  
5 (CORR.0911.0109). Perhaps if that could become part of  
6 the last exhibit.

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

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

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

17 Have you had an opportunity to discuss with any of the incident  
18 controllers at the fires, particularly the ones where the  
19 burnovers occurred, the major fire, Murrindindi, Kilmore,  
20 Churchill, have you had an opportunity to discuss with  
21 them why there were not safety advisers appointed on  
22 7 February?---No, not personally; no.

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

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

31 I suggest to you if another mandated position, such as an

1 operations officer, hadn't been appointed for one of those  
2 fires that would be a matter of considerable disquiet on  
3 the part of the CFA, would it not?---You probably wouldn't  
4 be able to function without it, yes.

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

16 In fairness to you and without going to the list, there were a  
17 number of people on that list, such as Mr Steer, for  
18 example. Do you know Mr John Steer from DSE?---No.  
19 He has given evidence that he performed a function in the  
20 incident control centre at Alexandra. So the best you can  
21 do in relation to those 16 people is to indicate that they  
22 may have been performing other functions on 7 February  
23 2009?---Yes. I haven't had the evidence available to me  
24 to make a comment, no.

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

31 You in fact attach to your statement such a briefing. It is

1 part of attachment 24 and it appears at  
2 (WIT.3004.027.0229). If page 0239 could be brought up.  
3 These are slides that were used as part of a PowerPoint  
4 presentation. Were you involved in the development of  
5 this presentation?---No.  
6 What about its presentation to - - -?---No, I haven't been.  
7 I have been on other duties.  
8 Who was the audience that this was intended for,  
9 Mr Haynes?---It is mainly for level 3 personnel for DSE  
10 and CFA around the state. It is called our pre-season  
11 briefings, which we have every year.  
12 They are the very people that have the responsibility under the  
13 SOP that we have looked at for the appointment of safety  
14 advisers at level 3 incidents, are they not?---They are.  
15 But the area of operations controller under our new system  
16 will have the responsibility to ensure that they are in  
17 place.  
18 But, nonetheless, the SOP casts on the incident controller the  
19 role of the appointment, albeit being supervised by the  
20 area of operations controller?---Yes, that's correct.  
21 Isn't that the obvious audience to explain that this was a  
22 deficiency in the management of the fires on 7 February  
23 2009?---I agree with you. It is the obvious audience and  
24 it may have been an omission.  
25 Beyond that, you are unable to explain to the Commission why it  
26 is a matter that hasn't been brought to the attention of  
27 that audience?---No. Further to that, if I only found out  
28 two to three weeks ago that we were lacking, other people  
29 who formulated this may have had the same issue, that they  
30 actually didn't know they only had two in place.  
31 Can I just explore that, Mr Haynes. How could that be so? The



1 personnel in an incident management team, it is not a  
2 secret, is it, in relation to the way AIIMS operates?  
3 These things are documented as part of incident action  
4 plans?---Yes.

5 Has it been anyone's responsibility within either the CFA or,  
6 to your knowledge, the DSE to examine such documents to  
7 see that all appropriate positions were filled on  
8 7 February 2009?---Not to my knowledge, no.

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

11 In many cases those debriefs have resulted in documentation  
12 setting out issues that arose in the running of those  
13 teams and incident control centres?---That's correct.

14 And yet this is not an issue that seems to have arisen in  
15 relation to those debriefs; is that correct?---Not to my  
16 knowledge, Mr Rozen. I can't explain why.

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

19 CHAIRMAN: Yes.

20 COMMISSIONER McLEOD: Attached to your submission, Mr Haynes,  
21 were two attachments, one setting out the specific  
22 projects under the bushfire preparedness program. The  
23 second one which was on the back of that diagram was an  
24 organisational structure that perhaps could be called up,  
25 (WIT.3004.023.0068), which seeks to describe the  
26 management arrangement of that particular program where  
27 something like \$30 million has been allocated for the  
28 totality of those some 25 separate projects and  
29 initiatives that have been pursued within the CFA, each  
30 one of which is under the charge of an individually  
31 appointed project officer?---Yes.

1 Then that diagram describes above the projects six different  
2 levels of organisational hierarchy which have a role to  
3 play I presume in the assessment and the decision making  
4 arising out of the work of the project teams?---Yes.

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

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

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

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

31 Which has apparently been established to look at the bushfire

1 preparedness program projects. Would you like to make a  
2 comment on the role that the board would play in relation  
3 to this total exercise?---There is a subcommittee of the  
4 CFA Board, I think it is four members, who interact pretty  
5 well with the directors and the emergency management team,  
6 the CEO, to have overall governance of the projects, to  
7 understand if we are meeting targets, not meeting targets,  
8 if things are on budget, not on budget. So in a board  
9 role it was like an overall governance, and then they  
10 report back to the CFA Board.

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

20 The chief officer being Russell Rees?---Correct.

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

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

28 Some of the decisions on the individual projects would in fact  
29 be taken by the board itself?---Potentially, yes. I'm not  
30 100 per cent sure, Commissioner, but potentially, yes.

31 Would that be true of the CEO? Some may be decided at the

1 CEO's level?---I'm not sure, but I assume so.

2 But the program manager wouldn't presumably be in the decision  
3 making role if you say that's from another

4 department?---The main thing the project manager is there  
5 is to make sure we're kept on track and it was more of

6 a - - -

7 Policeman's role?---Yes.

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

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

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

22 Which is probably a standard time for an effective embedded  
23 cultural change. Again listening to some of the matters  
24 that have been discussed, such as a tightening of the  
25 endorsement procedures by the chief officer, the moves  
26 toward greater integration of the training of the CFA and  
27 DSE personnel, a tightening of the arrangements on a  
28 severe or a fire danger day or more, we are looking at a  
29 range of areas where we are not just talking about minor  
30 change, we are actually talking about quite significant.  
31 Has there been any discussion of this at a strategic level

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

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

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

23 CHAIRMAN: Yes.

24 <(THE WITNESS WITHDREW)

25 LUNCHEON ADJOURNMENT

26

27

28

29

30

31

1 UPON RESUMING AT 1.45 PM:

2 <JOHN CHARLES HAYNES, recalled:

3 <CROSS-EXAMINED BY MR FINANZIO:

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

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

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

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

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

28 Was there any formal process in place during that time to  
29 analyse what the need was?---I think, as I said in  
30 evidence before, it is about we haven't got a statewide  
31 strategy for how many incident management personnel we

1           need overall. I think that's a missing gap, that we have  
2           relied on regional numbering, I suppose, if you like,  
3           instead of a whole statewide strategy. So I think there  
4           is a gap there.

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

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

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

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

31   It's right, isn't it, that what that does is disclose that

1           there is a demand for more training for volunteers,  
2           doesn't it?---Well, I haven't seen Mr Garnock's report and  
3           my understanding is it's going to the board or had just  
4           gone to the board, so I haven't read the document to see  
5           what is actually in it.

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

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

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

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

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



1           that the CFA needs to undertake to provide service to the  
2           community.

3 I have taken you not to dispute that there is, from your own  
4           experience, examples of some under-utilisation of  
5           volunteers. That's right, isn't it, that they are not as  
6           efficiently deployed as they could be?---I have only had  
7           discussions with two or three key volunteers who are level  
8           3 controllers in the recent weeks and they've stated that  
9           they've been a bit disappointed that they haven't been  
10          engaged as well as they thought they should have been  
11          engaged, yes.

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

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

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

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

26 He gives an example of the first, which is the non-deployment  
27          of people when they could have been deployed. He makes  
28          reference to the Kilmore fire and he says - these are the  
29          figures I think - there were 18 CFA level 3 incident  
30          controllers within a 50 kilometre radius, 35 within a 100  
31          kilometre radius and the day shift person was from

1 Wangaratta, 150 kilometres away, and the Wodonga person  
2 was from 200 kilometres away, the night shift person.  
3 Have you examined that example?---We have had a look at  
4 some of it. The correct statements from my view are the  
5 people coming from Wodonga to do the night shift, I think  
6 it was Graeme Healy and John Bigham, from memory. We have  
7 had a bit of analysis of the available level 3 incident  
8 controllers 50 ks around and I think we came up with two.  
9 One of those was Peter Creak, who was doing the regional  
10 duty officer role, and the other was Bob Potts who was on  
11 Hildene tanker.

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

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

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

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

29 One possibility, though, is that the level 3 incident  
30 controller could have been contacted in advance,  
31 right?---I agree with you, yes.

1 And that's one of the weaknesses you have said needs to be  
2 worked on?---Correct.

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

13 Let's get this right. There is a reference to the requirement  
14 for a formal process in the EBA, isn't there?---My  
15 understanding of the EBA, and I'm not an expert on that,  
16 is that CFA and the UFU need to agree on a mentoring  
17 process.

18 But that hasn't happened?---Not to my knowledge.

19 So it is informal now?---Correct.

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

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

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

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

31 That's a thing that is formally recognised in the EBA and in

1 the relationship between career staff and the

2 CFA?---That's right, yes.

3 Paragraph 44 of your statement talks about the first level of

4 command, talks about training opportunities for volunteers

5 and about the first level of command. I've got that

6 reference wrong. It's right, isn't it, that there isn't a

7 career path identified or a specific effort made with

8 respect to volunteers for identifying a career path for

9 them? That's true, isn't it?---For every individual

10 volunteer, I would say no. There are some people, in my

11 experience, that have had a bit of a career path organised

12 for them, but again it is ad hoc on a regional basis.

13 So some regions get it right and other regions don't?---Pretty

14 well. It goes back to my discussion this morning about

15 consistency across a large organisation.

16 One way of improving things would be to make that more

17 consistent across the organisation?---I'm all in favour of

18 the process called picking the team, where at each of the

19 levels, brigade level and incident management level and

20 beyond, we have some sort of a selection of people and

21 nominated for the roles that suit them best in the future.

22 I had some experience in the north-east when I used to

23 work in Shepparton with this process and we did the

24 brigade stuff we think fairly well and we started to work

25 in at the incident management level.

26 I want to ask you some questions about statewide training

27 opportunities. These are opportunities interagency to

28 work together on an exercise to practice skills simulating

29 the heat of the moment?---Yes.

30 Do you not agree that for volunteers, particularly at the

31 higher levels of management, that it would be good

1 experience for them to participate in that?---I agree,  
2 yes.

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

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

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

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

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

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

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

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

30 But again it depends upon how you focus your efforts to  
31 engaging the volunteers in that process, doesn't it?---It

1 is a holistic thing, I agree with you. One, we need to  
2 engage, then secondly pick the team and have some sort of  
3 an understanding of where a person wants to get to and  
4 their capabilities and give them an opportunity to train  
5 or exercise to do that.

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

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

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

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

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

29 So what that comes down to is that, when you are setting up  
30 IMTs, what you are really doing is the ring-around to see  
31 who is available and who is not?---Yes, and the concept of

1 it is that the regions should be identifying people and  
2 picking the team to be level 2 and 3 controllers, so we  
3 are relying on our ops managers to put forward names that  
4 will best suit.

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

10 MR CLELLAND: Sorry, which operations managers?

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

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

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

23 You mentioned in your evidence or you made reference to the  
24 bushfires preparedness program which has been prepared.  
25 You were asked by Ms Doyle about what additional efforts  
26 you have made toward recruiting people to fill level 3  
27 incident controller positions among paid staff. Do you  
28 recall being asked about that?---Yes. The preformed IMTs,  
29 yes.

30 You said that you hadn't made any extra efforts toward  
31 recruitment?---Not to my knowledge, no.

1 I suppose the same is true of volunteers?---Yes, and it is  
2 mainly about the timing. For this short period of time,  
3 really it is a fair ask to actually recruit more people  
4 prior to a fire season.

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

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

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

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

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

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

27 The same for mentoring, in that it may or may not happen, so  
28 you are not going to know whether or not someone has been  
29 mentored up through a position to be endorsed?---We need  
30 to address our mentoring and coaching system. That is an  
31 agreed position we want to go with DSE.



1 We know you won't be able to make a decision about endorsement  
2 based on the particular personal skills if you don't know  
3 about them; that is, if volunteers have skills that they  
4 have acquired in - - -?---Yes. I agree there needs to be  
5 better engagement with volunteers. Look, can I give an  
6 example of a little place called Marraweenee in the  
7 Strathbogie Ranges. They had 35 people who did their  
8 minimum firefighting skills. The workload of Marraweenee,  
9 you might use probably 15 people, maybe 20 people of that  
10 35 constantly, so there was a range of 15 people who we  
11 may actually select for other roles. That's what I mean  
12 by engagement, is actually analysing where people are,  
13 look at places where you can actually use some excess and  
14 engage and have a plan for them. That's what I mean by  
15 engagement through our normal section 29 inspection  
16 processes and beyond.

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

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

30 So, beyond the matters that I have taken you to that we know  
31 don't factor or can't factor, really we are down to the

1 subjective judgment of the operations manager who makes a  
2 recommendation?---That's correct.

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

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

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

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

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

23 He explains a situation whereby he was contacted in advance to  
24 fill a role at Woori Yallock and where, the night before  
25 he was meant to engage in that role, having set the days  
26 aside for that to occur, he was called up and told that he  
27 wasn't required and that in fact he wasn't deployed in any  
28 other way. Now, you would agree that Allan Small  
29 represents one of those volunteers who have made it to the  
30 higher ranks in management?---Yes. I have a lot of  
31 respect for Allan, yes.

1 And it's a shame that someone with his abilities wasn't  
2 employed or deployed at that time?---I would say yes.  
3 Have you examined any of the circumstances surrounding what's  
4 mentioned in the statement?---No, not as yet, no.  
5 You agree that the type of example that Allan describes in his  
6 statement is one that occurs frequently?---I can't say  
7 that and I don't think there is any fact to say that.  
8 You can't say that it happens infrequently; you just don't  
9 know?---No, I don't know.  
10 They are the matters, thank you.

