

TRANSCRIPT

FIRE SERVICES BILL SELECT COMMITTEE

Inquiry into the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

Melbourne — 25 July 2017

Members

Mr Gordon Rich-Phillips — Chair

Mr Daniel Mulino — Deputy Chair

Ms Colleen Hartland

Mr Shaun Leane

Mr Luke O'Sullivan

Mr Simon Ramsay

Ms Jaclyn Symes

Mr Daniel Young

Participating Member

Dr Rachel Carling-Jenkins

Witness

Mr Steve Warrington (affirmed), Chief Officer, Country Fire Authority.

The CHAIR — I declare open the Legislative Council select committee inquiry hearing into the fire services restructure. I welcome Mr Steve Warrington, the chief officer for the Country Fire Authority. All evidence being given today is taken under parliamentary privilege and is protected from review; however, any comments made outside the precincts of the hearing are not so protected. All evidence is being recorded by Hansard, and a proof version of the transcript will be made available in the next couple of days for any technical corrections. The committee has allowed an hour for this session, with 5 to 10 minutes if you wish to make an opening statement. Do you wish to make any opening comments?

Mr WARRINGTON — I think I can save you at least 5 minutes. Perhaps I will just spend a couple of minutes introducing myself so you understand my background if I may. I commenced with the CFA in 1978 as a volunteer. I joined the career staff as a career firefighter on shift in 1983 and then progressed my way through the ranks. During that time I continued my service as a volunteer. So I had been a volunteer within the CFA for just on 18 years. I am currently not a volunteer in the CFA. I have been to numerous fires along that journey — as a volunteer back on Ash Wednesday in 1983, obviously Black Saturday, major bushfires, factory fires and house fires, so I have had numerous operational experiences. I have been deployed to New South Wales. I have studied in the US at the fire academy in Emmitsburg, where I completed the executive fire officer program. More recently, as of this year, I was appointed chief officer on a permanent basis at the CFA.

The CHAIR — Thank you, Mr Warrington. Can I also place on record the committee's thanks for the in camera briefing you provided to the committee in our first session in early July. Mr Warrington, I would like to ask you first about the whole-of-government submission to this inquiry. Did you see this submission prior to it being sent to the committee?

Mr WARRINGTON — I would have been provided with a copy before it was sent to the committee, I think — I cannot recall.

The CHAIR — Any input into it?

Mr WARRINGTON — No.

The CHAIR — Are you aware of any reason for any inaccuracies or any misleading statements or false statements in this submission?

Mr WARRINGTON — Yes, I am. There is an appendix at the rear of the document that talks about the amount of consultation that has occurred. Unfortunately there was an administrative error within the CFA that occurred in providing that information to the government. We are now aware of that error. As a result I have asked our assistant chief officers to go back into their field to validate the proper consultation that has occurred. In my understanding we have now written to the government, particularly DPC, and we have offered our apologies and resubmitted what we believe is accurate data. Probably tomorrow now I plan to put out an apology through our social media to our people for that error.

The CHAIR — So this appendix to the submission — —

Mr WARRINGTON — This is the appendix that talks about the consultation that has occurred since the Premier announced the reform package.

The CHAIR — And that particular attachment, attachment D, claims that there were 35 699 volunteers who had the opportunity for consultation. So that is incorrect?

Mr WARRINGTON — Correct.

The CHAIR — When did you advise DPC of this error?

Mr WARRINGTON — That would have been in the last couple of days; it was fairly recent.

The CHAIR — DPC has advised us that there is an error in its submission. Are you aware of any other inaccuracies in the submission?

Mr WARRINGTON — No, I am not.

The CHAIR — Thank you. Prior to your hearing Mr Stacchino was giving evidence to the committee where he spoke at some length about the impediments that exist in the industrial environment in his fire service under the MFB industrial instrument, and he also expressed the view that were the proposed clauses in the CFA industrial instrument to be replicated in a future Fire Rescue Victoria industrial regime, that would impose considerable difficulties on the Fire Rescue Victoria commissioner in exercising their statutory powers to control operations. Do you share that concern of Mr Stacchino's?

Mr WARRINGTON — I will not speak on behalf of Fire Rescue Victoria, but one of the advantages I see with the reform package that has been put on the table is that it essentially excises the career staff and with them the employment agreement out of the CFA and into Fire Rescue Victoria, so in a sense we see those issues moved to Fire Rescue Victoria, away from the CFA. So we see the advantage in the reform as attempting to get an autonomous, independent volunteer organisation, the CFA — that it removes any impediments that may have been there in the past.

The CHAIR — But if those impediments continue to exist with Fire Rescue Victoria-engaged staff who are subsequently seconded back to the CFA, which is the model we are told is to be in place, how is that going to work?

Mr WARRINGTON — Obviously the secondment issue is the big issue on the table, and I think there is room for movement in that space. The point that I come from is clearly I am advocating for an independent, autonomous CFA. Having said that, I have already been assured that were an operations officer or ops manager — so senior operational people — seconded back into the CFA, they will wear the CFA uniform, they will be tasked by the CFA chief officer and they will report to the CFA chief officer, and for all intents and purposes they will pretty much operate as they do today. So in that sense there will be more change. We will be seeking clarity in that space to reinforce some of those issues, particularly around recruitment and selection, as we work through the implementation process — obviously should the legislation get up — and we will do that in a collaborative effort with the Fire Rescue Victoria commissioner.

The CHAIR — Those Fire Rescue Victoria staff will be under the Fire Rescue Victoria EBA presumably?

