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COMMUNITY SUPPORT AND SERVICES COMMITTEE

Members present:

Hon. SJ Hinchliffe MP—Chair
Mr SA Bennett MP
Mr MC Berkman MP
Ms CL Lui MP
Dr MA Robinson MP
Mr RCJ Skelton MP

Staff present:

Ms L Pretty—Committee Secretary
Dr A Lilley—Assistant Committee Secretary

PUBLIC HEARING—INQUIRY INTO THE EMERGENCY SERVICES REFORM AMENDMENT BILL 2023, THE STATE EMERGENCY SERVICE BILL 2023 AND THE MARINE RESCUE QUEENSLAND BILL 2023

TRANSCRIPT OF PROCEEDINGS

Monday, 4 March 2024

Brisbane

MONDAY, 4 MARCH 2024

The committee met at 10.00 am.

ACTING CHAIR: Good morning. I declare open this public hearing of the committee's inquiry into the Emergency Services Reform Amendment Bill 2023, the State Emergency Service Bill 2023 and the Marine Rescue Queensland Bill 2023. My name is Stirling Hinchliffe. I am the member for Sandgate and acting chair of this committee. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today and pay our respects to elders past and present. We are very fortunate to live in a country with two of the world's oldest continuing cultures in Aboriginal and Torres Strait Islander peoples, whose lands, winds and water we all share. With me here today are: Mr Stephen Bennett, member for Burnett and deputy chair; Mr Michael Berkman, member for Maiwar; Dr Mark Robinson, member for Oodgeroo; Ms Cynthia Lui, member for Cook; and Mr Robert Skelton, member for Nicklin.

This hearing is a proceeding of the Queensland parliament and is subject to the parliament's standing orders and rules. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious offence.

These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and the chair's direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. I ask everyone to turn their mobile phones off or to silent mode.

ACKLAND, Mrs Elle, Manager, Workforce and Industrial Relations, Local Government Association of Queensland

BECKETT, Mr Glen, Head of Assist, Local Government Association of Queensland

DRUMM, Ms Liz, Disaster Management Lead, Local Government Association of Queensland

ACTING CHAIR: Welcome. Would you like to make an opening five-minute statement, after which the committee may have some questions for you?

Mr Beckett: Good morning, everyone. Thank you very much for the opportunity for the LGAQ to appear at today's public hearing. As the chair has done, I would also like to pay our respects to the traditional owners of the land on which we meet and pay our respects to elders past, present and emerging. Our CEO, Alison Smith, does extend her apologies today. She is overseas on association business, but you get me so we will see how we go. The LGAQ is the peak body for local governments across Queensland, as I am sure members are aware. We are a not-for-profit association established to service the state's 77 councils and the various local communities that they represent. We have been advising, supporting and representing local councils since 1896.

We are pleased to have the opportunity today to speak to our submission and then take any questions regarding the matters we have raised. Whilst not core to the matters raised in the bills before us, our submission does reference a resolution from last year's annual conference which called for some further amendments to the Fire and Emergency Services Act 1990 as it relates to the administration and collection of the emergency fire and rescue levy. The genesis of that particular conference motion reflects how closely entwined local government and the state are in relation to these matters and represents the costly complexities faced by councils in collecting revenues on behalf of the state. The levy's ability to support the funding needs of things like the State Emergency Service was the rationale for including that particular reference in our submission—as was the recent work we did with the LGAQ cost-shifting report, which also identified \$18.4 million in annual disaster management costs that are currently borne by local government.

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Getting to the specifics of today's bills, overall our consultation with our member councils indicated pretty general, broad support for what has been proposed. There is an acknowledgement that the previous feedback we have provided on the drafting of these arrangements has been considered, as well as some of the feedback that our councils provided with regard to the drafting of this legislation.

Of the three bills before the committee, our recommendations predominantly relate to the SES bill. This interest reflects, I suppose, local government's close and historically strong relationship with the State Emergency Service. Disaster management in Queensland remains a shared responsibility requiring all agencies, partners and stakeholders to collaborate to undertake and manage those disaster management risks as legislated for under the Disaster Management Act 2003 and the Disaster Management Regulation 2014. The LGAQ continues to emphasise the critical importance of Queensland councils remaining a lead agency in disaster management and the need to ensure councils are appropriately funded, resourced and trained. The events of recent months have shown that it is essential to continue to invest in Queensland's local disaster management capabilities.

As outlined in our submission, the LGAQ believes it is imperative that, with the increasing advent of natural disasters and the subsequent increasing impacts on local communities, councils are appropriately funded, resourced and trained to deliver on those disaster management responsibilities across the full spectrum of prevention, preparedness, response and recovery—known as PPRR—and that the legislative foundations to support this work are contemporary with that objective.

For the benefit of the committee, the association acknowledges that the majority of the changes contained in the bills are necessary to give effect to the structural reforms announced by the then minister for police and corrective services and minister for fire and emergency services, Hon. Mark Ryan. The LGAQ recognises that, in addition to the legislation, there will also be a need for supporting policies, guidelines and agreements to give operational effect to some of those elements contained in the bills. The LGAQ and its member councils are very keen to be involved in the development of those elements.

In some ways, these ancillary agreements are just as important as the underlying legislation. An example of this and an area of our current greatest concern relates to the employment principles and volunteer management arrangements associated with the State Emergency Service. The committee should be aware that many local governments currently recognise the efforts of their SES local controller through full-time or part-time employment, a stipend or some sort of allowance. The SES review of 2020, often referred to as the Darby review, identified that additional clarification on the associated SES command arrangements was necessary. Currently, there is significant operational diversity regarding the employment of SES local controllers, resulting in challenges for councils and the SES and, indeed, for both employees and volunteers.

As part of our submission we have asked that, as the industrial advocate for local government in Queensland, the state continue to work with the LGAQ to confirm local government's responsibilities, in addition to the SES, and SES local government employees. Particularly I am referring to division 2, section 11 of the draft SES bill. The association's concerns are that, if the combination of legislation and the associated industrial arrangements are misaligned, there is a real potential for performance management issues to arise, resulting in a costly increase to matters heading to the Queensland Industrial Relations Commission. Specifically, we are talking about the need for industrial certainty regarding the employment, secondment, management, suspension and/or indeed dismissal of SES employees within that local government system. We note that workforce management issues were also a concern raised by Brisbane City Council in its submission to this committee. As currently drafted, the association does not believe that the legislation provides a comprehensive answer to these employment related questions. Whilst we note that mechanisms other than legislation may help to close this gap, it is important that we flag this issue today.

