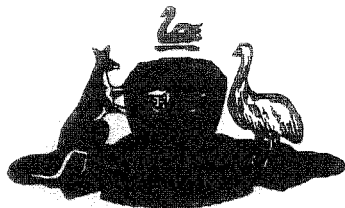


Perrett

93 Albany Highway, Kojonup
 Postal Address: P.O. Box 163, Kojonup
 Western Australia 8395

TELEPHONE: (08) 9831 1066
 FACSIMILE: (08) 9831 1566
 E-mail: council@kojonup.wa.gov.au
 www.kojonup.wa.gov.au

Your Ref.

IF PHONING OR CALLING PLEASE ASK FOR

John Perrett**SUBMISSION NO. 497**

Shire of Kojonup
Submission To The
House of Representatives Select Committee
Inquiring Into Recent Australian Bushfires

Mr Chairman,

Opening Remarks

This submission is made n behalf of the Shire of Kojonup. Unfortunately, the Shire President, Councillor Malcolm Watson, the Chief Executive Officer, Mr Wally Lenyszyn, the Acting Chief Executive Officer, Mr John Perrett and the Chief Fire control Officer, Mr Steve Magini, were unable to attend this hearing due to prior engagements.

However, the Council resolved at its meeting on the twenty eighth of July 2003 to appoint myself, Tim Johnston, Deputy Chief Fire Control Officer and Councillor Greg Marsh as its spokesmen and to address the Committee on these important topics.

The Shire of Kojonup has a proud and independent reputation in matters involving fire prevention and fire control. This history and knowledge has been learnt over many years. Indeed the Shire's volunteer fire fighting organisation was a primary player in advocating legislation at a State level in the 1950's.

Since then the development and ongoing success of the organisation has been achieved by entrusting this group of volunteers with the responsibility of ensuring that the district has a adequate and efficient response in times of emergency.

Our two main areas of concern relate to the Committee's last two terms of reference of the Inquiry – insurance and the volunteer question.

Bushfires have been a part of the Australian landscape and will continue to be in the future. They can start from lightning strikes, harvesting operations, vehicle accidents, arsonists, etc. Consequently, fires will continue to pose a threat to Australians. It is a fact of life for many of us in rural Australia during the summer fire season.

We need an effective capacity to prevent and extinguish wildfires at the most cost effective and efficient return for our \$. The volunteer has over many years provided that service with excellent results.

Liability, insurance coverage and related matters

Unfortunately, there is an ever-growing trend in Australia, possibly more evident in the eastern states than in Western Australia that if someone suffers a fatality or an injury arising from an accident/ incident then somebody else or organisation must be held responsible.

Recent cases that Committee members maybe aware of include swimmers who have suffered injuries at surf beaches and suing the local council for failing to erect signs warning against the danger of swimming in surf. I am sure that committee members maybe aware of other anecdotal evidence of similar types of cases. The Shire of Kojonup has no interest in such matters other than to raise the question as to who is responsible and what is a common sense approach to apportioning that responsibility.

It appears to us that the common answer after a court has made a decision is for the government to introduce more legislation. Recent coronial inquiries into bushfires both in this State and on the east coast have brought about an increased cost for insuring our volunteers.

Misfortune is part of the human condition. Yet today even a single unexpected accident will provoke calls for more regulation. The notion that a person happened to be in the wrong place at the wrong time flies in the face of an ethos that demands a cause for every misadventure.

The change to allow the legal profession to openly advertise for business openly encourages people who've being injured to seek compensation. In many instances people who believe they only have themselves to blame have gone on to make successful claims.

It appears to us that behind every accident there is negligence.

A common attitude shown by authorities is that once a problem is identified with a procedure, use of equipment the answer is to ban the practice to avoid the potential of liability.

The blame game undermines any sense of our personal responsibility. People are discouraged from taking responsibility for disagreeable things that happen to them.

Preventing injuries is a worthwhile objective but not all injuries can be prevented. Bushfire volunteers when in the field take risks. But the view from some quarters is that risks are to be prevented rather than taken.

Herein lies the dilemma for many volunteers. If they take a particular course of action when fighting a fire have they put themselves at risk of being exposed to a claim for negligence. It may not necessarily be for personal injuries, as we now are restricted from burning firebreaks in townsites because it may affect the immediate amenity of a person/s. What happens when a fire starts in the middle of summer? The blame game starts again.

Banning volunteers from specific practices will do little to reduce physical injury. It will, however, encourage a climate of intolerance towards risk-taking and experimentation and diminish people's capacity to engage creatively with the world around them.

"Safety at any price" is not a virtue of a rational society. It is a symptom of compulsive behaviour.

There should be stronger protection provided to volunteers. It may be revolutionary, but at least the rot may be stopped before we have a system that fails under the weight of an unsustainable bureaucracy.

The roles and contributions of volunteers, including current management practices and future trends, taking into account changing social and economic factors

Two years ago Australia celebrated the Year of the Volunteer. It was an opportunity to acknowledge and celebrate the vital role that volunteers contribute to our nation. From the person who drives the meals on wheels vehicle, the ambulance drivers in our regional towns, the mums and dads who assist school teachers with a variety of simple tasks like listening to children read, the volunteers at the Sydney 2000 Olympics, and more.

The volunteer ethos is an integral part of the Australian way of life. To a large extent volunteerism has been the basis upon which many Australian towns and communities developed. It remains the backbone in the maintenance of a safe and secure way of life. Perhaps this is more evident in the rural regional parts of this country rather than in the major cities and metropolitan area. Looking after your mate has been the done thing.

However, that valuable contribution is now under threat from many quarters.

Increasing legislation both restricts and constricts bushfire volunteers. The question of liability and ongoing insurance coverage is alarming especially to us in rural parts of the nation where the access to government resources is substantially reduced.

Consequently, we have learnt to rely on own initiative in solving problems in our own communities.

The role of the bushfire volunteer is seriously under threat. Unless one is prepared to contribute a substantial amount of ones time to attending training courses the authorities won't acknowledge or accredit you even if, as is the case with many of volunteers, you have many years of experience in both controlling stubble fires and attending wild fires.

The fact that other jurisdictions take the view that a three-hour lecture has more precedence over someone's experience of fire control activities is irritating to many members in our organisation.

We have members in senior positions openly asking why should they continue in the organisation if the additional restraints and demands passed onto them is not stopped. An ever increasing burden of administrative tasks is being placed on volunteers by the system. Their prime role is to extinguish fires as soon as possible and is the culture of the Kojonup organisation, and one in which the members are openly proud of and will continue to practice. However, the additional administrative workload is to the detriment of the organisation.

A very important point to note is that in farming areas like Kojonup the bushfire brigade volunteers are volunteers by necessity rather than choice. It is not a hobby. The service provided is one of good neighbour relations.

Over time the driving force in bushfire control in Kojonup has been the local community. It has been a bottom up approach – community informing government.

Local people know the situation far better than anyone and implement solutions that work.

We are now very much faced with a process of government telling the community what is best – a top down approach - which in our opinion will see the gradual erosion of the volunteer in the long term.

The days of the volunteer are certainly not over but the effect of placing more and more unproductive work on them will diminish their ranks.

Let us hope that common sense will prevail for the volunteer can be sustained if given ownership. The alternative – a paid fire service in rural areas is unsustainable.

Thank you



Tim Johnston
Deputy Chief Fire Control Officer
Shire of Kojonup

1st August 2003