Mr WARRINGTON — My understanding is that everybody currently employed under the operational staff agreement will go from the CFA. If you are currently employed under the CFA operational staff agreement, you will in the future be employed under the Fire Rescue Victoria operational staff agreement. There are two groups here: one, if you are a station officer at one of our 35 integrated stations and indeed an ops officer and below, you will remain in Fire Rescue Victoria; and two, if you are an ops manager, an instructor, you will then be seconded back into the CFA. As I understand it, the secondment will be under the current position description. They will wear the CFA uniform and report to the CFA chief officer, not directly necessarily, but through the chain of command. They will be tasked by the CFA chief officer and the like. Having said that, we will be seeking to get more clarity into that space, and it is one of the areas that we think could certainly have more analysis or review as far as the legislation is concerned.

The CHAIR — Do you feel that staff seconded back to the CFA under this model will not be subject to those clauses of the EBA which have been problematic?

Mr WARRINGTON — Clearly if they are employed under an enterprise agreement, they will be required to work with the terms and conditions set in that enterprise agreement, so clearly, yes.

The CHAIR — If those problematic clauses are in the Fire Rescue Victoria enterprise agreement, those seconded staff will still be subject to them.

Mr WARRINGTON — Again I have been given assurances that they will be tasked by or report to the CFA. There is a component in the legislation that says Fire Rescue Victoria's role is to support the CFA and provide training to the CFA. My expectation is that working in a strong relationship with the Fire Rescue Victoria commissioner we need to put up what our expectations are for our people moving forward to ensure we are still able to support volunteers. Again, when we move to implementation we will be looking for those sorts of sureties as we move forward.

The CHAIR — You do not have them currently? You do not have certainty?

Mr WARRINGTON — I think the entire document at the moment provides a framework. It says, as you know, there will be a fire rescue, there will be a CFA, there will be emergency service infrastructure and there will be presumptive legislation. I have approached the minister on a one-on-one basis and requested that any further implementation be done by the agencies themselves. I am clearly saying that it is my responsibility, as chief officer, to work with my peer in Fire Rescue Victoria to ensure that we do not compromise service delivery and we are able to continue to support both volunteers and our service delivery moving forward. I see that as a role we should be playing. It is not the role — no offence — of the politicians or the legislators. The legislators set the policy, the reform and the agenda. We will implement it, but let us get on and implement it.

The CHAIR — We do need to be assured, though, Mr Warrington, that it is going to be a workable model and that we are not simply transferring a problematic industrial relations environment to a new entity which continues to have a problematic industrial relations environment.

Mr WARRINGTON — Absolutely. So it is incumbent upon me to reassure you and the rest of the Victorian community that we, the CFA, as a service will continue to provide that service to the high standard that we currently do today and that we will do tomorrow. If you are asking a more general question about reform, I think there are a couple of layers to this. The reality is that in CFA land most people are looking at this as if it is a CFA reform. The reality is that this is not a CFA reform, this is a sector-wide Victorian reform for the MFB and the CFA, so it is much bigger than the CFA.

If I can, I will start at the highest level. The CFA has a budget of \$500 million. The MFB has a budget of \$500 million. The MFB look after 40 per cent of Melbourne and have about 1200 to 1500 career firefighters. The CFA has about 1000 career firefighters, soon to be 1200, and 58 000-odd volunteers, half of which are operational. In this state we can be far more efficient, far more effective as a fire service than we are at the moment. It is embarrassing to say that our traditional past here, and we have improved in some of these locations, is where hoses will not connect, our breathing apparatus to this day is still not the same and our systems of approach and systems of work are not interchangeable.

We saw out of the Black Saturday fires the definite view that we, the CFA, cannot do things on our own. It is not just the emergency services agencies; it is about the broader community and how we fight fires so we can absolutely get better in that space. If I then cut down, just within the CFA, my ability as a chief officer at the moment, and I have 1000 career staff that equally and rightly want a say in the future of our organisation, and I have 58 000 volunteers who are represented by the VFBV, my ability to get a tripartisan agreement on just about anything is nigh on impossible. Whether you talk about truck design, whether you talk about uniforms, systems of work or safe systems of work, I can tell you I now have to get agreement from two other bodies, which is nigh on impossible. Let us be frank about this. If I was to remove one as the chief of the CFA, and I was able to deal with just one organisation, that being the volunteer representation, then it is going to make our ability to make decisions and get on and do things much easier. I say that in the spirit of interoperability — —

The CHAIR — Why do you think the other organisation will be removed from your environment when you will be seconding staff?

Mr WARRINGTON — Well, most of our career staff will go to and remain in Fire Rescue Victoria. There is a small cohort that will be seconded back into the CFA under the current proposal. That is what I am saying. Even in that space, we are looking to get more clarity into that seconded model as well. But you would have to say that for us to have the ability to make decisions in the spirit of interoperability — even I would not sit here and advocate in the future for hoses that do not connect or systems that do not work — we need to get past that in a sense. Clearly an independent, autonomous CFA that is volunteer led, volunteer driven I think is in the best interests of the state.

Can I say finally in this space, to answer your question, the blueing that is occurring has to stop. We have got good people against good people at the moment, and it is not just staff against volunteers. The staff do not all agree and the volunteers do not all agree with each other, so it is at all layers. I think this has served to erode public confidence in us as an organisation and in us as a sector. For me, that has to stop. We live in one of the world's three most bushfire-prone areas, and we need to give the public the confidence that we can save lives and property in what is a really dangerous part of the world that we live in. The longer this continues, the more destructive it is. We are on the front page of some of our mainstream media for all the wrong reasons. I mean, we have got people on the ground in Canada as we speak. We were in South Australia last year and we were in Tasmania last year. People should be very, very proud of what we have here in this state in the way of an

integrated volunteer/career staff service, but the whole attention has been driven by what I think is a completely political industrial debate. It just has to stop.