Briefly going to some final matters in relation to the bills, transparency around the activities undertaken by the SES local controller is vital to understanding the capacity of units and will allow local government and local disaster management groups to adequately plan to manage that risk while also establishing a reporting requirement operationally to the local disaster coordinator as well as to the commissioner. The LGAQ has recommended that the SES bill reference that local controllers be required to report to local government and to the local disaster management group on their performance under division 5, section 24.

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Similarly, we have recommended that, where an appointment of an SES commander is to be deployed into a local government area under division 5, section 26, consultation occurs with the chairperson of the local group and the local disaster coordinator. The committee will be aware that under section 26A of the Disaster Management Act a local disaster coordinator has legislative responsibilities to coordinate disaster operations for a local group and, consequently, the appointment of an SES commander without consultation would actually be quite problematic.

Finally, as provided for in the Marine Rescue Queensland Bill at section 23, we would also ask that the SES units be provided the same legislative flexibility, that being to be able to undertake other functions that are agreed upon between the local controller and the local disaster coordinator.

In closing, the association recognises the important work that is undertaken by the State Emergency Service and indeed Marine Rescue Queensland. We sincerely thank the many officers and volunteers who contribute to community safety through their work.

Mr BENNETT: Ms Drumm, recommendation 5 gives quite a lot of detail about the secondment of SES officers and QPS embedding themselves within the process now. Where do we see local disaster coordination activation before it goes to state activation? In terms of the problems you are trying to describe, could we perhaps dumb it down a little bit? Obviously we see the local disaster group being activated, and then there is a point in time when it gets elevated again. I guess we are flagging some possible issues with QPS being embedded early within the SES.

Ms Drumm: Within the disaster management arrangements, local governments lead and coordinate at that local level. Certainly, they will be on the ground responding to the risk as it occurs. Local activation will of course occur at the local level and then be escalated to the state—so with state support. The issues may relate to understanding of risk and communications. Operationally, where issues may occur without this robust alignment with the State Emergency Service, the local disaster coordinator, the local government and the local disaster management group is in the ability to coordinate and to genuinely respond to the actual risk that is in front of them. It comes down to clear communication and coordination lines.

Ms LUI: Could you elaborate a bit more on collaboration and coordination? I know that with the recent disaster in Far North Queensland a number of different councils were involved. I had two councils directly involved and one council indirectly involved, although it played a role in supporting the other two councils in my electorate. Can you talk about some of the pathways among councils? I think there were MOUs between a couple of the councils in Far North Queensland. That was the first time I had heard of it and I thought it was a good system to have in place given that electorates in Far North Queensland are very decentralised. I think I have 14 of your 77 councils. That coordination is really important for me. What are some of the pathways that make coordination among those decentralised councils work well?

Mr Beckett: That is a great question. Under the legislation, each individual council carries responsibilities for disaster management. As my colleague Liz Drumm said, it is about coordination facilitation. It is always about a multiagency, shared responsibility to that full spectrum of PPRR. In terms of council-to-council coordination, there are a couple of interesting things that happen. First and foremost, councils under the state arrangements at the moment do fit within districts. There is a district layer that exists between the state and the local level. That district layer does provide some coordination of disasters that go across local government boundaries. That is really important. Similarly, the Queensland Reconstruction Authority takes a similar sort of model. With reconstruction or recovery efforts there is usually a regional focus. Where there can be opportunities for efficiency or indeed coordination of activities, particularly in your region—we saw that with the most recent disasters—those things can occur quite well.

The more important part I suppose goes to a little bit of the philosophy behind disaster management, which is that local governments just broadly care—they care about their neighbours. We do find in Queensland a number of local governments that will work collaboratively with each other in response and recovery around those disasters. The LGAQ coordinates what is called the council-to-council program, often referred to as C2C. We do that through the state disaster group. Councils that have local capacity exceeded are able to tap into the association, and then we will go to non-impacted councils to coordinate people, personnel, skills and equipment sometimes to help close some of those gaps—particularly for the Far North region. We still have a couple of officers from other parts of the state deployed to that region at the moment coordinating some of that C2C activity.

I think the committee can take some confidence that coordination happens because it is just a good thing to do. The committee can take confidence that state agencies that have responsibility for this—particularly of districts, the state and things like the QRA—also have that regional focus in mind. At the local government level, there is a commitment to helping neighbours and neighbour councils, I suppose, with issues they might face.

Dr ROBINSON: I have two questions in terms of the SES and some comments you made in your opening statement. In terms of the local government employees, I think you used the word 'diversity' and you mentioned some of the challenges around the variety of situations that you consider. Can you expand on those concerns and how that variety or diversity of situations may present some challenges?

Mr Beckett: Queensland is a very diverse state and our 77 councils are very diverse as well. As I alluded to in my opening statement, the arrangements for the State Emergency Service as they relate to local government do vary from council to council and region to region. Some councils—and probably here in the South-East Queensland region—are big investors in the SES and will often have people employed on full-time employment contracts as a consequence of the model they have used. As we go to other parts of the state, those employment arrangements change to include part-time employees. Sometimes there is no employment arrangement; there is usually a stipend or some allowance that is provided.

One of the challenges with the legislation as drafted is that this diversity of employment arrangements does differ across the state—it is not a simple thing—and as a consequence of the iteration of the legislation and the operations of the SES we do get into this complexity. That is why we have a request for some focus, I suppose, on the industrial framework in the way these things hang together. The variances relate to the differences in employment across the various councils, reflecting the maturity of the various SES arrangements in different parts of the state.

Dr ROBINSON: My second question is with regard to the SES and a comment you made on the appointment process of commanders in terms of disaster work and the need for care in the appointment and inputs from the LGAQ and local councils. Can you elaborate on what that consultation might look like and what you would be keen to see happen?

