
TRANSCRIPT OF PROCEEDINGS

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2009 VICTORIAN BUSHFIRES ROYAL COMMISSION

MELBOURNE

MONDAY 3 MAY 2010

(143rd day of hearing)

BEFORE:

THE HONOURABLE B. TEAGUE AO - Chairman

MR R. MCLEOD AM - Commissioner

MS S. PASCOE AM - Commissioner

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1 CHAIRMAN: Yes, Mr Rush.

2 MR RUSH: Commissioners, I call Mr de Man.

3 <ALEXANDER GERARD DE MAN, sworn and examined:

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

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

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

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

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

20 If we can just go through a couple of other matters before
21 coming to your statement. You were a member of the
22 Victoria Police force, joining in 1978, and attained a
23 rank of senior sergeant of police, you had experience as a
24 detective sergeant in the arson squad and you left
25 Victoria Police to join the CFA after completing a police
26 officers training course in New Zealand in
27 1998?---Correct.

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

31 For the purposes of giving evidence today, you are giving

1 evidence in relation to various matters concerning the
2 volunteers of CFA from your perspective as general manager
3 of the Yarra area with the Country Fire
4 Authority?---That's correct.

5 And you have prepared a statement, but I understand there are
6 some amendments to be made to the statement prior to its
7 tender. I have just been given a sheet, Mr de Man, but
8 39.9, that paragraph, I understand there's an amendment to
9 be made there?---Yes, Mr Rush. At 39.9, second last line,
10 inclusion of the word "approximately" before the figure
11 30.

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

14 CHAIRMAN: Mine only goes up to 39.3.

15 MR CLELLAND: So does mine.

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

17 MR CLELLAND: Yes. Just pardon me, sir.

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

21 Perhaps if we can look at your statement at 0249 and paragraph
22 39.3, which commences, "The provision of career
23 firefighters", and I understand the amendment document you
24 have has 39.9, but it should be 39.3, and in the last two
25 lines of that paragraph you wish to insert so the last
26 sentence to read as follows, "I am advised that the
27 Craigieburn fire brigade currently has three appliances,"
28 insert the word "approximately" 30 and insert "active
29 operational" volunteers?---Correct.

30 So the insertion of the words "approximately" and "active
31 operational" and removal of the word "registered" there.

1 There is a typographic error in paragraph 40 in the
2 sentence in the middle of that paragraph, "I understand"
3 rather than "understanding"?---Correct.

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

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

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

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

25 #EXHIBIT 909 - Witness Statement of Alexander Gerard de Man,
26 dated 16 April 2010 plus 24 attachments
27 (WIT.3004.046.0210) to (WIT.3004.048.0037). Instruction
28 Selection Process, dated 21 April 2010 (EXH.909.0001).

29 MR RUSH: Mr de Man, at paragraph 13 of your statement, and
30 I know you have provided us with a document going to your
31 responsibilities, but perhaps if you could just briefly

1 outline the responsibilities of an area manager?---The
2 then area manager role, when I first commenced in CFA, was
3 to manage the overall functions within a particular area.
4 My first appointment was at Geelong and Colac. So I was
5 responsible to ensure that the finance, the training, the
6 community safety and operations functions were working
7 cohesively and to provide strategic leadership to staff
8 and volunteers in that role as area manager.

9 That name has now been changed to "general manager"?---Correct.

10 But with primarily the same responsibilities?---Similar
11 responsibilities, but there's been a greater focus on the
12 strategic requirements of the general manager's position
13 and in particular in line with the development of
14 relationships at the strategic level between other
15 regional managers across Victoria. So, hence the term
16 "general manager" was born.

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

23 You set out at paragraph 24 a number of the committees and
24 groups of which you are a member. If I could just ask you
25 about a couple of those. At 24.3 you refer to "CFA
26 structural ensemble steering committee". What is
27 that?---CFA embarked approximately 18 months, two years
28 ago on the roll-out of a new structural turn-out apparel
29 called "ensemble". The committee that I sit on is the
30 peak steering committee that oversees the roll-out of that
31 particular garment across CFA.

1 So the "structural" there refers to the structure of CFA?---No,
2 the structural gear, the structural ensemble, the actual
3 clothing.

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

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

26 If we can go back to 24.6. You indicate you were a member of
27 the CFA boundary alignment project steering board. I know
28 you talk about that to come in your statement, but that
29 alignment is not a re-alignment so much of the current
30 metropolitan against CFA boundaries, but to bring
31 alignment onto a municipal basis which was changed some

1 years ago with boundaries of municipalities?---Correct.
2 It is to bring CFA's current boundaries in a line with the
3 Fairer Victoria boundaries or what we call the DHS
4 boundaries so that we do align with municipalities.

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

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

21 You refer at paragraph 26 to a volunteer charter that was
22 signed between the Premier, the Minister for Police and
23 the then president, Mr Lyttle, of the volunteer's
24 association and the chairman of CFA, Kerry Murphy. From a
25 volunteer perspective, what is the reasoning behind the
26 charter and why is it seen as important?---My
27 understanding, the charter evolved to ensure that - in the
28 early 2000s there were some concerns from the volunteer
29 associations, who were then two associations, that perhaps
30 consultation needed to be improved with CFA and there
31 needed to be some commitment between CFA, government, with

1 the volunteer associations that we would consult, CFA
2 would consult, on issues with the volunteers. So hence
3 the charter was established, I think it was December 2001,
4 and was re-affirmed in 2008.

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

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

31 You then go on to discuss what is a volunteer. You underscore

1 a point I think that's been made before in the hearings.
2 You take issue with the word "professional"?---I take
3 issue with the word "professional" - not that I take
4 issue, but in my statement I've tried to make it
5 absolutely, blatantly clear that the term "professional"
6 to me is about the competency and the ability of our
7 people. Because I am a volunteer, that does not mean that
8 I am not professional. What makes me professional is my
9 ability to do my job that I'm trained to do to whatever
10 level I'm trained to do, and at the same time we've got a
11 very large workforce, paid workforce, who are also
12 professional. To me the term "professional" relates
13 across volunteers and career staff, every one of them
14 trying to ensure they do the best to their utmost to
15 provide the service to their communities or to the state,
16 and in the case of staff to ensure that we support our
17 volunteers. The word "professional" is sometimes related
18 with the term "paid". That's where I say just because you
19 are not paid doesn't mean you are not professional.
20 That's a very strong point in my mind. I hear quite
21 often, and you hear it throughout the industry, not only
22 in Victoria but elsewhere, a "professional" fire service
23 and it may only be a paid fire service. I say that CFA is
24 a professional organisation through its 1600 staff and its
25 near on 60,000 volunteers.

26 COMMISSIONER McLEOD: Would you agree it is a difficult term to
27 use because it has got different meanings in the community
28 at large? We have professional footballers, for example.
29 The term "professional" is commonly used to suggest a
30 person has a very methodical and business-like approach
31 which is a professional approach. It can mean a member of

1 a profession. So as a word it is open to
2 misinterpretation by people?---It is open to - correct.
3 To my mind it is a word that is open to different
4 interpretation and what I have tried to do is restrict it
5 to my interpretation with regards to the fire service and
6 CFA, because in our organisation we have volunteers who
7 have got outstanding professional services within their
8 own occupations and bring a quantum of experience to CFA.
9 We have volunteers from the lower socioeconomic side of
10 society right through to directors of major Australian
11 companies, the whole gamut. The same with our career
12 staff. They bring to CFA external skills that they have
13 gained in their professional life into CFA. So you are
14 correct, Commissioner, but in my term I like to think of
15 the word "professional" as the job we do, the competencies
16 we have in being trained to do the job, and the service we
17 provide to the state.

18 MR RUSH: Mr de Man, you then go on to discuss at paragraph 28
19 and following the differences between the operational
20 membership and the non-operational membership, being the
21 minimum skills retirement and the roles that obviously
22 significant numbers of people pick up in the
23 non-operational sense?---Correct.

24 You then indicate that in 2007 there was some research done
25 I think into 20 brigades, just to get an understanding of
26 the community involvement and the backgrounding in
27 relation to volunteers?---Correct.

28 Without going to that research and material, it indicated from
29 those 20 brigades that over half of CFA members had
30 participated in voluntary work for an organisation other
31 than the CFA and one of the other matters was that CFA

1 members were found most likely to be male aged between 35
2 and 44 years?---Correct.

3 COMMISSIONER PASCOE: Before we leave the profile and noting
4 the mode of entry, I was interested that in paragraph 29
5 you talk about the members being voted in at the brigade
6 level. That usually suggests a member based organisation,
7 whereas when you look at the CFA it's got a large body of
8 volunteers who have quite a specific task to undertake.
9 Is that mode of entry - first of all, the basis of the
10 voting, do people vote against specific criteria at the
11 brigade level? Secondly, has there ever been discussion
12 about that mode of entry and its fit with the nature of
13 the CFA as an organisation in its entirety?---The method
14 of people entering the CFA, that's been a time and
15 tradition process; people are voted in. In many brigades
16 a person, when they apply to become a volunteer, actually
17 go through a selection process, particularly in the larger
18 peri-urban or urban brigades, if I can put it that way, or
19 brigades that deal with high activity levels. In those
20 brigades I am aware that they do go through a selection
21 process prior to them ever being put up to the membership
22 for voting. It works reasonably well in those brigades.
23 Because of the large diversity within CFA - CFA is very
24 strange organisation, a very funny animal to get to know,
25 because of the diversity of the parts of the state that we
26 do cover. You have the brigades that may turn out once,
27 maybe twice a year, to brigades that are responding in
28 excess of 1500 times a year. So the level of membership
29 is different, as I've explained in the statement. But, in
30 the main, the entry process for members to come into
31 brigades works well, from my understanding. However,

1 I would also like to put forward that in some cases where
2 we've had issues in brigades with membership, it's very
3 easy for someone to join CFA, it's very hard for someone
4 to leave CFA against their wishes. In other words, if
5 there is a discipline matter and so forth or if there is a
6 disruption within a brigade, it is not simple to be able
7 to ask somebody to leave.

8 MR RUSH: Mr de Man, at paragraph 34 you refer to work that, as
9 I understand it, was commissioned by the CFA that sought
10 to get an understanding in monetary terms of the value of
11 the volunteer effort as it concerns CFA. Perhaps you
12 might just give us an explanation. There are two figures
13 referred to; one, value of output at \$370 million and then
14 one, value of input, which in today's terms is valued at
15 \$840 million?---In very brief and simplistic terms, if you
16 were to value the contribution on a pure wage base to the
17 state, you end up with one figure of what it may well cost
18 the state if we were to engage full-time volunteers or
19 staff in the organisation as we know it today. The
20 intangible one is the benefits that each community and the
21 state in turn derives from the integrated fire service
22 model that we have within CFA. CFA, if I can, is an
23 organisation that is an integrated base service with
24 volunteers supported by career staff and a number of
25 integrated fire stations with career firefighters, for
26 example. The model works well, and that is because of the
27 contribution of our people, particularly the volunteers,
28 not only just in a response sense but also in a sense
29 within their community. So that's the intangible, the
30 unquantifiable delivery to those particular communities.
31 If I can just ask that we turn to that work that those figures

1 are based on, to look at another aspect, which is
2 (WIT.3004.047.0006) which is part of the summary of the
3 work by Ms Hourigan on the value of volunteer
4 contribution, at 0006 of that annexure in the third
5 paragraph?---Yes, in that it outlines the amount of hours
6 that volunteers contributed during the 1998-99 period of
7 669,200 hours of time responding to fires and other
8 incidents. So that's a significant amount of time
9 provided by volunteers at that point.

10 I wanted to ask you: it says it represents 97 per cent of the
11 total time that volunteers and career firefighters
12 contributed, which is 687,500 hours. Is that just
13 relating to hours for CFA?---Correct.

14 You go on then at paragraph 36 and following, and we may see it
15 in some of the tables later, to make the point that in
16 some particularly rural communities the CFA is the last
17 community organisation?---Yes, correct. I use the term
18 the CFA in some parts of Victoria is the "glue" that holds
19 the communities together. Through time, through things
20 such as municipal amalgamations that occurred in the
21 mid-1990s, through the privatisation of authorities such
22 as water, gas, fuel et cetera, many of the smaller
23 communities have diminished. The only fabric that remains
24 there is that fire station, the CFA fire station. So you
25 find our volunteers, quite often not only are they an
26 officer of the fire brigade, they are also probably the
27 president of the local football club or involved in the
28 local football club, cricket club, the local Rotary or CWA
29 or whatever. But the one common bond you find is that
30 term "CFA". The CFA is there.

31 Again we will look at this in a little bit more detail, but at

1 paragraph 35 you set out statistics that indicate that the
2 majority of incidents the CFA responds to are urban based
3 and CFA's fire and incident reporting system recorded that
4 in 2009 CFA brigades responded to 30,876 urban incidents
5 and 8,664 rural incidents. I take it that is all
6 incidents, fire, road, flood and the like where CFA turned
7 out?---Correct. What those figures also highlight is the
8 fact that as an organisation we are that organisation that
9 provides that integrated service, not just wildfire.
10 I think the perception sometimes is CFA is just a bushfire
11 authority, bushfire brigade. It's not. It is a whole
12 integrated type of service that provides response to a
13 large number of different types of risks in the community.
14 You then go on to discuss brigades and in that context discuss
15 the evolution of brigades from being small brigades to
16 some of them becoming integrated brigades; that is, a
17 volunteer brigade with career firefighters involved in the
18 local brigade?---Correct.
19 You set out for us or provide an example of that, which is the
20 Craigieburn fire brigade, which commenced in 1945 but with
21 the growth of Melbourne it has been necessary for that
22 brigade to take on career firefighters?---Correct.
23 In that sense the brigade - it would appear to one looking from
24 out looking in that the nature of the brigade and the
25 volunteerism that you speak about would be compromised by
26 that integration?---I don't say it is compromised.
27 Craigieburn brigade I know quite well through my knowledge
28 when I first joined CFA in 1977. In actual fact I think
29 it was still then what we classified at that stage a rural
30 fire brigade. It then progressed to become an urban fire
31 brigade because the structural risk in the small

1 Craigieburn community at that stage grew and grew, so they
2 needed an enhanced level of knowledge and training and so
3 they became an urban fire brigade. As you have said,
4 Mr Rush, as the growth continued to head up north up the
5 Hume Highway, the time impost on the volunteers and the
6 level of training commitment required and so forth meant
7 that the brigade volunteers came under a lot of pressure
8 with regards to ensuring that they could maintain that
9 service delivery. Then we brought on board career
10 firefighters at Craigieburn to support the volunteers.
11 Craigieburn is a very good example, in my book, of how
12 integration can be done. The brigade at Craigieburn is a
13 very successful integrated brigade, from my understanding,
14 with a strong volunteer base supported by a tremendous
15 team of career staff who support the volunteers with not
16 only responding but also assist with training and
17 day-to-day activities at the brigade. It works well.
18 Some of the evidence and materials received by the Royal
19 Commission suggest that there is an absolute contrast, a
20 dichotomy between the volunteers and the union-based
21 career firefighters. What you indicate is at Craigieburn
22 that's not the case; it is something that works well?---It
23 works well, but there are times of course where you have
24 got a paid force and you have a volunteer force, there are
25 those tensions at times. That is to be expected and that
26 is something which we in management need to continually be
27 across and to reinforce that the reason why we are there
28 is to support our volunteers. But it would be correct in
29 saying that at times of course there are those tensions
30 there and it is a matter of, to be quite blunt, people
31 ensuring that they consult, that they talk and that they

1 are mature in their approach when they're working
2 together. What we did at Craigieburn when the staff came
3 on board was we went through an integration process of not
4 just saying on a Monday morning, "Career firefighters are
5 here," but actually developing a process where over a
6 period of time the career firefighters were brought on
7 board and there was also an induction process brought into
8 the brigade. But at times, yes, there are those tensions.
9 But what you indicate there is that with that induction process
10 and the procedures being established, that if we were to
11 take Craigieburn as an example, am I right in saying there
12 would be no reason why the two couldn't work
13 together?---The two do work together. You are correct,
14 Mr Rush, the two do work together and quite often when
15 there are issues it is not about one person is a paid
16 person or one person is a volunteer; it is quite often
17 about a personality clash, and you get that amongst
18 volunteers with volunteers, or staff with staff, or
19 volunteers with staff. So you are correct in that,
20 Mr Rush, yes.
21 You also give us the example of the Scoresby
22 brigade?---Correct.
23 Which needed, as I understand it, a firefighter with experience
24 that could not be provided through the volunteers, so
25 there there was appointed a firefighter to take up the
26 role of leading firefighter just to be sure that the
27 brigade at all times was able to respond
28 appropriately?---Yes, and the leading firefighter was
29 brought on board at Scoresby on a day shift arrangement to
30 ensure that during Monday to Friday during day shift we
31 had a level of command and control ability within the

1 Scoresby brigade and that's what the leading firefighter
2 has brought to the brigade.

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

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

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

30 Then in relation to the training of the career firefighters
31 that take up an integrated role in a CFA station, are they

1 trained in CFA procedures or MFB procedures? How does
2 that work?---No, we recruit for career firefighters. We
3 recruit from the general community and also the
4 ability - there is an option there, of course, for when
5 I say the general community, for our volunteers to also
6 apply to become career firefighters. In fact, many of our
7 career firefighters have been or remain CFA volunteers.
8 They then are inducted into a training course at our
9 training college at Fiskville at Ballan and they undertake
10 a recruit training course. Following graduation, they are
11 then appointed to an integrated brigade at a location
12 within the state where they finish off their incremental
13 training and then once they have completed their
14 incremental training they then form part of our minimum
15 manning.

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

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

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

31 You then go on to point out at paragraph 41 the number of

1 brigades and indicate significant diversity in brigades.
2 You at 0250 provide a table just looking at a couple of
3 different brigades. As I understand it, the table is
4 really pointing out two things; the high rate of
5 volunteerism in country Victoria?---Correct.

6 And, for example, if we look at the first brigade, Mitre,
7 60 per cent of the local population are CFA
8 members?---Correct.

9 It is pointed out perhaps what might be seen as the
10 significance of the CFA at the bottom of that column, with
11 it being indicated that it is the only community function
12 left in the district?---That's correct, like I previously
13 indicated.