Mr MULINO — Just following up on that issue, it sounds as though you are approaching the secondment issue broadly in the same fashion as Mr Lapsley, who preceded you by a couple of witnesses. He basically said that EMV currently has a model where their staff are notionally seconded in the sense that their pay cheques are provided by Justice, I think it is, but they are under the daily direction of EMV. If I can just try and summarise your approach, it is that there is a lot of devil to be worked out but you are confident that the secondment model can work in practice.

Mr WARRINGTON — What I will say is that it is, again, your job as politicians, the politicians' job, to set the policy framework. It is my job to implement it. I have heard the debate about a lack of surge capacity or there will be an erosion of volunteers. I almost take that as a bit of an insult to our volunteers. The reality is that most of our volunteers are there to support their local community. They are not there for the industrial reasons or whatever. We have got proud, passionate-type people. So I do not accept some of the things that you have said.

Whatever you come up with, I am arguing we have got 58 000, we have got 1000 career staff, MFB have got 1200 or 1500 career staff as well. That does not change tomorrow. How they are employed or how they operate does not change. It is actually up to myself, the emergency management commissioner — sorry, the Fire Rescue Victoria; Freudian slip — and the Fire Rescue Victoria commissioner to make it work, to give the confidence in the public space that we are here and able to do a job. And we will do that. Whatever you do, we will make it work. We have to. We owe it to our Victorian community to do that and we will continue to serve our community.

I think the secondment model is one that does need to be reviewed and have another look at it. Certainly it is the passionate issue that is out there. But already it is being made clear to me that even under what is currently proposed they will be seconded back into CFA. They will wear CFA uniforms, they will report to CFA chief, they will be tasked by the CFA chief, they will be there to support volunteers. We will be advocating for a recruitment and selection process that we have a say in who they are. If that is the worst-case scenario, then absolutely I can look you in the eye, put my hand on my heart and do whatever you want me to do to say we will not just make it work but it will work and it will work well.

Mr MULINO — Just on the issue of the surge capacity, we heard evidence from Greg Mullins yesterday about a restructure that occurred in New South Wales a while ago that was not exactly the same but similar. Around the time of the restructure there were some similar concerns raised in New South Wales. What happened after that change was that volunteers did not leave in droves and the surge capacity was maintained, and he was confident that the same would happen here. I am interested in your thoughts on what you think will happen here.

Mr WARRINGTON — There are a couple of things I could say there. I remember that it was almost this time last year when my message to our community — so internally within CFA — was not to focus on reform but to focus on preparing yourself for a fire season. That was 12 months ago. So you would suspect that if people were going to resign in the masses, it would have already happened. I absolutely would look you in the eye and say there is absolutely emotion and passion, and that is the strength of CFA. People love our organisation and are passionate around it. But we do not have evidence that people have walked away in masses. They are still there. In fact I have been in a number of places around the state where it is quite the opposite, where our people are saying, 'We are there to support our community'. They might not like me, they might not like you or the committee or, no offence, anyone in Spring Street.

Mr MULINO — They probably like you more than me.

Mr WARRINGTON — Well, maybe. I can tell you that some of my people do not like me, either. So I can tell you they do not love us but, by Jesus, when it comes to their community they are parochial, passionate people and they will give, and they are giving people. We have some fantastic Victorians that work and live and breathe in CFA, and I am really proud of that. I would put to you that they will be there supporting their communities tomorrow as they do today. Yes, they might not be happy at the moment, but if we get an autonomous, independent CFA, all volunteers in one organisation, we are masters of our own destiny and can

make our own decisions, then it has got to be better than where we are at the moment. There is no doubt this sector needs reform. We are living in the 1950s here.

Mr MULINO — One last question. We had some evidence yesterday from three officers in charge of some integrated stations. Indeed, as you know, we have had evidence from a number of integrated and volunteer stations on a number of the hearing days. Yesterday I found it quite compelling in that one of the officers talked about a very complicated incident but mentioned that the kind of issues that arose had arisen on a number of occasions — the complexity of many different operating systems and so forth. He expressed a confidence that these reforms could actually improve operational delivery, particularly in fast-growing outer-urban and regional areas.

Mr WARRINGTON — My response to that is to say that I am of the view that CFA, irrespective of these reforms, needs to improve, modernise — I am trying to tone it down a bit — our service delivery model as it is now. So I think we absolutely could do it much, much better. I think we need to update or review our service delivery model, and this does provide us an opportunity to review that model. That is it.

Dr CARLING-JENKINS — Thank you, Mr Warrington, for coming in this afternoon. Something that has been disputed here today is about the case for change. Jack Rush, QC, this morning said very clearly the case for change has not been made in regard to fire services. Then Commissioner Lapsley came in just before lunch and he actually presented his opinion around a case for change. It seems as though from the comments you have made already that that might be where you are sitting, since you described the service as operating in the 1950s. I wonder if you could talk about whether you do think there is a case for change and also, in relation to that, what the implications for the CFA are if this legislation fails to pass the Parliament, because that is a reality that we are facing.

Mr WARRINGTON — Probably the easy one is your second part, if I may. Again I would put to you that whatever decision is made in a reform sense — so in other words, whatever legislation is passed or not passed — we will still have 58 000 volunteers, 1000-odd career staff at MFB, and we will continue to work collaboratively. We will continue to provide the best. Our people have been sought after all over the world. We are a well-respected fire service not only in this country but also overseas. We have had people on the ground in a number of different countries over the years, and we have been sought advice. With that expertise and that skill set we have got some battle-hardened volunteers that I would stand beside every day I go to a fire, second to none. We have got some of the most professionally trained career firefighters that again are second to none. That does not change.