Mr Beckett: The reality is that disaster management in Queensland is a multiagency, shared responsibility model. It is very much about state agencies, emergency services organisations and local governments working in collaboration with each other. Because of that close collaboration and because of the need for there to be that coordination of effort, we are simply asking for us to be included in the consultation that relates to the appointment of those individuals. These are senior appointments. Certainly, for chairs of local disaster management groups and local disaster coordinators, understanding who those appointees are and having the opportunity to enter a dialogue around those are really important exercises. The value that we see is making sure that local government is treated as a partner in this exercise. The LGAQ is not suggesting that we would be involved. This would be a matter between the SES and the chairs of the local disaster management group that it was related to.

ACTING CHAIR: You have made very clear points around the close relationship there is between the SES and local government. The points that have been raised to further elaborate on the submission are very much focused on the workforce, volunteer and otherwise, that relates to this and getting clarity around that. I want to be clear around that: the understanding that there is no desire to see a change to the traditions around infrastructure, in that depots are things that local governments provide. Can you clarify that?

Mr Beckett: There are a couple of points. You are correct: our greatest concern is simply about making sure we have that industrial certainty for both employees and the volunteer management part of the SES. As I said in my opening statement, we accept that perhaps that may not necessarily be solved through legislation. There are other elements that may be required—agreements et cetera—that might go some way towards resolving those. Our only request was to be included as the industrial advocate for local government in those discussions.

In terms of the traditional model, the committee would be very familiar with the fact that the SES has been supported by councils and the state for a very long period of time. Our recent conference motions have called for the strengthening of that arrangement. We certainly have councils in Queensland that are very strong supporters of the SES, but we also have other councils that carry a fairly significant cost burden in relation to the SES, so we have asked previously for there to be due consideration to support—financial support as well as things like training et cetera—for those realms.

On your question about assets, that is an area of interest and concern to our members. Asset management particularly is an area that is a bit fraught, in particular with depots. Various owners of assets can exist in that one depot location. Sometimes an asset might be a QPS asset, sometimes it might be a QFES asset and sometimes it might be a local government asset—all with different models of management and arrangement. It is not a contemporary model in some respects. We have had discussions with QPS with the change of responsibilities for that realm. We are keen to work with them about how we might go about tidying up those particular arrangements. We are keen for more support, more funding and more training and also to work with our QPS partners around the asset management piece particularly. That is an area of concern to our members.

ACTING CHAIR: Thank you for your time and for your submission.

**WEBSTER, Mr Hugh, National Administration Commodore, Australian Volunteer
Coast Guard Association**

ACTING CHAIR: Welcome. I invite you to make a five-minute opening statement, after which the committee may ask you some questions.

Mr Webster: Good morning. I am thankful for the opportunity to briefly talk to you today about the association and answer any questions you have regarding our submission on the Marine Rescue Queensland Bill. We are a flotilla-run organisation with a team of over 1,200 dedicated volunteers manning 21 flotillas across the state, with a similar number of flotillas in South Australia and Victoria.

Our organisation is generally supportive of the establishment of Marine Rescue Queensland and of the bill itself. However, while that is true, we have some concerns that, as an effective piece of legislation dealing with the machinery of establishment, it misses an opportunity to build that volunteer-centric nature into Marine Rescue Queensland from the very start. We think that is important because, ultimately, the heart and culture of Marine Rescue Queensland going forward is going to be that cadre of volunteers who will provide that support.

Our strong recommendation is that the bill includes a volunteer charter. This best practice has been adopted internationally, most significantly though in South Australia and Victoria—in the South Australian Fire and Emergency Services (Volunteer Charters) Amendment Act and the Victorian Country Fire Authority amendment. Such a volunteer charter provides a clear signal to volunteers that the government values their ongoing contributions to the operation of Marine Rescue Queensland.

Our submission also highlighted a number of implementation issues that we think should be addressed in the bill, and we would respectfully recommend that the committee consider those as well. Thank you, and I would now like to invite questions from your committee.

Mr BENNETT: I am just curious: where is home base for you, Mr Webster?

Mr Webster: Down in Manly, just locally.

Mr BENNETT: Lovely. You are home; that is the main thing. Clause 6 in the submission talks about the ambiguity, particularly around the common law issue. Would you be able to give the committee some more insights into that? I am very interested in the high tide reference in that particular example. The reason I ask is that in VMR we have had some demarcation over what is allowable under common law, I guess.

Mr Webster: We were drawing on advice from internal legal advisers as well as the Australian Government Solicitor's briefing where they discussed the impact of extraterritoriality of state law compared to Commonwealth law. The recommendation in the AGS briefing that we concur with is that state bills, as they are amended or drafted, should explicitly deal with extraterritoriality. The sorts of concerns we are thinking through are things like the applicability of common law with respect to insurance, liability of members and the application of the powers that are in the Marine Rescue Queensland Bill. It is the situation we understand where when all things are going well everyone is happy, but if there were a dispute somewhere there is ambiguity in both the Queensland Acts Interpretation Act and this bill as to the precedence, if you will, of extraterritoriality.

Mr BENNETT: Is that like a demarcation line between one flotilla and another?

Mr Webster: No. It is more about the application of where state law begins and ends. Typically it would be from the low tide mark out to three nautical miles. We would perform services quite routinely out well beyond that, sometimes out to 50 nautical miles, so if something were to happen there, are all the protections either in common law or in the Marine Rescue Queensland Bill applicable?

Mr BENNETT: Thank you for that clarity.

Mr SKELTON: With regard to the volunteer charter, is that because of concerns, as you have just mentioned, to do with legal things and having the volunteers protected legally under state law?

Mr Webster: No. Our perspective is more about the building of a culture within an organisation. The sorts of things that are covered within a volunteer charter are what I will call commitments. A charter by itself is not wholly binding, but they are commitments to consult with volunteer members on issues that impact them, changes to processes, policies and so forth. What it is really doing is putting in lights that the Marine Rescue Queensland organisation will depend on its volunteers. It is a commitment in that sense to consult.

ACTING CHAIR: So it is seeking to confirm the volunteer culture rather than provide some specific protections for volunteers?

Mr Webster: Correct. The charters that are embedded in the various legislative instruments that I mentioned, and indeed in other jurisdictions—the ACT has one that is not legislated but they actually operate it—are broadly similar, almost a copy and paste of each other.