11 <CROSS-EXAMINED BY MR CLELLAND:

12 Mr Haynes, I just want to pick up a couple of matters briefly,  
13 if I can, arising out of the questioning by Ms Doyle this  
14 morning. In relation to level 3 incident controllers in  
15 the state of Victoria, is it your evidence that you are of  
16 the view that there are sufficient trained numbers of  
17 level 3 incident controllers and that includes both DSE  
18 and CFA?---At this stage, to meet our target of 12  
19 incident management teams, I'm quite happy we have enough.  
20 Was your concern, if that be the correct description of it,  
21 related not to so much the number but the location of  
22 incident controllers on any given day?---The issue we've  
23 got is that the incident controllers are scattered all  
24 over the state and we have a pool of people in a larger  
25 amount in some areas and less in others, so we would have  
26 to move level 3 controllers around the state to meet our  
27 needs.  
28 Have there been arrangements put in place for the movement or  
29 relocation of incident controllers for this coming fire  
30 season should the need arise?---My understanding is the  
31 chiefs have talked to aircraft agencies that can provide

1           that service for us.

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

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

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

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

27   The 12 IMTs that you have spoken about are calculated, that  
28          number is calculated on the basis of the state being at  
29          that level; that is, right across the whole  
30          state?---That's right. We had no other gauge despite the  
31          seven we had before, so again there may be another day,

1            hopefully not, that we might have to deploy 15, but at the  
2            best guess, worst case day, we had 11.

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

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

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

29    Sorry, I shouldn't have included level 1, but if you go to page  
30           16 of your statement, if you have it in front of you, what  
31           you set out there is the incident management skills in

1 module 5.04. As I read it, those are the prerequisites  
2 under the AIIMS system for the incident  
3 controller?---That's correct, yes.

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

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

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

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

23 Can I ask you now very briefly about some of the matters that  
24 were raised in relation to volunteers and volunteer  
25 training. You have spoken of the commitment of CFA at an  
26 organisational level to an integrated fire service, that  
27 is integration of both career and volunteer firefighters.  
28 Could you look at those two documents, please. One is a  
29 memorandum signed by Mr Rees as chief officer and director  
30 of operations. Would you look at that document, please.  
31 I'm handing you a second document which is a letter from

1 Mr Rees dated 8 January 2008. We have copies for the  
2 Commission. We will make sure that this material is  
3 provided to our friends from the Volunteer Fire Brigades  
4 of Victoria. The first document I want to take you to is  
5 the 2007 document. Firstly, have you seen that  
6 before?---Yes, I have.

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

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

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

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

27 To your knowledge, has that ideal been pursued by CFA at the  
28 very least since the time that this memorandum was  
29 distributed in 2007?---Yes. As part of the chief  
30 officer's intent on that, we look at our regional auditing  
31 system. I think from memory it might be one of the key

1 questions about involving volunteers in IMTs on that, but  
2 I'm not 100 per cent sure.

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

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

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

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

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

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

30 Mr Chairman, can I tender - - -

31 #EXHIBIT 549 - Memorandum of August 2007 signed by Russell



1 Rees; letter dated 8 January 2008 from Russell Rees to  
2 Tony Schappel, South Australian State Coroner.

3 MR CLELLAND: You have referred to or been referred to a  
4 statement by Mr Small, who is due to give evidence in the  
5 Commission today. You would I think appreciate from  
6 reading his statement that, amongst other things, Mr Small  
7 asserts that it is almost impossible for volunteer  
8 firefighters within the CFA to obtain the necessary  
9 qualifications to advance beyond the position of crew  
10 leader; yes?---I am aware of that in the statement, yes.

11 Do you accept that proposition?---No.

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

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

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

27 In terms of incident controllers, you have given the figures in  
28 your statement that, of the 63 incident controllers, level  
29 3 incident controllers, 14 are volunteers?---Yes.

30 Broadly speaking, is it your understanding that there are  
31 specific arrangements made to enable volunteers to

1 participate in all levels of training by scheduling  
2 training sessions, instruction, information sessions, as  
3 far as possible either on week nights or on  
4 weekends?---That's been our aim to do that, night work and  
5 also weekend work to accommodate volunteers, yes.

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

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

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

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

20 If the Commission pleases.

21 <RE-EXAMINED BY MS DOYLE:

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

31 Because when we get to the pointy end, to the incident

1 management team end, the stat is that there are 14  
2 volunteers who have level 3 incident controller  
3 qualifications?---That's correct, yes.

4 And I think it is Mr Monti who says in his statement that if  
5 you look at that as a proportion, it is obviously an  
6 extremely small proportion of the number of volunteers  
7 that exist statewide?---Yes. If you compare it to roughly  
8 30,000 active firefighters, it is a small portion, yes.

9 I just want to ask you about something Mr Finanzio put to you  
10 arising out of Mr Monti's statement at paragraph 32. In  
11 Mr Monti's statement at paragraph 32 he refers to the  
12 example of the Kilmore fire and suggests that the level 3  
13 incident controller appointed for day shift travelled from  
14 Wangaratta, 150 kilometres away. In fact, Mr Monti will  
15 seek to correct that reference to Wangaratta to Mansfield.  
16 Can I suggest to you that the evidence does disclose that  
17 the incident controller for that fire was Mr Kreltshheim  
18 who did travel from Mansfield, which is nevertheless about  
19 150 kilometres away?---Yes. I'm not sure of the distance,  
20 but he was at Mansfield, yes.

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

31 If we look at the IMT planner that Mr Creak said in evidence he

1 used for the staffing of Kilmore - the typeface on it is  
2 very small and I hope you are going to be able to see  
3 this. Just concentrating on the top where it refers to  
4 incident controller, you see Mr Creak there, then  
5 Mr Kreltshheim, Mr Healy, Mr Beer and so on?---Yes.

6 So you have agreed with me that you understand it was  
7 Mr Kreltshheim who got to Kilmore at 4.30 and commenced  
8 then as level 3 controller. The evidence doesn't tell us  
9 much about Mr Healy, but does tell us that Mr Beer was  
10 located at Yea headquarters?---That's my understanding,  
11 yes.

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

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

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

29 But what might assist in ensuring that volunteers are used when  
30 they are available and appropriately skilled might be to  
31 have a sort of skills audit or a skills register which

1 enables one to know what qualifications a volunteer has  
2 but also what other world or real life experience they  
3 might be able to bring?---That would be a good point, yes.  
4 One way that might be facilitated is at the regional level,  
5 volunteers being invited or encouraged to talk about or  
6 even document what experience and skills their day job  
7 gives them, whether it be in the army, in schools or in  
8 management?---And that discussion in my view should be  
9 held at the brigade level initially because we inspect  
10 every brigade annually and that's probably the best  
11 discussion point with the officers of the brigade.  
12 In light of the documents that Mr Clelland put to you  
13 encapsulating the chief officer's view about the use of  
14 volunteers as at August 2007 and January 2008, this  
15 embodies a commitment on the chief officer's part to using  
16 volunteers, including at what I have called the pointy  
17 end, including in IMT roles?---Yes.  
18 So if anybody in preparing IMT planners or in resourcing  
19 incident control centres is not adhering to that  
20 principle, that would not be what the chief officer has  
21 indicated ought to occur?---That would be against the  
22 chief officer's intent, that's correct.  
23 Finally, I want to ask you about the modelling that you have  
24 done, the figure 12 we have referred to a number of times  
25 about the worst case scenario. You have said in evidence  
26 that if the whole state is declared code red it may be  
27 that in the end 12 incident management teams are needed to  
28 deal with serious fires on the day. Can I ask you to  
29 confirm, in light of the evidence you have given and the  
30 regard you have had to preparedness levels for the next  
31 fire season, are you confident that if a code red day is

1 declared for the entire state, that we have sufficient  
2 people available to field 12 level 3 incident management  
3 teams?---The analysis between CFA and DSE, although fairly  
4 light analysis, indicates that we should be able to do  
5 that, at least 12. Again, as a target on a daily basis,  
6 on a preparedness basis, if we can't meet that 12, we can  
7 instigate some - supplement from other states.

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

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

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

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

1 starts, we will have the full team of 30 within the  
2 timeframe.

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

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

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

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

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

24 You have said in answer to a question from Mr Clelland not long  
25 ago that it can take five or six years to transition from  
26 level 2 to level 3. I'm suggesting to you that is a  
27 little inconsistent with also suggesting that on a day  
28 when a fire breaks out that is of level 3 complexity, the  
29 guy in the level 2 slot can do just as well?---For the  
30 short time to do the four output things with their team of  
31 eight, they can actually achieve the output required. If

1           we had a preference to have a level 3 controller in place,  
2           we will, and looking at our figures we may be able to do  
3           that. But I cannot guarantee, Ms Doyle, that we actually  
4           can achieve that.

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

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

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

21   CHAIRMAN: Yes. Thank you, Mr Haynes.

22   <(THE WITNESS WITHDREW)

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

25   MS NICHOLS: If the Commission pleases, I call Marisa Robbins.

26   <MARISA ANN ROBBINS, affirmed and examined:

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

29   MS NICHOLS: Ms Robbins, can you state your full name and your  
30          address for the Commission?---Marisa Ann Robbins, 195  
31          Albert Street, Port Melbourne.



1 Ms Robbins, are you the daughter of Lloyd and Rena  
2 Martin?---I am.  
3 Rena was known as Mary?---She was.  
4 And you lost both your parents in the fires on Black  
5 Saturday?---I did.  
6 Have you made a statement with the assistance of the  
7 Commission's lawyers about your experience of their deaths  
8 on Black Saturday and some other matters that you would  
9 like to speak about in relation to the fires?---I have,  
10 yes.  
11 Is that a true and correct statement?---It is.  
12 I tender the statement.  
13 #EXHIBIT 550 - Witness statement of Marisa Ann Robbins  
14 (WIT.124.001.0001).  
15 MS NICHOLS: Ms Robbins, can I ask you about your parents.  
16 They lived in a 40 acre property in what you knew as  
17 Whittlesea?---They did, yes.  
18 And the official address of that is Humevale?---It is, yes.  
19 But you knew it as Whittlesea?---I did, yes.  
20 How long had they lived on that property?---They moved there in  
21 1980. They lived in a caravan for a year while the house  
22 was built, but they had been on the property since 1980.  
23 You had never lived there but you would visit many, many  
24 times?---Yes, of course, being their daughter and stayed  
25 up there for weekends and things.  
26 They built the house themselves?---They did. My father had a  
27 building company, a portable construction company, and so  
28 he had builders. He designed the house and had the  
29 builders build it while they lived in the caravan.  
30 They bred horses on the property?---They did. They had a  
31 thoroughbred stud that they bred from brood mares and

1 raised horses and bred horses there, but they had retired  
2 from that probably four or five years ago, so they had no  
3 horses on the property, just their dog.

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

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

19 Can I ask you about the property. It is 40 acres. Is it part  
20 of an 80 acre allotment that was divided into two?---It  
21 was. It was divided back in 1980 and sort of split down  
22 the middle and quite a clear property. When they first  
23 moved there it had hardly any trees on it at all, backing  
24 onto the Kinglake National Park, but a cleared property  
25 apart from trees that dad planted along the fence lines as  
26 wind breaks for the horses and a little bit of a fruit  
27 tree garden not far from the house but sort of small fruit  
28 trees and a cottage garden just with flowers, but by no  
29 means bushland or anything like that. Because they no  
30 longer had any horses on the property, the ground was  
31 quite barren. It just had a little bit of capeweed

1 growing on the ground. There was absolutely no grass left  
2 at all, which is why they didn't have any cattle or  
3 anything either at that stage because of the drought. So  
4 it was really quite sparse as far as vegetation goes.  
5 And the nearest house to your parents' property?---Was on the  
6 other property that was the other half of the 80 acres.  
7 I'm hazarding a guess. It was maybe 500, 600 metres away  
8 on the other side of the fence further up towards the  
9 road. My parents' house was down quite a long driveway  
10 and sort of on the ridge of the hill and they were much  
11 further up near the road near their driveway.  
12 Your parents' house was brick with a tin roof and concrete  
13 slab?---Yes. About 40 squares, brick with just a tin  
14 roof. It had a terracotta tiled verandah right around it,  
15 which was the only thing still there. Something must be  
16 about terracotta because he also had a bit of a wine  
17 cellar that he used the terracotta pipes to store wine in  
18 and they were pretty much untouched and so was the paving,  
19 but otherwise everything else was gone. The only wooden  
20 part of the house were the verandah posts, but they were  
21 actually on sort of metal cradles, and wooden window  
22 frames and inside there was a wooden ceiling in the main  
23 lounge room, like a timber-lined ceiling.  
24 What about water supply on the property?---They had for their  
25 own consumption a big inground concrete tank that was sunk  
26 into the ground which was, I don't know, probably six  
27 metres across in diameter or something and quite deep.  
28 I never got in it so I don't know how deep, but they  
29 rarely ever ran out of water. They had a tanker come and  
30 fill it up maybe once in the time they were there. Then  
31 they had dams in all the paddocks, but they had a really,

1 really big dam, sort of just down the hill. It would have  
2 been maybe 50 metres, somewhere between 50 metres and 80  
3 or something like that, away from the house, just down the  
4 hill, that was connected to a pump. It was about 20, 30  
5 foot deep probably, probably about 50 feet across.  
6 I should talk in metres, I suppose. Probably 10,  
7 20 metres diameter. It was a big dam. That was connected  
8 to a pump that was housed inside a tin shed with a motor  
9 generator and connected to hoses, big hoses, connected to  
10 pipes that ran up to the house underground and then taps  
11 around the house connected to fairly substantial hoses to  
12 do the watering and for fire protection.  
13 Were there sprinklers at the house?---And long, long hoses,  
14 too, so you could reach all around so it could get out to  
15 anywhere you needed to get to from the house.  
16 The sprinklers?---And sprinklers on those, yes, big ones like  
17 those ones they use in the park to water the gardens and  
18 things that do big - - -  
19 Had your parents ever had fires come to their property?---Not  
20 on their property, but I know many, many times over the  
21 years, up in Kinglake particularly, there were fires  
22 breaking out. I even was up there one weekend minding the  
23 property and smoke was coming out from Whittlesea over the  
24 hill and I was like, "Gosh, smoke's coming," but it never  
25 seemed to come that way towards them, back towards  
26 Whittlesea, it would usually burn off into Kinglake, so  
27 they had never been confronted by an actual fire coming to  
28 within striking distance of their property.  
29 Before 7 February occurred did you know what they had planned  
30 to do in the event of a fire coming onto their  
31 property?---My father, I don't know how many times over

1 the years, I couldn't tell you, but I know he did attend  
2 CFA meetings. They got all the instructions and the  
3 communications from CFA members and so dad and mum were  
4 very well - had a lot of knowledge about what to do and  
5 fires in the area and everything else that was happening  
6 so they were well prepared. The property was completely  
7 cleared up and cleaned up all around. The stables that  
8 used to be there were completely empty of any fuel or  
9 fodder or anything like that. Dad had his generator, his  
10 pump and his big firefighting hoses, so he thought he was  
11 well prepared.