14 Then if we move to the town of Colac, the rate of CFA
15 participation compared to population is 0.31 per cent,
16 with volunteers 47 operational and 20 non-operational. In
17 a country town, how do CFA view that level of
18 participation?---That level of participation, if you look
19 at it and you say there is a brigade of Colac, and I know
20 Colac quite well through having been the area manager in
21 the Geelong/Colac region, around the 60, 70 mark with
22 membership sounds to me like a reasonably healthy brigade.
23 The brigade needs to ensure, of course, that it has the
24 capacity to be able to provide that 7/24 response ability
25 within our required structural standards. That's the
26 important factor with regards to brigade membership, so
27 that there is a good level of membership that can provide
28 that service. But to me that figure looks like a healthy
29 brigade.

30 Whilst the brigade numbers no doubt are good enough to handle
31 the number of call-outs in a healthy brigade, just in

1 relation to looking at it, the number and the percentage
2 compared to population, does the recruitment process sort
3 of lower or stop or the involvement not get carried on if
4 it is considered brigade numbers are healthy?---No, the
5 CFA is always on the look-out for volunteers, very much
6 so. With a normal churn rate that occurs within brigades,
7 you need to constantly ensure that you are recruiting and
8 training new personnel for the brigades.

9 You then go on to discuss, Mr de Man, the surge capacity of CFA
10 and the importance of it that you refer to in following
11 paragraphs. To summarise, what you are saying, as
12 I understand it, is that the CFA has an ability to be able
13 to call on significant numbers for an emergency event. Is
14 the position that you are putting forward that with a
15 fully career structured organisation you wouldn't have
16 that surge capacity?---The proposition I'm putting forward
17 is if we were to pay everybody in that surge capacity
18 I think the state coffers would run dry rather quickly
19 insofar as the ability of the CFA, that has thousands of
20 personnel in metropolitan areas and also regional centres,
21 to be able to quickly, efficiently and effectively respond
22 to significant events of disaster, i.e. 7 February, or
23 other events such as, and I quote, Longford, where there
24 was a critical time when every gas meter in metropolitan
25 Melbourne had to be turned off or we had to make sure, we
26 the State, had to make sure that those meters were off. A
27 significant effort was put in by CFA as an organisation
28 through its volunteers and staff within the metropolitan
29 area, not within the CFA defined fire district, but right
30 across metropolitan Melbourne to actually ensure that that
31 was done for the safety of the community. Events like

1 hailstorms that we had recently and significant wind
2 events that we have in the eastern suburbs, we have the
3 capacity and we do provide that support to our sister
4 service, the SES, because of the sheer bulk of numbers
5 that we do have. The benefits to the state, if I can put
6 it, of the ability to quickly be able to call upon a small
7 army of people to respond to major disasters or
8 significant events cannot be underestimated. Of course,
9 also that surge capacity when called upon by our
10 counterparts in New South Wales previously on two
11 occasions, we have also been able to, whilst maintaining
12 our normal service delivery standards and requirements in
13 Victoria, provide significant resources to assist New
14 South Wales during periods of disaster in that state. So,
15 the surge capacity cannot be underestimated. I believe,
16 my personal view, it is vital for the Victorian community
17 that that be there.

18 At paragraph 44 you speak of an ageing demographic in rural
19 Victoria being offset by growth in the outer Melbourne
20 areas. Are you indicating in relation to this topic of
21 surge capacity that the CFA for it is more reliant on that
22 group, that is the outer Melbourne group, rather than the
23 rural group?--No, I'm not. What I'm saying there is that
24 when we have major events in country Victoria we have the
25 ability to actually rapidly deploy both staff and
26 volunteers to support those smaller rural communities,
27 especially when events of course of major wildfire.
28 Examples have been the Grampians previously or the
29 campaign fires of 2002, 2003, 2006, 2007. But I don't
30 want that to be seen to diminish from the small rural
31 areas because that is very important that we keep

1 perspective that many of the incidents in those small
2 rural areas remain small because of the rapid response and
3 the ability of those small brigades and those small
4 communities to effectively and efficiently extinguish
5 those fires before they actually rapidly develop. But the
6 ability for us to say, "Okay, we need," for example, "five
7 strike teams, 20 trucks on the road, 15 minutes, bang,"
8 heading to some other part of the state is essential.

9 We will look at it later, but is there a recognition of an
10 ageing demographic in rural Victoria as opposed to the
11 recruiting process in the outlying suburbs of
12 Melbourne?---Yes, there is. That's a constant challenge
13 for CFA. A constant challenge is to - because of the very
14 fabric of a fire brigade, I have a saying that a fire
15 brigade is a reflection of its community. If its
16 community is small in number, then the brigade obviously
17 is going to be small in number. An example I give is Wye
18 River on the Great Ocean Road. Wye River is a small
19 community. When I was in charge down there, there were 67
20 members of the community. That was it, that was the
21 community, and the brigade was made up of the majority of
22 those community members. Because it is a retirement area,
23 of course that then reflects on the membership of the
24 brigade, but they still do a very good job. So, we have
25 to be very mindful that in parts of the state where age is
26 an issue and the demographic question is there, we have to
27 constantly think of how we can support those brigades to
28 recruit members from that community to ensure we can
29 maintain the service.

30 We might have a look at that a little later. Just in relation
31 to overall numbers, you indicate in your statement that

1 it's been difficult to go back further than 10 years
2 because of the nature of the record keeping, but you have
3 provided at 0252 figures that look at actual numbers over
4 a period of the last 10 years?---Correct.

5 In essence, what you are pointing to is an overall, looking at
6 the red which is operational membership, a general steady
7 as she goes, if you like, in relation to operational
8 members?---Yes, around the 35, 36 mark, correct. 35,000,
9 36,000 mark.

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

12 In looking at those numbers, some of the material that you have
13 provided to us, Mr de Man, suggests that membership tends
14 to go up a bit after major fires?---Yes. It's ironic that
15 after major events, and I can go back to 1977, 1983, 2002,
16 2003, whenever the state suffers a significant event or
17 there is a significant amount of publicity about a
18 particular event, it could be just in the local community,
19 I think there is a sense of wishing to help, a sense of
20 belonging by other community members that come along and
21 they join CFA. A number of them, they do leave, but many
22 do stay.

23 In looking at membership, you refer at 48.1 to the introduction
24 in 2000 of minimum skills training requirements. Was that
25 an issue in relation to membership, the fact that people
26 who previously hadn't had to undergo any basic requirement
27 had to undergo it?---It was an issue, if I can explain.
28 The CFA was going down the path of having a mandatory
29 minimum entry skill prior to the disaster of 2 December
30 1998 when we lost five firefighters from Geelong West. It
31 was decided after that by the then chief that we needed to

1 introduce these minimum skills. There were no ifs, buts
2 or maybes about that. I well remember at the time - and
3 I have a passion for minimum skills, as you may
4 appreciate. The five that died at Linton were my five.
5 Even today I still look back at those five people and
6 I think to myself perhaps if they had that minimum skill
7 regime, perhaps they would still be with us. So I'm
8 pretty passionate about minimum skills and I well remember
9 when the then chief brought in and decreed that the
10 minimum skills would be delivered over the five years, of
11 going to a number of brigades, especially in the rural
12 parts in the dairying country in region 16 near Colac.
13 I used to use the example to the volunteers that we
14 expect, CFA, that when you hop on the truck and you go to
15 the fire, that you are best equipped, that you have the
16 best minimum level of knowledge to be able to deal with
17 the fire, no different than a dairy farmer wanting to
18 ensure that the apprentice or the person coming along to
19 milk the cows knows how to milk the cows properly and has
20 that minimum level of knowledge and skills. When you
21 explained it in that simple term, overall there was pretty
22 widespread acceptance. There was a very small number who
23 left, but the majority now agreed with it and now the new
24 people joining CFA, it's their expectation. If you take
25 the workplace legislation that people need to be trained
26 and so forth, it's an acceptance. "If I join the fire
27 brigade, I'll be trained to be a firefighter." I think it
28 has been of significant benefit.

29 Looking at that minimum skills requirement against some of the
30 figures that you have given us at paragraph 50, that 389
31 CFA brigades have turned out less than 10 times per year,

1 we are looking at averages over five years there, I take
2 it there could be occasions when local brigades don't turn
3 out at all on an annual basis?---Correct.

4 So how are the operational skills of those members kept up to
5 date and kept to a level that will enable them to
6 operationally perform?---In those very small, remote rural
7 brigades, as I call them, rural fire brigades, you will
8 find that those brigades will have an annual training
9 session ahead of the summer period. It is a fact. They
10 will have a training session, make sure that the vehicle
11 is operable, that their minimum skills are up to an
12 appropriate level, that their equipment, their protective
13 equipment is correct, and also through an inspection
14 process that we have, a section 29, what we call a section
15 29, where we need to ensure, I think the terminology is,
16 the chief officer of the brigade is effective and
17 efficient in able to respond to fire. The local
18 operations personnel ensure that the brigade's skills are
19 maintained.

20 You indicate that by going back to the data you can say that
21 for 2008 there was a 62 per cent turnout of operational
22 personnel, volunteers, and that was a little larger,
23 substantially larger, to 72.5 per cent for
24 2008/2009?---Correct.

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

28 So when we look at the figures for resignation, we need to look
29 at them against the figures for people who are joining.
30 There might be some overflow of the same
31 people?---Correct.

1 You say there is no formal feedback in relation to volunteers
2 that resign, at paragraph 56, but from the perspective of
3 retaining people and the research that you refer to that
4 has been done by Bushfire CRC with the La Trobe
5 University, is there now an emphasis to go about trying to
6 ensure people are not resigning and leaving the
7 CFA?---Yes. We do the surveys and so forth and do what we
8 can to ensure that the right level of training and
9 equipment and so forth and support to brigades is there to
10 ensure that people are maintaining their membership of the
11 brigades.

12 You indicate that what you refer to as the churn level in
13 Victoria for CFA, this is at page 0256, paragraph 55, is
14 6.3 per cent, but it is generally lower than rates in
15 other states?---Yes. The research shows that; that's
16 correct.

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

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

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

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

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

31 And region 17?---Region 17 is around the Horsham area.

1 Then regions 8 to 14 are, if you like, the outskirts of
2 Melbourne area?---Yes, they're metropolitan areas of
3 Melton, Lilydale and Dandenong.

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

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

13 Again, I will come back perhaps to these figures when we look a
14 little further at the matter of integration. But, Mr de
15 Man, the figure that you set out at paragraph 62 in
16 relation to male and female volunteers, 47,836 males and
17 11,836 female volunteers. The Commission has seen a
18 number of CFA female volunteers. Is it viewed that there
19 is a much better potential for volunteers from females
20 than what would be represented in those figures?---Sorry,
21 Mr Rush, could you repeat the question?

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

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

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

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

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

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

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

1 newer members, then that can only be healthy for the
2 organisation.

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

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

23 Do they have to go beyond minimum skills, because we are
24 dealing there with a large rural community?---Every
25 firefighter requires the base wildfire minimum skills to
26 be operational. That's the base. If a firefighter wishes
27 to progress to have structural competencies, that's a
28 matter for him or her to choose. Then they are provided
29 with the level of training to actually obtain the skill or
30 the qualification for structural firefighting; for
31 example, breathing apparatus.

1 It might be thought that the brigade, for example, in Frankston
2 or indeed in Colac is primarily - let's deal with
3 Frankston - is primarily going to be dealing with
4 structural fires. Are the volunteer members required to
5 have any training or efficiency beyond wildfire, beyond
6 the basics, to get on the truck to attend a structural
7 fire?---If they are going to go to structural fire, yes,
8 they should be.

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

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

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

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

28 Just to be clear, a volunteer can't attend a structural fire
29 unless they have training and have met a standard in
30 relation to structural firefighting?---No. If they have
31 the minimum skill, the wildfire minimum skill, they can

1 attend and do levels of firefighting to that level of
2 competency; i.e. holding a hose externally to a building.
3 They are not certainly qualified to go internally to do an
4 internal aggressive attack, as we call it, but they would
5 need to remain external of the premises.

6 Mr de Man, how does that work in a brigade which is required to
7 turn out fundamentally for structural fires that is not in
8 any way integrated?---If you take Colac, for example - - -

9 Let's take Rye?---Rye, for example. Rye, they would be a
10 brigade that would require structural competencies, so
11 their brigade profile would mean that they would need a
12 number of volunteers that have got the structural
13 competencies for that brigade to be able to perform that
14 task. So the brigade has a required number and that's
15 worked with the operations manager in that particular
16 location, so the brigade would have a number of volunteers
17 trained to that level to be able to fulfil that task.

18 So the position would be for a turnout of the Rye brigade, that
19 it would have to have personnel on the truck who have the
20 qualifications to fight structural fires in addition to
21 those who may not?---Correct. That would be the
22 expectation.

23 Is it the requirement?---When you say it is a requirement - - -
24 I guess I'm concerned that you say that's the expectation?---It
25 is a requirement that the brigade has that amount of
26 numbers of people trained to that risk level to fulfil its
27 role within the community. So, yes, it is a requirement.
28 It is a requirement that it has members who are trained to that
29 level. Is it a requirement that the truck that turns out
30 for the fire contains the personnel with the proper
31 qualifications?---The best I could say in answer to that,

1 Mr Rush, is it would be - you would expect that with the
2 brigade profile there would be people on the appliance
3 that would have that training level.

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

5 You then deal with brigade structure and unless the

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

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

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

1 with just group officer - not just group officer, but the
2 group officer being the most senior operational rank.
3 Mr de Man, at paragraph 99 and thereafter you address a
4 question that was put as to the effect of the restructure
5 of CFA regions in accordance with the Fairer Victoria
6 boundaries. Perhaps you might explain to us, first, what
7 Fairer Victoria boundaries - what is being spoken about
8 there?---From my understanding, the Fairer Victoria
9 boundaries are the state boundaries that follow in essence
10 the Department of Human Services boundaries throughout the
11 State of Victoria. So it is a process of aligning all
12 government agencies to the Fairer Victoria boundaries or
13 the DHS boundaries. They are based on a grouping of
14 municipalities.

15 You refer to anomalies existing in the current boundaries.

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

24 COMMISSIONER McLEOD: What's the most obvious solution to that,
25 Mr de Man?---To align the CFA regional boundaries, large R
26 regional boundaries, to the Fairer Victoria boundaries.
27 If I can talk about Nillumbik again, in my part of the
28 world there are nine brigades from what was known as the
29 Lower Yarra group of fire brigades that will be
30 transitioning from region 13, which will become known as
31 eastern metropolitan, to region 14, which will be the

1 north-western region or district 14, which will mean that
2 when there is a meeting between CFA personnel at the
3 regional level and also at the group level, that I don't
4 sit opposite my counterpart and my operations manager
5 doesn't sit opposite his counterpart and we've got the
6 municipality in the middle saying, "Well, which region do
7 I deal with?" Can I say that when you look at the Lower
8 Yarra group of fire brigades, the volunteers, which also
9 encompasses Kinglake, Kinglake West brigades, they made a
10 decision themselves following discussions with us that
11 they needed to migrate and have one region, go to the new
12 region for that regional boundary work from an emergency
13 management point of view. I've said to that group that
14 showed to me really good, strong volunteer leadership when
15 you think of what those volunteers have gone through.
16 They have recognised that for future emergency management
17 arrangements they need to align to municipal boundaries
18 and we're working with them to ensure that occurs.

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

1 operate and a new group called the Nillumbik group will be
2 born.

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

26 MR RUSH: Mr de Man, you were asked questions at paragraph 110
27 and following about were there enough volunteers. We
28 referred earlier to the research that was commissioned
29 through the Bushfire CRC of La Trobe University. Perhaps
30 if I could ask that that be brought up,
31 (WIT.3004.047.0109). It's annexure 8 to your statement.

1 If we could have the page brought up at page 0111. What
2 the research indicated, and I'm merely looking at the
3 summary, is that there is some reason to be concerned as
4 to the numbers of people who are volunteering. For
5 example, the second dot point, "Changing demographic and
6 economic circumstances may represent some degree of threat
7 to volunteer firefighting numbers in the future, with
8 increased competition likely for a diminished pool of fit
9 adult volunteers." Then it sets out what is reported as a
10 difficulty in maintaining adequate numbers in remote rural
11 communities and new housing developments on urban/rural
12 fringes. If we look at the fifth dot point, "A majority
13 of fire services report concerns that changes in work
14 patterns and economic circumstances may increase to the
15 extent to which employers are reluctant to release staff,"
16 particularly in relation to campaign fires. If we go down
17 to the second last dot point, "Most fire services report
18 crewing difficulties with some urban/rural interface
19 brigades during business hours Monday to Friday." In that
20 context of just that summary of the findings of Bushfire
21 CRC, I wonder where that leaves your comments at 110 and
22 111 in relation to the nature of the volunteer numbers and
23 whether there are enough at the moment?---If I can refer
24 to the executive summary, I note the issue there on the
25 third dot point. It talks about, "A majority of fire
26 services report currently experiencing difficulties in
27 maintaining adequate numbers of volunteers in some
28 localities." Remote rural communities is certainly a
29 challenge for us, but it is something which at the local
30 level, brigade level and also at the community level is an
31 issue that needs to be constantly worked on, as

1 I previously mentioned. "New housing developments on
2 urban/rural fringes where a sense of community is weak"
3 I would challenge and I would challenge very strongly that
4 proposition. I can give an example where I know of a
5 brigade that was a very small rural brigade on the fringe
6 of Melbourne that went from a community of around 1600
7 people and I think it is now sitting at around 25,000
8 people, where the brigade itself has actually grown
9 significantly in strength and in numbers because of that
10 new community that has come into that new location, and
11 I'm talking of my new home brigade, and the benefits in
12 those new home developments, housing developments, is also
13 that volunteers from other brigades move into those new
14 developments on occasions and go and join the new local
15 brigade or their new brigade. So I would certainly
16 challenge that. But that is also - it is a constant
17 requirement then for us to ensure that we support the
18 volunteer brigades to recruit in those new locations.
19 With regards to the Monday to Friday aspect, I mentioned
20 just one aspect of the recruiting process of recruiting
21 people who are at home during the day Monday to Friday is
22 one strategy that's adopted and there are other strategies
23 that can be adopted also with employers and so forth to
24 ensure we can address those in certain locations. So some
25 of those dot points I think can be challenged. But the
26 organisation is always on the lookout and always welcomes
27 new volunteers, certainly.