Dr ROBINSON: You suggest amendments to clause 18 of the MRQ Bill in terms of the disestablishment of MRQ units. Can you comment further on that?

Mr Webster: We think it is perhaps natural that over time—and I am not talking in the next year or two but over a five- to 10-year journey—equally while there might be the need to establish units there might also be a need to merge or disestablish units, depending on the local situation and the demand for marine rescue services. What we felt with respect to the legislation was that there was good, solid machinery setting out the criteria by which the chief officer or the commissioner could establish, but we were looking for a similar kind of framework to deal with the disestablishment of a unit.

Dr ROBINSON: Are there any other particular elements, processes or consultation that should happen in that space?

Mr Webster: They would operate with respect to the volunteer charter as well in terms of the consultation process. Our discussions with the Marine Rescue Implementation Program team indicate that, while the legislation is relatively brief and succinct in terms of giving powers to the chief officer and the commissioner to establish processes, there would be necessary consultation and involvement of members in that decision-making. I would expect, from a legislative machinery sense, that would have that same light touch but there would be an ongoing commitment to consult as those processes were underway.

ACTING CHAIR: You do not see the need for that complementary disestablishment capability because there is a pressing need in that space at the moment? It is purely around being prepared for whatever might happen in the future?

Mr Webster: Yes. Certainly in consultation with our members there is an ongoing concern that one of the possible outcomes of the establishment of Marine Rescue Queensland might be that very close units might be merged and so, in a sense, this does also answer that concern so say, yes, there is prerequisite consultation and a prerequisite framework that allows disestablishment if and when it happens.

Mr BERKMAN: I am seeking brief additional clarification on the volunteer charter. I understand there are some provisions in the MRQ Bill that acknowledge the role of members and volunteers in the community. To the extent that you have concerns around a volunteer charter, I want to check that that should be in addition to the provisions in the bill, or are you talking about the replacement of those provisions?

Mr Webster: They would be an addition to the structure of those others that I mentioned in South Australia and Victoria. They often take the form of an annex or a supplementary attachment. As I said, they are not binding in a legislative sense. They are more about, in a front and centre sense, putting up a signpost or a poster to say, 'Here is the value that the volunteers bring to that organisation.'

Ms LUI: My electorate is quite vast and diverse. One of the issues that we face in regional Queensland is the ability to attract new volunteers into this space. It has always been an issue where you will find the same people serving on different groups, like the SES and Volunteer Marine Rescue. Could you speak to some of the challenges around that and give suggestions on how we could build our volunteer base in Far North Queensland and other regional areas?

Mr Webster: It is a challenge certainly for us in regional areas. As you say, we have many members who are members of the Rural Fire Service and the SES as well as the coastguard. In a sense, it is reflective of society as a whole in terms of the generational drive to volunteer. Ultimately, we think it comes down to how you create an attractive organisation. The attractiveness of the organisation is how well funded it is, how well members are looked after and how little bureaucracy or perceived bureaucracy there is. The sorts of things we would look to set up in the sense of Marine Rescue Queensland are streamlining that transition process so that business as usual today is very much business as usual tomorrow, and then what sorts of process can the Marine Rescue Queensland organisation put in place to, as I said, minimise that perceived bureaucracy and make it a more attractive organisation to serve in. Those are the sorts of things you can do.

Mr BENNETT: You mentioned consultation. On behalf of the 1,200 members, do you feel that the consultation was adequate in the construction of these bills and where we are at today?

Mr Webster: In terms of the bills themselves, yes, I feel it has been. Perhaps the only thing that might improve the process in a broader process sense is more online briefings to talk about the theory of why you construct legislation that is relatively light in a process sense and that it is because the processes are embodied in powers given to the commissioner. It is those kinds of things. To explain them would certainly go a long way to helping that consultation process.

ACTING CHAIR: A process that helps explain that the legislation is not the only power that is being created to provide the opportunity for engagement and ongoing consultation, particularly with volunteers?

Mr Webster: Yes, that is correct. We would often get questions about why the bill does not address a particular topic, and it is because it exists in processes. It is about that sort of explanatory process for people who generally have not had exposure to legislative drafting before.

ACTING CHAIR: That is a good point, Mr Webster. Thank you very much for your submission and your time today.

Mr Webster: Thanks for the opportunity.

BARTLETT, Mr Andrew, Advocacy Adviser, Volunteering Queensland

BASANOVIC, Ms Mara, Chief Executive Officer, Volunteering Queensland

DELAMOIR, Mr Samuel, Manager, Advocacy, Policy and Research, Volunteering Queensland

ACTING CHAIR: Welcome. I invite you to make an opening statement of five minutes, after which the committee will have some questions for you.

Ms Basanovic: Good morning and thank you for this opportunity. I will invite Andrew and Sam to pop in where they think it is relevant. Firstly, Volunteering Queensland is very much in support of the changes, and that is indicated in our response. Our suggestions are targeted at specific areas. Our organisation is 41 years old. We are the peak body for volunteering. We have been working in the disaster space since 2008 through our Emergency Volunteering Community Response to Extreme Weather program, which is called EV CREW, and subsequent to that our Care Army. I personally was involved for 8½ years prior. I was the CEO of Volunteering WA. Like Queensland, WA is very disaster prone because of its geography and things like that. Over that period, EV CREW has actually never been funded. It received some initial funding from the federal government. We have always felt that to be able to support volunteer recruitment and retention and also the protection of volunteers and to maximise the ability of the agencies that we are talking about to actually have an impact on the ground, looking after volunteers and an acknowledgement of the value of volunteers is really critical.

When we talk about EV CREW itself, since its inception we have placed over 46,000 volunteers. We have an extraordinarily long database that is quite interesting. It is about 80,000 or 90,000 volunteers from all over Queensland. We continually say, 'You are unlikely, as spontaneous volunteers or community volunteers, to be activated so, please, would you like to stay on the list or not?' Everybody wants to stay on the list, even though they just want to be able to have that opportunity to contribute to their community as a spontaneous and, indeed, a local volunteer. We call them 'activations'. In that time we have had over 200 disaster preparedness, resilience-based and recovery-based activations. A lot of them are at the time of the disaster but, as you would appreciate, disasters can continue to impact people for many years, often when the more formal on-the-ground agencies have retreated and gone back to normal business. We work very closely with local government authorities and believe that local government authorities know their areas best.