12 On the 7th you were at home in Port Melbourne?---Yes.

13 And you didn't actually speak to your mum and dad that day, but  
14 you learnt later that your mum had a couple of phone  
15 conversations, one with Barbara Duff?---Yes.

16 What did Barbara tell you about that conversation?---She said  
17 that she had spoken to mum, she didn't speak to dad, but  
18 that mum said she wanted to go. She wanted to put the dog  
19 in the car and leave. I can't remember, I don't know  
20 whether she said she had her bag packed or not, but she  
21 said, "I just want to pack a bag, get in the car and go."  
22 But she said that Lloyd wanted to stay. He didn't think  
23 it was - I don't know his words exactly - but she was  
24 telling Barbara that, "Lloyd's a bit of a problem. He  
25 doesn't want to go." And there is no way that she would  
26 have left without him. She made threats like "I'm  
27 leaving, I'm taking the dog and going," but she would  
28 never do that without him.

29 You were at home and you heard something in the afternoon about  
30 a fire at Kilmore East but didn't connect that with where  
31 your parents were?---I was sitting watching television all

1 day. I thought of them in the heat because it was often  
2 an issue with the heat and the dog and they didn't want to  
3 travel with the dog, because they always took the dog  
4 everywhere. You know, it was "Come to visit, bring the  
5 dog." I did think to myself should I ring them up and say,  
6 "Come on down here because it will be cooler." I thought,  
7 "No, they won't want to, they won't want to take the dog  
8 in the car." I was just thinking of the heat, not fires.  
9 I had spoken to mum the week before and she assured me.  
10 I said, "If there's ever a fire, you just leave, there's  
11 no way you should stay, you should get out." She said,  
12 "Yes, I know, I know, we'll go. It's just a house." So  
13 I was feeling quite comfortable that if anything happened  
14 they would call and come down to us. So, I was just  
15 watching television. I wasn't thinking. I hadn't heard  
16 about any fires except there was one going across the  
17 ticker tape some time in the afternoon saying "Fire has  
18 broken out in Kilmore East" and I was thinking, "Gee,  
19 I hope everyone's all right." But I'd never heard of  
20 Kilmore East. It hadn't occurred to me. I know of Yea,  
21 and Whittlesea and Kinglake and all those places, but not  
22 Kilmore East. Then later, I think it was probably  
23 4 o'clock or 5 o'clock, a ticker tape thing came across  
24 and said "A house lost to fire in Whittlesea." That's  
25 when I hit the panic button.

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

27 And you obviously spoke to your sister and then you rang the  
28 bushfire information line and got hold of somebody  
29 there?---I think I got Travis to get onto the CFA because  
30 the news came on then and they were saying "hotline" and  
31 all this, so we rang the hotline. We got onto the CFA

1 website to see where the fires were, trying to figure  
2 out - because they lived another six or seven kilometres  
3 up the hill from Whittlesea. I still didn't know whether  
4 it was just a house down in the valley or something like  
5 that. So, at that point it was like ring everybody,  
6 listen, get the radio on, get onto the website, trying to  
7 find out where the fires really were, which I don't  
8 think - I can't remember in that moment, you know, how  
9 much we could find out of where they were, but I knew the  
10 fires were in that area, because the first thing I did was  
11 ring mum and the phone was ringing out. Then I rang their  
12 mobiles and they were saying the person has got their  
13 mobile switched off. That's when I started to really  
14 panic because I thought they'd be at home, they'd be in  
15 the house answering the phone. They wouldn't be out  
16 visiting in this heat or doing anything else.

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

1 the station trying to find them from home.

2 You ended up listening to ABC. At about 3 am you heard a

3 gentleman called Peter?---Yes.

4 And he was saying that the Whittlesea golf club had been

5 burnt?---No, he was driving from - he lives near the

6 Whittlesea golf club and he was driving out, you know, or

7 in, going from his property, out away from his property

8 and he rang in to say on the ABC program that all up the

9 hill from the Whittlesea golf club up towards Kinglake,

10 the entire mountain was gone, and I know that that's mum

11 and dad's mountain.

12 You managed to make contact with Peter through the

13 ABC?---I rang the radio and said, "Can he give me a call,"

14 and he did five minutes later. He knew mum and dad

15 because he used to deliver stock feed when they had horses

16 up there, so he said to me that he couldn't - because they

17 lived up the hill and then around a bend, from below the

18 hill you couldn't see right up into their property, so he

19 didn't know. He couldn't see whether their house was

20 still standing or not. But he said - and this is

21 3 o'clock in the morning - he said "I'll go up at first

22 light and I'll have a look for you."

23 And he did that?---Yes.

24 Then the next day you went to Whittlesea with your

25 sister?---I spoke to Peter. He rang back straight away.

26 He'd been on the property and he said that the cars were

27 there, the two cars were there, and he'd seen the dog, but

28 he hadn't seen any trace of my parents. So I'm obviously

29 hysterical at this point but I said to Jane and our

30 respective partners, "We'll go now, we'll get up there and

31 see. Maybe they're in the emergency centre and they



1 haven't put their names down or whatever. So, we've done  
2 all we can from here. Now we can get up there and see  
3 what's happening and see if we can find them."  
4 When you did get there eventually, a policeman went to the  
5 property and came back and told you what had  
6 happened?---Yes. We begged them to sort of go up and look  
7 for us.  
8 And they did?---And they did, and they came back and said two  
9 people were deceased on the property, yes.  
10 After that point you were given permission shortly after to go  
11 and have a look at the property?---Not really. I can't  
12 remember how long it took for them to re-open the roads.  
13 It was a couple of weeks later, I think, somewhere between  
14 a week and two weeks, I can't remember. But we were  
15 allowed up eventually, yes. We spent, you know, all that  
16 day and that night and then we went back and I went up  
17 there and helped get feed and water up to animals and  
18 things up in the area for quite some time. So we spent  
19 probably - I spent with my sister about a week on a daily  
20 basis going up there and trying to help and waiting to see  
21 if we could get in and all of that sort of stuff.  
22 There was quite a lot of waiting because you were able to have  
23 a funeral for your parents on 2 April, so it took several  
24 weeks for you to be able to do that. Did you find the  
25 lack of information during that process, during the time  
26 at which the Coroner was trying to identify them,  
27 frustrating?---Well, I thought because the circumstances  
28 of our parents, that two cars and two people were found on  
29 their property and the property is quite isolated from  
30 anybody else, in my naivety I thought it would be a fairly  
31 straightforward situation. But we had our DNA taken very

1 quickly and we had statements taken quite quickly. Then  
2 it went on and on for weeks. I rang every day to find out  
3 what was happening and to just get information. I wasn't  
4 expecting anybody to do anything faster than they could,  
5 but I wanted to know the process that was happening, why  
6 it was happening and what the results were. Nobody could  
7 tell me anything other than it could be weeks, it could be  
8 months, and I got that official line for a few weeks,  
9 I can't remember exactly how long, until I just really  
10 begged and pleaded with everybody, and then finally  
11 somebody told me DNA wasn't successful, but then they  
12 couldn't tell me why or what else would happen with that,  
13 so then I had to keep hassling. I just wanted to know  
14 what was happening so we could make decisions about a  
15 funeral or a memorial or what we should do. If you don't  
16 know whether it is weeks or months or days or whatever, if  
17 you plan a memorial and then they give you the phone call  
18 the next day - because they were releasing bodies as they  
19 were going along, and you don't know whether it's going to  
20 be yours or not. So you have a memorial and then they say  
21 the next day, "We've identified your parents now." So  
22 I wanted to know that sort of information, but eventually  
23 they told me, after many weeks, that DNA would not be  
24 successful and they said, "Have you had a statement  
25 taken?" I said, "I gave one right at the start." They  
26 said, "No, that's not the one we're talking about. We're  
27 talking about another police statement." I said, "Well,  
28 no." So then the whole police statement had to happen  
29 with myself and other people who had spoken to my parents.  
30 At this point I had finally been given the name of Jenny  
31 Haw, who was running the operation in the Coroner's office

1 along with Judith Leitch, by the policemen because I was  
2 ringing them, hassling them for someone to talk to about  
3 what was being on. I was finally given her name and  
4 everybody in the end, sort of seven weeks later, you know,  
5 the statements were taken and then everything happened  
6 very quickly then because I think they took it on board  
7 what my situation was and it shouldn't have happened, that  
8 they weren't in amongst 50 other people up in Kinglake all  
9 running into other people's houses. They were an isolated  
10 property, parents, dog, cars. So they realised that the  
11 case could be put together quite quickly and it was  
12 resolved then.

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

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

27 No, I don't see Mr Garner approaching. Ms Robbins, you have  
28 made some reflections on your experience of what it was  
29 you understand your parents went through and what happened  
30 to them about, firstly, the "stay or go" policy and your  
31 understanding of it. What is it really that you want to

1 say about that?---I want to say that I think people have  
2 false expectations of what they are capable of doing, as  
3 my father did. They spent 30 years up there. He knew all  
4 about how to fight fires, supposedly, with your hose and  
5 your clear property. Their property was as prepared as  
6 any other property could be, and so he thought he could,  
7 given the information, given almost the encouragement,  
8 I feel, with this whole "Be fire ready, be prepared," that  
9 he was prepared and he could do it, so therefore he and my  
10 mother are both dead. I think that people need to be  
11 given instructions on a day where they have no hope of  
12 fighting a fire. I don't think anybody should be fighting  
13 a fire except a firefighter or someone who is a volunteer  
14 that is trained to do so, and they should be doing it in  
15 proper fire protection gear and they should be in proper  
16 firefighting vehicles. Even the firefighters struggled on  
17 that Saturday, let alone being told that if you've got  
18 your sprinkler, your hose and your bucket and you're going  
19 to get out the embers, that somehow you've got a fighting  
20 chance. It is just ludicrous. You know, if you were in  
21 an office here now and the warning thing went off and they  
22 said, "There's a bomb on level 3," you don't have a choice  
23 whether you're going to stay and protect your document  
24 you've been working on for the last two hours because you  
25 really don't want to lose it. You will be compelled to  
26 leave the building. I think people should be given clear  
27 instructions, when the authorities know that this is a  
28 very dangerous situation, that they must leave. I'm not  
29 proposing that you go and drag people out of their houses,  
30 but just as if you were given the instruction here to  
31 "Leave this building, there is a bomb," you would leave.

1 If you were given those instructions clearly and in time,  
2 in your house, you will leave too, you won't need to be  
3 dragged out. It is a matter of people taking the  
4 responsibility, the authority, to protect people's lives.  
5 If you want to fight a fire, go join the CFA, learn how to  
6 do it properly, put your gear on and go back up the hill  
7 and get your family out safely first. I think one thing  
8 that will save your house, if anything is going to do it,  
9 is you should install a sprinkler system in the roof of  
10 your house, have it hooked up to fireproof pumps with  
11 fireproof pipes, turn it on and then leave and let the  
12 water save you, because nothing else will. One more thing  
13 I think is that I know that people were given the idea,  
14 and I can't say exactly where from or if it is clear  
15 instructions from the CFA or whatever, to not leave your  
16 house, don't go and get in your dam or anything but stay  
17 in your house. I think in your house is a damn good way  
18 to die. I know on my parents' property they had a big,  
19 deep dam and it's the only thing that's standing on the  
20 property, was the horse shed directly behind the dam. The  
21 fire went right around it, there were beautiful green  
22 lilies and rushes still in the middle of that dam. If  
23 they had gone into that dam, they'd be alive, just as  
24 quite a few other people were still alive because they got  
25 in their water tanks or because they got to a little ditch  
26 with water in it. Any sort of water is what will save  
27 you, but I don't think anything else will.