28 In this context could we have a look at (WIT.3004.047.0229_ 2)
29 which is a table that you have provided in annexure 11A
30 that sets out the numbers of career and volunteer members
31 at all integrated fire stations. What we see here, as

1 I understand it, Mr de Man, is a list of integrated fire
2 stations?---Correct.

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

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

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

21 And with that being understood, CFA, as principally an
22 authority, should it be looking in Ballarat to say, "Well,
23 for the City of Ballarat it might be better, having regard
24 to the nature of firefighting that's conducted there,
25 which would be structural fires, better concentrating on
26 the rural side of things"?---No, I would disagree with
27 that proposition. Again, as I mentioned before, Ballarat
28 is a regional centre. We talk about the surge capacity of
29 metropolitan Melbourne, but I also suggest there is an
30 important surge capacity within regional Victoria as well.
31 In those regional centres you may have one, two or three

1 integrated fire brigades made up of volunteers and career
2 firefighters, but around those other brigades there is a
3 large number or a number of volunteer brigades that
4 provide that integrated level of service, not only
5 wildfire but also the structural and the hazmat response,
6 some locations, road accidents, rescue response,
7 et cetera, so that's the strength of the integrated model.
8 I don't think anyone is arguing that Sebastopol or that CFA
9 brigade should in some way be integrated or lost. But if
10 one looks at Ballarat City, and if we take Geelong City a
11 little bit further down where there are 35 career
12 firefighters and 18 volunteers, are we not better to be
13 concentrating our career firefighters, or however you
14 would like to describe it, on the structural effort that's
15 required in our key provincial cities and allowing CFA to
16 concentrate on maintaining its surge capacity, maintaining
17 its rural base?---I would suggest that by just
18 concentrating our career staff on structural firefighting
19 would be the wrong way to go because many of our career
20 firefighters are the future operations officers and
21 operations managers in regions of the future under the
22 current model. Our career firefighters do a role of not
23 only structural firefighting but also wildfire
24 firefighting in support of our volunteers. Again I come
25 back to the integrated model. My concern would be that if
26 we just had one part of the CFA workforce just doing
27 structural and we say we won't need the volunteers to do
28 structural in Ballarat and so forth, all the other
29 support-type roles, the non-operational support-type roles
30 within those brigades, then we would see the diminishment
31 of the integrated model commencing.

1 In South Australia, for example, as I understand it, in their
2 principal provincial towns the Ballarat City brigade and
3 the Geelong City brigade would be effectively extensions
4 of brigades of the metropolitan brigade
5 here?---I think - I don't like the term or the thought
6 process, should I say, that we would actually put this
7 group of firefighters - "because you're a career
8 firefighter, you do the structural firefighting, and
9 because you're a volunteer, we will let you do the
10 wildfire firefighting." Risks in various communities
11 don't establish themselves just purely as structural and
12 purely wildfire. They are right across the gamut. If we
13 are to ensure that we skill our career firefighters to
14 ensure that they can progress through their careers into
15 management, into the operational support arrangements with
16 our volunteers, they need to have the ability to have the
17 level of skill, knowledge and attributes across the raft
18 of risks, not just structural. Conversely, with our
19 volunteers, many of our volunteers who live in those
20 regional centres or provincial centres, of course they
21 enjoy being part of CFA doing all type of risk mitigation,
22 not just wildfire.

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

26 Why do you say that?---I say that because the CFA, as I was
27 saying some time earlier, CFA's culture, I would suggest,
28 and our engagement at the community level and the
29 involvement of our brigade personnel within the
30 communities is a completely different model than a purely
31 paid fire service model.

1 I don't think I suggested that?---I was just going from the one
2 fire service point of view.
3 Your one fire service, the CFA is one fire service at the
4 moment?---Correct.
5 Which has been able to successfully meld a paid career force
6 with a volunteer force?---Correct.
7 Working together in an integrated fashion in a single
8 organisation?---Correct.
9 Now, I put to you that the arguments that you were making
10 earlier about the need for multiskilling and that fires
11 comprehend both urban and country terrains argues for
12 firefighters generally to have skills in both areas so
13 that there is the maximum opportunity for surge capacity.
14 As I understand it, that's the argument you are putting.
15 Why wouldn't that be most strongly put with a single fire
16 service for Victoria?---I go back to the current
17 arrangements that we do have. I don't see a weakness in
18 the current arrangements that we have, with CFA being an
19 integrated model, as you have alluded to. I think if we
20 were to talk about Victoria, I think there are cultural
21 differences in one aspect with regards to the Metropolitan
22 Fire Service, fire brigade, and the CFA as an
23 organisation, which is a very complex organisation to
24 understand how it operates. I also see that with the way
25 that we operate with the volunteers and our career staff,
26 it works well. Why other fire services have not
27 maintained the integrated model I'm not quite sure of, but
28 certainly the CFA as an organisation works well in that
29 integrated model. My concern would be that I talked about
30 the tensions and so forth previously that you get on
31 occasions between career and volunteer firefighters.

1 I would have concerns with regards to the one fire service
2 across the state because of those cultural differences.
3 In New South Wales we have received evidence that there is a
4 process in place that regularly assesses the changing
5 interface between metropolitan/country interface and
6 country in such a fashion that, if you like, maintains the
7 integrity of what is essentially seen as a Metropolitan
8 Fire Service and what represents a fire service that is
9 more akin to the CFA covering regional New South Wales up
10 to a defined boundary which represents a
11 responsibility and a dividing line for the city fire
12 brigade. While there are also arrangements for
13 cooperation between the two services where there will
14 always be a degree of blurring of the line, in Victoria
15 there isn't that same arrangement that keeps under notice
16 the gradual adjustment of boundaries to reflect the growth
17 of a city. Do you have any comments on that, because
18 I think the static arrangements that appear to exist in
19 Victoria in comparison with New South Wales perhaps raise
20 greater issues about the justification or the relevance of
21 the distinction between the two fire services when there
22 is no change in what becomes simply a historic boundary
23 rather than the reality of urban growth?---I don't look at
24 this from a boundary issue, if I can put it that way. In
25 my view, if you take the New South Wales model, the New
26 South Wales model is a distinct structural and rural fire
27 service, from my understanding, and this is the
28 perception, that CFA, because we are called the Country
29 Fire Authority to some, but in more recent many years we
30 are "the CFA", and it is a brand issue. We are not just a
31 wildfire fighting service. If you have a look at the

1 statistics of the urban responses in comparison to the
2 wildfire responses, the overwhelming majority of responses
3 by CFA is to structural fires. It's the integrated model
4 of being able to provide a response to all different forms
5 of risk mitigation, be they wildfire, hazmat, through to
6 structural and so forth, that in one way makes the
7 organisation unique with its integrated model, from my
8 understanding, across the country. CFA has the ability as
9 the community grows to ensure it grows its brigades with
10 the risks within that community and I refer in my
11 statement to the volunteer continuum process.

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

23 COMMISSIONER PASCOE: Just before we leave that topic, can we
24 pick up the issue of the brand. I did put to Mr Len
25 Foster on Friday the thought that perhaps CFA could be the
26 community fire authority to better recognise the reality
27 that you've just described. How would you react to
28 that?---The CFA to me, the brand CFA, is well known now
29 within the community. It is no different to me than the
30 brand of NAB or KFC or ANZ. The community understands
31 that "the CFA" is the fire service. I well remember -

1 I think Mr Foster alluded to this - about when he did
2 change the brand, the issues that occurred around that
3 period of time. But it is more to me "the CFA", and
4 I think the term "CFA" is well known throughout the
5 community today. Within CFA itself you rarely hear the
6 words "Country Fire Authority". It is normally "the CFA".
7 I think what I'm really alluding to is the need for the brand
8 to reflect the reality, and one of your dilemmas, I think,
9 is that despite CFA being the acronym that is used and
10 understood, it is also known that behind that sits Country
11 Fire Authority, as National Australia Bank sits behind the
12 NAB. That's not just an age demographic, I think; most
13 people know that. So it is a reflection, I think, on
14 perhaps as organisations move and change, the degree to
15 which their branding has kept up with the reality of where
16 they are.

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

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

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

30 So if, for example, someone rings the toll free volunteer
31 recruitment line referred to at 117.7, that will get them

1 perhaps to Burwood or whoever answers the phone. They are
2 then put on to their local brigade and it is up to the
3 local brigade to handle the inquiry?---My understanding is
4 that process is then through to the region, and I can talk
5 from my perspective. Quite often my brigade admin support
6 officers will get the advice and then they will follow
7 that up with the brigade to provide that support.

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

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

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

28 CHAIRMAN: Yes, we will take the break.

29 (Short adjournment.)

30 MR RUSH: I will sneak in a few questions while you are not
31 represented, Mr de Man. I think there is a fairly

1 non-controversial one I can go to, Commissioners.

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

3 MR RUSH: It is about training, Mr de Man. If we go to

4 paragraphs 122 and 123 of your statement, and I'll come to
5 the protocols in relation to training in a minute, but you
6 make the point at paragraph 123 that, "It is important to
7 note that volunteers are not just trained by career staff,
8 but are also trained by suitably qualified volunteers who
9 do not receive payment for the training they provide."

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

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

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

30 Can a volunteer - let's say we've got an experienced CFA

31 captain at a local brigade who is well versed with minimum

1 skills requirement?---Yes.

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

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

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

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

24 My question is a little bit outside that. Is it a requirement
25 that only those instructors can teach the courses that
26 are, for example, required, the minimum skills
27 requirement?---From my understanding there are volunteers
28 that do have the qualifications to instruct in certain
29 aspects of wildfire and do the assessments as well, but in
30 the main the courses are conducted by instructors that are
31 employed by CFA.

1 Well, if we look at 0284 and 48.2 of the enterprise bargaining
2 agreement, and if we go down to the second last paragraph
3 on that page which reads - - -?---Sorry, Mr Rush, which
4 part, sorry?

5 48.2, if we go down to the second last paragraph that is on the
6 screen, "All applicants for instructor-structural
7 positions must have as a minimum the practical career
8 experience, skills and qualifications, as a paid career
9 firefighter required to be eligible to transfer or seek
10 promotion to the rank of leading firefighter or equivalent
11 established by recognition of prior learning." That
12 relates to instructor structural?---Correct.

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

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

18 Has this created problems in relation to filling positions for
19 training?---My understanding is that there are currently
20 I think eight structural positions that are vacant.

21 However, in filling an instructor's position the process
22 that has been agreed to, and I need to emphasise agreed
23 to, by CFA with the UFU with regards to the selection
24 process for instructors can at times go up to 26 weeks
25 simply through the process that one needs to follow if
26 there are no internal applicants in the first instance.

27 So the position is that one can wait six months for the
28 procedures that are required under the enterprise
29 bargaining agreement to be fulfilled about internal
30 advertising of the position?---Yes. In my statement I've
31 been provided with advice that I include in my statement

1 on a number of the periods of time that it's taken to fill
2 some vacant instructor positions.

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

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

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

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

30 So it is internally advertised, the UFU is informed and then
31 what happens?---Then what happens is applications are

1 received. Then the application is reviewed to ensure that
2 it meets the EBA requirements and then, if that's the
3 case, then an interview takes place. In that case the
4 review of the application goes, from my understanding,
5 through a panel consisting of CFA and UFU representation.
6 Then if the panel agrees that the person is suitable for
7 interview or can be interviewed in line with the current
8 EB, then the interview takes place.

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

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

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

25 At the moment, at paragraph 148 and following, the position is
26 that, for example at paragraph 148.1.2 you say, "Of the 38
27 structural instructor positions, eight positions were
28 vacant for less than 10 months, two positions were vacant
29 for 11 to 13 months, three positions were vacant for 16 to
30 20 months and one was vacant for 25 months" and of the
31 further nine structural instructor positions, six of these

1 positions have been vacant for less than 12 months, one
2 position has been vacant for 16 months?---That's what
3 I have been advised.

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

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

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

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

30 In the sense are you aware of any arrangements that have been
31 made in CFA to establish an equivalent career structure to

1 that that's set out in the EBA for that particular
2 instructional entity?---No, I'm not.

3 If I can just go back briefly in your statement to
4 qualifications and experience at 0278, paragraph 125.

5 Again you may not be able to answer this, Mr de Man, but
6 there referred to is a list, for instance 125.1 indicates
7 that "11 volunteers are endorsed as a level 3 incident
8 controller, with a further 14 in the mentoring
9 phase"?---Correct.

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

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

16 MR RUSH: Yes, Commissioner.

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

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

26 It seemed, and you would have to take my word for it and I
27 don't have it in front of me, that mentoring was raised as
28 a matter that needed a great deal more attention, but one
29 of the difficulties in the Linton report was it didn't say
30 what mentoring was. That has apparently only given rise
31 to the confusion in the minds of many people as to what is

1 the difference between mentoring and coaching and
2 training, and that mentoring has now been added into the
3 CFA vocabulary without anyone giving much attention to
4 what mentoring actually means. You talk about "the
5 mentoring phase". Is that clearly defined anywhere in the
6 CFA materials?---No, it's not. It's a term that's used
7 and one could question what the term actually does mean.
8 I have asked other members of the CFA. Nobody has been able to
9 give me a satisfactory definition of mentoring and you
10 can't either?---No.
11 Okay. I don't think I can take it any further, can I?
12 MR RUSH: Not with this witness at least?---That's a good
13 question, Commissioner.
14 COMMISSIONER PASCOE: Just before we leave this section,
15 Mr Rush, I also wanted to raise a different matter. You
16 say in paragraph 124 that, given the wide number of IMT
17 roles, it is difficult to quantify the number of
18 volunteers that are endorsed or qualified to hold such a
19 position. Later at 157.3 you observe that a personnel
20 management system for all personnel needs to be
21 implemented and that work had previously been done on this
22 but obviously not completed. Then later in 175 you make
23 reference to the difficulty to identify accurate
24 information about IMT composition on 7 February. All of
25 these references are pointing to the need for an updated
26 human resource database. Again you may not be the person
27 to direct this question to, but you have made reference in
28 your statement a number of times, so can you give us any
29 comfort that work is being done in this area?---I can give
30 you some comfort that I'm advised that some work is
31 occurring. My concerns are shared. Your concerns are

1 shared with myself. In today's technology - with today's
2 technology and if you think of our workforce as they move
3 forward in especially the Y gen and so forth, clearly an
4 organisation like CFA needs to have a system in place that
5 it knows where its workforce is, what its availability is,
6 what its competency is to be able to do the task and in
7 preparing the statement that was one of the points that
8 I pushed very hard to ensure that that is recognised and
9 that is work that needs to be done.

10 It strikes me as important from a number of points of view, the
11 aspects that you have raised, but in addition I think we
12 could add a valuing of volunteers so that they are on the
13 database in the same way as any other contributor might be
14 to the CFA. But in addition we've heard from other
15 witnesses about the need to be able to identify people
16 involved in incidents, CFA volunteers and career staff,
17 quickly, for example, at traffic management points when
18 they might be prevented from entering a fireground and you
19 could have quite a significant loss of time. We are
20 advised that work is under way to improve speedy
21 identification of CFA personnel, be they volunteer or
22 career personnel. But you can imagine an integration of
23 the kind of electronic identification that could be
24 established for that purpose, for fireground purposes, but
25 equally could be applied to a database and get the two
26 systems speaking to each other?---Correct, and that's
27 where we need to move towards so that we can ensure our
28 volunteers and our career staff, that we've got them
29 accurately recorded, we know their whereabouts and their
30 competencies. Currently at the moment that can't occur
31 and I concur with your comments on that.

1 MR RUSH: A couple of other matters, Mr de Man. You refer at
2 0289 to the question of payment and put the CFA position,
3 concurring, it would seem, with the VFBV, that there
4 should be in effect no payment for volunteers?---Correct.
5 You do indicate at paragraph 153 the nature of reimbursement
6 that can occur for volunteers such as reimbursement for
7 expenses - - -?---Travelling.
8 Travelling to training and matters associated?---Correct.
9 You refer to the utilisation of volunteers in response to a
10 question. Again I guess to highlight something that we
11 have just been to, at 157.1 you indicate that the number
12 of volunteers endorsed for level 3 incident management
13 roles is low?---Yes, and I also make a comment in the
14 statement of the whole range of the positions or
15 qualifications in the AIIMS system. Clearly CFA needs to
16 address those numbers.
17 In the sense of ensuring that volunteers are included and
18 comprise an important part of what is an important process
19 within fire management?---Correct.
20 Again, and perhaps it is a question for later in the week,
21 there are volunteers with level 3 qualifications as
22 incident controllers but they don't make the list. Are
23 you aware of that?---No, I'm not aware of that. I'm not
24 sure why the reasons are for that.
25 You refer to the New South Wales Community Fire Unit that was
26 raised by Mr Whybro in evidence, and you were asked to
27 comment from the CFA perspective in relation to that. You
28 put forward the proposition that those units are
29 inappropriate in Victoria?---Correct.
30 Perhaps you might tell us why?---My understanding is community
31 fire units are more so in the urbanised parts of New South

1 Wales, they are not in the areas undertaken by the New
2 South Wales Rural Fire Service, and that it is a different
3 model than what we have in Victoria. The people in
4 Victoria, once they have a Community Fireguard, the
5 majority of people I'm advised go from Community
6 Fireguard, if they want to go to the firefighting aspect
7 or the suppression aspect, they join their local fire
8 brigade.

9 One of the reasons I suggest is that the New South Wales Rural
10 Fire Service doesn't have responsibility for what's been
11 termed here the urban interface. Here the CFA does.

12 I want to suggest to you merely because of the division of
13 responsibility between the states really doesn't provide a
14 response as to why the units that, on the evidence the
15 Royal Commission has received, worked successfully in New
16 South Wales wouldn't work successfully here, for example
17 if they were followed up and put into place by CFA?---They
18 could. They could. That's an unknown. But anything
19 would be possible in that sphere.

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

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

28 CHAIRMAN: Yes.

29 MR RUSH: They are the matters, Commissioners.

30 COMMISSIONER PASCOE: Mr de Man, a further question about
31 training. You have made some reference to leadership

1 training as well as broad-based training. We had some
2 expert witnesses on Friday who were looking at it, if you
3 like, from an academic perspective at the issues of
4 optimal structures for emergency services agencies and in
5 particular fire agencies and put a view - I'm thinking
6 particularly of Professor Leonard from Harvard - that we
7 would be better to maintain a decentralised model that had
8 the expertise in dispersed units geographically, so the
9 current model that we have, which fits with the history of
10 the development of bushfire fighting in this state, but
11 that the optimal utilisation of that model would be having
12 well trained personnel. Both of the experts noted the
13 scale of the training that would be involved and the need
14 for it to be an essential component of a fully effective
15 emergency services response. Now, you've in your
16 statement made reference to the fact that you believe more
17 training needs to be done. Do you want to just elaborate
18 on the kind of training that would see the CFA being able
19 to operate at the brigade level upwards in an optimal
20 fashion?---At the brigade level, and I'll work upwards, at
21 the brigade level certainly with the leadership training
22 that occurs at the moment, one would wonder whether we can
23 actually do it much better insofar as ensuring that when a
24 person wishes to undertake a leadership role within a
25 brigade they actually have the understanding for that
26 particular brigade of what the role and the
27 responsibilities are and that they have the attributes and
28 the abilities to fulfil that particular role. There is no
29 point in undertaking a leadership role or a management
30 role unless you've got the abilities and the competencies
31 to undertake that.