What changes in any legislative reform is potentially who they report to and maybe their systems of work et cetera, but the experience and expertise is not lost, and to be frank, cannot be lost. Whatever you do, I will be advising strongly to ensure that particularly in fire season — obviously we are a 365, seven-day-a week fire service. I am trying to say it is not just the bushfire; we are urban, we are hazmat and we are car accidents. That does not change, so really that is my — —

Dr CARLING-JENKINS — So the service will not change.

Mr WARRINGTON — That is right.

Dr CARLING-JENKINS — And service reforms can continue whether the legislation is passed or not.

Mr WARRINGTON — That is right. In the other scenario, if the legislation does get up, our priority would still be the same, so I would give you the same answer whether the legislation got up or not. It is incumbent upon us to make sure that Victorians are safe coming into summer and more broadly. And your first question? I apologise.

Dr CARLING-JENKINS — It was around whether there is a case for change, because we have heard disputed evidence around that.

Mr WARRINGTON — That is a really good question. It is interesting you say Jack Rush had a different view. I do not think too many people are disputing the need for reform in the sector. We spend a billion dollars in this state on fire services per annum between the two fire agencies. We could be far more effective than what

we are now, should we get reform. The main point for me is to give CFA autonomy and independence to make its own decisions, where volunteers can get on and do their stuff without intervention or interference et cetera.

Dr CARLING-JENKINS — So without the industrial overlay.

Mr WARRINGTON — There are a number of players in this space at the moment. Just give us autonomy, and we will not only continue but I think you will find that we will deliver an even better fire service than we have today. Potentially it is an exciting future if we can get some of the detail right.

Mr YOUNG — A case for change is an interesting concept that we have talked about a lot here. I thank you for coming in again. I challenged you with a couple of things when we had the in camera briefing, and I am going to do it again. I can feel your pain when you talk about this whole issue: ‘I’ve been on the front page for all the wrong reasons when we’ve got so many good things going around in the CFA, so many things that we need to be proud of, so many things we should be putting out instead of what we have got here’.

Mr WARRINGTON — Absolutely.

Mr YOUNG — To be honest I do not see any conviction from you in this model. I see someone who has resolved to do the best with what we have got. Your wording has been evidence of that when you have said, ‘We will make it work’, not, ‘It will work’. You have had to correct yourself a couple of times on that. You are really trying to force that theme, ‘We will make it work’. Then you used again the term you used in the in camera hearing about being the masters of your own destiny. That was the bit I challenged you on at the time, because what in fact we are seeing is a situation where you are becoming the master of your own destiny against your wishes, because this is not something that everyone in the CFA wants.

Mr WARRINGTON — Thank you for giving me the opportunity. If I have not been clear, let me be really clear: this sector, including CFA, needs reform. I am an advocate for reform for the aforementioned reasons. The reality is at the highest level it is not CFA reform, this is MFB, so this is sector-wide reform. We have two organisations with career firefighters with different recruitment, different development and different training. I can tell you that it is this bizarre in Victoria — and I am probably embarrassed to put it into the public space — that we put up ladders differently. We do stuff differently. That is not good enough. That is not in the best interests. We need reform in this state.

If I then take you down — I know I probably repeating myself. That is the sector. Just within CFA, my ability to make decisions, to get on and drive change in the organisation is driven by the fact that I am required to consult with two bodies. I have got to tell you in my experience if one says black, the other one will say white. If one says red, the other one will say pink. They do not agree with each other, and so it is very, very difficult to design a truck — and I can give you some examples if you want them — or a uniform or a system of work at that very level.

The third point that I would make in this space and very clearly is that I am sick to death of good people being put against good people. Our good name has been eroded in a public confidence sense. We are on the front page of papers and in the public space, and even this will put us back there, not for the good work that we do and for the good work that our community should be proud of but for all the wrong reasons. Bring on the reform. Give us independence. Give us an autonomous, independent fire service, and we will kick you goals to say, ‘Hey, this will be the best fire service in the country’. Yes, I am a proud, parochial, passionate CFA person, but let us get on with it. Let us get this behind us, and let us get on with it.

Mr YOUNG — Why is it not already happening? That was my question to the MFB just before. We have had reviews that have said we should be standardising things between the CFA and the MFB. Why is it not already happening? And if we are going to go down this path, we are still going to have two services.

Mr WARRINGTON — The current boundary, if you look at it, is a small boundary around metropolitan Melbourne and then the rest of Victoria. We look after a substantial part of Melbourne, all the regional centres and the rest of Victoria. It does not require us to have good consultation with the MFB when I am talking Bendigo, Traralgon and Geelong, to be frank.

The other thing is that I think everybody still looks at this through the lens of the CFA and MFB and visualises Fire Rescue Victoria. For me this is probably the only opportunity we have to change the culture of the services

in the state — sector reform culture. You cannot look at this through a lens that is current culture in CFA and current culture in MFB. This is an opportunity to reset that whole balance.

The vision I have, and I will take you to a couple of places. I used Bendigo before. In Bendigo we would have a Fire Rescue Victoria pumper — it is a type of fire truck — and I will have a CFA pumper. Both are urban-type fire trucks. They will have different badges. One will probably have Fire Rescue Victoria career staff on; the other one will probably have CFA volunteers on. The one that turns out will be out the door in 90 seconds; the other one will be out the door in 4 minutes. They will both attend a house fire. Their hoses will connect, their systems of work will operate together, they will all work on with a healthy degree of respect, go back into the shed. The important thing in my story is the person that gets the service, the punter at the Bendigo house fire, does not know any difference between the badge, whether they are paid, whether they are from that side of the fence or this side of the fence. It is seamless service delivery.

Mr YOUNG — What you have just described is an integrated station.