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

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

30 <(THE WITNESS WITHDREW)

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

1 I call Mr Slijepcevic.  
2 <ALEN SLIJEPCEVIC, recalled:  
3 Firstly, an apology if I just mangled your name. Can you just  
4 please inform me of the correct  
5 pronunciation?---"Slepchevich".  
6 Thank you. Can you confirm that your full name is Alen  
7 Slijepcevic?---That's correct.  
8 And you of course have previously given evidence in this  
9 Commission and have previously provided two witness  
10 statements and you have now had produced for you with the  
11 assistance of the solicitors for the State of Victoria a  
12 second supplementary witness statement?---That's correct.  
13 Have you had an opportunity to read through that statement  
14 before giving evidence today?---Yes, of course.  
15 Are the contents of the statement true and correct?---That's  
16 correct.  
17 Is there anything that you wish to change?---No, I don't.  
18 I tender the statement.  
19 #EXHIBIT 551 - Second supplementary witness statement of Alen  
20 Slijepcevic (WIT.3124.005.0001).  
21 MR ROZEN: If I can start by asking you some questions about  
22 level 3 incident controllers. Firstly, have you been in  
23 the hearing room throughout Mr Haynes 'evidence this  
24 morning?---Yes, I was.  
25 You would have heard Mr Haynes say that he was satisfied from  
26 the perspective of the CFA that there are sufficient level  
27 3 incident controllers in place for the forthcoming fire  
28 season?---(Witness nods.)  
29 Are you of the same view?---Yes, I am.  
30 What about for the last fire season? What do you say about  
31 whether there were sufficient numbers of level 3 incident

1 controllers on 7 February 2009?---If you look, the  
2 difference between last and this year is about 15 people  
3 potentially, so we still had about 85 people at that time.  
4 So I take it that the answer is the same, that there were  
5 sufficient numbers?---Yes.  
6 But you would agree, I take it, in general terms that it is not  
7 just a matter of numbers, it is a matter of having them in  
8 the right place at the right time?---That's correct.  
9 I will explore that issue with you in a little more detail.  
10 Before doing that, I just want to get a bit of an  
11 understanding from you, based on your experience, of the  
12 difference between a level 2 incident and a level 3  
13 incident and therefore a level 2 incident controller and a  
14 level 3 incident controller. I wonder if I can do it in  
15 this way: In your statement of 25 June of this year, and  
16 I don't want to take you to the detail of it, but as  
17 I read that statement you make the point that at a level 3  
18 incident the incident controller would normally delegate  
19 all functions, that is operations, logistics, planning and  
20 so on?---That's correct.  
21 By contrast, at a level 2 incident there may be fewer functions  
22 that are delegated and some that are actually performed in  
23 an operational sense by the incident controller, him or  
24 herself?---That's correct.  
25 Does it follow from that that one of the key differences  
26 between the two roles, that is between a level 2 incident  
27 controller and a level 3 incident controller, is that a  
28 level 3 incident controller position is essentially a  
29 management function?---The same applies to level 2 as  
30 well.  
31 Yes, there is obviously a management role associated with a

1 level 2 function, but at the level 3 level, if I can put  
2 it that way, given that everything is delegated, then it  
3 is largely a management role?---That's correct.

4 Is that a fair way of putting it?---Yes, that would be.

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

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

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

19 If you could scroll down to the bottom of the document. On the  
20 left-hand side we see the second last entry, "Incident  
21 controller level 2 is usually achieved after seven to  
22 10 years experience as a level 1 controller." What is the  
23 source of this document. Is this an accepted AIIMS  
24 document? Is this something that has been created in the  
25 DSE?---This is based on the experience within DSE.

26 Generally speaking, that level of seven to 10 years experience  
27 at level 1 is an appropriate level of experience to move  
28 to level 2, and similarly the progression from incident  
29 controller 2 to incident controller level 3 occurs after a  
30 considerable experience as a level 2 controller which you  
31 put at usually six to 10 years?---That's correct. I just



1 have to clarify that this was based on years through 80s  
2 and 90s as people are moving through, so this is based on  
3 the analysis how people actually move between the roles,  
4 so achieve the accreditation in between. Throughout 2000s  
5 we actually have a lot more fires, unfortunately, and a  
6 lot more opportunities to practice, so what used to be  
7 seven years now potentially is much shorter than that.

8 So I think you have anticipated my next question. Mr Haynes  
9 just told us, as I understood his evidence, that three to  
10 five years at the level 2 role was probably an appropriate  
11 level of experience to qualify you to move to level  
12 3?---(Witness nods.)

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

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

27 Perhaps I will start the question again. At paragraphs 111.12,  
28 13 and 14 you are there describing initiatives which have  
29 been made available for level 3 incident controllers and  
30 other members of level 3 incident management teams in  
31 anticipation of the forthcoming summer; is that

1 right?---That's correct.

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

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

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

20 And I suggest to you that the provision of the information  
21 which you there describe, and there are other examples in  
22 Mr Haynes' statement which I don't think I need to take  
23 you to, indicate that there is an awareness within the  
24 agencies that incidents that are of sufficient complexity  
25 to be called level 3 incidents need to be managed by level  
26 3 personnel?---Ideally. That's correct.

27 There has been a lot of evidence in the Commission about level  
28 3 incident management teams, albeit with an incident  
29 controller who wasn't qualified or accredited or endorsed  
30 as level 3. The fact of the matter is this, isn't it,  
31 that unless there is a level 3 incident controller in

1 charge of an incident management team, it is not a level 3  
2 incident management team; would you agree with that?---It  
3 really depends on the circumstance. I can point that  
4 Mr Tony Lovick is also accredited operations officer level  
5 3 as well, so these people actually perform the roles  
6 already within the level 3 IMTs before. It is not like  
7 this is the first event when they are doing the job.  
8 I understand that. But there is a difference, is there not,  
9 between being a level 3 incident controller and a level 3  
10 operations officer?---Yes, there is.  
11 The point you are making is that a man such as Mr Lovick, who  
12 was accredited as a level 2 incident controller, who was  
13 in charge of the Alexandra incident control centre, had  
14 other experience which made him a particularly well  
15 qualified level 2 incident controller?---That's correct.  
16 But he is still not a level 3 incident controller?---He is  
17 coming through the level 2 to level 3 program at the  
18 moment.  
19 In your statement at paragraph 108, which is on page 0020, you  
20 make the point that there were 15 fully available  
21 accredited DSE level 3 incident controllers on 7 February  
22 2009?---That's correct.  
23 In addition, we know from the statement of Mr Haynes, in a  
24 paragraph which I understand you to adopt, that there were  
25 83 CFA level 3 incident controllers available on  
26 7 February 2009?---I believe it was - what did you say,  
27 80? I think it was around 60, 63 CFA.  
28 There seem to be two numbers referred to. We will go on the  
29 lower of the numbers. There are 63 endorsed level 3  
30 incident controllers referred to in paragraph 170 and 83  
31 are referred to in paragraph 172. Accepting the 63 figure

1 for the sake of the question, it is nonetheless the fact  
2 that for the Alexandra IMT, for which DSE was the control  
3 agency, there was not a level 3 incident controller in  
4 place until 8 February 2009?---That's correct.

5 Mr Caddell commenced as the incident controller at some time on  
6 the morning of 8 February 2009, by which time of course  
7 the fire had impacted on Narbethong and Marysville with  
8 the loss of life that the Commission has referred to.  
9 Given that the numbers of incident controllers were, as  
10 you have told us, sufficient for 7 February, do you agree  
11 that it was unacceptable that a level 3 incident  
12 controller wasn't in place at Alexandra until the morning  
13 of 8 February?---We had a couple of incident controllers  
14 based at Mansfield which moved across to Kilmore fire, and  
15 it was just the time it would take for others to come to  
16 that that made Mr Lovick become the incident controller  
17 there on the day.

18 Do you agree, sir, that it was unacceptable that there wasn't a  
19 level 3 incident controller in place until the morning of  
20 8 February?---I would say that Mr Lovick performed  
21 brilliantly in that role on the day.

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

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

29 In operation for 7 February. I will take you to it if I need  
30 to, but it indicates that there were five level 3 incident  
31 controllers, including Mr Rice of the CFA, who were

1           apparently available to perform the level 3 incident  
2           control function at Alexandra. Are you aware of that  
3           document?---I'm aware now, yes.

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

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

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

23   CHAIRMAN: Yes.

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

29   We have evidence before the Commission, not only the example  
30          that I have just drawn you to, but also the example of  
31          the Traralgon incident management team where Mr Lockwood

1 of the CFA was appointed as the incident controller in  
2 preference to the considerably more experienced  
3 Mr Jeremiah. You deal with this issue by making reference  
4 to a joint standard operating procedure which will govern  
5 the appointment of incident controllers in the forthcoming  
6 summer. That is joint standard operating procedure 3.08,  
7 which is at (WIT.3004.027.0380. It is attachment 33 to  
8 Mr Haynes' statement. Commissioners, I think this might  
9 have been one of the ones where an amended version was  
10 provided to us, but for present purposes the aspects of it  
11 I want to take the witness to are no different. If we go  
12 to page 2 of this document which is in front of you,  
13 clause 2.1, do you agree that the wording of clause 2.1,  
14 and I quote, "The control agency shall appoint an incident  
15 controller (from either agency) for each multi-agency  
16 incident" is for all practical purposes identical to the  
17 wording that was in the standard operating procedure that  
18 applied on 7 February 2009?---That wording would be.  
19 Why in those circumstances do you think that there will be a  
20 change in approach from what Mr Haynes has described as  
21 the traditional approach, which is the control agency  
22 appoints the incident controller from its agency and the  
23 other agency appoints the deputy?---The biggest difference  
24 this year is that you will have area operations controller  
25 or the state controller that will be appointing incident  
26 controller for the job, and that might not necessarily be  
27 the person from the same agency or the agency that is the  
28 lead agency or control agency for that fire.  
29 So you point to the identification of the person making the  
30 appointment as an explanation for what the Commission has  
31 recommended, that is that the best qualified, most

1 competent person be appointed regardless of agency, and  
2 you point to the fact that it is the state controller or  
3 the area of operations controller making the appointment  
4 that will achieve that end?---Definitely.

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

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

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

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

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

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

30 You explain in your statement and in an attachment which is at  
31 page 286, it is attachment 17 to your statement and it

1 starts at (DSE.HDD.0074.0284). You were in the hearing  
2 room this morning and did you hear the evidence Mr Haynes  
3 gave about the history of this project?---Yes, I did.  
4 I take it from reading your statement that the process that is  
5 described in the standard and in your statement continues  
6 to apply so far as the transition of DSE personnel from  
7 level 2 to level 3 is concerned?---Yes, that's correct.  
8 We review the process and change it slightly, but it still  
9 applies.  
10 Mr Haynes told us that he personally had been through the  
11 process as part of his transition to level 2 to level 3.  
12 As far as you are aware, does it have application to the  
13 CFA presently?---How do you mean? Does the CFA  
14 participate in it?  
15 Yes?---No. I think you heard that from Mr Haynes.  
16 Mr Haynes explained that, as he understood the reasoning for  
17 that, it was to do with a concern over psychometric  
18 testing?---Yes, I heard that.  
19 Are you able to explain to us is it the case that the  
20 psychometric testing used as part of this transition  
21 project results in either a pass or fail for a  
22 participant?---No, it doesn't result in a pass or fail.  
23 It results potentially in a development plan for the  
24 person.  
25 Can you just explain that to us a little further. A person  
26 goes through a process of psychological testing, is that  
27 right?---Yes, that's correct.  
28 Which is referred to as psychometric testing. The purpose  
29 behind the testing is what, exactly?---The person that  
30 does the testing is a psychologist.  
31 That's the person who does the testing. What is the purpose of



1 the testing. Why is it done?---The purpose is to assess  
2 the work preferences for people that will work in the  
3 roles, and it is about critical thinking, decision making,  
4 working under stress, self-awareness and so on.

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

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

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

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

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

22 Mr Haynes in his statement explains that as part of the future  
23 addressing transition from level 2 to level 3, that there  
24 is a project which has a completion date or target date of  
25 30 June 2011?---That's correct.

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

27 I wonder if I could take you, please, to paragraph 126 of  
28 Mr Haynes' statement, which is at (WIT.3004.023.0041). If  
29 we could scroll down to the bottom of the page, please.  
30 Mr Haynes is there setting out the commitments that the  
31 CFA and the DSE are making in terms of future

1 arrangements. At paragraph 126.4 he says, "By 30 June  
2 2011, to develop joint training packages for key IMT  
3 personnel where they do not currently exist and to agree  
4 on long-term training plans and targets." He then sets out  
5 eight key IMT roles from incident controller through to  
6 division and sector commander. Do you see that?---Yes.  
7 So far as the first four are concerned, incident controller,  
8 operations officer, planning officer - certainly as far as  
9 the first three are concerned, incident controller,  
10 operations officer, planning officer - the training  
11 process is part of the level 2 to 3 transition process, is  
12 it not, so far as DSE is concerned?---Yes.  
13 What about situation officers? What is in place so far as  
14 training for a situation officer to move from level 2 to  
15 level 3?---At the moment we have a training for the level  
16 2, and after that is based on performance at the  
17 incidents.  
18 So there isn't a formalised assessment process such as that  
19 that we have just been talking about for incident  
20 controllers?---That's correct.  
21 So there is still work to be done in relation to that?---Yes.  
22 What about the other four roles that are identified? So far as  
23 sector and division commanders are concerned, there are  
24 training packages already in relation to those roles are  
25 there not?---Not within DSE. We don't train people  
26 formally for the role of the sector commander or the  
27 divisional commander. We train them for what we call ops  
28 2 role, which is not the same as the operations officer  
29 level 2. It is the ops 2 and people can then perform the  
30 roles of sector commander or divisional commander.  
31 To use a concrete example, if we take, say, Mr Williamson who

1 performed the division commander role at the Murrindindi  
2 fire, he would be qualified for the ops 2?---He would not  
3 have a formal qualification as a divisional commander, but  
4 he is certainly qualified as ops officer level 2.  
5 Which in substance would qualify him to perform all the roles  
6 of a division commander?---Yes.  
7 What about the information officer and the fire behaviour  
8 analyst roles? Is there still work to be done in relation  
9 to those areas?---Yes, there is.  
10 Just before leaving the topic, returning to the transition from  
11 level 2 to level 3 for incident controllers, as far as you  
12 are concerned is it the case that there is nothing to  
13 prevent the CFA participating in that process as things  
14 stand currently?---No, there's not.  
15 Other than a willingness on the part of that agency to do  
16 that?---We have committed that we will do that. You heard  
17 that from Mr Haynes.  
18 If I could turn to the question of level 3 incident control  
19 centres. You would have been in the hearing room this  
20 morning when Mr Haynes was asked about the apparent change  
21 in the view of the agencies as to the minimum number of  
22 people necessary for a level 3 IMT. The traditional  
23 position had been that 14 was an appropriate number of  
24 people; is that correct?---That's correct, to start with.  
25 We saw that reflected, did we not, in the previous standard  
26 operating procedure that applied to the establishment of  
27 an incident management team?---(Witness nods.)  
28 Just in relation to that, do you have any familiarity, and  
29 I know this is going back some time now, with the fire  
30 agencies improvement initiative that occurred in the late  
31 1990s?---No. I wasn't here at the time.