1 When we move up into the incident management team
2 arrangements and crew leader, strike team leader and so
3 forth, to ensure that we've got the right training systems
4 in place with the right resourcing to ensure that we can
5 train our volunteers and our staff in all facets of the
6 incident management process that they require. An example
7 is, at the regional level, regions in some parts of the
8 state I believe do some leadership training or officer
9 training for brigade officers and so forth; it is not
10 really in a structured process.

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

22 The same can be said for middle and more senior
23 management roles in the volunteer areas. There's a lot
24 more work to be done. In particular, if we are going to
25 improve, and it is my personal belief we need to improve,
26 the training capacity and ability for all of our people,
27 be they volunteer or staff, to undertake incident
28 management roles, then we need to ensure that we put in
29 place the right level of training regime that's resourced
30 and it is equipped and that we use the right tracking
31 systems and IT systems to support the people once they've

1 done the training, because quite often you will do the
2 training but what's the follow-up to ensure that they're
3 quipped, what's the follow up to ensure that they maintain
4 their competency?

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

17 I think the other thing is that the individual can and often
18 the training can be of benefit to the individual in, let's
19 say, a volunteer firefighter, in the person's paid
20 employment, so you can have a tremendous transfer of
21 skills?---I allude to that at the start of my statement
22 with myself. Had I not been a senior volunteer leader
23 within the organisation - not had I not been - but the
24 skills I acquired and the knowledge of leadership that I
25 acquired within my own home brigade as captain provided me
26 with a good grounding to be appointed, for example, to
27 various supervisory positions within Victoria Police,
28 because I had managed people in an emergency management
29 sense but also led people. So those skills transference
30 that volunteers have, and can I say also our career people
31 when they come into the organisation from other parts of

1 employment, that is a great bit of knowledge that
2 sometimes we can capitalise on a little bit better than
3 what we do.

4 Just part by observation and then for reaction, at an earlier
5 hearing we had representatives of the Volunteer Fire
6 Brigades Victoria talk about some of the problems for
7 volunteers with the delivery of the training, so not so
8 much the content, and challenges for them getting to some
9 of the scheduled sessions. So it strikes me that that is
10 one of the real challenges that you've got and I'm
11 interested to know whether you've looked at on-line
12 delivery of some of the training to provide more
13 accessibility for trainees. That's one half of the
14 question. I suppose I make it in recognition of the fact
15 that our experts on Friday also noted the benefit of
16 exercises or simulations or real life events. So it is
17 easy to see the challenge of providing a mode of delivery
18 that enables people to access the material, and that will
19 probably be parts of the material, but then a mode of
20 delivery that gives some kind of experience, whether it be
21 an exercise of itself, a simulation, or indeed an
22 opportunity to be mentored during a real-time
23 event?---With the first part, the on-line training,
24 I believe there has been some effort and from my limited
25 knowledge, I have to say that, I think it would be a very
26 small effort at this point on on-line training, but it is
27 a way that, if you look at the technology that's
28 available, if you look at the use of the IT systems today,
29 not only by Y gen but more senior members of the
30 community, if I can put it in that respect, it makes
31 sense, does it not, that we do a lot more on-line training

1 for our people. I would fully support that mode of
2 training being looked at, enhanced and that type of
3 delivery coming into more of a - not as an exception but
4 as the normal standard process.

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

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

22 <CROSS-EXAMINED BY DR LYON:

23 Mr de Man, my name is Greg Lyon. I represent the 77 councils
24 and the MAV. I want to ask you some questions about a
25 pretty narrow topic. It arises out of some of the
26 evidence that you have given, and that is that there has
27 been a continuous extending outwards of the Melbourne
28 metropolitan boundary and as a consequence we have a
29 number of what we border councils now that take in the
30 peri-urban fringe, where there is both urban and rural
31 development. If I can just set the topic up for a moment,

1 in addition to your CFA and police experience you have
2 also had considerable experience within local government,
3 is that right?---I have.

4 You were a councillor for Nillumbik and you were mayor of
5 Nillumbik for a couple of years?---Correct.

6 You only resigned from the council in 2005, so in relatively
7 recent times?---Correct.

8 In addition to that, it is also apparent from your statement
9 that you have ongoing liaison with the CEOs of local
10 governments in your CFA region because you sit on the
11 eastern regional management forum?---Absolutely. That's
12 one of the core parts of my job, is that liaison.
13 Correct.

14 So you have a tremendous familiarity with some of the
15 peri-urban councils that we are talking about?---Yes,
16 I have a good knowledge of those councils, yes.

17 Of course, for these councils there are consequences for the
18 firefighting agencies because there must be a point at
19 which the metropolitan fire district finishes and the CFA
20 districts commence; is that right?---Correct.

21 And right on the edge of those there is a mutual assistance
22 program; is that right?---Correct.

23 That mutual assistance program is supported first of all by
24 legislation, both in the CFA Act and the MFB Act; is that
25 right?---My understanding, that's correct.

26 Where, just to put it in simple terms, Mr de Man, both the MFB
27 within certain regions can call on the CFA for assistance,
28 the CFA can call on the MFB for assistance within those
29 regions?---Which occurs today and there is also an
30 agreement in place between both.

31 Indeed. That's the second thing I wanted to get to, and that

1 is that there is an MOU. The head of the MFB, Anthony
2 Murphy, previously gave evidence that he considered the
3 provision of services in that region, that is the mutual
4 assistance, to be a seamless service?---Yes.

5 Do you agree with that description?---Yes.

6 From what you have said in your evidence this morning, you said
7 also that you considered that the alignment of boundaries
8 with municipal boundaries will provide stronger liaison
9 points for CFA working within those municipalities?---Yes,
10 I think I gave an example on that.

11 Pardon?---And I gave an example on that.

12 Indeed. The issue arises here, if I can just get to it. Under
13 the MFB Act a council can request to extend the coverage
14 of MFB services within its municipality; do you understand
15 that?---Correct.

16 And, really, for a number of reasons that I want to get to with
17 you, there is absolutely no incentive for councils to opt
18 into that system, is there?---If you are asking me with my
19 former local government hat on, I would agree with you
20 entirely, and I would agree with you right across the
21 board.

22 CHAIRMAN: In fact, there is a disincentive?---I think there is
23 about a 12 per cent disadvantage.

24 DR LYON: 12.5 per cent. The bottom line here is, if you want
25 to increase the MFB services within your peri-urban
26 region, you then have to contribute to the total of the
27 12.5 per cent of the funding for the MFB?---I believe
28 that's the understanding.

29 Yes, which for some of the councils that you have dealt
30 with, not all of them have enormous revenue bases, the
31 cost can be a very important factor?---All local

1 governments, especially those I've talked of with my
2 knowledge of local government, especially on the
3 peri-urban area of metropolitan Melbourne, they are
4 certainly under a lot of financial pressure because of a
5 whole range of factors, and that would be one of them.

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

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

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

1 Thank you, Mr de Man. They are the matters.

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

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

30 <CROSS-EXAMINED BY MR DEAN>:

31 I just have a few matters, if I may. Mr de Man, can I take you

1 to paragraph 39 of your statement, please, in relation to
2 the Craigieburn fire brigade.

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

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

8 COMMISSIONER PASCOE: Thank you.

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

1 staff?---Sorry, 19 - - -
2 1984, prior 39.2?---Became an urban brigade?
3 Yes?---Correct.
4 An urban volunteer brigade in 1984. Did that at that time
5 involve it also employing career staff?---No.
6 Can you say when Craigieburn first did employ career staff,
7 approximately?---Approximately 2006, to my knowledge.
8 2006?---To my knowledge, yes.
9 So when you say in paragraph 39.2, "The workload and time
10 commitment of the brigade members, both in incident
11 response and internal management, grew to such an extent
12 that it became too onerous for the brigade and volunteers
13 to meet service delivery requirements, and career
14 firefighter support was introduced to ensure that
15 community and volunteer needs continued to be met," that
16 didn't occur until 2006?---It was about 2006, correct.
17 By what criteria was it determined that the requirements of the
18 brigade had become too onerous for the volunteers? How
19 was that decided?---To my knowledge, there had been
20 discussions - and I stand to be corrected on
21 this - previously with the brigade, with the industrial
22 body, within CFA on a number of locations and Craigieburn
23 was one of them. As the growth occurred and the brigade
24 was suffering from the stresses of the growth that was
25 occurring, Craigieburn at a point in time had been
26 identified as a location where career firefighter support
27 was required.
28 What are the nature of the stresses experienced by the
29 volunteers? And please understand, Mr de Man, I'm not
30 being critical of the volunteers at all?---I understand
31 that. The stresses are quite - when you have volunteers

1 that are responding to a significant amount of calls in
2 the hundreds and the training requirements and so forth
3 and the management of a large number of volunteers and the
4 numbers responding into providing support response to
5 other brigades, it can come to a point in time where a
6 brigade does need that intervention with career staff to
7 lessen the burden on the volunteers. That's what would
8 have occurred at Craigieburn.

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

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

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

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

1 state level and with brigades as well.

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

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

10 Yes?---And CFA is eight.

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

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

30 Would you agree that this is an ever-increasing issue for the
31 CFA with the population growth of both urban Melbourne and

1 Victoria generally?---I would say it is a challenge for
2 all organisations such as CFA that as the population
3 increases and especially in the emergency services sector,
4 the provision of services need to be commensurate with
5 that growth. How that's delivered is ultimately, of
6 course, determined by the ability of the organisations to
7 deliver it. In CFA's sense, as the boundary grows, as we
8 have seen in the Craigieburn example, we require the
9 support of staff to assist the brigade as the risk has
10 increased. As I mentioned previously, in other parts of
11 growth areas in metropolitan Melbourne you can actually
12 see a brigade, a fully volunteer brigade, actually grow,
13 in a sense, its volunteerism aspect simply because of the
14 new members that are coming into the community who wish to
15 participate and create a sense of community in that
16 locality.

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

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

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

23 I'm sorry, I must have misunderstood you. I asked you whether
24 or not there were any brigades - I'm sorry. Metropolitan
25 Melbourne. In metropolitan Melbourne - - -?---We have a
26 mixture of volunteer brigades and career staff, and career
27 brigades in our integrated brigades.

28 But every brigade has career staff within it?---In metropolitan
29 Melbourne?

30 Yes?---No. You wouldn't find career staff, for example, at
31 Ferntree Gully.

1 I see. All right?---There are 31 integrated brigades within
2 CFA.

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

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

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

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

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

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

27 What are those cultural difficulties as far as you are
28 concerned, Mr de Man?---If I can put it in this context.
29 CFA is very much a community based organisation, fire and
30 emergency services organisation. Our people, our
31 volunteers that are members of brigades are actually

1 members of those particular communities. They are
2 supported by, in 31 cases of course, as I mentioned
3 before, the integrated brigades. So the CFA culture
4 within Victoria is that the brigade is a reflection of its
5 community, the brigade exists through its community and
6 the brigade is the community. That's the culture I'm
7 talking about.

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

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

29 But we are not talking about a career fire service. We are
30 talking about an integrated fire service?---If I talk
31 about an integrated fire service, you've got - there is a

1 cultural difference in my book, and this is only my
2 opinion, that the CFA is based on its community and its
3 career staff also have a sense of, in our organisation,
4 they have a good sense of community as well and they work
5 to support the volunteers in provision of their service.
6 That's the very nature of the organisation, so that's
7 where the integration comes from. I can't speak about
8 another organisation or any other organisation's types of
9 models because I'm only aware of the one model.

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

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

27 COMMISSIONER McLEOD: How would that be any different to the
28 situation that exists, for example, in Bendigo
29 today?---Many members of the CFA there live within that
30 local community there. One or two may not, but many do,
31 from my understanding.

1 If Bendigo was part of a Victorian-wide integrated
2 organisation, how would that differ in respect of
3 Bendigo?---It may not differ, but where I'm going to is
4 with regards to the integrated model that I referred to
5 before, the strength of community that allows us that
6 model, because you are bringing in community
7 members - without the volunteers in that integrated model
8 or that integrated model, then it starts to impact on
9 things like your surge capacity.

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

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

15 That's where we met?---That's exactly where we met, Mr Dean.
16 That's right, all those years ago. The career staff involved
17 in that incident who were managing the volunteers that day
18 lived in Geelong, didn't they?---Correct.

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

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

26 Yes, other than what you have just described, that brigades are
27 a product of their locality?---Another aspect is, and it
28 has been mentioned previously, I believe, and that is the
29 industrial environment at times has not been good between
30 the CFA and its employees, and we have done a lot of work
31 on trying to rectify and to manage and to do a lot better

1 with regards to the career staff that we do have. I think
2 we've gone a long way to ensure that we do recognise the
3 importance of our staff and we also do recognise the
4 importance of our volunteers at the same level. That is
5 not an easy process to manage on a day-to-day basis, but
6 both the volunteers, and I talk in general terms here, and
7 the staff are very important to the organisation. So
8 those are integrated. Now, when we look at culturally,
9 there have been issues, as we know, over the past number
10 of years with enterprise bargaining discussions and so
11 forth, but culturally I believe that the model that we
12 currently have and the structure that we currently have
13 with the MFB and the CFA, as those two agencies, is the
14 right model.

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

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

29 Thank you. I have no further questions.

30 <CROSS-EXAMINED BY MR CLELLAND:

31 Mr de Man, you were asked some questions by Mr Dean, counsel

1 for the UFU, about the placement of career staff within
2 volunteer stations, and some further questions about
3 integrated fire stations. I want to ask you about
4 something slightly different, if I might. Are you aware
5 of a report provided to the Commission by a Professor
6 David Hayward on behalf of the UFU?---I've had a read of
7 the report.

8 Can I suggest to you, without taking you to the specifics of
9 that report, that what Professor Hayward seems to be
10 proposing on behalf of the UFU is that there be a career
11 based fire service for the whole of Melbourne, including
12 the outer metropolitan area and major regional centres.

13 Are you aware of that?---I'm aware of that, yes.

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

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

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

1 looking at 9,228, roughly.
2 So that's in excess of 9,000 volunteers who are currently
3 stationed in that outer metropolitan area. Now, Professor
4 Hayward goes further. What he contends is that indeed
5 that process of replacement of volunteers should then
6 extend to not only major regional cities but major
7 regional centres. Now, without Professor Hayward being
8 able to assist us as to just what he would describe as a
9 major regional centre, are you able to give any sort of
10 approximate figure as to how many volunteers we would be
11 talking about?---If I look at the regional centres of
12 Bendigo, which is region 2; Geelong, which is region 7; if
13 I have a look at Ballarat, 15; if I look at Wodonga, for
14 example, at 24; there would be, if you look at those
15 figures, probably a couple of thousand as well, taking on
16 board that there would also be volunteer numbers in there
17 from remote areas.

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

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

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

24 MR DEAN: Those questions, in my submission, are calculated to
25 not assist the Commission. During the course of Mr de
26 Man's evidence he gave evidence in relation to the number
27 of volunteers at particular integrated stations. Those
28 figures were obviously significantly less than the figures
29 that Mr Clelland has taken the witness to. These figures
30 represent total numbers of volunteers, not volunteers who
31 are engaged in response at particular urban stations.

1 They are the figures that the witness should be taken to
2 if the questions on behalf of the State of Victoria are
3 intended to assist the Commission.

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

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

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

25 MR CLELLAND: Quite.

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

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

31 COMMISSIONER McLEOD: We will be able to test that later today.

1 MR CLELLAND: That's right. Mr de Man, I think you understood
2 Commissioner McLeod's question. Can you do the conversion
3 for us? Is there a basis for it?---The conversion that
4 you could do would be simply to calculate the number of
5 fire brigades within those areas multiplied by 15 because,
6 if you took it on the current staffing model, you would
7 have three across each shift plus a relief shift, that's
8 15, so you would multiply that number of brigades by 15
9 which gives you the number.

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

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

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

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

25 Those are our questions.

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

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

29 <(THE WITNESS WITHDREW)

30 CHAIRMAN: Yes, Mr Burnside.

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

1 application?

2 CHAIRMAN: Yes. Please come forward.

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

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

15 MR RUSH: No.

16 CHAIRMAN: Yes, you are granted.

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

26 CHAIRMAN: Yes.

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

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

31 CHAIRMAN: Yes.

1 <ANDREW JAMES FORD, sworn and examined:

2 MR RUSH: Mr Ford, you currently hold a position with the
3 Volunteer Fire Brigades Victoria?---That's correct.

4 Could you tell the Commissioners what that position
5 is?---Volunteer Fire Brigades Victoria is the body
6 established to bring matters affecting the welfare and
7 efficiency of volunteers to the attention of the CFA
8 board. It is effectively the representative body of CFA
9 volunteers.

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

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

15 I tender the submission of Volunteer Fire Brigades Victoria.

16 #EXHIBIT 910 - Submission of Volunteer Fire Brigades Victoria,
17 dated 19 April 2010 (VFBV.002.001.0001) to
18 (VFBV.002.001.0016).