Around the world, the movement has probably spanned the past eight or 10 years. I have just come back from a global summit in Poland on the use of volunteers in disasters. I can tell you that around the world it is about looking at local capability in disasters, in resilience building at the beginning, in response to disasters and, as we say, at times of peace for volunteers to be available for their community in other volunteering events. We acknowledge that the groups that we are looking at today are very much at the forefront of being in those really dangerous and very control-and-command activities that often do not involve spontaneous volunteers. I thought it would be important to understand the whole picture. We have been involved with EVAC, the minister's emergency volunteer advisory committee. We work very closely with QFES, SES, rural fires, Marine Rescue and all of those groups. What we hear sometimes on the ground from people actually does not align with what we hear and what we know QFES and the government are doing. One really key area I think is about communication and an understanding that a lot is being done and that the voice of the volunteers on the ground needs to be heard.

The main focus of our submission is actually around the protection of volunteers. We are really grateful and thankful that volunteers are protected in the same way that the paid people are protected. Beyond that, there is an instance in volunteering where volunteers do not have the same rights or feel they do not have the same rights in terms of grievances, response and contributing as an equal partner to that. I invite Andrew or Sam to add to that if they wish.

Mr Bartlett: I think the only point is to re-emphasise what is in our submission, and I do not think it is something that you can necessarily specify in the legislation itself. It is to try to ensure that when there is that disciplining process happening for volunteers it is a fair process, not just because that is the right thing to do but because a key part of volunteer retention is to feel valued and to feel like you are being treated the same as everybody else.

Mr Delamoir: I agree with what Andrew was saying. The community reputation of organisations is part of building up momentum of volunteering in communities. If people have a positive experience in an organisation then they are more likely to recommend the experience to people in the community.

ACTING CHAIR: Thank you all for your opening statement and your submission.

Mr BENNETT: I refer to your point, Mr Bartlett, about natural justice and feeling that the process of discipline is fair and reasonable. That is very much an overview. From my observations over a long period, I would argue that those probably exist now. Now that we have raised this issue, I am interested in your observations from Volunteering Queensland where perhaps there is not such equal natural justice or a fair process for those volunteers. I agree wholeheartedly that we cannot have an environment where people feel that they are not going to join up for the right reasons.

Mr Bartlett: Mara probably has a better direct experience with how it has been working to date. I would emphasise that it is more about wanting to ensure that continues to happen and it happens in an appropriate way. Again, it is not something you can deal with in this legislation, but you are all people who have local disasters in your area. You heard this morning from the Local Government Association about the differences in local governments and them having to pick up the tab a lot of the time. We often say that volunteering is done willingly, without financial gain, but it is not free; it still costs people. Sometimes they get reimbursement and support and sometimes they do not. It is often local governments that carry the cost for that but do not necessarily have the resources. Of course, it is not just the immediate disaster itself; it is also the recovery. As you all know, that takes a very long time in some cases. As you heard from the previous witness, it is also about building that culture.

Ms Basanovic: My experience is that often what is perceived is not necessarily the reality. During these last few years, as you are all aware, we have had the requirement for volunteers to have a blue card. The talk and the culture amongst the people on the ground was that there was a huge opposition to that. May I say, one in three Queenslanders now have a blue card, which is absurd. From the point of view of disaster management, we were guided by legal people through the government who said, 'No, this is mandatory'.

Sometimes volunteers feel that a lot is asked of them. As Andrew said, there was no reimbursement and nothing to actually support them. We are really thrilled to see that money has now been provided to provide adequate uniforms, footwear, machinery, boats—all of that. In terms of volunteers being heard, maybe some consideration needs to be given to transport or travel costs. We are about to release the *State of volunteering in Queensland report 2024*. One of the biggest things is that the cost of volunteering to volunteers is rising, and that is causing a huge drop-off of volunteers. The SES, marine harbours and rural fires continually say to us, 'We need more people.' While they are being covered like this, maybe there needs to be some consideration of covering out-of-pocket expenses.

We have national standards for volunteers. Some years ago we developed a program called DFES in Western Australia. We put all managers of volunteers through national standards training. It is not mandatory, but it really does open their eyes, at a local level and a higher level, to things that can go wrong in volunteer management and to what best practice is. Volunteering Queensland's work with QFES—and all of those groups—has been nothing short of wonderful and inspiring. When we talk to people on the ground we see that they are all committed to their local communities, but sometimes they are not sure where their responsibilities stop and start because not only do they have their SES directives but also they have community expectations. In Queensland, the most trusted groups for the community are SES, marine harbours and rural fires, but their remit at the moment is not for that, so volunteers often feel they are imposed on—they have more work, more training and more this and that—and they feel exposed. We do acknowledge—and we have not pushed it enough—that they are covered, but they also have to follow best practice. During COVID, there was one volunteer who turned up for over 175 days straight to do border control. That is absolutely out of line. The volunteer is free to do that, but that was way over to be a paid position at that stage—but you cannot tell a volunteer who is really keen.

On behalf of Andrew and Sam, I say that it is about communication and consultation, so that volunteers feel they have a voice. Regardless of whether that voice is misplaced or not, they need to feel that their voice at that local level is being heard at a higher level. We know that people at that level are really stretched just fighting the dangerous part—setting up burn-offs, training for marine harbours and things like that—but that communication is really important. QCOSS had a really good volunteer strategy and it got lost in the system. Somewhere there was a disconnect. That strategy plotted out to volunteers how they are protected and valued and what their role is. Again I say that there needs to be clarity on what existing and willing local community organisations do to support their community, through their local governments, in being prepared for disasters.

When the SES and rural fires are fighting fires or dealing with floods, there is an immediate response to support their community. There is a wonderful untapped resource of local capability and local government capability in disasters if we pre-plan and post-plan—Redlands has the Community Brisbane

Champions Program—but it needs to be resourced. That will pull back the expectation on the rural fires, SES and marine harbours to say, 'You know your communities best. What can you do to support families, friends and neighbours and when do you want to call in external groups, rather than them just arriving in your community? How does that differ from the work of the more formal volunteers?' I believe that it would save the government billions—not millions—if it looked at investing in local capability.