1 Are you able to explain to us what the thinking of the agencies  
2 was that led to the view that 14 was an inadequate number  
3 and that 30 was the appropriate number for minimum  
4 staffing in a full level 3 IMT?---I cannot explain 14.  
5 I wasn't here when that was formed. But for 30 we  
6 actually looked what is required for the level 3 IMT to  
7 function fully on day one of the fire and that's why we  
8 formed the view that 30 is the appropriate number for that  
9 one. To clarify, that's a minimum. We had a number of  
10 incident management teams working through last year, in  
11 2006/7, that had up to 90 people.

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

17 COMMISSIONER PASCOE: Mr Slijepcevic, I'm wondering if part of  
18 the move to larger staffing was the new classification of  
19 the catastrophic code red and the experience of  
20 7 February, the speed and the intensity and the scale of  
21 those fires. Was that part of - - -?---That was  
22 definitely part of the consideration.

23 MR ROZEN: Just in relation to that, to follow up the question  
24 from Commissioner Pascoe, as I understand the 30 roles  
25 that are identified, two of them are specifically  
26 concerned with the provision of warnings; that is, an  
27 information officer position and a public information  
28 officer, I think is the correct title?---(Witness nods.)  
29 Was any assessment, as far as you are aware, made of the role  
30 of information units on 7 February 2009 to ascertain  
31 what's the optimum number of people in an information unit

1 at a significant level 3 incident?---Well, that was part  
2 of the analysis. That's why we put two information  
3 officers in the team.

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

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

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

26 "The incident controller shall expand the IMT based on the  
27 needs of the incident and the determination of risk." The  
28 first dot point then reads "Controller - incident  
29 controller" and then in brackets "Level 3 where determined  
30 by the state controller." Wouldn't the expectation be,  
31 Mr Slijepcevic, that in a full level 3 IMT operating under

1 this standard operating procedure, that the incident  
2 controller would be a level 3 incident controller?---That  
3 would be preferred position.

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

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

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

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

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

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

28 It was a mandatory requirement for a level 3 IMT on 7 February  
29 2009, was it not?---That's my understanding.

30 You have heard evidence today from Mr Haynes that, other than  
31 the incident control centres at Bunyip and Pomborneit,

1 none of the level 3 incident management teams that  
2 operated on 7 February 2009 had the safety adviser  
3 position filled. Do you understand that to be the  
4 position?---Yes, I do.

5 Is that something that you became aware of only in preparing to  
6 give evidence today?---That's correct.

7 Are you able to assist the Commission with understanding how it  
8 was that there were not safety advisers in place in level  
9 3 incident management teams, for example at Murrindindi,  
10 where the DSE was the control agency?---No, I can't.  
11 I can only speculate. But you already - I think it was  
12 heard already this morning that Mr Steer, who is qualified  
13 safety adviser, was already filling another role within  
14 the IMT.

15 But we know that in addition to Mr Steer there were 15 other  
16 people identified as being available to perform the role  
17 of safety adviser on 7 February 2009 at  
18 Alexandra?---I don't know that.

19 Is the experience of 7 February 2009 exceptional in this  
20 respect or is it in your experience often the case that  
21 level 3 incident management teams don't have a safety  
22 adviser as required?---I can't answer that question.  
23 I don't know.

24 Who had the responsibility to appoint a safety adviser at the  
25 Alexandra ICC on 7 February?---It would be the incident  
26 controller or requesting from the regions.

27 So that's either Mr Miller, who started off there, or  
28 Mr Lovick, who took on the responsibility later in the  
29 afternoon?---That would be correct.

30 Is there any process within the DSE of calling an incident  
31 controller into account for a failure to comply with a

1 standard operating procedure in this sort of way, as far  
2 as you are aware?---I don't think we have done that.  
3 As far as you are aware, has it been part of any debrief that  
4 has occurred involving IMT personnel since 7 February  
5 2009, this issue that there weren't safety advisers  
6 appointed?---No.

7 Are you able to explain to us why that is?---No, I can't.

8 CHAIRMAN: Are you going to move to another topic?

9 MR ROZEN: I am, sir.

10 CHAIRMAN: It is just that we have concerns for our transcript  
11 provider. Even if it is only a short break, I think it is  
12 desirable that we take a short break.

13 MR ROZEN: Yes, I think that's a very good idea.

14 (Short adjournment.)

15 MR ROZEN: Mr Slijepcevic, in relation to incident control  
16 centres and their state of readiness for the forthcoming  
17 summer, the Commission has heard evidence that an approach  
18 has been settled upon between the agencies which has  
19 different states of readiness in respect of a day that is  
20 described as of severe fire danger?---Mm-hm.

21 Do you understand that? The arrangements are as set out in  
22 standard operating procedure 2.03, which is the document  
23 that we have in front of us. Appendix 2 sets out the  
24 default preparedness levels of incident control centres.  
25 It is on page 4 of the document. You have it there.  
26 Mr Haynes explains that the levels of preparedness and  
27 their allocation to particular incident control centres  
28 has been settled upon as a result of a risk based  
29 approach. Are you able to explain to us what the  
30 methodology was that led to these preparedness levels of  
31 A, B, C and D and their allocation to particular



1 locations?---Not completely, but it was based pretty much  
2 on the consequence part of the risk equation. So it is  
3 based on human life or the infrastructure or the  
4 properties or environmental or the economic basis.  
5 The default settings are based on preparation levels for days  
6 of severe danger. Was any consideration given to whether  
7 these default settings are also appropriate for code red  
8 catastrophic days?---Yes.  
9 Why do we only see default settings for severe days rather than  
10 default settings for code red catastrophic days?---Because  
11 in our opinion, straight after 75, fires have a potential  
12 to produce a catastrophic consequence to say that.  
13 From the table that we see on the following page, if I can just  
14 take the example of Alexandra, which is just to the bottom  
15 of the screen there, three from the top, do you see  
16 Alexandra?---Yes, I do.  
17 The fourth column is the state of preparedness for an incident  
18 control centre on a day where the fire danger index is 75  
19 or higher; is that correct ?---That's correct.  
20 From the document we know that preparedness level B, this is  
21 page 0332, the previous page of the document, means that a  
22 core IMT of eight is in place by 10 am?---Yes.  
23 And we have already looked at what a core IMT is. Then a level  
24 3 IMT of 30 is in place within 120 minutes?---That's  
25 correct.  
26 My question is 120 minutes of what?---120 minutes of call being  
27 made that the fire started.  
28 So 120 minutes of the first call indicating that the fire has  
29 broken out; is that right?---(Witness nods.)  
30 Is that the 000 call you are referring to, the first 000 call  
31 to indicate - - -?---Or any other means of detecting

1 fires. We detect fires through our fire towers  
2 or detection flights or anything else.  
3 Or a member of the public?---Or a member of the public.  
4 Whatever it is?---(Witness nods.)  
5 If we apply the default settings in the new standard operating  
6 procedure to the Murrindindi fire so we can get some  
7 understanding of how these default settings would operate  
8 were there to be a repeat of a fire of that nature, the  
9 fire commenced, on the evidence that we have heard, at  
10 approximately 1500 hours, 3 pm. So, under preparedness  
11 level B, there is an expectation that the ICC at Alexandra  
12 would be at level 3 state of readiness, level 3 incident  
13 management team, by 1700 hours, by 5 pm?---(Witness nods.)  
14 Now, we know from the evidence that by 5 pm the fire had  
15 impacted on Narbethong and was well into the Black Range  
16 forest and completely out of control, and we know that by  
17 5 pm there was considerable intelligence available to the  
18 ICC that Marysville was potentially at risk on the arrival  
19 of a wind change. I suggest to you that the default  
20 setting of two hours in which to have a level 3 incident  
21 management team in place in those circumstances is too  
22 long. In other words, you need to have a level 3 incident  
23 controller and a level 3 incident management team in place  
24 in those sort of circumstances before 5 o'clock, to use  
25 the Alexandra example?---My understanding, preparedness  
26 level for Alexandra took into consideration the fire that  
27 already occurred.  
28 What do you mean by that?---That there is a lower risk now  
29 because of the fuel that has burnt in the area.  
30 So you are saying that, but for the fire that we had on  
31 7 February, Alexandra may be at a default setting of

1 A?---That's possible. The whole intent is that this is  
2 the minimum standard. Area controllers and state  
3 controllers can still increase the number of people that  
4 will be there on each given day.

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

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

20 COMMISSIONER PASCOE: Mr Slijepcevic, I just have a question  
21 that in many ways takes us back to your earlier appearance  
22 and earlier evidence we have had about the training of  
23 fire behaviour analysts. Can you give us any information  
24 about what's in place for the forthcoming fire season and  
25 beyond?---We organised another couple of training courses  
26 this year. At the moment we've put in place again the  
27 full mentoring program through the SCC and also people are  
28 rostered now on the regional basis as well to perform the  
29 role of the fire behaviour analyst which will to some  
30 degree be mentored and helped by the state control centre  
31 as well. On top of that we are putting Kevin Tolhurst's

1 Phoenix model into our system, so as soon as a fire starts  
2 the model will start producing the fire behaviour  
3 predictions as well. So that will help with the rapid  
4 analysis.

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

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

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

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

28 COMMISSIONER McLEOD: Mr Slijepcevic, could you just confirm  
29 for me against the current fire danger rating index or  
30 classifications which level would apply or which levels  
31 would apply to preparedness level D? Is it from very high

1 down to high - well, is it very high, that that level - -  
2 -?---It is very high. It corresponds to some portions of  
3 very high.

4 Sorry, you are confirming it is very high?---And below.

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

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

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

28 That's true. But if it is a lower danger, the quicker you get  
29 into it the more likelihood you will get it out  
30 quicker?---Yes, but this doesn't specify that we will have  
31 a lower level of response to the fire. It just says the

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

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

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

26   And control of the resourcing of that fire. The sooner that  
27       gets fully established the better, surely, in any  
28       fire?---That's correct. What we are saying here is that  
29       this is minimum levels for those days. If you look in our  
30       normal day-to-day operations, we will have a large number  
31       of people in our offices in the normal roles already doing

1 their normal jobs which are available to undertake the  
2 roles into the IMT. And the same applies on the weekends,  
3 of course, that people will put a different level of  
4 preparedness depending on the levels of fire danger in  
5 their district.

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

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

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

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

24 And it often isn't?---At that level there is a quite high  
25 success rate in putting fires out in the initial attack.

26 I will just leave the thought with you because I think I'm not  
27 absolutely convinced that it is logical the way the  
28 resourcing is constructed?---Okay.

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

31 <CROSS-EXAMINED BY MR CLELLAND:

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

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

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

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

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

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

31 And that will occur at any of the preparedness levels, at least



1 A and B, by 10 o'clock?---That's correct.

2 And the difference between A and B, as I understand it, is a  
3 level 3 IMT of 30 staff being in place within either 60 or  
4 120 minutes?---That's correct.

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

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

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

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

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

30 It was put to you by our learned friend that unless there is a  
31 level 3 incident controller in charge it is "not a level

1 3". Can I suggest to you that, whilst as a matter of  
2 strict definition that might be right, nonetheless an IMT  
3 can be appropriately staffed with level 3 people occupying  
4 some or all of the other key roles and in that form could  
5 competently manage a complex level 3 fire?---That's  
6 correct.

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

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

17 So in the 12 ICCs or 12 IMTs that we have identified, the  
18 expectation is that we will have a level 3 incident  
19 controller in place from the outset, that is from  
20 10 o'clock?---That's correct.

21 It was further suggested to you by Mr Rozen that it was  
22 unacceptable that there was no level 3 at Alexandra on  
23 7 February, and I think you made the observation that in  
24 your opinion Mr Lovick performed brilliantly?---(Witness  
25 nods.)

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

31 Just finally, lest it be misunderstood, the proposals that are

1 both enshrined in SOP J2.03 and indeed the subject of the  
2 PowerPoint presentation, the whole intent there is that  
3 they represent minimum standards for extreme days and  
4 above?---That's correct.

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

7 If the Commission pleases.

8 <RE-EXAMINED BY MR ROZEN:

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

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

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

22 CHAIRMAN: Yes. Thank you, you are excused.

23 <(THE WITNESS WITHDREW)

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

30 <ALLAN TYRIE SMALL, sworn and examined:

31 MS DOYLE: Thank you, Mr Small. You have been a CFA volunteer

1 since 1967?---That's correct.

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

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

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

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

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

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

18 I tender that statement.

19 #EXHIBIT 552 - Witness statement of Allan Tyrrie Small  
20 (WIT.7529.001.0001).

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

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

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

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

30 You mention having also held concurrent roles at the group and  
31 regional levels. Did those roles at the group and

1 regional levels call on more of your managerial  
2 skills?---They did indeed.