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

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

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

30 At paragraph 8 of your statement you start with the proposition
31 that's been spoken about this morning and indeed through

1 the course of the Royal Commission of the volunteers being
2 integral to the emergency management and to CFA. But
3 I would particularly ask you then to go to matters that
4 are addressed this morning and give the association's
5 perspective in relation to the issue of surge capacity and
6 what you say amalgamation would do or has the potential to
7 do to that capacity?---Okay. It is a big question, but
8 I will see if I can start at a sensible point. As you
9 understand, the CFA services more than half of
10 metropolitan Melbourne, provincial centres across Victoria
11 and all of country Victoria. Throughout that network of
12 1,200 brigades volunteers are able to be deployed to any
13 major incident that may occur across the state, multiple
14 major incidents if need be and prolonged incidents that
15 might go for up to two months, as we have experienced in
16 the past. That network of brigades and particularly the
17 surge capacity that exists by virtue of the numbers in
18 metropolitan Melbourne and provincial centres is critical
19 to CFA having the numbers of people to be able to be
20 deployed out of area to major incidents and at the same
21 time to be able to retain service coverage for their local
22 area. If I could give you an example, I'm a volunteer
23 member of the Edithvale fire brigade, which is on the
24 boundary of CFA and MFB and reasonably deep in suburban
25 Melbourne. On the day of 7 February, as is the case and
26 the practice not just in the Edithvale volunteer brigade
27 but many others across metropolitan Melbourne, being a bad
28 day or a hot day or a total fire ban day as the case may
29 be volunteers will be on station ready to roll to anywhere
30 that is required in the state; that's trained volunteers
31 ready to roll. On that day, as soon as we realised and

1 I realised personally that this was going to be a day of
2 significance, I as with about 23 other volunteers, I think
3 the number was, attended our station, gear ready and ready
4 to roll. I was deployed as a firefighter on the back of a
5 truck to the Narre North Harkaway fires on that day and
6 for a number of subsequent tours of duty in the following
7 week. It is that surge capacity that is needed to man the
8 trucks that are required for major incidents. While we
9 were there doing that, other trucks were manned by
10 Edithvale and other volunteer brigades across metropolitan
11 Melbourne and provincial centres to other parts of the
12 state at the same time as retaining a capacity to respond
13 within standard to incidents that might occur in our own
14 brigade area. That's the surge capacity that we talk of.
15 I just ask about your brigade. Is that a completely volunteer
16 brigade?---That is a completely volunteer brigade, and
17 supports into highly urbanised areas, supports into the
18 MFB area and also supported by and supporting into
19 surrounding brigades that happen to be integrated CFA
20 brigades. So that's an example of the integrated model
21 working and it is an example of the mutual aid
22 arrangements working. If I could, Mr Rush, what we are
23 saying is that there are improvements that need to be
24 made, and they are primarily around the issues of
25 accountability and coordination and inter-operability.
26 The risk of eroding or losing or designing out that
27 volunteer capacity and that surge capacity in metropolitan
28 Melbourne is significant if we look at amalgamation of the
29 agencies. There are cultural differences, not just
30 community linkage cultural differences but organisational
31 and workforce design cultural differences, that pose a

1 real risk to losing the volunteer capacity, losing the
2 surge capacity and not necessarily doing anything to
3 achieve the improvements that are sought.

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

1 quite significant. They are quite different
2 organisational models.

3 Is that a convenient time?

4 CHAIRMAN: Yes, it is a convenient time.

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

11 CHAIRMAN: Yes, I agree with that.

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

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

18 <(THE WITNESS WITHDREW)

19 LUNCHEON ADJOURNMENT

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1 UPON RESUMING AT 2.00 PM:

2 <ANDREW JAMES FORD, recalled:

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

13 One of the arguments you put forward against the idea of
14 amalgamation is on the basis that it would affect
15 volunteers. In Craigieburn we have a brigade which is
16 working with career firefighters and volunteers and,
17 according to Mr de Man, working satisfactorily. Why is it
18 then that, if we use that as an example, that amalgamation
19 would impact on volunteer numbers?---And surge capacity?
20 And surge capacity?---I think this is where there are a number
21 of factors keep playing back on one another. One of the
22 aspects of the question of amalgamation seems to have been
23 an MFB/CFA boundary change and the critical point is that
24 were there to be a boundary change or a move outward of
25 the MFB boundary and a change in the CFA paid staff and
26 volunteer integrated model and a reduction of or an
27 abolition of volunteers in those outer metropolitan areas
28 or provincial centres, you hinder the surge capacity,
29 whether it be by designing them out or by negligence, if
30 you like, or a lack of focus on building and maintaining
31 volunteer capacity, so there is that one issue. The other

1 issues around amalgamation and the benefits of come from
2 the broader issues of organisational role differences,
3 organisational workforce design differences, cultural
4 differences in the organisations. So the boundary change
5 surge impact is a subset of the overall question of the
6 future structure of the fire services. Does that make
7 sense to you?

8 I think so. Can we deal with some of those matters. You at
9 paragraph 39 of your statement at 0009 say, well, the VFBV
10 understands that for some time the CFA management has been
11 confronting industrial issues that impact on its ability
12 to fulfil its functions. The industrial issues that our
13 members most frequently raise as impacting on volunteer
14 welfare and efficiency are, point 1, the apparent right of
15 the UFU to veto CFA management decisions. What is the
16 basis for that statement?---If I can just context this
17 submission also, and you need to understand that VFBV
18 represents CFA's 60,000 volunteers. Not all volunteers
19 are affiliated with the organisation but the paper
20 reflects the views of consultation and discussion with
21 volunteers across Victoria, not just my personal views.
22 These issues are and have been for some time continually
23 raised, not just, may I add, by CFA volunteers, but often
24 as frustrations of CFA management. One of the concerns we
25 have is if they are so widely recognised as impediments to
26 effectively running CFA, why do they still exist. The
27 issue of veto is complex and really needs CFA to explain
28 it in the context of how it comes about by virtue of the
29 enterprise bargaining agreement, but a couple of examples
30 come to mind. One of them is the selection of structural
31 protective firefighting clothing some years ago, an issue

1 that created, if you like, a very long-term, protracted
2 and frustrated consultative process whereby CFA management
3 was not able to move forward and make a decision on that
4 particular set of gear without reaching the agreement of
5 the union, by virtue of clauses, as we understand it, in
6 the industrial enterprise bargaining agreement. That
7 issue was examined by an external inquiry undertaken by
8 Judge Lewis who reported on the issue and made findings
9 about those frustrations slowing down and making
10 management decisions less effective in CFA. The concern
11 that volunteers have is often that impacts on volunteers
12 getting on with the job that needs to be done.

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

1 agreement of the union.

2 If one looks, and I don't intend to take you to it all, but

3 from paragraph 34 through to 39 what one may take out of

4 that is that from the volunteers' perspective there seems

5 to be - correct me if I'm wrong - but what you are putting

6 forward is a real impediment to volunteers working

7 effectively over a period of time because of the

8 differences that you put forward in relation to the way in

9 which a career firefighter will work and a volunteer will

10 work?---I think I understand the question, and I'll have a

11 go. Understand that, on the ground, paid firefighters and

12 volunteers work very well together in most occasions.

13 Volunteers can't do what they do without the support of

14 paid staff and paid staff can't do what they do without

15 the work and support of volunteers. But there are

16 industrial instruments and limitations on the way CFA

17 management goes about its business that frustrate the

18 effectiveness of that volunteer based and integrated model

19 and they are widely discussed frustrations within CFA and

20 particularly amongst CFA volunteers.

21 But would they not be frustrations that have been overcome if

22 we look at the model that has been put forward this

23 morning by Mr de Man in relation to Craigieburn?---And

24 that would be again an example of what we would call one

25 of the more - not an end point, but a more evolved point

26 in what I have termed a brigade support continuum. So a

27 brigade in a growth area, for example, and if I can use my

28 own brigade, Edithvale, a busy urban brigade servicing

29 suburban Melbourne, one of the first things that is going

30 to be quite a workload impost on that brigade will be

31 managing the training requirements. So, in addition to

1 what the brigade might be able to do for itself in terms
2 of training and assessment against minimum skills,
3 ensuring that the provision of support to do that
4 additional training or that extra training workload is
5 provided at times and at places and in formats that suit
6 the volunteers. Likewise, there is a lot of
7 administrative work that becomes a burden for busy
8 brigades, just as it would for any fully paid workforce,
9 so providing administrative support to those brigades. In
10 time there may be fluctuations in brigade leadership or
11 there may be fluctuations in seasonal capacity. Being
12 able to target the resource along that support continuum
13 to supplement and support the brigade and to build
14 volunteer capacity needs to be the priority. Too often
15 there is a push to jump, if you like, and I talk about
16 slipping up the continuum to put paid firefighter support
17 in perhaps prematurely when there is another solution that
18 is more effective. Craigieburn and the integrated model
19 would be an example where supposedly they've worked
20 through a support continuum, needed to put some paid
21 firefighters on shift to supplement and support
22 volunteers, not to replace them but to supplement and
23 support.

24 But if we put aside the issue of boundaries for a minute, how
25 would amalgamation impact on the volunteer Edithvale
26 brigade?---In terms of the integrated model, the
27 amalgamation itself wouldn't cause the change to the
28 integrated model. Certainly a boundary shift would.

29 But I mean for your volunteer brigade, and this would be the
30 case around Victoria, if we bring the fire agencies
31 together into one amalgamated structure, why will that

1 impact on volunteerism at Edithvale or Penshurst or
2 anywhere else?---I think I need to go back to what our
3 submission is saying. It doesn't start from the point is
4 amalgamation good or bad. It starts from the point of
5 what are we trying to achieve, and we are trying to
6 achieve a more unified control, better coordination,
7 clearer accountability and better service delivery.
8 Forget the boundary issue in that sense; because of the
9 organisational cultural differences and workforce
10 differences and the role differences between CFA and the
11 MFB and DSE, there is a real risk that the eye is taken
12 off the main game of achieving the improvements to bed
13 down a complex change management and amalgamation of
14 organisations that are fundamentally quite different. So
15 that's where you run the risk of not keeping the eye on
16 those things that are fundamental to a successful
17 volunteer based model in a CFA sense or in fact achieving
18 the improvements we are pursuing. In amongst that
19 amalgamation, if there were pressures on the service model
20 to change it, it would be those pressures that would
21 destroy, potentially, the integrated model. The way
22 I understand one of the proposals that you have, as
23 I understand the United Firefighters Union proposal, it
24 talks about the abolition of volunteers ultimately in
25 places like Edithvale, so by design that sort of approach
26 would in fact remove volunteers. Whether they walked away
27 or were disenfranchised or squeezed out of the culture or
28 not, they would be removed. So there is a number of ways
29 you risk impacting on that volunteer capacity.

30 COMMISSIONER McLEOD: That's only a proposition, of course,
31 that we need to consider. Integration as such doesn't in

1 itself require elimination of volunteers because, as we
2 have observed earlier today, the CFA already is an
3 integrated organisation with paid firefighters and
4 volunteers working together in an integrated multi-skilled
5 fashion under the one leadership and the evidence we have
6 also had today is that it's working. So, to have
7 organisations with a mix of volunteers and employed people
8 working in an integrated fashion in itself doesn't appear
9 to be impossible to achieve?---I agree. Theoretically and
10 certainly - - -

11 More than theoretically. In practice it is working well in the
12 CFA, isn't it?---In practice it is working well in the CFA
13 because the CFA is what it is. The risk we are pointing
14 out is that if we were to try to glue a community based,
15 volunteer based, integrated workforce, decentralised
16 workforce and work model, together with a paid only,
17 highly centralised, highly industrialised model - - -

18 That's one model. A paid only is one model?---Okay. I guess
19 then the view would be that the challenges associated with
20 reforming one of those models, and I'll be saying to you
21 reforming the paid only model, so that it were a fully
22 functioning, volunteer based, integrated model, are such
23 that we don't think that that is likely to be achieved and
24 haven't ever seen a model that proposes a changed
25 management regime that could achieve it. If you join
26 those two organisations together without having those
27 preconditions in place, then you run the risk of the
28 destruction of what is valuable today.

29 I just emphasise again you are looking at it as a particular
30 kind of outcome that implies that over time the need for
31 volunteers would gradually be eliminated?---No, no.

1 Sorry. I'm accepting that that model is at one end of the
2 extreme. I was going to say absurd. The other model
3 would be that you combine, for example, MFB and CFA and
4 leave their workforce design as they are today, and you
5 just simply join the two cultures. Another, and I thought
6 it was the assumption you were putting to me, that you
7 could achieve the integrated model in the metropolitan
8 fire district or MFB organisation and therefore you are
9 talking about amalgamation of two like cultures, like work
10 practices. There is a lot that would need to be done to
11 achieve that before that question could really be
12 contemplated, I would put to you.

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

30 We had a submission on Friday to the effect that there be a
31 form of amalgamation bringing DSE in with CFA with a state

1 fire officer responsible for fire prevention, with the MFB
2 really off to one side in relation to the structure. Do
3 the volunteers have a view - which is really the CFA
4 submission back to the Esplin inquiry in
5 2002/2003?---I can't talk to you about what the
6 volunteers' view was in '02/03 and I suspect their
7 involvement in that discussion may have been less than the
8 involvement we've had in this more recent consideration of
9 the future, and we did consider that issue. Extracting
10 out simply the fire management part of the overall land
11 management function and putting it in another
12 organisation, splitting those two functions, we believe is
13 really just creating another problem. The solution that
14 we have put, which is contrary to the witness that was
15 here on Friday, is not status quo. The solution we put is
16 for a unified control and an allocation of that control, a
17 single agency responsible for the control of bushfires in
18 Victoria, being the arrangements that have been put in for
19 an interim. Our proposal talks about addressing that
20 unified approach through the control arrangements and
21 through the interoperability and through coordination and
22 through training, and driving it with a body that will
23 actually ensure it is achieved, as opposed to leaving it
24 up to chance. We firmly believe that's a better approach
25 than simply plucking some of the resources out of one
26 organisation and pasting them into the other, leaving
27 another problem back in the host organisation.

28 You speak, going back to paragraph 29 and following, to the
29 importance of the CFA and volunteerism and the local pride
30 in the CFA in local communities. The first question is:
31 in the position of your organisation is there a view as to

1 the retention of the name "CFA"?---CFA means a lot to the
2 people who are CFA and who have been CFA for a long time.
3 We have talked this issue specifically and I think a name
4 change, if we were asked today, would not be supported.
5 If there was to be contemplation of a name change, it
6 would require I think very, very careful discussion and
7 consultation with volunteers across the state in a broader
8 sense than it's happened today. But my understanding,
9 based on all of the conversations we've had, is that that
10 name is important.

11 COMMISSIONER PASCOE: Mr Rush, just to tease it out - I'm
12 getting like our Chair with the definition of fire here -
13 when it comes to what sits behind the acronym CFA, would a
14 move to that being "community fire authority" be
15 acceptable, do you think?---Look, I would only be
16 answering that from Andrew Ford's personal view, and if
17 the cultural perceptions and the leadership that is given
18 to the issue isn't there, it will still be Country Fire
19 Authority by another name, so I don't know that that
20 answers the problem. I think a better solution would be a
21 very concerted effort from top to bottom, both outside the
22 organisation and from the leadership of CFA, to ensure
23 people in Victoria understand that CFA or Country Fire
24 Authority doesn't mean it's only country, doesn't mean
25 it's only bushfire, doesn't mean it's second rate. I put
26 to you it's the same issue with the term "professional".
27 We need to educate everybody in the decision-making loop,
28 we need to educate everybody in the community that this is
29 what you have in CFA. It happens to be called Country
30 Fire Authority but, once you understand what it is, you
31 can overcome that problem. I think just changing the name

1 without changing and a concerted effort to change the
2 perception won't achieve much.

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

19 COMMISSIONER McLEOD: While we are still talking about culture,
20 could I just make the point that from what has been said
21 today there are perhaps cultural issues on both sides.
22 There may be reasons for this other than just historic,
23 but it does seem to me to be strange that the CFA can't
24 recruit operational staff as volunteers without the
25 consent of volunteer brigades, which I would have thought
26 is an example of the CFA as an organisation not having
27 total control over its own resourcing?---Commissioner,
28 I think what I heard you say was that CFA can't employ
29 operational personal without the consent of brigades.
30 Not employ; add to their resource profile people who seek to be
31 members of the CFA as volunteers, but who need to be given

1 the consent of a local brigade as to whether or not the
2 local brigade judges them acceptable to be able to join
3 the CFA's workforce. That is a widespread practice, isn't
4 it?---It is, and I think - - -
5 Isn't that a kind of workplace restrictive practice that takes
6 away authority from the CFA that could be seen as a
7 cultural aspect of volunteerism that perhaps inhibits
8 efficiency?---I think it almost, the way I'm hearing you
9 interpret it, paints a picture somehow that the CFA
10 brigade isn't in fact the CFA and that the CFA brigade
11 captain isn't in fact one of the critical line managers of
12 CFA, just happens not to be paid. So to recruit and
13 maintain and retain that workforce across 1200
14 decentralised brigades across the state, as you would in
15 any organisation - let's forget the business of whether
16 people are paid or not for a second - your unit managers
17 would be making those decisions, and the process that
18 happens to be is interview and selection and ultimate a
19 vote. Now, I think the fact that it happens at brigade
20 level and that volunteers do it is not a cultural issue
21 that volunteers are impacting on CFA's decision making
22 ability. It is a recognition that CFA is not only
23 serviced by volunteers on the fireground, it is led and
24 managed by volunteers at every level, so you have to
25 empower and trust volunteers to be able to make those
26 decisions. If it is the process of whether a vote is a
27 sensible process or not, I think that's a different issue.
28 I suppose what I'm putting touches on that, but perhaps that's
29 another issue?---I'd like to explore it if you need to,
30 but it's a really important factor to understand that
31 volunteers need to be engaged and empowered and respected

1 in the decision-making process at every level. You cannot
2 run a 60,000 strong workforce and with only 1,000 paid
3 people. The notion that the 1,000 paid people or those
4 that aren't at fire stations somehow sit at the top and
5 make all sensible decisions and the volunteers carry them
6 out is what a lot people think CFA to be. But there is
7 volunteer management making those decisions that in other
8 organisations paid people might make at every layer of
9 CFA.

10 MR RUSH: Two more matters, Mr Ford. Back to 39.4, you might
11 just tell us what are the restrictions at the moment on
12 hiring paid sessional instructors for volunteer
13 training?---If I can answer it from the end result as
14 opposed to the restrictions, because if I can get a
15 straight answer to what the restrictions are I think I'd
16 be able to tell other people. The reality is, as
17 I understand it, there are either none or a very, very
18 small number of paid sessional instructors in existence
19 today, despite that issue being a priority for CFA
20 management, being a priority need for volunteer brigades
21 and being one that has supposedly been worked on for
22 several years. So that I'm clear, paid sessional
23 instructors is about providing a flexible paid workforce
24 that can deliver training on a sessional basis rather than
25 have static training instructors, and there'll be
26 full-time training instructors as well, but you need to be
27 able to have that capacity to go and meet and train these
28 brigades when and where it suits volunteers to be able to
29 participate. Not able to be done with the current CFA
30 workforce, not able to be done solely with the volunteer
31 trainers that exist and are used. Therefore, get another

1 flexible arrangement in place. I really couldn't tell you
2 just why it can't be resolved. It is widely aimed back at
3 the enterprise bargaining agreement issues that CFA is
4 working through. But the fact that there isn't a good
5 body of sessional instructors out there today tells me
6 that there is a big problem. The fact that brigades are
7 saying, "We need to have this training that we don't have
8 access to" tells us there's a need.