Mr WARRINGTON — That is exactly right, but there is — —

Mr YOUNG — We already have integrated stations that do that.

Mr WARRINGTON — The difference being now it would be co-located. The big advantage here is all our career staff and all MFB career staff will be in one organisation. So they can go and have their argument about their EBA and their terms and conditions and ‘go your hardest’ — that is going to be a Fire Rescue Victoria problem. All the issues that we talked about, which are the powers of the chief officer and the veto clauses and all the smoke and mirrors that were there, they have all been gone with the EBA, gone to Fire Rescue Victoria. CFA is a volunteer organisation. We are essentially a volunteer organisation. That is the strength that we bring to the table.

Ms HARTLAND — Thank you for that information. How many meetings have you personally been to in the last few weeks?

Mr WARRINGTON — If you want the specifics, I will take it as a question on notice, but I have literally driven from Warrnambool, Portland, Mildura, Wodonga — I am doing the map around — Morwell, Traralgon. I have done most of the career stations because the most impacted in the CFA are our career staff and the volunteers at our integrated stations. Then I have done a number of what we call district planning committees. I have done lots. In fact pretty well since the announcement, day and night, weekends — yes, I have done lots.

Ms HARTLAND — You have just said that you think the main impact is actually going to be on the integrated stations, on the career staff. For the actual volunteer CFA brigades, what impact do you think that this legislation will have?

Mr WARRINGTON — I have said there are four groups of people in CFA that will be impacted. They are in this priority order, and this is part of what I have been communicating to our people. Believe it or not, and some people do not like me saying this, but I think our career staff are the ones that will be most impacted by the change because you are bringing two cultures together. I have just talked about our different systems of work, how we need to do a lot to bring that together. When you are bringing cultures together, that is a difficult journey. I think the second group in this space is the volunteers at our integrated stations. For the exact reasons Mr Young just said, the reality is we need to do a lot of work, and that is why I have focused particularly at our integrated stations.

There is another group here that I think has been lost along this journey, which is our admin staff, because there is a thing called the Emergency Services Infrastructure Authority. My example to you would be clearly we have people in CFA that do rostering. If we do not have career firefighters and those career firefighters and their EBA and their veto and their powers — all are put into Fire Rescue Victoria; merry Christmas, happy new year — then the reality is that we do not need people doing rostering. I suspect some of those will go to Fire Rescue Victoria. Alternatively if we have people that just do volunteer staff, clearly they are going to stay in CFA. There are some in the middle, so the admin staff.

The fourth group here is the rest of CFA. The rest of CFA that I see is no change. Let us be really clear: the only change in an operational sense is that we are excising out of country area Victoria 35 primary response areas

into Fire Rescue Victoria. The rest of CFA remains exactly the same under the auspices of the CFA act, so remains country area Victoria. If there is a fire in those patches, they report to the CFA chief officer, so there is no change. The changes that people are concerned about would be the seconded people back into the organisation, and we are doing a lot of work to, A, see how we can make sure that works. The biggest issue in our organisation is training, but that is an issue we have now and we need to walk up to that in the future. Again, I would say to you, I think the biggest change and where we will need to spend most of our time and effort would be our volunteers at our integrated stations. Does that answer your question?

Ms HARTLAND — It does. On the issue of the numbers of volunteers, we have been told by the Volunteer Fire Brigades Victoria that there are 60 000. On the numbers that I have from CFA, it is 35 600 who are operational, 18 935 that are non-operational, so it is roughly 54 000 volunteers. On the issue of presumptive, because there needs to be some way of deciding who is operational and who is not, I am told that it will be a very simple tick box-type of exercise. What is your information on that?

Mr WARRINGTON — Thanks for the opportunity, because this has been one of the two emotive issues that are out there and there has been a lot of information. CFA has — and your information is right; I am not disputing anyone's data. I think we are all in the ballpark there; I do not want you to think we are disputing that. I would have said 58 if you were to ask me, off the top of my head, thousand volunteers. Probably half of those are operational and half of those provide support roles and do other activities. If you are a career firefighter, you are employed to go and fight fires. I think it is a fair assumption that if you are employed to fight fires, then you can access the presumptive legislation. If you are one of the 60 000 or 58 000 — whatever — volunteers, you have to demonstrate that you are an operational. Presumptive rights do not apply if you were not operational.

You do need to get through the gate to show that you are an operational firefighter, volunteer in this case. Once you get through that gate your starting point is exactly the same for career staff and volunteers, but you do need to demonstrate how that happens in a practical sense. It talks about a panel. You will probably have a better understanding of that than me, but the way it is explained to me is: demonstrate you are an operational volunteer and you will be treated exactly the same as a career firefighter.

Ms HARTLAND — But your presumption would be that it will be a very simple process; it will not be the complicated, horrible process that has been described by other people?

Mr WARRINGTON — Firstly I would very clearly say that I am an advocate for presumptive legislation for all our operational firefighters. I think that is a good news story and not before its time. Obviously the least amount of heartache that particularly our volunteers have to go through to demonstrate that they are operational the better. I would be hopeful that it would be as simple as the CFA records, which sometimes — I will again be frank — are not as accurate as they could be, being enough to demonstrate that this was an operational volunteer, and therefore the gate is opened and closed and away you go.

Mr RAMSAY — Thank you, Mr Warrington, for your time. I actually do not agree with you in respect of the criticism of the CFA. In fact nor do I agree with you in relation to criticism of career firefighters, either by the media or in public commentary. The criticism is of the Andrews government and the United Firefighters Union. They are the two main agencies that have been criticised for their behaviour or actions — not firefighters generally. I have heard the same commentary from others, and again I do not believe that. There has been no criticism directed at individual firefighters, either career or voluntary.