Mr SKELTON: You make it pretty obvious that there is a lack of communication and a lack of definition of the roles of volunteers—how they are protected and what their expectations are. Mr Webster suggested a volunteer charter which could potentially outline all of those things.

Ms Basanovic: Indeed. There is the likelihood of a new volunteer strategy coming, but it is interesting to look at models in other states and territories. In terms of New South Wales, we have gone down and supported them by supplying our staff and working with them. They have not only a new volunteer strategy but also a volunteer charter. It is a one-page commitment: 'This is our expectation. This is your expectation. This is what you do.' I think all of us would agree: anything that clarifies roles and makes volunteers feel that they are heard and acknowledged is important.

We have just received this letter—probably you have seen it—from a very disgruntled volunteer, who actually has left the state now. Everything that person claims could have easily been dealt with at a local level if that volunteer felt they were being heard or looked at. His letter virtually claims criminality, which is something we have never found. If there is that perception at a local level and that person then speaks to his local group, you have a group that is resistant. They are going to believe their own first before others, so there needs to be communication. A charter could absolutely work, as could a volunteer strategy.

ACTING CHAIR: Ms Basanovic, is the charter in New South Wales a generalist charter for a range of groups? Is it for the sorts of entities we are talking about today or can volunteering activities evoke it as part of their commitment to their volunteers more broadly?

Ms Basanovic: It is a generalist one, but I think we can tailor something like that for emergency and disaster volunteers—not only the formal ones but also the informal ones. What we see is that Marine Rescue are crying out for volunteers. If they are ageing or tired of being on the boats, there may be other groups that can be called in, but we need to be able to lower barriers to using local capability in disasters that might just step in and out—to support fatigue, for example: 'My gosh, I have done this 10 times. If I go out one more time, I'm going to fall overboard because I'm tired and I get seasick.' They are the things that we heard. I asked a CityCat driver who had also been driving a boat out there. I said, 'Which one do you want to do?' and he said, 'The CityCat is much easier. I'm going to withdraw from going out in the boat with marine and harbours. I'm just going to support them in the back end.' Those things need to be heard and addressed so that there is replacement of volunteers and incoming volunteers.

We are a registered training organisation. We have been working with a couple of local government authorities—Rockhampton, Gympie and around there—to actually get young people to do cert I, II and III in active volunteering for their practicum. Rockhampton has a wonderful example where it linked people up with its disaster management services so that they can hopefully start taking on a bit of a role in the background and then move forward. Volunteer recruitment and sustainability is a big one.

Dr ROBINSON: In your submission you talk about a clear commitment in terms of the process of the suspension of volunteers. You have dealt with this a little, but could you expand further on the reasonable alternatives available before suspending a volunteer?

Ms Basanovic: Those sorts of volunteers are used to command and control, but nowadays general volunteers in their community—remember that most of these volunteers also volunteer in other areas—are used to having input and being an equal part of the organisation. In that sense, you have to be very mindful of the expectation, even though a command and control process is in place. Sometimes that is what is necessary and volunteers have to acknowledge that. Quite frankly, most of them feel that is an easier way to go than navigating it.

It is, again, about very clear processes of a volunteer being able to be heard. A lot of the disgruntlement of volunteers—dare I say it, because it is important to them—is quite low level. It is about talking and being able to have somebody to go to. I not recommending an ombudsman or anything like that, but there has to be a willingness to listen. Also, volunteers on the ground have to do training every two weeks and have to do other things. Sometimes there is a need for some reflection time to understand what is already in place. A lot of them see it at their level, when there has to be that idea of: 'You on the ground are the key players, but we have a structure within which you need to work.' Again, it is giving volunteers that voice without being it just being disgruntled talk.

Mr Bartlett: We are not asserting that things are done terribly at the moment. We just wanted to take the opportunity to emphasise that this is done as effectively as possible under this new structure. You will be hearing later from the SES volunteer association.

Ms Basanovic: I cannot stress enough the importance of doing the national standards training, which can be done online or in person. It is only very short and it provides people with a whole lot of resources. That has just been refreshed to be far more inclusive. QFES, marine and harbours and the others do that training, but it has to be across the board, I think.

Mr Bartlett: It sounds to me like it harks back to the conversation you had with an earlier witness around getting the culture right in the first place. It is all about culture, but there are some measures that could be embedded into the legislative change that help promote that culture.

Ms Basanovic: Yes, and I am not sure how the groups work could be outside of the legislation. These are willing volunteers; they get up at four in the morning; they go out in the most dangerous circumstances. They need to feel supported and that they have a voice. Dare I say, there has to be a way of nipping in the bud ineffective grumbling that often does not have any grounds. Often it is just a misunderstanding.

Mr BERKMAN: The topic has been fairly well exhausted, but I did want to just touch on the QPS response to your concerns in the submission about those disciplinary processes before suspension. Essentially, the commissioner has to consider all reasonable alternatives before suspending a volunteer. I guess I just wanted to put that response on the table and invite any further response at the risk of completely overdoing the topic.

Ms Basanovic: I think you are right, but I think the process has to be seen to be fair and not like a big stick. These are local community people who love their community. Of course they need training. No training, no blue card, no start—absolutely. The other level is the camaraderie, the bonhomie and the multigenerational component of volunteers. That is really strong, and I know that on the islands up in the Torres Strait that is what survives, but it only takes one disgruntled person who is respected by the others. Good volunteer management happens when there is a communication process of unpacking what the issue is and going forward. We are not saying that does not happen: it absolutely does. We were at the 50th anniversary of the marine rescue volunteers. The spirit of volunteering, the willingness and the fatigue are there, but there are also three and four generations of people. The biggest way volunteers volunteer is through word of mouth. Often it is, 'Just come in and try it with me,' that willingness to bring others in in some way at a lower level may be able to see that flowthrough of volunteers in an open day. 'Bring a buddy or family member and come and try it,' things like that where people can proudly show the contribution they make. They want to know the difference they make.

Mr Bartlett: I would just reinforce that we are absolutely not reflecting negatively on the QPS. It is really just about putting a flag on it, to keep an eye on it, something to say that we will do this fairly and properly. It is something to keep an eye on for all the reasons we have said. Under a new structure, a new set of situations, keep an eye on how it works.