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

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

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

18 I undertook the strike team leaders' training course.

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

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

1 through the Office of Corrections and other avenues as  
2 I went along.

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

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

9 But you were aware at some stage that you carried the  
10 designation M, namely needing a mentor?---Indeed. I have  
11 records from 2005 of all of the IMT positions for region  
12 13 and in that I was listed as a level 3 incident  
13 controller, mentored.

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

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

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

25 That really leads me to what I wanted to ask you next. In  
26 obtaining your endorsement as a level 3 incident  
27 controller, did you submit any documentary proof in order  
28 to establish your skills and experience in the  
29 area?---I did, and I believe it was in about 2005. I'm  
30 not quite sure. But the requirement was becoming well  
31 known, shall we say, that one needed to have some

1 justification to hold that role. So I backtracked, if you  
2 like, to my superiors in previous incident control  
3 situations for a document, an assessment of my  
4 capabilities doing that task of deputy incident controller  
5 or operations officer, whatever it happened to be.  
6 From what you say, Mr Small, I take it what you did when you  
7 were seeking endorsement was revisit supervisors who may  
8 have worked with you in previous fires and ask them to  
9 create a historical record?---That's correct.  
10 What did that include; them recording their observations of how  
11 you performed during the fire?---Yes, all of the  
12 indications that are on that form, and it was about how  
13 you carried out yourself in that role, how you performed  
14 and their perceptions and their experience of what you did  
15 under those circumstances, whatever it happened to be.  
16 Mr Small, do you know whether you maintain your level 3  
17 endorsement as an incident controller?---No, I don't.  
18 Why don't you know that?---The system doesn't have a return  
19 focus, if you like. What happens is, in region 13, which  
20 I'm a part of, as the group officer I would have, along  
21 with my operations officer, sent a list of people into the  
22 region, to the operations manager each year prior to the  
23 fire danger period, with the people we believed had the  
24 expertise and the ability to do particular functions.  
25 That goes then to the OM. The OM authorises that, if you  
26 like, or those positions and then that goes to the chief  
27 officer for endorsement. But to the best of my knowledge  
28 there is no return functioning of it.  
29 But you assume, rightly or wrongly, that you have retained your  
30 endorsement. You assume that it is current for the  
31 moment?---Absolutely. My opinion would be that, unless



1 I was removed from a position and/or somebody, my  
2 operations manager or above, came along and said, "Allan  
3 Small, you are no longer competent in that position,"  
4 I would retain that.

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

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

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

1           was there to protect the group's security.

2   Your statement records that, in the event, you were not called

3           upon to serve on Black Saturday?---No, I was not.

4   However, about a week after 7 February you were asked to fill

5           the role of deputy incident controller at Woori Yallock to

6           deal with - I will just say mopping up the fires that were

7           continuing to trouble the state. You were asked to make

8           yourself available for three days as part of the ongoing

9           management of the Kinglake to Healesville fire complexes.

10          You say in paragraph 49 you made some personal

11          arrangements to ensure you could do that?---That's

12          correct, yes.

13   So you put aside the time Monday to Wednesday?---That's

14          correct, yes.

15   Were you then told late on the Sunday evening you were no

16          longer required?---Correct.

17   Do you know why that was the case?---No, I was given no

18          reasoning during that telephone conversation.

19   Do you know who was used in your place to fill the role that

20          you had been asked to fill?---I do.

21   Who was that?---A very senior career officer with the CFA.

22   You say in paragraph 52 or you point to what you regard as the

23          difficulty or perhaps your personal dismay about the way

24          this turned out. Did you want to work on the Monday to

25          Wednesday in a level 3 post?---Absolutely. I'll go where

26          I'm called as to the job to do. If I felt I wasn't up to

27          the task, I would say so.

28   You say in paragraph 53 that in your view this example, this

29          incident, reflects "a wider cultural issue within the CFA

30          and the DSE". Can you tell the Commission in your words

31          what is the "cultural issue" to which you are

1 referring?---Ms Doyle and Commissioners, in my experience,  
2 and it is not widespread but unfortunately it does exist,  
3 there is a cultural indifference between what some staff  
4 in the many organisations we work with, DSE, PV, Melbourne  
5 Water et cetera, that they are professional officers and  
6 we, or I, am a volunteer, so somewhat lesser abilities  
7 than they may have. I'm thankful to say that's not  
8 widespread but it certainly occurs.

9 Has it been your experience that that has led to an  
10 under-utilisation of your skills?---That's correct, yes.

11 Have you been in the position to observe whether it has given  
12 rise to the under-utilisation of other skilled  
13 volunteers?---Yes, absolutely. Some of my more senior  
14 peers across the state now have a preference. They won't  
15 wear their volunteer uniform or roundel on the shoulder.  
16 They will go in civilian clothes so that they are not  
17 standing out as a volunteer.

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

21 In paragraph 22 you commence by expressing your view that the  
22 system is flawed insofar as it relates to senior volunteer  
23 firefighters. You talk about some of the difficulties for  
24 volunteer firefighters in accessing the senior levels of  
25 training and in accessing the endorsements that are  
26 required. Can you explain to the Commission why you hold  
27 the view that there is a difficulty for senior volunteers  
28 getting into those ranks?---Yes, indeed. If I could,  
29 I just wish to clarify that that relates to what I term  
30 senior or management positions within the field, so that's  
31 strike team leaders, sector commanders et cetera, but also

1 the IMT or ICC positions. It is my experience that it is  
2 extremely difficult for a volunteer, a senior volunteer or  
3 other that might have the capacity to do those roles, to  
4 be able to undertake the training. My experience is that,  
5 unless that individual pushes himself or has a  
6 self-direction to attain those particular roles or a  
7 senior officer volunteer or career taps them on the  
8 shoulder and directs them to a line that they think they  
9 would be very good at, the ability of a volunteer in the  
10 middle management level is very difficult to get on  
11 courses.

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

28 So you are suggesting there, Mr Small, that there is the  
29 difficulty of the volunteer getting to the course in the  
30 times that they are available, but it sounds as though you  
31 are also suggesting getting a slot because they may have

1 already been filled by the paid staff?---That's correct.  
2 Some few years ago, if I may very quickly, I made some  
3 inquiries in regards to that very thing and I suggested,  
4 "What about if there are short notice vacancies from the  
5 career staff, that you let us know," and I mean by the  
6 region, "that there is availability?" If we can get  
7 somebody there in short notice, we would, but that  
8 wasn't - that did not come to fruition.

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

24 So is it your view that, in order for there to be more  
25 volunteers to make the progression to the stage of level 3  
26 incident controller, there may need to be a more frequent  
27 offering of the types of courses that skill them up in  
28 management and leadership?---The organisation needs to  
29 address that in being able to fit the volunteer into  
30 courses when they are able to and/or provide the training  
31 function at the local area so that that can be done. We

1           only have three career staff trainers at region 13 and  
2           they generally do those higher level courses and they are,  
3           in relative terms, flat out doing those courses. Previous  
4           practice has shown that unless the region, and that's the  
5           career staff, operations training group, push that we need  
6           a component done at region, it wouldn't necessarily get  
7           done. Other things are done that are seen to be more  
8           important. But we do get them done by making a push  
9           through operations, through operations management, and the  
10          training wing to get them done.

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

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

31        So at this stage there is no capacity to either provide some

1 even gratuity to acknowledge the loss of wages or to cover  
2 any additional travel or other costs which might arise if  
3 one attends a longer course?---No, it relies on the  
4 volunteer's generosity and in many cases their employer's  
5 generosity.

6 Can I ask you about the example in your region. You explain in  
7 paragraph 34 onwards that the Knox group of fire brigades  
8 within your region has developed a program, a training  
9 program, that fills some of these gaps. What has that  
10 initiative involved?---That initiative was about, in the  
11 circumstance of the Knox fire brigade group, the majority  
12 of our responses in that group are urban-based or  
13 structural, if you like. There is no current way that a  
14 senior volunteer or a leader in the volunteer sphere can  
15 obtain that level 2 incident controller decree unless they  
16 do the complete incident management or the AIIMS incident  
17 management course, in which case they will come out either  
18 as a level 3 operator or a level 2 needs mentoring or  
19 level 3 needs mentoring. So, to overcome that difficulty,  
20 we in Knox devised a project over some years that we would  
21 be able to give to our middle managers that, having done  
22 that course, that they would then have an acknowledgement  
23 that they were able to manage as an incident controller  
24 level 2, generally in the structural sense but not always,  
25 and so that's what the course was aimed and designed at.  
26 We gained permission from CFA learning and development to  
27 run that course, because we needed to match in and make  
28 sure that the outcomes of that course met the national  
29 competencies and particularly from my point of view as a  
30 group officer at that time I wasn't going to have my  
31 people putting in a lot of time over a course to gain some

1 sort of outcome that in the future would not be  
2 recognised. So what they have done now I'm most hopeful  
3 that will be able to fit into, say, a level 3 stance if  
4 they intend to push themselves on.

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

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

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

29 Finally, Mr Small, there has been a number of occasions in this  
30 morning's evidence, and I take it you have been here for  
31 the bulk of the day, where views have been expressed about



1 the appropriateness of a level 2 endorsed incident  
2 controller running a level 3 incident. Do you have any  
3 view in light of your experience about whether that is a  
4 good approach or whether it is not?---In my view it has  
5 happened. I don't think it is a good approach in the  
6 circumstance that that level 2 person may very well be  
7 managing a significant level 3. There are different  
8 levels of level 3 incident management, but if it was  
9 significant, anything like February 7th and some previous  
10 fires we have had, certainly not. Way out of the capacity  
11 of that person to manage in that circumstance and I think  
12 they have been put under unnecessary duress. They may do  
13 it, but I don't think that it is a wise move.

14 Commissioners, do you have any questions for Mr Small?

15 COMMISSIONER PASCOE: Mr Small, just a couple of questions.

16 You raised yourself the challenges for people who are  
17 working full-time and then trying to undertake training.  
18 We have heard some evidence in the Royal Commission of  
19 that very issue, including some resistance to training by  
20 some volunteers . Now, is that something you have  
21 encountered in region 13 as well?---There is resistance,  
22 Commissioner, but not in the circumstance that I speak  
23 about, about middle management, senior management and the  
24 field. Those people, if they have the capacity and the  
25 drive to do that, they want to do that. There may be some  
26 resistance by people in doing some of those other  
27 technical skills about firefighting. A lot of the  
28 volunteers, depending on what their risk is as to where  
29 they are, will say "I only need to know this much" about  
30 that particular - whether it is wildfire, low structure or  
31 whatever. In the circumstance of most of region 13,

1 they're very much urban based and structural, so that the  
2 volunteers in general terms have a real capacity to pursue  
3 the nth degree, and that is as a structural firefighter.  
4 Is it possible for you to give an indication of the average  
5 amount of time per week that a volunteer would put  
6 in?---It would go across many spans, Commissioner.  
7 I think it depends on what level of volunteer that you  
8 are. If it is just - I don't use the term - if you are  
9 just a volunteer in a fire brigade in The Basin perhaps,  
10 you are mandated to attend at least one training evening a  
11 week, subject to whatever else you may be doing in your  
12 ongoing training. If you have the opportunity, you will  
13 get there on a Sunday morning to do the practical tasks.  
14 So is that about four hours?---It would be four to six hours.  
15 We have been exercising of recent times and the folks the  
16 other night spent six hours just doing the exercise, so it  
17 varies. But as the expertise or the requirement of the  
18 volunteer to do other things, officers, crew leaders,  
19 strike team leaders, expands, and the lieutenants and the  
20 captains to the group officers, their time just mounts up  
21 quite considerably.  
22 In your experience do volunteers typically offer themselves  
23 with boundaries around the time that they can make  
24 available?---One of the things that - I do the recruits'  
25 awareness session for them and one of the things we tell  
26 them is that first of all you have a family, then you have  
27 a job or some sort of profession, and then you have the  
28 fire brigade. That's what you have to take into account.  
29 Most do. Some don't, unfortunately. Some will just keep  
30 putting in and putting in to the detriment of their family  
31 and job at times, but we try very much to keep that

1 balance.

2 So there is, if you like, a welfare perspective taken to  
3 that?---Absolutely. We are there to look after the  
4 community, but we expect, as the community, to look after  
5 ourselves as well.

6 Because you are probably aware that the trend in volunteering  
7 is for people to offer short episodes, not for long-term  
8 volunteering. So, in many ways the CFA is contrary to the  
9 trend in that it is able to retain long-term  
10 volunteers?---Yes, absolutely. We have done some work  
11 with La Trobe University in regards to that and I have a  
12 particular interest in that as regards our volunteers.

13 And maintaining them?---It is very difficult. Things have  
14 changed over the years. Volunteers have a lot of  
15 pressures to deal with over and above just dealing with  
16 the community and the brigade. It is not like it used to  
17 be and people would just give their time and no problems.  
18 They worked in the area, they lived in the area. Now  
19 there are a lot of other circumstance they have to take  
20 into account. The brigades and the groups try to manage,  
21 as does the CFA, try to manage that to the best of their  
22 ability.

23 Just finally, we often hear the dichotomy of a career and a  
24 volunteer firefighter. Do you think in the minds of some  
25 people there is a parallel dichotomy of professional and  
26 amateur?---There are indeed. In my view, the organisation  
27 as a total, CFA, misses out on delivering to its greatest  
28 source, its people, a career path. I personally believe  
29 that volunteers should have just as much a career path as  
30 do the career personnel within the CFA. In fact, in  
31 region 13 we designed a pathway some years ago about

1 training and your future direction. It went to  
2 headquarters but unfortunately it was - my words, these  
3 are my words - a bit hard at the time. It was sent back.