Mr WARRINGTON — Sorry, Mr Ramsay. Have I criticised our firefighters? Have I done that?

Mr RAMSAY — No, no. You said in your opening remarks — —

Mr MULINO — It is not a question. It is a preamble.

Mr RAMSAY — I was asked to respond, Mr Mulino. Would you like to respond instead?

Mr MULINO — I could.

The CHAIR — Continue, Mr Ramsay.

Mr RAMSAY — In your opening comments you said everyone is sick of it — the public toing and froing about criticism of the CFA. In fact you said the brand has been damaged. I am just suggesting to you it is not the

CFA brand that has been damaged; it is the criticisms coming from government and the union. I just make that point.

The question I actually want to raise with you is in relation to integrated stations. Greg McManus, the ex-captain of Lara, which is to be an integrated station, has resigned. He decided he had had a gutful of the hierarchy of the CFA and felt badly let down. Do you know why he would make those remarks, given he is a captain of a volunteer brigade that is to be integrated?

Mr WARRINGTON — They are matters for Greg. We have got 60 000 volunteers and all have very passionate, strong viewpoints. I can tell you that right across the board we have got people with absolutely different points of view, and on a daily basis people express their different points of view. I can tell you they do not all agree with me or other members of the CFA. We have said, and the mantra has been for some time — I respect people like Greg, and I do know Greg, and he has the right to have a different point of view, provided he does that respectfully and provided other members do that respectfully. That is what makes our society so strong and so great.

Mr RAMSAY — You raised the issue around integration being like segregation at Lara, where volunteers are not permitted to enter certain doors and certain rooms, and we heard similar evidence down in Warrnambool about the — —

Ms HARTLAND — It was then refuted.

Mr RAMSAY — No, it was not actually.

Ms HARTLAND — It was.

Mr RAMSAY — It was refuted —

Ms SYMES — It was passionately refuted.

Mr RAMSAY — then they came back and said they could not access certain rooms.

The CHAIR — Order! Continue, Mr Ramsay.

Mr RAMSAY — I use Lara as an example.

Ms HARTLAND — Bold-faced lies.

Mr RAMSAY — The other question I want to raise with you — —

Ms SYMES — You are going to get a letter from Warrnambool now.

Mr RAMSAY — We heard from the UFU. I think your turn is coming, Ms Symes, fairly shortly, and I will interrupt during your questioning as well.

The CHAIR — Continue, Mr Ramsay.

Mr RAMSAY — We heard from the UFU — and members of this committee, mostly Labor members — who criticised CFA volunteers for failing to meet customer service delivery standards. One of our members was very keen to show a 2008 chart that showed that one brigade was not meeting standards. In your view are CFA volunteer brigades meeting the standards and in the required turnout times? If not, what have you been doing about it? Do we actually need a total reform of the fire service to have those brigades meeting standards?

Mr WARRINGTON — What was the second bit of your question? I missed the second bit of your question.

Mr RAMSAY — Is this new proposed reform of fire services actually going to help or improve response times by CFA brigades, or can we do it without the reforms?

Mr WARRINGTON — I am of the view that we absolutely need to contemporise or modernise the current service model within the CFA, and I think we can absolutely do that much better. I think the reforms bring an opportunity to do exactly that, which we have not been able to do for quite some time. Secondly, if you look at

the CFA through the lens of the future of just being a volunteer organisation, then my ability to make, negotiate, support, recruit, retain, develop and train volunteers — again I gave you an example before of where I have had to negotiate industrial or agreed positions. If I am able to not only just negotiate but actually then provide — I have couched it from a negative; I will now couch it from a positive — that our focus moving forward will be to support an independent, autonomous CFA volunteer organisation, I think we can do absolutely much better.

Mr RAMSAY — But I will just get back to the question — do we need this structural reform to enable CFA brigades to meet their turnout times and standards?

Mr WARRINGTON — Sorry. I think you are looking at the reform through one lens — that is, the operational service delivery model. I think that one of the advantages here in what we are saying — and I have said this before — is that it does not matter what model we come up with. Our objective collectively with the Fire Rescue Victoria commissioner, or indeed if it remains the MFB chief officer, is to ensure we provide the best service delivery to our community. The structural reform provides an opportunity to do a number of other things as well along the journey. It is not just about response. Can we do it better? Absolutely we can do it better.

Mr RAMSAY — Would you support just a single fire service, as Mr Mullins, Mr Lapsley, the Honourable Jack Rush and everyone else has indicated?

Ms SYMES — They did not say that.

Mr WARRINGTON — If we were to start here with a clean slate, I would absolutely be advocating — and if there were a maturity in the sector — for one fire service, but the reality is we are not starting with a clean slate. We have career firefighters, we have an MFB, we have a CFA, we have volunteers. To start with a clean slate is just not an acceptable way to do it. Could we achieve that? Probably not at the moment, but ideally, moving forward, if you were to start again and you had a clean slate, having one fire service would be the optimal way of doing it.

Ms SYMES — Thank you, Mr Warrington. I just want to get some clarification, mainly for the other members of this committee, around this concept that in a utopia we would have one fire service. Every witness of similar calibre to yourself in terms of a long-term expert senior role has said that would be great, but we just cannot do it. We cannot do it tomorrow.

Mr RAMSAY — Did you try?

Ms SYMES — Can you just confirm that this committee should not be recommending that we should have one fire service?

Mr RAMSAY — It was not an option.

Mr WARRINGTON — The short answer is yes: it should not be doing that. The reality is that there is not the maturity in the sector to achieve that. The reality is that when we come to argue with the key representative bodies, as we stand here at the moment, it is near impossible for us, and I have given you that example today. You do not want to amplify that. You actually want to take that away. You actually want to create an environment where you give volunteers back to volunteers and give career staff to career staff, and let them get on to have standards.

