

Australian Red Cross

Submission to the Tasmanian State Fire Act Review

September 2018

Responses to the Issue Paper questions

Question 1. *Should the purpose of the legislation more accurately reflect the range of activities undertaken?*

Yes. In doing so it should reflect the role of the service in minimising the adverse impacts arising from fires, rather than just directly dealing with fires per se. The legislation should define the role of the service as a key driver of an all-hazards approach to emergency management operating across the PPRR continuum. That change would move the focus from a narrow focus on extinguishing fires, to the more modern view that fires themselves are not the problem, rather the risk of adverse consequences that might arise from them.

This change in strategic intent is reflected in Priorities 1 and 2 of the AFAC Strategic Directions 2017-21, i.e: *Priority 1 Supporting resilient communities through risk reduction*, and *Priority 2 Providing trusted response and facilitating the transition to relief and recovery*.

As an example, where the current legislation refers to “... *preventing and extinguishing fires and the protection of life and property from fire...*” it could instead state something like ‘...*the minimisation of risk to life, society and property arising from fires...*’

The Issues Paper preamble also refers to community fire safety personnel as directly contributing to the resilience of the state through education and community engagement. An improved approach would be to have the legislation set the context all personnel under the legislation act to build community and response resilience. Operational arrangements could then address the position community fire safety personnel (or a broader resilience unit as per Q 30).

Question 2. *How should legislation validate the delivery of the current range of non-fire services that communities and government expect TFS to deliver?*

See response to Q1 above

Question 4. *Should the State Emergency Service be included in the new legislation and removed from the Emergency Management Act?*

If the provision of an integrated approach to emergency management across PPRR is desired, then having the 2 main physical hazard agencies operating under the one Act would support that outcome.

Question 5. *Should a statement of commitment to volunteers be included in the new legislation and, if so, who and what should it cover?*

The Issues Paper preamble provides a comprehensive description of the range of functions undertaken by career personnel, with a more limited description of volunteer functions in the service.

Red Cross Emergency Services has found that volunteers value being able to contribute at any level or nature of activity across the program. If a statement of commitment to volunteers is contemplated, the question arises as to whether that statement should go beyond consultation mechanisms to also include a commitment to allow volunteers to contribute their expertise across the agency's functions.

Question 16. *What is the appropriate membership of the SFMC and should the membership be prescribed in legislation?*

The current membership effectively covers agency and commercial interests. With the increased involvement of communities in fire preparedness and the topicality of fire smoke as a public health issue, community and or health sector representation is suggested for consideration.

Question 20. *Should fire and emergency services be funded through a single mechanism? If so, what is the appropriate model?*

The Issues Paper predicts that emergency services will play a significant role in community engagement and resilience planning. A single funding mechanism would appear to support an integrated approach to the delivery of those functions, especially in terms of specialist functions such as Geospatial Information Systems and community engagement.

Question 30. *Should Community Education be an explicit function of SFC/TFS and should it include the SES?*

As a non-government agency active across the PRR continuum, it is in the area of community resilience development that the current separation between the Fire Service Act 1979 and the Emergency Management Act 2006 appears to be most significant.

The achievement of actual resilience behaviour change at a community level will be difficult to achieve, requiring a prolonged, coordinated and appropriately resourced approach.

At present disaster risk and community level disaster resilience is largely managed through a hazard-specific approach, via the respective hazard related agencies. This risks a fragmented approach to community engagement, with attendant risks of

overlaps or gaps in delivery and compromised effectiveness in generating actual behaviour change.

A centralised all-hazard community education approach is strongly supported, and if legislative arrangements would enhance such an outcome then that approach would also be strongly supported.

Question 32. *Should there be a whole of government Emergency Evacuation System that deals with all threats, not just fire risks, in the built environment?*

Evacuation is not just a matter of removing people from a location. An attendant range of support functions for the dislocated populace includes emergency sheltering, personal support and registration and inquiry services, variously delivered through a combination of agencies and organisations.

Experience has also shown that Tasmania will struggle to meet the personnel needs of protracted evacuation situations.

An all-hazards evacuation system would appear to offer valuable efficiency and effectiveness gains in that respect, especially if it was whole of government (or ideally all-stakeholder) based.

Question 35. *Are the current protection from liability provisions appropriate?*

The Issues Paper only refers to the 3 agencies which maintain a fire extinguishing capability as potential 'agents of the Commission' for liability provision consideration. As well as including all public facing activities endorsed under the legislation, consideration should also be given to third parties engaged by agencies acting under that legislation (eg a bystander acting on the request of the officer in charge at an incident or community organisation assisting an agency in community preparedness)



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