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

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

19 If it's right to have a single control and command structure,
20 bringing all entities together on the bad day, why isn't
21 it right to have it every day?---I'm just making sure
22 I understand the question. I understand part of it. But
23 what we are saying is that that is something that needs to
24 be aimed for. Remove any lack of clarity about who is in
25 charge, who is accountable, manage the pool of resources
26 as one, have that seamless command and control and in the
27 absence of being, in our view, able to easily or neatly or
28 even with a fair bit of change amalgamate the
29 organisations, that is a way of achieving the end outcome,
30 despite the difficulties of the different organisational
31 cultures. On a day-to-day sense, and if we're talking

1 about the smaller incidents, if you like, they are already
2 managed in that way through that line of control. That
3 can happen. Mutual aid arrangements around the MFB/CFA
4 boundary enable that seamless operation to happen. But
5 just because we can do it as a single line of control is a
6 different issue to actually addressing the cultural and
7 organisational differences that are associated with
8 bringing the organisations together.

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

31 But on your submission it is expected to come together and run

1 in an efficient way on emergencies?---Yes.

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

4 MS DIXON: Mr Dean should probably go before me.

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

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

9 CHAIRMAN: Yes.

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

13 CHAIRMAN: Yes. Thank you.

14 <CROSS-EXAMINED BY MS DIXON>

15 Mr Ford, I don't know if you explained your own personal
16 background and history prior to taking the position you
17 now have. Could you just tell the Commission a little bit
18 about that, please?---Prior to joining the Volunteer Fire
19 Brigades Victoria as CEO I was employed by CFA for the
20 last - for 15 years. I have been with Volunteer Fire
21 Brigades Victoria for about three and a half years and for
22 the 15 or so years prior to that worked as a paid employee
23 of CFA, initially employed and working from CFA head
24 office as the manager of corporate planning, involved in
25 obviously strategic planning and organisational
26 development, but also some of the structural changes that
27 have occurred in the CFA over the past 15 years. And for
28 the last six years or so - I'm sorry, I don't have the
29 exact dates - I was area manager, which is now known as
30 general manager, of the Westernport area, which is that
31 area that Lex de Man referred to today that essentially

1 starts at the south-east suburbs of Melbourne, takes in
2 all of the Mornington Peninsula and through to just beyond
3 Pakenham and up to Gembrook area. So, a highly urbanised
4 area of CFA.

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

21 What do you see and what do your members see as the risks of
22 merging it into one monolithic single fire agency in
23 Victoria?---The big risk is that we destroy what exists
24 today and works today, either by virtue of volunteers
25 distancing themselves from the work they do because of
26 that disenfranchising, that feel of a move away from
27 the organisation that they are part of and own and have
28 built for generations. That's at one end of the scale.
29 At the other end is an organisation that becomes so big
30 and preoccupied with managing the bureaucracy and some of
31 those industrial and cultural challenges that the eye is

1 taken off the ball and we lose what exists today through
2 the volunteer capacity right across metropolitan
3 Melbourne, right across provincial centres and the rest of
4 Victoria. At the other extreme, which would be I think
5 quite a matter of neglect, is that it could be physically
6 designed out of a model - and I know that's not what is
7 being proposed, Commissioner McLeod - but if there were a
8 model that looked to alter the configuration of integrated
9 brigades and volunteers in outer metropolitan Melbourne
10 and intentionally destroy volunteerism, that would be a
11 very significant problem for the state.

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

1 come to that determination.

2 The question has been put to you, "Well, these integrated
3 brigades in some areas seem to work quite well. Why not
4 just have this perhaps amalgamation?" Do you think
5 amalgamation answers all the industrial tension issues and
6 the other issues that have been referred to in the
7 submission put forward for the volunteers?---Answers them
8 or creates them? I think what it will do is exacerbate
9 some of them. There are two issues you ask there, and one
10 is about that capacity to meet that service growth and the
11 integrated model and supplement the volunteer brigades and
12 build both community and brigade capacity as needs change,
13 as opposed to needing to move to a different model.

14 That's quite regardless - that is done now and needs to
15 continue to be done in the CFA model regardless of
16 amalgamation. The shift of an MFB/CFA boundary, I think
17 somebody referred to it last week, is a side issue. It
18 doesn't do anything to achieve the improvements we are
19 seeking to achieve, as I see it, through this Commission
20 and through some of those areas that have been identified
21 as improvements that need to be made. What it has
22 potential to do is destroy something that was critical to
23 our capacity on that day of 7 February, on many other days
24 and for campaign fires across the state.

25 That's what you refer to as the surge capacity?---Absolutely.

26 Just taking the model of, say, a fire station that is manned by
27 career firefighters and comparing it to volunteers, what's
28 the difference in terms of rosters, for example? What
29 impact do rosters have on the 24/7 ability of firefighters
30 to attend a fire, current rosters under the industrial
31 relations?---Again, I need to answer it from some of the

1 other issues that have come up today, and that is the
2 notion that somehow volunteers are part-time. The
3 volunteer workforce model is not a part-time model.
4 Volunteers are on call, they have their pager with them,
5 they are ready to respond when needed. They are just not
6 there at the station all of the time, but they will be
7 there when needed. The paid model in Victoria is a
8 rostered model where people work predominantly a 24-hour a
9 day, seven day a week roster. There are many
10 circumstances when perhaps a daytime roster or a weekday
11 only roster might be what is required for the community,
12 but CFA has not been able to implement many of those
13 situations. So, suffice to say most of it is that 24/7
14 roster where people work two days on, two nights on, four
15 days off.

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

18 For career firefighters?---For paid firefighters, that 10/14
19 roster where they will be rostered to work two days, then
20 - - -

21 Sorry. 10/14, what does that stand for?---Ten hours and
22 14 hours, so 10 hours during the day and 14 hour night and
23 then have four days off. While they are on station on
24 that roster - - -

25 This is your salaried firefighter, who maybe earns \$100,000 a
26 year, works - - -?---That's right, works two days on, two
27 nights on, four days off. I think the figure that was
28 used in one of the reports and provided, I'm pretty sure,
29 by the state, was an average of about \$90,000, including
30 your salary related costs, average paid firefighter cost.
31 If you were to achieve one crew on one truck in one

1 station, for example, if that's the question, let's
2 imagine a crew of four on that truck. To achieve the
3 24-hour roster you need to employ roughly five and a half
4 is the ratio, I think. So, what's that, 22 people to man
5 that truck 24 hours a day.

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

20 I don't expect you to do the calculation on the run. You are
21 talking about the cost of replacement?---To replace, let's
22 say, a couple of brigades, you're talking about
23 \$400 million a year in salaried costs alone for somewhere
24 in the order of 200 of the existing volunteer brigades,
25 let alone the cost or the opportunity cost that has been
26 lost of not having the capacity, if you went to that
27 model, to do any more than the norm, other than what you
28 might be able to achieve with an initial surge or movement
29 capacity around that resource in an afternoon or for a
30 day, but to be able to - if you went to that model, and
31 Lex de Man put figures up that showed the number of

1 volunteers in those outer metropolitan areas where these
2 urban brigades we're talking about are, not only would you
3 have had that additional recurrent salary cost per year,
4 but you have lost in the order of thousands of volunteers
5 available for your surge capacity. That's the real cost.
6 In terms of issues of locality, do paid staff always live in
7 the locality that they service? Do they have an intimate
8 knowledge of the locality, career staff?---No, there is no
9 set rule. They may or may not. There is no requirement
10 for them to have come from the community that they are
11 employed in, and over the career of a paid person they may
12 work from many different locations.

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

20 MS DIXON: You were taken to the Linton example before. It so
21 happened that I think Geelong was involved?---Yes. So on
22 one question is do - as a volunteer I will live, in my
23 case, within two minutes of the station, so I will live
24 close to the station because that's going to be important
25 for me to be able to get there. As a paid employee, you
26 have more flexibility. You might work or live many,
27 potentially 100 kilometres from where you work. In terms
28 of the deployment of volunteers, there is no limitation on
29 where a volunteer from a particular brigade might be
30 deployed to, and certainly an expectation that you will be
31 deployed to wherever you are needed. In that week of

1 7 February, for example, the weeks leading up to it there
2 were many fires down in Gippsland and from our brigade we
3 had crews of volunteers around the clock on trucks at the
4 Gippsland fires. On 7 February, myself and others were at
5 Narre Warren, Harkaway fire, and in fact other fires along
6 the way, in Carrum Downs and those areas, and the next
7 night I was back up in Kinglake and then the following
8 weekend in Kinglake West and I could have well been in
9 Kilmore or somewhere else in the state. Does that answer
10 your question?

11 COMMISSIONER McLEOD: Yes. I guess what was behind my question
12 was that local knowledge is very important with a local
13 fire, but if the emphasis is on the deployability of fire
14 services, and that's true of the CFA and maybe it's true
15 of an employed fire service as well, it seemed to me that
16 perhaps it's six of one and half a dozen of the other, if
17 it's an argument about which type of service is likely to
18 have better local knowledge?---I think you run the risk of
19 mixing a couple of issues. The major incident, if
20 you like, the out of area incident such as, in this case,
21 the Narre Warren North or Kinglake, if we were up there
22 working independently of a strike team without some local
23 knowledge, it wouldn't be sensible. That's in that
24 situation. Obviously I don't have local knowledge of
25 Narre Warren North or Kinglake, but was in a crew which
26 was part of a strike team which was part of an overall
27 firefight that had local knowledge embedded into it and we
28 took our instructions in that way. The local knowledge
29 advantage, and again we're talking about a model that
30 should not only work for major disasters and not only work
31 for fire, it needs to work for all hazards and needs to

1 work every day of the year. The local knowledge issue
2 that I talk about for Edithvale, for example, is the
3 knowledge that is beneficial every day of the year. So,
4 no, that local knowledge benefit doesn't transpose
5 automatically to a go away fire, if you like, but it is
6 there. The members of our brigade, as they would with the
7 brigades across the state, live in that community, their
8 children go to school in that community, their families
9 and friends are from that community, their eyes and ears
10 every day, every night, understanding what is happening
11 and are connected in that way, not just in provincial
12 Victoria, not just in small rural communities where they
13 may be the entire community, but deep in the suburbs of
14 Melbourne.

15 MS DIXON: Just on that point in terms of that local knowledge,
16 taking the rural example, say we are talking about
17 somewhere in the Otways, is the advantage of that local
18 knowledge and that local brigade that they will know the
19 geographical locale or the behaviour of fires in the past
20 in that area, but then they may be backed up by brigades
21 from other places?---Exactly. So they will know the
22 location, they will know the weather, they will know the
23 fire behaviour patterns, they will know the issues and
24 they will know the people. They may know the vulnerable
25 groups and the idiosyncrasies of that community. The
26 other thing they will have is those relationships at the
27 local and semi-local area, if you like, that are needed
28 for the overall emergency management effort to be
29 effective, and if you remember Mr Hart that was here on
30 Friday talked about more important than structure will be
31 those relationships and that ability to get things

1 happening when they need to with people who may not have
2 worked together before. True there are going to be people
3 coming in from other areas, but you have a core of local
4 connection and local relationships and very often the
5 local brigade leaders are involved in leadership roles
6 across many other facets of that community. They know who
7 makes the community tick. So not only are they vital for
8 the base knowledge and the preparation and the prevention
9 work and response on the day, but it also is a critical
10 factor in the success of the recovery. People sometimes
11 talk about it as community resilience, that capacity to
12 take a knock. I would say that community based brigade
13 and that community based leadership and that embedded
14 nature of CFA into the communities that they are a part of
15 is vital to that resilience.

16 Just in terms of recruitment factors, you have heard about the
17 demographic and the potentially ageing communities in some
18 rural areas, for example. Do you have a concern that
19 recruitment is going to be a problem in the future or do
20 you regard that as an issue that can be dealt with by
21 resourcing recruitment potential?---There will be an
22 example of, again, different communities, different
23 situation. Overall, the demographics that I think are in
24 Lex de Man's report and my recollection of one of the
25 tables is that about 60 per cent of volunteers fall into
26 that age bracket 18 to 55, so that's a pretty healthy
27 spread of demographic globally. There are many examples
28 in - let's go to the small rural communities where the
29 community has all but shut down. There may be nothing
30 left in terms of a common meeting place or a common
31 structure other than the brigade. We have looked

1 specifically at communities out in western Victoria where
2 a volunteer brigade is still quite viable and the age
3 profile of that brigade is still quite young. We have
4 brigades - I think Joel Joel is the example, and I may
5 have the age in the example wrong, but a captain in their
6 30s, a healthy brigade number, despite a community that is
7 quite small and has in fact seen a lot of decline over
8 recent years. So, yes, it is possible.

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

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

31 You were asked about coverage in regional centres like

1 Ballarat, Geelong, Bendigo, those sorts of places. How
2 important are the satellite brigades around the city
3 brigade in those areas?---Brigades don't work in
4 isolation, and in the Ballarat example or in the Edithvale
5 example, if there is an incident there will be a number of
6 brigades responded to that incident based on who is
7 closest. In Ballarat it might be Wendouree and
8 Sebastopol, in Edithvale it may be CFA Edithvale brigade
9 and MFB Mentone brigade. It is basically a badges off
10 scenario, the two closest brigades will go, so that
11 network is critical.

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

24 Just in terms of the issue of continuous monitoring - for
25 example, you have spoken about the volunteer continuum -
26 of whether or not volunteers are coping with demands in
27 rural-urban interface areas, what do you say about whether
28 that's occurring?---That occurs continuously. As area
29 manager in CFA, there would probably be no other issue
30 more top of mind of the question of, "Do the brigades that
31 I support have the capacity and the capability in terms of

1 resources and equipment to meet their local service
2 demand?" So as population changes cause risk changes, as
3 urban growth demographic changes, those are continuously
4 factored in, as are changes in the brigade's composition,
5 whether it be changes in the leadership pool, changes in
6 the work patterns of the members that may alter who has
7 traditionally been their core responders. That is the
8 work of CFA. It happens every day. The most important
9 thing that needs to be understood and the solution as that
10 capacity is challenged is not automatically paid
11 firefighters. The solution, as a first priority, is to
12 see what can be done to build community capacity and build
13 brigade capacity, build volunteer capacity. That starts
14 with recruitment. It might go to training. It might go
15 to administrative support. It might go to helping them
16 build relationships and profiling their community so that
17 other people understand their need, and ultimately only if
18 those measures have not worked might you look to put paid
19 firefighters in to support and supplement the volunteers.
20 Just finally, you were asked some questions by Mr McLeod, and
21 I think in answer to them you said, "Because the CFA is
22 what it is, if we were to try and glue a community based
23 decentralised model together with a highly centralised,
24 highly industrialised paid workforce the challenges to
25 such a reform would be almost insuperable." I'm not sure
26 if those were your exact words. But do you have any idea
27 about what kind of a lag time we might be looking at to
28 try to make it all work, or is it just too hard to
29 say?---That's the million dollar question, isn't it? We
30 have heard in a much smaller scenario, for example,
31 Tasmania, that the entire state - the population is

1 roughly half the population of the region that I managed
2 in CFA. It is a smaller situation. It took them some 10
3 or 12 years to achieve what CFA has today. You would have
4 to assume that the changes that would be required in
5 Victoria are quite substantial, if in fact they could ever
6 be achieved. The real question is: what damage do you do
7 along the way? Even if you managed to get an organisation
8 working effectively at some point in time, you mightn't
9 have it working without the people on the ground that are
10 actually what you need to do the job when the day comes.

11 Thank you.

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

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

15 <(THE WITNESS WITHDREW)

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

17 <RODNEY WILLIAM HOLLAND, sworn and examined:

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

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

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

24 You have been captain of the Diamond Creek brigade for
25 10 years, had other officer ranks within the CFA for
26 approximately 20 years and I think in all your service
27 with the CFA is over 40 years?---That's correct.

28 Mr Holland, you have provided two statements; one has been
29 tendered, but a further statement in relation to the
30 volunteer nature and ethos of the CFA. There are a couple
31 of corrections, as I understand it, to be made. One is to

1 paragraph 9. It should read "emergency medical response"
2 rather than "rescue"?---That's correct.

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

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

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

11 #EXHIBIT 911 - Statement of Rodney William Holland, dated
12 19 April 2010 (WIT.7553.001.0001_R) to
13 (WIT.7553.001.0003_R).

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

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

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

27 Then you go on to talk about the matters that encourage CFA
28 personnel to become CFA members, and you refer at
29 paragraph 11 to a motivation to get involved with
30 community being a general characteristic of CFA
31 volunteers. You speak about that characteristic in terms

1 of what you call amalgamation. What's the point that you
2 want to make?---It's probably a difference in culture.
3 I don't think we have really explored what actually
4 motivates a volunteer and the difference between someone
5 who is directed to do particular things. Members of
6 volunteer brigades, they are the ones that decide locally
7 when they meet, when they train, how often they train.
8 Certainly there is criteria that they have to meet, but it
9 is to do with the personal responsibility of each of those
10 members as to how they achieve that. But, as I said, it
11 is the difference between an employee being directed to
12 train on a Monday night and collectively a brigade making
13 the decision to train on a Monday night or whatever night
14 or day they choose to.

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

22 You put forward in your statement the feeling of community
23 belonging to CFA in that sense to your members. How
24 important is the identity of CFA and the independence of
25 CFA?---It is great. I can just quote on my own local
26 brigade; some of the organisations that they are involved
27 with, that they meet regularly with and speak at.
28 Conversely, we get support back with the local Apex, Lions
29 and Rotary clubs that we have a dinner with once a year.
30 But also they conversely support financially all the local
31 brigades. Preschools and schools. We also work with the

1 police with the local blue light discos. The brigades put
2 back into the community as well. They support the Royal
3 Children's Hospital and the Salvation Army. Those sorts
4 of things come back into the community from our brigade as
5 well.

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

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

21 So what is it about bringing CFA perhaps into a structure under
22 one scheme of management that would get in the
23 road?---I think the biggest problem is, as I started with,
24 you need to understand volunteers to be able to manage
25 volunteers. On the fireground you can direct them to do
26 things, but other than that they want to retain their
27 identity. I think people coming from another culture that
28 is purely on a directive and a command basis rather than
29 being able to explain and sell - you have to sell an idea
30 to a CFA brigade or the CFA volunteers as a whole. If you
31 want to change a particular thing you have to go and

1 explain it to them rather than just tell them, "You need
2 to wear this piece of gear" or "You need to do something
3 or other." It is the independence that they feel, and
4 that's why they volunteer. I think to change that culture
5 is going to be very dangerous.