4 <CROSS-EXAMINED BY MR CLELLAND>

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

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

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

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

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

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

31 I tendered some documents earlier and I'm not sure whether you

1 were in the hearing room or not. They are exhibit 549.  
2 One was a memorandum from Mr Russell Rees and it was to  
3 the various operations managers in each of the regions in  
4 Victoria?---I'm very aware of that document, sir.  
5 From an organisational point, it was unequivocally a statement  
6 that there should be a recognition of the value and  
7 importance of volunteers and the very special skills that  
8 they bring to the CFA and in effect instructing operations  
9 managers in each of the regions to do whatever they could  
10 to properly utilise their skills?---That's correct. That  
11 was after a movement by VFBV and a personal approach by  
12 myself and a letter to the chief officer in regards to the  
13 fact that volunteers were not being utilised appropriately  
14 in that preceding period. Absolutely.  
15 I was going to go into a little bit of the history of it, but  
16 thank you. Thereafter I think you are also aware of a  
17 letter written by Mr Rees to the South Australian Coroner  
18 that I referred to earlier, and indeed I think your  
19 organisation responded very positively to that letter and  
20 thanked Mr Rees, noting - - -?---Yes, that would be  
21 correct.  
22 Noting that, "Many firefighters in this region," but I point  
23 out that was region 11, "have had invaluable input into  
24 IMTs both here and in other parts of the state and  
25 interstate." You are aware of that exchange?---I wasn't  
26 particularly, but I do not discount it.  
27 It doesn't surprise you?---No, not at all.  
28 Your concern, I think, is that the training that would permit a  
29 volunteer to in effect go above the level of crew leader  
30 is simply unavailable to senior volunteers?---It is  
31 not unavailable - - -

1 That's in these limited circumstances you have  
2 explained?---Indeed. It depends on the individual's drive  
3 and also somebody in the organisation senior tapping them  
4 on the shoulder and suggesting that, "This would be a good  
5 career path, you have the expertise, let's do it", or "Go  
6 and do it."

7 You may have heard the evidence of Mr Haynes, but he was  
8 explaining to the Commission that there were weekend and  
9 evening courses available for volunteers. No doubt you  
10 are well acquainted with those?---Yes, indeed.

11 Can I suggest that even specifically within region 13 there are  
12 specific courses for volunteers?---There are.

13 And again they are in effect customised for those who work  
14 during the day and have other commitments?---That's  
15 correct, yes.

16 I put to Mr Haynes some figures. I'm instructed that the roles  
17 occupied within the CFA above the level of crew leader as  
18 at November 2009 are as follows: There are 1240  
19 individuals in total, and of those 563 are volunteers. Do  
20 those figures surprise you or do they sound about  
21 right?---No, they don't surprise me. I'm disappointed.

22 You think it should be more volunteers than permanent  
23 employees?---Not at all, but the figure of - and I agree  
24 with the figure that was given earlier, about 30,000  
25 operational firefighters I think are our numbers, and  
26 I know from my experiences that those numbers should be  
27 higher. The training is not readily available to equate  
28 those people to those positions. We can certainly give  
29 them the operational, on the ground training as best as we  
30 can, and we have done that this year, but to gain the  
31 theoretical side, that certificate, is not easy to

1           undertake.

2   Do these figures sound right to you that, as you say, if you

3           like, the theoretical part of it to be a crew leader is a

4           weekend course?---That's correct, yes.

5   To be a strike team leader it is one and a half days and some

6           self-study?---Indeed, but it also depends on the

7           individual's previous practical experiences.

8   I understand, and I thought you were making the distinction

9           that you were really focusing on the theoretical study. A

10          sector commander is a weekend course with

11          self-study?---That's correct, yes.

12   And an operations officer, that requires one to have completed

13          the AFAC module 4.03 in operation management?---That's

14          correct.

15   And to be able to demonstrate the ability to perform the role

16          of operations officer?---Indeed, and/or to have been RPL'd

17          or RCC'd.

18   The organisation, can I suggest, encourages both volunteers and

19          career officers to forward materials in support of

20          nomination for endorsement for an IMT position?---That's

21          correct.

22   Ultimately, your concern is really this: Notwithstanding those

23          arrangements that have been put in place, those efforts

24          that have been made by CFA, your view is that it hasn't

25          gone far enough and more needs to be done?---That's

26          correct, yes.

27   One final matter, if I might, the out-of-pocket expenses.

28          I was given to understand that in region 13 there is in

29          fact reimbursement for use of private vehicles and

30          reimbursement for out-of-pocket expenses such as

31          meals?---Yes. No, I did indicate that those very

1 functions were applicable to volunteers who went on  
2 training courses, yes. Travelling, accommodation, meals,  
3 if they were not funded.

4 If I might, just one final matter. You were asked about  
5 whether a level 2 incident controller in a perhaps level 3  
6 event, as it was described, I think, is a "good approach".  
7 Your answer suggests that your view is that that's not the  
8 preferred position, it should be a level 3 incident  
9 controller, in your view?---That's correct, but you also  
10 need to take into account that there are differing level 3  
11 incidents in that circumstance, and I think since  
12 7 February this year that's changed.

13 And it might depend also on who the level 2 incident controller  
14 is and the team that he or she have with  
15 them?---Absolutely. You can't beat a good team that's  
16 practised and worked together.

17 That is the essence of the IMT, isn't it?---Correct.

18 It is the team working together with their various skill sets,  
19 working hopefully in a complementary way?---Yes.

20 <CROSS-EXAMINED BY MR FINANZIO:

21 Mr Small, you were asked a couple of questions about exhibit  
22 549. I wonder if that document could be brought up. It  
23 is the memo of 30 August 2007 from the chief fire officer  
24 to operational managers. It was a document you said that  
25 you were familiar with?---Yes, I had some significant  
26 background to the issuing of that document.

27 You said you wrote a letter yourself in relation to some of  
28 those matters, is that right?---That's correct, yes, to  
29 the chief officer of the Country Fire Authority.

30 I want to refresh your memory about that document. Can you  
31 have a look at it. It is on the screen there. What the



1 document says in the first couple of paragraphs in  
2 substance is that it is a memo from the chief officer  
3 responding to specific issues raised by the VFBV some time  
4 prior to its date, being 30 August 2007?---That's correct.  
5 If we just go down to the first one, for example, utilisation  
6 of volunteers, the first point, it says there that  
7 "Volunteers have expressed concern that there is a  
8 perception that career staff are being given priority."  
9 Can I just ask you to read that sentence to yourself. It  
10 is probably faster if you do it that way?---Yes.  
11 And read the paragraph at the bottom of the page. If you can  
12 you indicate when you have - - -?---Yes.  
13 And if you could go over to page 2, the passage there referring  
14 to the perception by many as cherry-picking of roles.  
15 Now, they were all matters that were raised by the VFBV  
16 with the chief officer and were the basis upon which he  
17 wrote this memo?---That's correct.  
18 Can you tell us whether there has been any real change in the  
19 conditions that were brought to the chief officer's  
20 attention before 30 August 2007 and now?---There has been  
21 some change.  
22 Have the issues that were raised and have been dealt with by  
23 the chief officer in this memo been completely dealt  
24 with?---No, they still exist - in some elements, not  
25 wholly across the organisation.  
26 <RE-EXAMINED BY MS DOYLE>:  
27 One matter arising from the questions that Mr Clelland put to  
28 you. He asked you about the figures in relation to staff  
29 and volunteers above the crew leader level. Just to  
30 remind you, what he put to you was that there are 1240  
31 people in total across the CFA qualified to crew leader or

1 above. Obviously above crew leader we have strike team  
2 leader, sector commander, divisional commander and people  
3 who are ready to go into an IMT?---In the four functions,  
4 yes.

5 He said to you that there are 677 career staff in that group  
6 and 560 volunteers. You indicated you were disappointed  
7 with that figure. I want to clarify what you were  
8 referring to. You said 30,000. Are you thereby stating  
9 that you are disappointed by the percentage, namely 560  
10 volunteers out of 30,000 operational volunteers is what  
11 you regard as disappointing?---That's correct, yes.

12 Because that's close to, say, 2 per cent?---Indeed. That's  
13 quite true.

14 If we break down that group of 560 volunteers further, there is  
15 also evidence from Mr Haynes that at the very high end,  
16 namely level 3 incident controller, there are only 14  
17 volunteers who are presently endorsed as level 3 incident  
18 controller and a further 14 endorsed as level 3 incident  
19 controller but subject to a mentor. So let's call that  
20 28. That is then 28 volunteers out of what you have  
21 described as a possible 30,000 who have obtained the rank  
22 of incident controller level 3?---Yes. I take those  
23 numbers of the deputy chief. It is not for me to  
24 disagree.

25 Which is more like 0.09 per cent?---Indeed. I might add when  
26 I say the 30,000 of operational, there are another  
27 significant amount of volunteers who may very well be able  
28 to fit into those positions equally that may not be  
29 operationally focused. There shouldn't be any element of  
30 that, but the percentage is what I'm getting at.

31 Yes. When you use the term " operational", you are assuming

1 that there are many more volunteers on the CFA books than  
2 30,000. In fact, I think the figure usually referred to  
3 is about double?---That's correct, yes.

4 When you refer to "operational", are you referring to people  
5 who have particular competencies or people who are more  
6 active? What distinction are you drawing?---Both; that  
7 they have the minimum skill competencies and/or above and  
8 they are actively involved in operational firefighting.  
9 But we shouldn't discount the other people as well. They  
10 have very good skills that we should as an organisation  
11 utilise.

12 Just one matter also flowing from what Mr Finanzio just asked  
13 you about the exchange of letters and views in 2007. Have  
14 you attended any debrief post the February fires this year  
15 in relation to looking at how those fires worked on the  
16 day?---No. I was invited, but I was unable to go due to  
17 other duties.

18 I have no further questions for Mr Small. May he be excused?

19 CHAIRMAN: Yes. Thank you, Mr Small.

20 <(THE WITNESS WITHDREW)

21 MS DOYLE: We are really pushing the timeframes today,  
22 Commissioners, but we beg your indulgence to finish the  
23 topic and to allow Mr Monti to be concluded quickly today.

24 CHAIRMAN: Yes.

25 MR ROZEN: We are grateful for that indication. I call Allan  
26 Monti.

27 <ALLAN FRANCIS MONTI, sworn and examined:

28 MR ROZEN: Mr Monti, is your full name Alan Francis

29 Monti?---That's correct.

30 You hold a position with the Volunteer Fire Brigades Victoria.

31 What is that position?---Executive officer.

1 Mr Monti, with the assistance of solicitors for Volunteer Fire  
2 Brigades Victoria, have you prepared a witness statement  
3 for the assistance of the Royal Commission?---I have.  
4 Have you had an opportunity to read through that statement  
5 before giving evidence today?---I have.  
6 Are there two minor changes that you seek to make to the  
7 statement?---There are.  
8 Is the first of those to be found at the bottom of page 8,  
9 paragraph 32?---That's correct.  
10 Do you wish to change the reference to "Wangaratta" to a  
11 reference to "Mansfield"?---That's correct.  
12 Is the second change to be found at the top of page  
13 10?---Correct.  
14 The second word of that indented paragraph is presently "an".  
15 Do you seek to add a D?---I do.  
16 So that it is now "and"?---Thank you.  
17 With those changes, are the contents of your statement true and  
18 correct?---They are.  
19 I tender the statement.  
20 #EXHIBIT 553 - Witness statement of Allan Francis Monti  
21 (WIT.7530.001.0001).  
22 MR ROZEN: Mr Monti, the position that you hold with Volunteer  
23 Fire Brigades Victoria is a full-time position, is that  
24 right?---That's correct.  
25 It is a paid position?---That's correct.  
26 How long have you been an officer of the  
27 organisation?---Fifteen months.  
28 As you explain in your statement, you are also a CFA volunteer  
29 of 22 years experience?---Correct.  
30 And you are the first lieutenant of the Somerville  
31 brigade?---Yes, that's correct.

1 And by way of your professional background you hold a bachelor  
2 of education and you have 27 years of teaching  
3 experience?---That's correct.

4 What is the nature of that teaching experience?---Predominantly  
5 within the engineering trade field as a trade instructor  
6 and assessor.

7 That no doubt assists you in relation to the observations you  
8 make about training and education of volunteers, which  
9 I will ask you about in a moment?---Absolutely.

10 In terms of your qualifications, your CFA qualifications  
11 I should say, they are listed at paragraph 7 of your  
12 statement. You explain that you are a level 2 incident  
13 controller under mentoring and that you are endorsed as a  
14 level 3 planning officer and a level 3 logistics officer.  
15 If I could briefly ask you about the first of those, that  
16 is level 2 incident controller under mentoring. What has  
17 that meant in practice for you? Have you had the benefit  
18 of mentoring?---I have just received the endorsement as a  
19 level 2 controller for this coming fire season. I note  
20 the large capital M beside my name, so I have no other  
21 knowledge what that means at the present, but look forward  
22 to the opportunity.

23 What about in those other roles? Have you had any experience  
24 of mentoring or what's perhaps been referred to as  
25 coaching in those roles as planning officer or logistics  
26 officer?---Yes, look, I have worked in both roles in  
27 subordinate positions and we have seen in previous  
28 evidence there are a number of reporting structures within  
29 the principal pillars of the incident management team.  
30 I have worked in level 2 and level 3 IMTs across the state  
31 and interstate and have received

1 mentoring/coaching/feedback on my performance in those  
2 roles, much to the extent that I received a full  
3 endorsement without mentoring several years ago for both.

4 If I can ask you a little bit about Volunteer Fire Brigades  
5 Victoria. You do describe the VFBV at paragraph 9 of your  
6 statement. You explain it is an amalgamation of the  
7 Victorian Urban Fire Brigades Association and the  
8 Victorian Rural Fire Brigades Association. You go on to  
9 explain that each of those organisations has statutory  
10 recognition under section 100 of the Country Fire  
11 Authority Act 1958?---That's correct.