Ms Basanovic: In the nicest way you have to inform a volunteer when they are crossing the line into criminality. It is not often led by us. For instance, if somebody is driving a bus or whatever and they do not look to the right and crash, we cannot protect a volunteer there. Often volunteers, even if they sign up to—these are case studies—fabulous new premises, there is no way they can afford the rent or the ongoing maintenance or whatever it is, so volunteers clearly have to understand where their areas of responsibility lie and where they may, in the nicest way and in an unintentional way, cross that. There are too many cases where we have seen volunteers step outside of that. There is no protection for volunteers other than in the end an ex gratia payment for costs they incur if they have to go to court or something when they are doing some of their work.

ACTING CHAIR: Thank you very much for your submission. Thank you for your contributions and answers to questions today. This is not really the business of this committee in relation to this bill, but it sounds like that EV Crew database is an extraordinary database. Do you provide information in that great database around what other opportunities there are for more permanent engagement and precedents of some of the new entities that are being created under this legislation? Perhaps that is a way to reach out to that group and encourage them to consider other ways in which they can volunteer.

Ms Basanovic: As I said, that has not been funded so we have to kind of fiddle around and try and make sure we support it. The biggest thing volunteers ask is, 'Can you give us some information? Can you let us know what the status quo is?' Alongside EV Crew we have the Care Army of about 40,000 volunteers; 11,000 of those are both. They are extraordinary resources that we can use better.

We share information now with local governments when they ask ‘Do you have other opportunities?’ A really good example is Redlands Community Champions, although sometimes they overstep the mark. We now have Community Champions on the Sunshine Coast, Redlands and the Gold Coast. Those volunteers feel so connected that they now stand up for festivals, events, special community days, and show-and-tell about volunteering. That is where they feel really connected with their community not just in one area but across the board. They feel valued, they can see the difference. We would love to be funded more to grow that because it does take an investment to manage volunteers well. We have an emergency volunteering website but it takes resources to say, ‘You’re interested in volunteering. I know you haven’t been activated, but here’s some opportunities.’ We value those local connections with local governments that say ‘We would love to have some volunteers for these extra events.’

ACTING CHAIR: Thank you very much for your time today.

CARNE, Ms Judith, Private capacity

ACTING CHAIR: Ms Carne, welcome. I invite you to make an opening statement of five minutes. In doing so, you might wish to describe your role in the disaster management space as well.

Ms Carne: I am a resident of North Stradbroke Island and I have lived there for a number of years. By way of experience, I am also the treasurer for Volunteer Marine Rescue North Stradbroke, so I wear two hats: I am a resident who is dependent upon the services that are provided by VMR; I am a fundraiser; and I also work within the VMR incorporated association. VMR is a registered charity and it has DGR status with the ATO. We are held in high community regard on North Stradbroke Island as we provide a marine ambulance service across Moreton Bay. We also provide pet transfer to mainland vets when needed on a fee-for-service basis. We also provide maritime assistance to sailors and boatmen in difficulties not only within Moreton Bay but also in the open ocean beyond Moreton Island and North Stradbroke. We assist in searches for missing vessels and people. We run a community education program.

The Blue Water Review, as you know, undertook an analysis of the functions of both VMR and the coastguard, and a number of recommendations from that review have been adopted by the state government. As you know, we are currently in the process of change during which the Queensland Police Service, through QFES, is compulsorily integrating our voluntary services into their mandate. In terms of communication with the state government, it has been extremely difficult to achieve transparent, accountable communication with the state government and QFES. We have dealt with a frequently changing cohort of public servants who appear to have been inadequately briefed on the process and who appear to be withholding information from us. The state government refers to this process as a transition. It is not a transition; it is a takeover. To be honest, we have been patronised and kept in the dark. We ask questions and receive no answers. We get very little communication, and the verbal communication we do get is scant and peremptory.

We have a number of assets: two tractors, two vessels, two trailers, a building, a workshop, office equipment and bank accounts. We have been told by the state government that all of our assets will be compulsorily transferred to the state government as part of the transition. We are told that our cash reserves will be held by the state government in a fenced account. Should we wish to spend money on, for example, our community education program, we can apply to the state government for those funds, and if the public servant who decides such matters agrees with our process, then we will be given some of our own money to spend. We do not understand how this process is going to work. We currently have some \$740,000 in the bank. We have worked very hard for that money. Of that money, \$120,000 has been raised through sausage sizzles and donations. As a fundraiser, I feel very strongly that I do not actually have the responsibility to sign a document that passes \$120,000 of donated money across to the state government. We have been told by the state government that we will be required to continue to fundraise and those funds will be transferred to them to manage. We really do not understand how this is going to work. We are on the cusp of a piece of legislation being passed that we do not think is fit for purpose.

I want to speak very strongly here about what we do. Not so long ago—and Dr Robinson will remember this because he is my local MP—in a nine-month period we did five searches for missing boatmen, sailors. When you are looking for someone who is missing, after about 24 hours it becomes a body search. In that nine-month period the volunteers with whom I work did five body searches. Not one body was found. Not one person was wearing a life jacket. Our community education program is around a very simple message. We want to continue to do this work and the message we have is this. I hope you can read what that says. We have posters—

ACTING CHAIR: For the assistance of the committee and its records, after you have addressed it you can table the document.

Ms Carne: I would like to do so.

ACTING CHAIR: With the agreement of the committee, we will allow Ms Carne to table the document.

Ms Carne: Thank you. The slogan is very simple and very effective. One of our concerns is that when this takeover is completed by the state government we will not be able to continue with our community education program.

The other aspect that is troubling me personally is that as an incorporated association, which is a registered charity and has DGR status with the ATO, I do not know how I can actually sign our funds legally across to the state government. There is no clarity on this yet. To be honest, I feel

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vulnerable in that respect. There has been no transparency to us on how this process will actually work. In the marine rescue bill in part 2 division 1 under functions and powers, I would like to tell you that I object strongly to point number (2) which says—

MSQ has power to do anything necessary or convenient to be done for the performance of MSQ's functions.

That is far too broad for a piece of legislation. This is going to apply to volunteers to an essential maritime service. That is an absolute open door for that entity to do anything it likes. I really believe that that should be removed from the bill. I have really come to the end of what I want to say. I feel quite passionate about my volunteer role. I am sure that has come across. I am happy to answer questions.