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

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

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

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

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

24 And in that context, to remind us in the last week of the
25 Commission, do you want to describe the fire conditions
26 reported back, what they were like and in your experience
27 where they rated?---Certainly Ken is highly experienced.
28 He is the first deputy group officer. I sent him to
29 Wandong just as the fire crossed the Hume Highway because
30 up until then we believed from - we had been talking to
31 the FMO, Steve Grant, from DSE, and we believed with

1 the northerly it was actually going to run down through
2 Eden Park right down through Mernda, Doreen, all those
3 sorts of areas, but the wind started to swing around. Ken
4 certainly plotted the fire for us. As he drove back to
5 Whittlesea it was actually spotting alongside the car at
6 100 kilometres an hour. He relayed every few minutes the
7 progress of the fire. But it was a firestorm that he had
8 never seen before.

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

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

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

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

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

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

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

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

25 There are just a couple of other matters. You also refer at
26 paragraph 37 to your use of the region 14 Mount
27 Disappointment wildfire response plan, which outlines
28 operational structure for a fire at Mount Disappointment,
29 including the approved communications plan, the contacts
30 for the relevant MERO, MECC and MERC and the divisional
31 emergency response, incident control centres, and the plan

1 had not been updated to include the current level 3 ICC
2 footprint for Kilmore. You were working off a plan that
3 was still utilising 2005 DSE offices at Broadford as the
4 main ICC with the Diamond Creek emergency service complex
5 as an alternative?---That's correct.

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

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

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

19 He has given evidence of his conversations with you. There was
20 one issue I wanted to go to at paragraph 85 of your
21 statement at 0225. It concerns your overview in relation
22 to 7 February, where you indicate as I understand it after
23 7 February that "for several days we acted as an
24 independent ICC and received little support from Kangaroo
25 Ground. Support was organised through region 14 RECC,
26 strike teams from groups in region 14 and throughout the
27 state". What happened? What did that mean for
28 you?---Probably at Whittlesea, where the div comm was, we
29 were pretty well resourced because we had the staging area
30 there and we were probably pretty right. But for Arthurs
31 Creek, because they weren't originally in our division, it

1 did mean that they were unable to access food, fuel and we
2 had to make alternative arrangements to get that. I think
3 they were overwhelmed, I think is the - - -

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

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

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

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

30 They are the matters, Commissioners.

31 MS BUTTON: Commissioners, no questions for Mr Holland, but if

1 we could just reserve the State's position. There has
2 been no notice given that matters pertaining to the
3 Kilmore fire would be revisited in circumstances where
4 counsel assisting have made submissions on that fire and
5 the State and other parties have responded.

6 CHAIRMAN: Yes. Thank you.

7 MR RUSH: Commissioners, may Mr Holland be excused?

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

9 <(THE WITNESS WITHDREW)

10 MR RUSH: Commissioners, I call Mr Ackland.

11 <DAVID PETER ACKLAND, sworn and examined:

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

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

17 And you have been a volunteer with the CFA for
18 31 years?---I have.

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

22 I tender the statement of Mr Ackland.

23 #EXHIBIT 912 - Statement of David Peter Ackland, dated
24 19 April 2010 (WIT.7550.001.0001_R) to
25 (WIT.7550.001.0006_R).

26 MR RUSH: You identify at paragraph 6 that you're a state
27 councillor for region 12 with the Volunteer Fire Brigades
28 Victoria, a fire investigator with region 12, you are
29 third lieutenant of the Seymour brigade and you indicate
30 at paragraph 9 other roles as a leader of juniors in
31 Seymour and as a logistics officer with incident

1 management teams. Just dealing there, the juniors at
2 Seymour and around the state, can you explain just how
3 that operates? I'm particularly looking at their role,
4 and also I think you mention later on competitions between
5 CFA personnel?---I was a junior leader with the Seymour
6 brigade and I was actually the full leader of the junior
7 fire brigade which has juniors between the ages of 11 and
8 16. We basically train them in competitions which we
9 travel the state to compete at regional and state level.
10 We also conduct firefighting activities like basically
11 teaching them the basic firefighting requirements to get
12 them up to standard before they go into the seniors so it
13 makes it a lot easier on them when they start completing
14 minimum skills.

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

18 You then go on to give some details of the Seymour brigade,
19 indicating a town of about 7,000 people and 30 active
20 members. You speak about it in the second last sentence
21 as being an urban brigade with members having a high level
22 of obligations in terms of training, meet every Sunday and
23 train twice a month. What's the increased level of
24 training and the meaning in that term of "urban
25 brigade"?---Just in relation to being an urban brigade and
26 you're expected to be able to complete more training than
27 the average rural brigade within the area. There's more
28 structural firefighting components, breathing apparatus
29 training. There's vehicular collisions. There's more
30 training required at an urban brigade than what there is
31 at a rural brigade, basically.

1 You indicate your experience both on 7 February of last year
2 and with other fires, and then go on to address why you
3 became a CFA volunteer, indicating that your father had
4 been a volunteer for 50 years, your son is an active
5 member. Is that a history that is common within the CFA,
6 of family membership?---It is in my family. There are
7 numerous families where there is a lot of history; sons
8 and daughters join after their parents; even some wives
9 carry on after they are married, in a relationship they
10 have joined brigades as well; and grandchildren carry on
11 as well.

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

30 And you speak about your members in saying that. Is there a
31 pride in the fact that it is a volunteer organisation, a

1 volunteer brigade?---It is very much. Seymour has been
2 around for 117 years. It started off as a volunteer
3 brigade and it is still a fully volunteer brigade. It is
4 a community service, is what I call it. It is my
5 contribution to the community as well.

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

22 You indicated that your associates and friends are career
23 firefighters. From what you have ascertained in speaking
24 with them, is there an issue about instruction as opposed
25 to active firefighting?---If a career firefighter takes on
26 a job as an instructor, they go away from the shift work.
27 From what I gather, they are working two days of day shift
28 and two days of night shift. They can obtain second jobs.
29 Whereas an instructor, you are sort of on a basic wage.
30 So it is not what you would call attractive to them,
31 I suppose.

1 The other issue you raise at paragraph 22 is, speaking on
2 behalf of yourself and others, that there's no issue about
3 being paid. That's not wanted by volunteers?---Certainly
4 not wanted by volunteers that I know of anyway.

5 Is there any other matter, Mr Ackland, you want to address that
6 you have raised in your statement?---I would like to carry
7 on from what Mr Holland said at his closing statement.

8 I was on the back of the truck on Black Saturday. I have
9 heard a lot of criticism over the months after Black
10 Saturday, but there were a lot of good saves that happened
11 on Black Saturday as well that I witnessed.

12 Thank you. They are the matters, Commissioners.

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

22 MR RUSH: Seymour.

23 COMMISSIONER McLEOD: Sorry, Seymour. Seymour is too, I guess.
24 A slightly bigger town. But in relation to the growth of
25 urban Melbourne, where suburbs that previously were outer
26 Melbourne and verging into the countryside are now totally
27 metropolitan in their character but where the CFA has
28 traditionally been providing fire services to those built
29 on a rural fire suppression model but now comprise
30 responsibilities in relation to what is essentially an
31 outer suburb of Melbourne, do you see those traditions

1 still having the same relevance, particularly in the
2 context that a number of the CFA stations in that
3 situation in Melbourne have been obliged to take on
4 full-time firefighters to meet the particular structural
5 needs of the locality as it has become more urbanised? Do
6 you see that as having some impact on the underlying
7 character of the CFA in a locality such as that where the
8 same historic relevance doesn't seem to quite have the
9 same appeal?---I think there is an historic relevance
10 right across the state within CFA. It doesn't matter
11 whether it is in an urban development or a rural place as
12 such. I don't see Craigieburn or even going further in
13 any different to Seymour with regard to the CFA. We
14 certainly have a lot of tradition in the CFA. If I go
15 back to competitions, I still see Dandenong and Patterson
16 Lakes and places like that still complete at our
17 championships. They are doing okay, too, Dandenong; they
18 win quite often. But, no, I think nothing changes whether
19 it is a growing urban development or a rural area, even
20 though Seymour is an urban area as well. But no
21 different, no.

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

28 So would it be still a rural fire service in that
29 situation?---Well, Seymour is not a rural fire service.
30 It is an urban fire brigade with rural risks as well.
31 I think even metropolitan urban developments have rural

1 risk as well. They do have grassland and paddocks.

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

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

4 <(THE WITNESS WITHDREW)

5 MR RUSH: Commissioners, can I tender two statements that have
6 been provided by the Volunteer Firefighters. I tender a
7 statement of Mr Nevyn Jones of Moorooduc,
8 (WIT.7552.001.0001).

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

11 MR RUSH: I tender a further statement of Mr Ronald Neil Beer,
12 (WIT.7551.001.0001).

13 #EXHIBIT 914 - Statement of Ronald Neil Beer, dated
14 19 April 2010 (WIT.7551.001.0001_R) to
15 (WIT.7551.001.0005_R).

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

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

24 MS DOYLE: I now call Professor David Hayward.

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

29 MS DOYLE: I don't have any difficulty with that. What we
30 would need to do is tender the position paper of the UFU
31 and the bundle of attachments to it. It is at

1 (UFU.002.001.0001). If I can tender the position paper
2 and all the attachments as one exhibit.

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

8 <DAVID HAYWARD, affirmed and examined:

9 MS DOYLE: Thank you, Professor Hayward. Your full name is
10 David Hayward?---That's correct.

11 And you are presently the dean of the school of global studies,
12 social science and planning at RMIT?---That's correct.

13 Prior to the position you have now, you held the post of dean
14 of business at Swinburne University of Technology from
15 2004?---That's correct.

16 You have other appointments. At the moment you are, first of
17 all, a member of the Australian Institute of Company
18 Directors?---Yes.

19 A member of the Australian Institute of Public
20 Administration?---Yes.

21 An academic board member of the Australian Institute of
22 Management?---Correct.

23 And a member of the board of directors of Melbourne Health and
24 chair of its finance committee?---That's correct.

25 Your CV recounts that your research interests include the
26 fields of urban policy and service provision, with a focus
27 on state governments and housing. Perhaps if you could
28 expand on that a little and inform us as to your areas of
29 expertise and research?---My PhD is a multi-disciplinary
30 degree that involved economics and sociology, looking at
31 the Australian house building industry. From there

1 I developed an interest in urban policy and took up a
2 position on a board of one of Australia's leading urban
3 policy journals. I have focused on the states because in
4 Australia, unlike many other jurisdictions, the states are
5 crucially involved in the provision of urban services.
6 And that PhD you obtained from Monash University?---I did.
7 Your CV, at least that which was able to be obtained from the
8 internet, includes that you have a large number of
9 publications, book chapters, books, journal articles and
10 other conference and seminar papers. Your published work,
11 does that tend to be focused in any particular part of
12 your discipline that your research expertise straddles or
13 is it different areas in which you have published?---It is
14 different areas. So the earlier work tended to be more
15 housing related and the more recent work tends to be more
16 focused on the state governments and state budgets and the
17 financing of policy initiatives at the state level.
18 Included in your publications are book chapters and journal
19 articles that chart to some extent the progress of the
20 Victorian Labor Party and some aspects of personalities in
21 the party, including some biographies of
22 Mr Bracks?---Correct.
23 You have also been involved in preparing materials called
24 technical reports for unions, including the Victoria
25 Police and United Firefighters Union?---Correct.
26 You have prepared a report which is attached to the United
27 Firefighters Union's submission to the Commission. It is
28 technically attachment 9 to that submission, but we will
29 treat it separately and as your report for the purposes of
30 today. That is at (UFU.002.002.0786). That report you
31 jointly authored with Ms Lucy Groenhart?---Correct.

1 I want to tender it. I want to ask you whether its contents
2 are true and correct and represent your expert
3 opinion?---That's correct.

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

6 #EXHIBIT 917 - The Case for a Single Firefighting Service in
7 Victoria, dated 13 April 2010 (UFU.002.002.0786) to.
8 (UFU.002.002.0802).

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

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

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

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

25 At the back of your report at page 0802 is a list of documents
26 under the title "References". It is the last page of the
27 document. Are those the only documents to which you had
28 regard in preparing this report or were you provided with
29 other briefing or background materials?---No, they are the
30 main materials. Actually we were provided with more
31 material, but it was vastly more than was necessary. So

1 some of the things were things like powerpoint
2 presentations that bore no relevance to the research topic
3 that we had set.

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

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

30 I'm not sure that I understand that. Are you refer to
31 Mr Buxton?---Michael Buxton, yes.

1 He has given evidence in the planning under the rubric of the
2 planning topic in the Commission. Are you intending to
3 indicate that part of the material we find in the report
4 is drawn on discussions you had with him?---Indeed.
5 But if we go back to what in paragraph 1 is identified as the
6 purpose of the report, what I was really putting to you
7 was did you not start this report from the premise that
8 you're investigating what exists in support of or what
9 arguments might be marshalled in support of a single
10 firefighting service?---That's the purpose of the report,
11 yes.
12 Just above the heading in bold "2" you set out the conclusion,
13 "The report concludes that based on the evidence presented
14 there is a case for expanding professional career based
15 firefighting services to cover the whole of the Melbourne
16 urban area and other major regional centres ... and moving
17 to a single firefighting service for the state." You
18 propose a model with respect to that. Perhaps if we can
19 look at the model. It is most graphically demonstrated by
20 the chart or flowchart that appears in your report at page
21 800. That will come up on the screen. This is the
22 proposed single fire service model to which your paper is
23 directed?---Yes.
24 It depicts here one Victorian fire board with two divisions,
25 urban and rural?---Yes.
26 As I understand the model that's proposed, it envisages that
27 within the urban division it is solely staffed by
28 professional firefighters?---The urban division will
29 predominantly be career based firefighters, yes.
30 Predominantly? To what proportion or what split?---One of the
31 reasons why we set up the board is that there are

1 decisions that would need to be made by the board. So the
2 actual split wouldn't be determined by me but it would be
3 determined on the basis of indicators of what would be the
4 most efficient and effective delivery. So, what we
5 suggest, we suggest in there that the reliance upon
6 volunteers should be lowered. Some people have suggested
7 that we implied that the role of volunteers should
8 completely disappear. That's not what we were intending
9 to suggest.

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

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

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

26 COMMISSIONER PASCOE: Just for clarity, under that model, so we
27 are on page 0800, in the middle of the larger paragraph
28 beneath it there is the sentence, "The urban division
29 would be staffed by full-time, professional, career based
30 firefighters." It is just a little bit further down than
31 what we can see on the screen there?---I think a little

1 later on we talk about a transition phase that we suggest
2 would be five years. Something as complex as bringing
3 together two organisations is going to take a substantial
4 period of time. So it is a transitioning that would be
5 required.

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

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

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

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

25 Now just so that we understand the model before we go to what
26 are said to be the grounds for it, as newly envisaged, the
27 urban division, what would it encompass that is not
28 presently in the metropolitan fire district? I think that
29 might be best answered by going to the map which is on
30 page 789 of your report. The grey area there shows the
31 current metropolitan fire district in Melbourne, and it is

1 obviously nestled among the CFA regions around the
2 outside. The CFA regions that border the MFD are regions
3 8, 13 and 14. But perhaps just using this map as a guide
4 or any other way you can explain it to us, under your
5 model which areas would fall within the urban division
6 that aren't presently marked in grey here?---It is all of
7 the metropolitan part of Melbourne.

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

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

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

18 Casey?---Yes.

19 Yarra Ranges?---Yes.

20 Manningham?---Yes.

21 And I lost you after that. Is it intended to include

22 Nillumbik?---Yes.

23 Whittlesea?---Yes.

24 Hume?---Yes.

25 Melton?---Yes.

26 And Wyndham?---Yes.

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

30 The model, if we return to page 800, just so we understand the
31 entire way that it works, at page 800 it seems to envisage

1 that the DSE would continue to operate as it does under
2 that departmental structure, but insofar as it's fire
3 management division or bushfire division, to use that
4 terminology, is concerned those professional firefighters
5 engaged by DSE, the model envisages them still being
6 employed by the department but turning out under the
7 auspices of the single fire agency or, in other words,
8 being commanded and controlled by the agency at which
9 Victoria fire board sits at the apex?---Yes.

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

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

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

30 Have you got any answer or response or explanation to
31 that?---The determination of that would be by the

1 Victorian fire board.

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

10 Let's go back to the case for change. At page 790 you deal
11 with some of the matters relevant. I want to take you to
12 the statement at the bottom of page 790 and we will go
13 through the factors one by one in a moment. At the bottom
14 of page 790 you state, "Victoria currently has a
15 fragmented fire service, with three organisations with
16 very different levels of professionalism, SOFC" - which is
17 defined elsewhere in your report as standard of fire cover
18 - "and reporting." So you refer to those three items:
19 professionalism, standard of fire cover and reporting.
20 Then you go on to say, "This creates administrative
21 complexities and costs, and multiple levels of service
22 which affect resident safety and property." I just want
23 to break those down first. When you say that Victoria's
24 fragmented fire service has different levels of
25 professionalism, what aspect of professionalism are you
26 referring to? Are you using that as a synonym for "paid"
27 or as a synonym for "qualified", "skilled" or
28 "competent"?---I think it is really - we are using it in
29 the sense of career and in the broader academic sense
30 about the construction of professions as careers open to
31 talent rather than based on any other basis.

1 So you are not suggesting there that the CFA as a fire service
2 offers a substandard or a lesser level of professionalism
3 compared with the MFB?---No, indeed not.

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

20 The CFA has all those things, although of a different order and
21 at times of a different type to the MFB; for example,
22 obviously all its volunteers are required to undergo basic
23 training and advanced training if they want to progress to
24 other roles?---It is a pretty complex organisation, the
25 CFA, with 60,000 members and I think it is something like
26 30,000-odd that take up auxiliary roles and something like
27 30,000-odd that have a firefighter front-line role. So it
28 is pretty diverse, and it is intended to be that way to
29 enable a broad range of people to participate.

30 Let's turn to the second item which is suggested there, the
31 standard of fire cover. This is a little more detailed

1 and perhaps to a degree a little more technical. I think
2 it goes back to what you identify in terms of the make-up
3 of these fire services and the way they respond. So if we
4 can go back to the bottom of page 787 where you start to
5 touch on some of these matters relating to standard of
6 fire cover. It is the bottom of page 787. You note there
7 that the MFB is a professional firefighting service, and
8 you give us the stats; about 1,700 full-time firefighters
9 providing a 24-hour service from 47 fire stations. You
10 note that its emergency response role is varied, and you
11 set out some of the types of incidents to which its
12 members respond. You note at the bottom there that the
13 MFB responded to some 35,000-plus calls in 2008/2009.