I have couched everything so far from a CFA perspective. If I can be bold with you, from a Fire Rescue Victoria perspective, imagine that instead of us and MFB, or fire rescue, investing in different recruitment courses, different development courses, promotional courses, training and experience we were doing that as one — there would be efficiencies. There would be efficiencies operationally, because we would start doing certain things the same on what we call the fireground. There would be efficiencies in how we run the business side of it. There are efficiencies in having two independent entities — one for career staff and one for volunteers — but the reality at the moment is that our ability to achieve that within the CFA is problematic. I think I have given you some good examples in that space.

Ms SYMES — I agree. Thank you for the further clarification. Some of the things that stood out for me from your evidence today is this ‘masters of our own destiny’, the appreciation of the lack of detail in the reform and your acknowledgement that Parliament has got a role and operations has got a role, and you understand your

role is to go out and implement it and get on with it. A lot of the volunteers have said that they are concerned about the lack of detail, so I am interested in your consultation with volunteers: when you are explaining the benefits of a lack of detail in a piece of legislation from an implementation perspective, how is that going?

Mr WARRINGTON — Can I start by saying the general feedback is — and can I be a little bit crass, because it is just how it is — that people have had a gutful of it. They are just about over it. That would be the general feeling I get across the board. There are still people that are absolutely disappointed that there was not consultation. They are still disappointed that there is no detail and potentially that this is politically driven, but that is all about people focusing on the past. I think that where we are is where we are. Now is the time to focus on the future. The analogy I have used wherever I have gone is about: you have got two options here — you can stand in front of the bus and it will run you over or get on the bus and influence it, and this is where I come to answer your question. The framework is there. The policy and the reform is there, and I actually do not want anybody other than fire people — people that are respected around the world and certainly in this country — to get on and design the model. Now that is working collaboratively with our partners in Fire Rescue Victoria to get the best outcome for our community, and that is the lens that we come to the table with — let us design the rest of it. So I understand there is no detail, but the other option is that someone else puts the detail there for us. I have got to tell you that I do not want that to happen. I want to be involved in putting the detail together. No offence, but I do not want any politician or anybody in this room doing it.

Ms SYMES — It is okay. I would not dare.

Mr WARRINGTON — Leave it to us.

The CHAIR — Perhaps the detail could have been put together before the proposal came to us.

Mr WARRINGTON — There could have been more consultation, but the reality here is that I think we all would accept that since the announcement, if you were to try to bring the representative bodies together at one table, you just would not have achieved an outcome. So in a sense it is ‘coulda’, ‘woulda’, ‘shoulda’ — it is all past. I am not going to say we will get the best out of it, because I am very conscious of my words, but it is time to get this right, to be excited about our future. Give us autonomy and we can get excited about our future.

Mr O’SULLIVAN — Thanks, Mr Warrington, for coming in today to give us evidence, and my question is probably one that you may not wish to answer directly, but you might make some comment in relation to it. You mentioned that the sector needs reform, and I think everyone agrees that there needs to be reform in the fire services here in Victoria, and what you have said today is very similar to what we heard from Mr Lapsley earlier in relation to ‘something needs to happen’. I mean we all agree with that, and you are the chief officer of an organisation of 60 000 volunteers that are standing behind you, but unfortunately you have got a situation in front of you where you have got the wrong model; you have got the wrong reform that you have to try to sell. I feel for you and I feel for Mr Lapsley in having to do that. You are very passionate about what you have to do with this in front of you and you want to make the best of it, there is no doubt about it, but you have got a model that you were not even consulted on — the CFA was not consulted on it, the MFB was not consulted on it, the emergency management commissioner was not consulted on it.

So the question I am going to put to you is: you have got the wrong model, but you are going to do everything you can to try to make it work if it gets to that scenario. Imagine what it would be like if you had the right model. Imagine what it would be like if you had 60 000 volunteers standing behind you endorsing the reform, because at the moment the volunteers are not standing behind you and you are trying to sell this reform. So that is a real problem we have got in this state. I think we need a scenario where we take this off the table and start again and get it right for a start, and then let passionate people like yourself go out there and sell the right model. That is what is required in terms of the reform of the fire service.

The CHAIR — Mr Warrington, would you like to respond?

Mr WARRINGTON — I am sorry, I am not really sure what the question was.

The CHAIR — Would you like to restate the question, Mr O’Sullivan?

Mr O’SULLIVAN — I will try again. You are being asked to sell something that is not sellable, but you are going to do a hell of a job on it. You need something that you can sell.

Mr WARRINGTON — I think I get your question. My apologies. First of all I am an advocate for reform. The sector needs reform, and I think we all accept that. I am not sure there are too many people that do not believe there should be reform in the sector. As far as my position and so I am really clear — and I have probably been through that a couple of times — there is absolutely strong evidence of why that is required for us to continue to grow and be an even better fire service, and I think it is actually important, given the part of the world that we live in, that we absolutely have reform that allows us to grow. I think we probably have slipped in this state, and it is time for us to get back to where we should be.

As far as the legislation, I have said a couple of times it is absolutely up to you to make the legislation; we will make it work. I am saying here that I am not thinking, ‘We’ll make it work’, but ‘We can make it work well’. I think we can achieve a better situation than we have today out of this. Give our career staff in one organisation — they are professional, intelligent people — autonomy and independence to make their own decisions. Give the volunteers autonomy and strength to make our own decisions, get on and be leaders on our own. I think if we would give those guarantees in this space — and you absolutely will have our volunteers on board, and you will have our staff on board — I think we can achieve that. But at the moment there is a degree of anxiety out there. We need to, and I will continue to say that we will not only make this work but we will also provide a great fire service to this community.