12 In fact you quote from section 100 of the Act in outlining the  
13 purpose for which the organisations enjoy that statutory  
14 recognition, and that is it is for the purpose of enabling  
15 brigades to consider and bring to the notice of the CFA  
16 all matters affecting the welfare and efficiency of  
17 brigades?---That's correct.

18 In your role with the organisation I take it you have frequent  
19 contact with volunteers and volunteer brigades?---Yes, a  
20 substantial part of my role is as a field officer, and a  
21 large part of my particular role is to move around the  
22 state discussing matters of welfare and efficiency of  
23 volunteers and understanding their voice and understanding  
24 what they wish to have brought to the attention of the  
25 CFA.

26 At paragraph 11 of your statement you set out in some detail  
27 your views about the roles volunteers play within the CFA  
28 and you describe volunteers as being the largest resource  
29 available to the CFA in any emergency scenario. You point  
30 out that the model of volunteers assisting and working  
31 with the CFA in relation to its functions is a model that

1 operates interstate in Australia?---It does.

2 Do you as part of your role have any contact with people

3 holding equivalent positions interstate?---I do.

4 You may not be able to answer this at the level of generality,

5 but I invite you if you can: do the sorts of concerns you

6 describe, which I will come to in a moment, about planning

7 and training opportunities, are they concerns that are

8 raised by your interstate counterparts as well?---I think

9 there is a consistent theme where competing interests for

10 volunteers in terms of family life and their volunteer

11 capacity are of interest right across the nation and

12 internationally. Certainly my peers in other states would

13 indicate that there are similar issues that fall upon

14 volunteers in terms of making those balances, apply

15 equally across the state as well as interstate.

16 You point out at paragraph 13 of your statement that from your

17 dealings with the membership of the VFBV, that is

18 volunteers and volunteer brigades, that there is a strong

19 feeling of loyalty amongst the membership towards the

20 CFA?---Absolutely. The volunteer associations as they

21 exist today predate the formation of the CFA. Much of the

22 organised fire service capability evolved in small

23 townships, became organised and were in existence in the

24 late 1800s and have existed certainly well before the

25 formation of the CFA in the mid-1940s.

26 Is it fair to say, Mr Monti, that the matters that you raise in

27 your statement for the assistance of the Royal Commission

28 are raised by you with the intention of improving both the

29 position of volunteers and their role within the CFA, but

30 also of improving the CFA itself in its ability to carry

31 out its statutory functions?---Yes, the focus from

1 volunteers that I meet on a regular basis across the state  
2 is they have a strong desire to join with the CFA and  
3 other agencies in an improvement process and a learnings  
4 process that will allow them to fully engage, cognisant of  
5 the abilities of them to balance as I said that life,  
6 family and volunteer community service obligation.

7 You explain at paragraph 15 of your statement, Mr Monti, that  
8 you have over the years through the association and  
9 through its predecessors made a number of submissions to  
10 both government and the CFA about the efficient  
11 utilisation of volunteer firefighters. I think we just  
12 heard an example of that via the previous witness,  
13 Mr Small, in his correspondence with the chief officer in  
14 relation to a specific matter that arose?---Yes, indeed.

15 You then go on and say that you understand the Commission today  
16 is focused upon training issues and the operation of IMTs,  
17 and therefore you have limited the evidence that you  
18 provide in this statement to those areas. But you wish to  
19 reserve the right to the association to address other  
20 issues of concern at an appropriate time with  
21 the Commission?---Yes, certainly.

22 Is that right?---Correct.

23 Paragraph 17, by reference to Mr Small's evidence, you express  
24 the view that based presumably on your dealings with other  
25 volunteers that Mr Small's position exemplifies a broader  
26 issue concerning the utilisation of  
27 volunteers?---Absolutely. Mr Small is indicative of a  
28 number of very senior volunteers right throughout the  
29 state that have enormous potential to offer, a great deal  
30 of life experience plus fire service experience, that at  
31 times feel under-utilised and could provide so much more



1 if we can learn from those issues from the past and apply  
2 different techniques in the future.

3 It is a matter that you expand upon in paragraph 23 of your  
4 statement at page 6 where you make a reference to a  
5 culture where volunteers, although actively used as  
6 firefighters on the ground, are routinely overlooked in  
7 terms of the position they are able to hold and in fact  
8 also their input into issues affecting the efficiency and  
9 welfare of volunteers. As I understand that statement,  
10 you are really there referring to two things that arise  
11 from a culture, and I will ask you in a moment what you  
12 mean by that. Firstly, the failure to utilise fully  
13 volunteers in positions which might be described as  
14 command and control positions?---Yes.

15 And, secondly, a related concern, and that is that volunteers  
16 have insufficient input into matters that actually affect  
17 them as volunteers; is that right?---Indeed, yes.

18 What do you mean when you refer to a culture in respect of  
19 those matters?---Culture in relation to the change in  
20 circumstances that has prevailed in the last decade, if  
21 I might say, that our constituents relay to me in relation  
22 to the opportunities volunteers may be given to assume  
23 some of those senior roles and a culture in the  
24 organisation that it is far easier at times to use a  
25 resource that is intimately known to them and is easy to  
26 introduce into practice. For example, the appointment of  
27 a career officer into a role is much easier in the current  
28 circumstances because that career officer's qualifications  
29 and location are known on any given day and his  
30 availability is usually known on that day. It is  
31 naturally, as we have heard previously in evidence today,

1 human nature that if you have a solution to a problem you  
2 will take that solution. We maintain that there are  
3 opportunities in preplanning for particularly major events  
4 where volunteers are capable of delivering the  
5 responsibilities of those positions, particularly in IMT  
6 roles. Those roles should be made available on a routine  
7 basis similarly as with career officers.

8 If I could turn then to the two specific areas that you refer  
9 to in detail in your statement. They are, firstly, in  
10 relation to planning and, secondly, in relation to  
11 training. So far as planning is concerned, at paragraph  
12 28 of your statement, page 8, you say, "I have received  
13 feedback from volunteers that indicates that fully  
14 qualified volunteer firefighters endorsed as level 3  
15 incident controllers and other key IMT roles were not  
16 utilised on Black Saturday." Can you expand on that,  
17 Mr Monti? What other key IMT roles are you referring to  
18 other than the incident controller role? The full range  
19 of functions that we have heard referred to?---In essence  
20 we have heard evidence today that the incident management  
21 team is a team approach. The function or the pillars of  
22 AIIMS ICS apply with some major substantive positions  
23 within that incident management team. The incident  
24 controller is but the head of that team and relies  
25 significantly on the input from all of those substantive  
26 officers. Below those substantive positions there are a  
27 range of other reporting roles. All of those are integral  
28 to a fully-functioning and capable and efficient incident  
29 management team. Ultimately I have heard a lot of  
30 evidence today about the incident controller and his or  
31 her qualifications and experience. But in essence the

1 contribution any member capable, endorsed or accredited  
2 can provide to those positions is important to consider  
3 and should be weighed up in accordance that the incident  
4 controller is taking on board a team approach to the way  
5 they do their role.

6 At paragraph 29 of your statement you say, "It remains unclear  
7 what system, if any, the CFA has to plan or program for  
8 the deployment of people to IMTs, which addresses how many  
9 IMT personnel are likely to be needed in an emergency,  
10 which identifies appropriately qualified and experienced  
11 personnel and their location, and which deploys those  
12 personnel (whether career or otherwise) at the appropriate  
13 time and place." I think you have been in the hearing  
14 room today while Mr Haynes and Mr Slijepcevic of the DSE  
15 have given evidence to the Commission about the  
16 arrangements that are in place for the forthcoming summer  
17 that deal with some of the matters that you raise in  
18 paragraph 29. I take it that at the time of making the  
19 statement you were unfamiliar with those  
20 arrangements?---I was.

21 Having been in the hearing room and heard about those  
22 arrangements, do you have any observations to make about  
23 what is apparently in place from the point of view of the  
24 volunteers?---Certainly we are hopeful that the  
25 preplanning from that point of view in relation to the  
26 establishment of future IMTs will take into account all  
27 capable people that are appropriately qualified that can  
28 and are available to undertake roles. The mechanism that  
29 exists for volunteers to indicate their availability is of  
30 great interest to all volunteers. We know that process is  
31 undertaken locally, particularly within regional areas.

1 Even of more interest is in situations of a statewide  
2 nature of understanding that the CFA understands who in  
3 fact is available at any given time, and we would be  
4 interested in working with them to understand any future  
5 system that will be able to do that in a timely fashion.

6 Is there some consultative mechanism that is available through  
7 which you would be able to have input into that sort of  
8 decision making as things presently stand?---We look to a  
9 strong relationship with CFA in relation to having strong  
10 and vibrant consultation. We do through a number of  
11 committees and a number of working parties work closely on  
12 many issues. Ultimately the CFA management is responsible  
13 to implement those decisions. So in a consultation  
14 process we do provide input and we do seek to have a  
15 stronger consultative approach with them.

16 If I could turn to the specific example that you use to  
17 illustrate your concerns about the planning approach and  
18 the utilisation of volunteers as part of incident  
19 management teams. At paragraph 31 you say, "From a quick  
20 analysis of information available to me through CFA,  
21 I calculate there were approximately 18 CFA endorsed level  
22 3 incident controllers within a 50 kilometre radius of the  
23 Kilmore fire ICC comprising both career and volunteer  
24 firefighters that is within half an hour's drive." You  
25 make those observations having regard to what you then  
26 describe in paragraph 32 that the level 3 incident  
27 controller that was appointed for day shift, who we have  
28 heard was Mr Kreltszheim, in fact travelled from Mansfield  
29 to fulfil that role. The figure of 18 CFA endorsed level  
30 3 incident controllers within a 50 kilometre radius, where  
31 did that come from? What is the information that you rely

1 on for that?---As I have indicated in my statement, it was  
2 a really quick analysis based on a map, a compass that  
3 could draw a reasonably accurate circle of a 50 k radius  
4 and then using the CFA's resource management plan that was  
5 available to us at the time to indicate who potentially  
6 would have been available on that given day, given their  
7 home or work location. It in no way understood  
8 deployments or tasking of those members on that day.

9 You describe in paragraph 34 that it is unbelievable from your  
10 perspective that an incident controller had to travel the  
11 distance he did for day shift and also the incident  
12 controller for night shift given the availability of the  
13 CFA volunteer and career level 3 endorsed incident  
14 controllers that were available?---Yes, I find it quite  
15 strange when there is a readymade pool quite widely  
16 distributed throughout the state.

17 You describe in paragraph 36 several explanations for this  
18 approach. I want to take you to the third of those, if  
19 I could, at the foot of page 9. You say, "Where an  
20 incident response requires the deployment of a person with  
21 higher level training, the culture of the CFA is often to  
22 respond by calling upon volunteer personnel as a last  
23 resort, looking first to career staff resources, then  
24 external agency sources and sometimes to resources  
25 imported from interstate or overseas before deploying  
26 accredited volunteer personnel." What I would like to  
27 explore with you briefly if I could is why in your  
28 experience what appears on the surface to be an irrational  
29 use of available resources might in fact operate in  
30 practice. It seems to me there are a number of possible  
31 explanations for it which I would like to test with you.

1 The first might be that there is a concern on the part of  
2 those that are making the decisions about who to deploy  
3 that even though, particularly in the case of volunteers,  
4 they nominally have certain endorsements to perform  
5 particular roles, that in reality they are not as able to  
6 perform those roles as career staff with the same  
7 endorsements. It is really the point that Commissioner  
8 Pascoe raised with you, the professional-amateur  
9 dichotomy. I think you have perhaps addressed that. But,  
10 in the context of what you are raising here, is that at  
11 least part of the explanation, do you  
12 think?---Significantly as I move around the state and talk  
13 to volunteers that are endorsed to those roles and capable  
14 of delivering those roles and making themselves available,  
15 that would be their opinion. They feel that, number 1, it  
16 is a comfortable process to fill a position with a person  
17 known to them that comes from a career service; number 1.  
18 Number 2, at times from those people's point of view, they  
19 see their value being questioned . They may well have to  
20 go the extra mile to have been perceived to have had the  
21 same respect as a person from career ranks that holds a  
22 similar endorsement and qualification.

23 If I could leave the topic of planning and touch upon the  
24 question of training - - -

25 CHAIRMAN: Could I have some indication. I am concerned about  
26 the transcript provider, who has been in effect - - -

27 COMMISSIONER PASCOE: I think it is a real occupational health  
28 and safety issue.

29 CHAIRMAN: Even though I appreciate it is undesirable to cut  
30 the matter short, it really is desirable from other points  
31 of view, if you are going to be much longer.

1 MR ROZEN: I will be two minutes.

2 CHAIRMAN: That's fine.

3 COMMISSIONER PASCOE: Other parties?

4 MR LIVERMORE: I will be five.

5 MR FINANZIO: I can't imagine asking much at all.

6 MR TRAGARDH: Just two minutes maximum.

7 CHAIRMAN: I think it might be better to start tomorrow at 9.

8 I know we have other witnesses, but I think to go for  
9 potentially another half an hour is just unsatisfactory.

10 MR ROZEN: We are in your hands. I understand we are already  
11 starting at 9 tomorrow to accommodate witnesses.

12 CHAIRMAN: I understand that. But I think the end result is,  
13 for occupational health and safety factors, I have noticed  
14 the problems encountered by looking over my shoulder.

15 I think there are really just too many difficulties.

16 MR ROZEN: Certainly, sir.

17 <(THE WITNESS WITHDREW)

18 ADJOURNED UNTIL FRIDAY 27 NOVEMBER 2009

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