14 I take the reference there to be something you have drawn
15 from the annual report of the MFB?---Yes.

16 I just note for the transcript that report is exhibit 856. You
17 then compare that with the CFA over on page 788. It is
18 noted there below this map that the CFA is urban and
19 rural, a mixture of professional and volunteer. We won't
20 rehearse the stats. The evidence has been given about
21 them. In the bottom line there you note that the CFA in
22 2009 responded to a total of 39,000 calls. You obviously
23 also draw on that from the CFA annual report?---Yes.

24 Which I note is exhibit 855. Have you had a look in terms of
25 that reporting in the CFA annual report to ascertain how
26 many of the CFA's 39,000 or so incidents were on the
27 continuum ranging from a false alarm to a large campaign
28 fire or a fire of sustained duration?---I have looked at
29 those, but I can't recall them without having the
30 paperwork before me.

31 On the face of it the number of call-outs don't look remarkably

1 different as bare and raw totals. We have the MFB 35,000,
2 CFA at 39,000. But do you recall from your analysis of
3 those reports that the MFB has quite a high proportion of
4 false alarms, some 40 per cent of its call-outs, and the
5 CFA false alarm call-out rate is about
6 17 per cent?---I don't recall that, no. But I'm sure
7 that's true.

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

14 Would you accept that?---Yes.

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

19 You then move from this to talking about the standard of fire
20 cover at page 789. You talk about the methodology there,
21 the criteria that's used to devise this notion of standard
22 of fire cover. Just looking there at the second sentence
23 that you can see on the screen, the standard of fire cover
24 methodology employs three criteria to measure the cover
25 provided to a town or region: risk classification, the
26 time taken to respond and the most appropriate weight of
27 attack. As your paper goes on, you explain that the MFB
28 is justifiably proud of its - to put it in simple terms,
29 turn-out time - response time under the standard of fire
30 cover model. It has for a number of years now aimed to
31 have the first fire truck at the scene within 7.7 minutes

1 and, although it hasn't always achieved that, that remains
2 its goal and it often gets very close to achieving
3 that?---Yes.

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

12 When one looks at the science of flashover and containing a
13 fire to the room of origin, it has been known and it is
14 now understood that if you can get a truck there within
15 7.7 minutes you have a much higher capacity to confine a
16 fire to the room of origin?---Yes.

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

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

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

1 of the CFA operating simultaneously.

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

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

13 Are you aware of that?---Yes.

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

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

24 So this shows the statewide service delivery compliance through
25 to the period reported there. It shows the percentage of
26 occasions on which the CFA has met its own standards.

27 I have had look, as you probably have at this report. The
28 report itself doesn't contain the set of statewide service
29 delivery standards; is that the point you are
30 making?---Yes.

31 Commissioners, I have made inquiries with the State and we have

1 obtained a copy of the statewide service delivery
2 standards just today. At the conclusion of this witness's
3 evidence I will seek to tender them. Those standards do
4 indicate, Professor Hayward, that the CFA service delivery
5 standard for responding to a fire in a medium urban area
6 is eight minutes, low urban area is 10 minutes, rural is
7 20 minutes and so on; there is a cascading series of
8 service standard delivery criteria that they are intended
9 to meet. Given that the standard for a low urban area is
10 eight minutes, that's not very different from the MFB
11 standard of 7.7 minutes. I'm just wondering what point
12 you are making about the standard of fire cover
13 differences?---I think it is probably two points, one
14 which isn't directly said in the report, but it was
15 interesting trying to get comparable figures so that we
16 could make a clear and unambiguous comparison of how one
17 fire service compared versus another one. There is a
18 difference in the standards of the annual reports going
19 back some time. The second issue is that I'm pretty sure
20 that there is literature that talks about an expected
21 longer time for volunteers to get to a fire service by
22 virtue of not being present at the fire brigade at the
23 time the fire is called. So there can be a time to
24 respond. So you would expect there to be an extra minute.
25 So you are making a not unreasonable call for some consistency
26 in reporting, content and standard so that we can compare
27 apples with apples?---Indeed.
28 I think the gist of what you are saying in this part of your
29 report is we want to compare the standard of fire cover
30 or, in other words, the level of success that these two
31 fire services are generating when they attempt to suppress

1 fires?---Yes.

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

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

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

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

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

25 That would obviously be useful. Are you aware at this stage of
26 any examples of CFA responding to a structure fire in a
27 CFA region and not doing as well as an MFB crew if they
28 were tasked to respond to that fire or indeed if they were
29 travelling to the same fire? Are there particular
30 examples like that?---I can't give you specific examples,
31 no.

1 If we can turn it around the other way, under your proposed
2 model some of the fires that burnt on 7 February would be
3 covered by your new single fire service. I will give you
4 three examples. Narre Warren North would obviously be
5 captured by the new urban division?---Yes.

6 As would Upper Ferntree Gully?---Yes.

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

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

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

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

25 Stepping away from structure fires, what are the sorts of
26 determinants of success when you are looking at combating
27 a bushfire? A fire, for example, might be contained to
28 grassland but do vast amounts of damage in terms of the
29 hectares burned. It might also engulf structures,
30 including vulnerable structures in which people are living
31 or attempting to defend the property. Have you given some

1 thought to what are the best determinants of success when
2 you are talking about combating bushfires?---No,
3 I haven't.

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

7 How much life is lost?---Sure.

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

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

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

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

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

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

24 Now I want to ask you about the other matter at the bottom of
25 page 790 of your report. We have talked about
26 professionalism, standard of fire cover and reporting.
27 What you suggest in the last line there is that these
28 things create administrative complexities and costs. Can
29 you just identify for us the administrative complexities
30 and cost caused by those three items: professionalism,
31 standard of fire cover and reporting?---No, what I was

1 actually referring to in that paragraph was the kind of
2 sentiment that came through from the 1982 public bodies
3 review committee report into the fire services, the one
4 that recommended the - - -

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

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

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

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

1 the overall cost, what would be the overall benefits.
2 But under your model why would we be relocating any stations?
3 If we just take one example, there is a fire station in
4 Dandenong and there is one in Springvale. They are
5 presently both integrated stations with career and
6 volunteer staff. Under your model that staffing regime
7 changes; they all become professional. But we wouldn't
8 move the station, would we?---That would be up to the
9 board to work out the criteria on which they
10 identify - that you would locate the fire services and
11 also for them to be manned.
12 The Victorian fire board under this model has some very
13 important roles to perform then. You are not able to shed
14 any light on the type of person or the profession or
15 firefighting service they would be drawn from?---Look,
16 I guess there are two broad models that you could look at.
17 One would be one where it was staffed by people who had a
18 career in the fire service. An alternative would be that
19 you look to professional directors. Then you have a
20 midway point where you might have mostly people who have
21 qualifications in management or finance, HR, whatever it
22 might be as a general management background together with
23 one or two people who have expertise in the fire service,
24 in much the same way that the current hospital boards are
25 configured.
26 They would have to have that expertise in the fire service,
27 wouldn't they, if they are going to be delving into
28 complex matters like standard of fire cover but also being
29 able to rapidly identify whether a fire itself has
30 progressed from level 1 to 2 or 2 to 3?---They would have
31 to have some expertise. But in the same way that the

1 hospital boards at the moment are predominantly dominated
2 by non-clinicians, the same issues obtain where decisions
3 have to be made regularly about performance and strategic
4 issues.

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

9 And that won't change. A firefighter under your new model,
10 even if they be a firefighter who one day might fight a
11 structure fire and one day might fight a grass fire, might
12 have to take different gear with them, different apparatus
13 with them or drive a different truck because, for example,
14 MFB's trucks are not four-wheel-drive?---Could well be.

15 I was actually referring to the report that was written in
16 1982 and its findings on what the cost savings would be.

17 Because protective gear I think for the members of the MFB has
18 moved on a lot since 1982?---Sure.

19 Just focusing on cost still for a moment, there are a number of
20 matters identified in the union's submission at paragraph
21 8. I might ask you to look at that. The submission at
22 page (UFU.002.001.0004) contains a list of inefficiencies
23 that it said have resulted from having multiple agencies
24 dealing with fire in Victoria. I preface it by saying in
25 this context they seem to be including the DSE. This is
26 paragraph 8, page 0004. Do you see there, paragraph 8,
27 "The existence of multiple agencies (including the DSE)
28 responsible for the suppression and response has resulted
29 in the following inefficiencies: duplication of costs" and
30 then they cascade through. I assume you have seen this
31 paragraph before?---Yes.

1 Funding arrangements, approaches to training, uniforms, safety
2 equipment; and then over the page, equipment duplication
3 and incompatibility. Just pausing there, that's the
4 current reality, isn't it? Even now when the MFB travel
5 out of their area they can encounter these difficulties;
6 incompatibility of hoses and couplings and the inability
7 to use their equipment to draw on water
8 supplies?---I believe so.

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

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

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

24 Then cultural differences are referred to, and irrelevant and
25 outdated territorial boundaries are referred to.
26 Paragraph 9 suggests these inefficiencies, presumably the
27 ones listed above, have resulted in systemic failures
28 leading to the loss of life and property. Can you
29 identify occasions on which or even types of events during
30 which items A to L have led to loss of life and
31 property?---No.

1 Are there any other administrative savings or administrative
2 duplications to which you point in your report in terms of
3 justifying the case for moving to a single fire
4 service?---No, I think they have been outlined fully.

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

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

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

22 Have you done a costing or do any of these studies shed any
23 light on approximately how many paid staff you need, let's
24 assume in the CFA as presently constituted, per volunteer
25 to ensure they are recruited, retained for service,
26 rostered and trained?---No. The best that we could find
27 was the Brundley and Duncombe report, which is mistakenly
28 referred to as the 2002 research paper that was written.
29 It was actually published in 1992. But what they
30 attempted to do was to estimate what would be the costs of
31 having a volunteer fire service and what would happen if

1 you increased the costs because you had difficulty
2 recruiting or you had training challenges, whatever it
3 might be, and at what point would it become more efficient
4 to have a fully paid fire service. In that particular
5 study, like a number of others, the research that they're
6 quoting is that the cost of volunteers is the delay in
7 responding to a fire incident. So there is an
8 inefficiency cost.

9 But what about the cost of loss of volunteers? Can we just
10 talk about what would happen within the urban division as
11 envisaged by your model. Even allowing for a five-year
12 transitional or phase-in period, it necessarily
13 contemplates that all of the municipalities you referred
14 to, Greater Dandenong, Knox, Yarra Ranges et cetera, would
15 be covered by a professional firefighting force, although
16 during your evidence you have suggested that the board
17 would retain some capacity to supplement that with
18 volunteers?---I think it would be very important to have
19 that, and I think it would be important in a model like
20 this to appreciate that there would need to be some
21 pragmatism. There wouldn't be a great deal of point in
22 thinking that you would get rid of or see the need to get
23 rid of all volunteers from that urban division. I don't
24 think that that would necessarily be wise or necessary.
25 So, in terms of the costs of seeing fewer volunteers, it
26 would depend on what you are replacing them with. So that
27 research report that I have just referred to suggests that
28 at a particular point it could actually be cheaper to have
29 a paid fire service rather than have a largely volunteer
30 service.

31 Isn't that exactly what we need to grapple with?---It is.

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

1 percentage. I think some of the evidence that may have
2 been tendered today talks about that.

3 Let's assume that that split is even in region 8, that it is
4 about 50 per cent as it is across the state. So, of 1,600
5 and so volunteers who are active, how many of those would
6 no longer be required?---I think that would really be up
7 to the board to try and work out what those determinations
8 would be, and bearing in mind what we are trying to do is
9 look not just now but into the future. So, over the next
10 30 years you can expect Dandenong to change fundamentally,
11 become much more like an established, middle ring part of
12 the metropolitan area and in many ways it already is.

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

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

24 Can I take you to a map that we have prepared. It is at
25 (DOC.CFA.002.0001_M1). The map is coming up on the
26 screen. I'm going to have you given a hard copy as well.
27 Just one quirk about your hard copy, Professor Hayward.
28 It is just being explained to you it had an error on it.
29 It had the numbers 13 and 8 transposed incorrectly. I'm
30 looking down in the bottom right-hand corner of this map
31 near Greater Dandenong and we will need to have that

1 expanded a little so we can see it better. Your map of
2 Greater Dandenong will in error say region 13 but it is
3 region 8. The evidence that's been given this morning by
4 Mr de Man establishes matters including the following:
5 First of all, across CFA region 8, as I have already
6 pointed out to you, there are 3,274 volunteers and we have
7 made some assumptions about how many might be active or
8 not. If it is not going to work I will just ask you to
9 look at your hard copy, then. Within the Greater
10 Dandenong area, see those red stars, those are CFA
11 stations?---Yes.

12 And Springvale and Dandenong are shown on the map?---Yes.

13 Do you see those fire stations there? The evidence of Mr de

14 Man is that both of those are integrated fire stations,
15 which in CFA parlance means Springvale has 15 career
16 firefighters and 32 volunteers making up its brigade and
17 Dandenong has 43 career firefighters and 31 volunteers
18 making up its brigade. Just while we have it there, you
19 can also see that tiny triangle at the top of Greater
20 Dandenong falls within the MFD, that little grey area at
21 the top?---Yes.

22 You would also know that the mutual aid arrangement means that
23 to a kilometre, give or take, either side of the grey
24 divide, strictly speaking, both fire services turn out to
25 each other's emergencies. So the MFB regularly travel
26 over the grey line into Greater Dandenong and vice versa.
27 You understand that to be the effect of the mutual aid
28 arrangement?---Yes.

29 We already have there integrated stations right near the
30 metropolitan fire district which have career and volunteer
31 firefighters, we have the rest of the region covered by

1 volunteers and we have the MFB offering support by
2 travelling over the border when it needs to. What about
3 this suggests a need to move to a single fire service?
4 What I'm suggesting to you is Greater Dandenong is being
5 covered and adequately covered by the two fire services
6 and the two types of firefighters who already service the
7 city?---I think, to come back to what I said before,
8 I think you are going to see Dandenong change considerably
9 in its complexion over the next 25 or 30 years. I think
10 if you have a look at the history of those particular fire
11 brigades, you will see the composition of them has changed
12 significantly over that time period. So the proportion of
13 staff who are career based has increased and I would
14 expect that that would happen under whatever system
15 obtained into the future. So, in a sense the model is
16 being put into effect by virtue of the decisions that are
17 being taken now, but it seems to me that they are not
18 being based on a clear set of criteria. So at what point
19 does the CFA decide that it requires to have additional
20 career based firefighters and at what point does it decide
21 that it doesn't require them any more, for example.
22 Can I suggest to you one criteria for even asking the question
23 "Do we need to change the model" might be: is the standard
24 of fire cover to residents of Greater Dandenong
25 inadequate, either with respect to structure or grass
26 fires?---The assumption that I'm making is that over time
27 the need to have career based firefighters in that area is
28 going to increase quite considerably.
29 Why is that?---Because Dandenong has been identified as one of
30 the key district centres under the state government's
31 policy, so it is intending for it to become effectively

1 like a CBD. So the skills that will be required will
2 change dramatically.

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

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

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

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

25 This all began because I was asking you about how we cost the
26 solutions. So if the solution is moving to the single
27 fire service with its urban and rural division, we need to
28 know what it will cost to provide the kind of standard of
29 fire cover, the kind of service the people of Greater
30 Dandenong or Nillumbik need, and therefore that's going to
31 be driven by things like the mix, how many structures are

1 there, what the topography is, the risk profile for
2 bushfire. You would accept those sorts of things would be
3 relevant?---Yes.

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

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

18 I suppose there are a number of ways of doing that. Mr de Man
19 this morning spoke of a 1998 article by Hourigan which
20 gave us a global figure, and this is quite an old figure,
21 1998-99, that 669,200 hours of work were done by CFA
22 volunteers turning out to incidents in that year. If you
23 wanted to cost your model for the whole state, I suppose
24 replacing that number of hours with paid staff might be
25 one raw measure; would you accept that?---Could you just
26 tell me what that measure was again?

27 669,000 hours of work done by volunteers in turning out to
28 incidents?---Right.

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

31 Another measure I suppose would be to work out how many more

1 fire stations you would need to build or man for the
2 purpose of maintaining the appropriate level of coverage;
3 would you accept that?---Just run that past me again, that
4 last measure.

5 I'm just trying to find a measure for comparison. One might be
6 how many more paid firefighters do we need to run your
7 model?---Right.

8 Okay?---Yes.

9 If we are going to do that, the way that we would need to
10 approach that is by reference to the applicable industrial
11 arrangements?---Right. So you are assuming that you would
12 go immediately from one to another, you would go from what
13 is at the moment - - -

14 Not making any assumptions, Professor Hayward; reading your
15 paper, seeing what it calls for and just trying to help
16 cost it?---But I thought I had already made it clear
17 I wouldn't expect to go from one to another one
18 immediately. I'm trying to be clear about the question
19 you are asking me. So you are saying you are going from
20 one system at the moment to another one, so you are
21 assuming you are going from a complete volunteer setup and
22 you are trying to work out what that would cost to them to
23 go to a fully paid service.

24 Yes, within your urban division?---Right.

25 I accept that you understand there will be a transitional
26 period, but if someone is going to make a decision about
27 this they need to know the ballpark costs, right?---Yes.

28 What I'm suggesting to you is, if we stick with Eltham as a
29 simple example, it has 14 career staff at its station and
30 39 volunteers. Say in order to provide the same level of
31 coverage we need to staff up, let's just say, by 20

1 firefighters, because we will take it as read that some of
2 those 39 probably aren't active all the time, some of them
3 may not have been putting in many hours in any event; all
4 right?---(Witness nods.)

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

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

19 Yes?---Yes, sure.

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

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

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

27 Perhaps the easiest way is I might get this put up on the
28 screen for you. You may not have seen the roster for
29 2009, but have you seen a similar document for earlier
30 years?---No.

31 Well, it's just a pictorial representation of the way the

1 roster mix works. You no doubt understand that the MFB is
2 comprised of four platoons, A, B, C and D?---Yes.

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

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

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

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

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

28 Now, I'm not an HR expert, but that obviously means that even
29 when you are trying to man up by 20 you obviously need a
30 lot more than 20 people to give this sort of
31 coverage?---Yes.

1 One of the witnesses this afternoon suggested it might be a
2 ratio as high as five to one; five people are needed to
3 cover a firefighter being on call 24 hours a day. Is this
4 an area you have looked at?---I haven't done those ratios,
5 no, but I will accept that that's the ratio.

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

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

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

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

30 <(THE WITNESS WITHDREW)

31 ADJOURNED UNTIL TUESDAY 4 MAY 2010 AT 9.30 AM