Mr O’SULLIVAN — But the problem we are going to have is we do not know whether you are actually going to have the opportunity to do that, because we have got a bad piece of legislation that we are going to have to vote on in the Legislative Council. I know you cannot comment on that because, as you said, the politicians set the policy framework. The government is leading the policy framework in this regard, and you have to try to implement it. What I am saying to you is we can come up with a better model.

Mr WARRINGTON — Again I will leave that with you, and I will take that as a statement rather than a question, I think.

Mr LEANE — Thank you for assisting the committee. I am actually going to challenge Mr O’Sullivan a bit and have a theory. Mr Lapsley spoke about us being the worst fire service in the country. That is just a comment. It was about reputation — that is what Mr Lapsley said. You mentioned that we are — I do not want to put words in your mouth — a 1950s model.

Mr WARRINGTON — Our service delivery model could be more contemporary than it is today, yes.

Mr LEANE — So you mentioned the 1950s.

Mr WARRINGTON — Well, I say that because it is a throwaway line in the sense that our legislation was struck in 1958. That is what I am referring to. To be fair to Mr Lapsley, I did not hear his comments. But anybody that says that Victorians get a second rate service I would just put on the record as being absolute rubbish.

Mr LEANE — I do not think he was saying that, but I am just paraphrasing. My theory is that when we talk about government affording you a structure, governments for decades have squibbed reforming the fire services. I am part of a government, and I am part of a previous government. Governments of all different flavours have squibbed actually reforming the fire services.

Mr WARRINGTON — The comment I would make to that is I respect your right to make that opinion. My role is to deliver a fire service. My role is to ensure the life and property of Victorians are protected. That is what I do now, that is what our people do now and that is what we will continue to do. I will leave the reform and the policy up to you. I would ask that we would have as much opportunity to influence the implementation of that, and I think that we would take charge of that because that is what we do. I am quite confident that that will happen. I do not know if you picked up that I just diplomatically avoided your question, because I am not sure what it was. I should be in politics though.

Mr LEANE — Just raise one eyebrow if you agree with me. I like that; you did too. So you doubly agree with me. On surge capacity our evidence is in line with yours. With integrated stations, we have had people give us evidence that volunteers will leave the integrated stations in droves. I do not know what number droves is.

Mr WARRINGTON — Thank you for the opportunity to answer this question. Again we have 1220-odd brigades at the moment. We will have 1220 brigades in the future, so that does not change. I have said already on record that I think the biggest impact will be the volunteers at our 35 integrated stations. At each of those stations it probably is somewhere between 20 and 30 volunteers that are active, so we are talking about 1000 volunteers that we are talking about here. When we are talking about surge capacity — and I am not trying to diminish anybody here — the reality is it is a small component.

Having said that, the minister as part of this package has announced \$100 million, \$44 million as capital. I personally visited not every but close to every integrated station, staff and volunteers, and spoke to each of those groups. Our endeavours, despite others saying that they will be impacted et cetera, will be to ensure that they are provided with all the support that they need. When I say support, it comes in a couple of different ways. This is the example I have used at Warrnambool. Someone threw on the table Warrnambool before, and I have spoken to the staff and volunteers at Warrnambool that we have a Fire Rescue Victoria pump and that out of the \$44 million we will make sure that CFA has a CFA pumper, an urban-type truck.

It may be that with the \$56 million we are at looking extra training, extra recruitment and extra retention. We see an opportunity, because we are a fully volunteer organisation, to support the volunteers, particularly at that location. We would be looking to grow volunteers, again if the legislation is passed, at co-located stations, and if it is not passed, at the integrated stations. So we will be looking to grow that cohort group and therefore grow contingent capacity across the board. I think this notion of loss of surge capacity came from where this thing started where there was a suggestion the MFB would be pushed out or we would lose volunteers or volunteers would be removed from fire stations. With that came this emotive argument that surge capacity was lost. With what has been proposed, we have the same amount of brigades today as we do tomorrow, so in that sense that does not change.

Mr LEANE — Is there appetite for another review into the Victorian fire services?

Mr WARRINGTON — Do you really want me to answer that question?

Mr LEANE — So you or others that have fronted up only nine times recently, are you up for another probing, another examination?

Mr WARRINGTON — This is like tennis. You put them up there, and I belt them back at you. Absolutely. Again I have used a crass expression before, and I am going to use it again. We have had a gutful of inquiries. I think the reform paper talks about eight. I think it is probably closer to 22 reviews into our organisation since Black Saturday. We do not want or need another reform. Let us get back to doing what we do best. We are over the politics. I am over the industrial relations. Let us get back to doing what we are proud of doing, what our people are proud of doing. We provide a fantastic service to our community. Victorians should be — and in most cases, I take your point, most of them are — proud of the service we provide. Let us get back to doing that. You guys get on with the politics. You guys get on with all the stuff you need to do. Just let us get on and do what we have to do — that is, reassuring and providing a great service to our community. I say that on behalf of the sector in this state. So the answer is no, in case you missed it.

Mr LEANE — I gleaned that. So your preference is that the bill would pass and we would get on with it.

Mr WARRINGTON — Yes, it would. Yes, the answer is yes. It needs reform, and this is the journey. The answer is yes. It is such a straight question, and thank you for it.

The CHAIR — Mr Warrington, thank you for your evidence this afternoon and your earlier in camera briefing to the committee. The committee very much appreciates your participation in this process, and we will have a draft transcript to you in the next couple of days for any corrections.

Mr WARRINGTON — Thanks for the opportunity.

Witness withdrew.