Mr BENNETT: Thank you for coming in. We have had quite a vacuum from VMR across the state and we are reaching out. Can you clarify that you have any of those provisions of your greatest fears with assets and resources being commandeered by the state in actual writing? We have asked questions previously about that and I would like to seek clarity about your information of where that has come from for you to have those firm views that that is what is going to occur under the bill.

Ms Carne: Sorry, I missed the first part of your question.

Mr BENNETT: You mentioned that you have real concerns about your finances and your resources being annexed by the state.

Ms Carne: Yes.

Mr BENNETT: I am wondering on what basis you have made that informed decision and do you have something in writing?

Ms Carne: No, I do not. But what I will explain is we have been dealing with the state government for about four years and from the very beginning of this dialogue we were told that we would have to transfer all of our assets across to the state government. We have been told that on a number of occasions. Not once, not twice, not three times, on many occasions we have been told that we will have to transfer our assets, including our money in our bank account, across to the state government. We have had very little in writing, which has troubled me, but it is being spelled out. As we move closer to the date of the bill being enacted there is still a lack of detail, but we are repeatedly told our money will be given to the state government and it will be held in a fenced account and when we want to use our own money we will ask for permission to be given some of it back. This sounds very unworkable. As a member of the committee and as a fundraiser, I do not believe—and I am only the man in the street—that the money that has been given to us as donations from the public and the money we have raised through hard work—sausage sizzles, book fests, jumble sales, selling coffee—we should not have to give across to the state government, but we are told that repeatedly.

Dr ROBINSON: Judith, thank you for coming before the committee and for all that you do at VMR there at North Stradbroke Island. For the record, my association has been as a past patron there. I do have some concerns that I have been hearing from North Stradbroke Island. I just wonder if you can elaborate, and how broadly you can speak in this sense, on those others that are part of the committee? Obviously there is not a submission officially.

Ms Carne: No.

Dr ROBINSON: Is there some reason there was not some official response from the chapter itself? Can you speak to that?

Ms Carne: I can. These are my colleagues and I respect them enormously. I am going to pick my words very carefully. The people who volunteer for Marine Rescue are fundamentally male. They are such decent people. Because of the nature of the work that they are volunteering for, they come from a more practical background. You know, a number of them have been tradesmen or prawn trawler fishermen. They come from the kind of background where dealing with words is not their primary interest. What VMR North Stradbroke is passionate about is keeping the vessels maintained, being effective, training, can we go out—making sure that we can be there whenever we are wanted and however we are wanted in the capacity. They are not people like us sitting in this room, I will be very honest. They are not people who are really happy with lots of paperwork. They are extremely practical, clever, hardworking, decent people who risk their own lives, and they do risk their own lives, to save others. I think there has been a complete shortage of conversation on what VMR actually does.

I will tell you of an incident. A few months ago there was a yacht going from Victoria up to the Barrier Reef. It was hideous weather. It was night and the yacht encountered some very heavy seas off Stradbroke Island. It was under motor. It was a sailing yacht, it was travelling under motor because

of the weather. It rolled—it went under and it came back—and it lost all of its electrics and it was drifting. We got called out to go and assist it—to find it. Now this is a moonless night so we have helicopters out there with searchlights trying to find a vessel. The people who took our vessel *Derangi* through South Passage Bar, Al Chapman, who has been a prawn fisherman for many years, said it was the worst seas he has ever seen in his life—five metre waves. They went out and they searched for the vessel. VMR Bribie came down as well. Eventually the vessel was located in that dark night in very dangerous seas. The two vessels towed the yacht. Because the weather was so rough the two vessels and the yacht had to go up round the north of Moreton Island and back down; they could not come through South Passage Bar, as it was far too dangerous. That was an 11-hour shift; volunteers risking their lives.

It is so important that we understand what this bill is actually about. This bill is about a maritime service that is absolutely essential for people who use boats or live on islands. I have just told you that as an example. It is very easy to look at the words and talk about how the state government is going to improve with more organised training—and we will be very grateful for that because it is very hard as a volunteer organisation to be fully trained. That part of these changes is a good change, but it is vital that we hold the picture in our head of exactly what Marine Rescue does.

ACTING CHAIR: Thank you, Ms Carne. In the same spirit as Dr Robinson, I am also patron of, in my instance, VMR Brisbane at Shorncliffe. I am very aware of the tremendous work that the volunteers do and the great risks at which they put themselves and I want to acknowledge the example that you have given. You have in part answered my question. You are very critical of the arrangements that are being proposed and what your interpretation of them is, but I wanted to clarify that there are improvements that are embedded in what is being sought to be achieved here. You acknowledge that in relation to the training.

Ms Carne: We hope. It has not been delivered, has it? We have not actually seen that training been delivered.

ACTING CHAIR: I also wanted to understand other alternatives, or is your alternative just keeping things as they currently are?

Ms Carne: I think a balance has to be struck between gathering together all of the—

ACTING CHAIR: Greater coordination.

Ms Carne: Yes, and it must be top of head that we do not turn this service into a bureaucracy. That is the danger. I am sounding so critical here. The picture does look very bureaucratic. Wanting to take all of our money troubles me deeply. I will be very honest, this whole project has been drawn out, imprecise. It must have cost a fortune and I could be cynical and say perhaps the government wants to take our funds to offset the cost of what has been a prolonged and expensive transition period.

ACTING CHAIR: That is not a matter that is before us. The matters you are saying do not appear in the bill. It is about creating the structure. I am wanting to understand further that in creating that structure, and you clearly are raising concerns on behalf of volunteers and the effort that has gone into the activities so far, and the clear work that you are very passionate about in relation to the education activities of your particular squadron.

Ms Carne: There has been no word from the state government as to whether this can be continued.

ACTING CHAIR: One of the things that we have heard as a committee during today's public hearing has been around things like a proposal, a suggestion, that there be a volunteer charter that recognises the input and role of volunteers into any decision-making. Is that something that you think could be of assistance in allaying some of the concerns that you have?

Ms Carne: No.

Dr ROBINSON: If I may just jump in quickly. It is not a question, but just an offer. Judith, I am happy to sit down with you and go through perhaps any of the gaps in information where you are still seeking information. I would be happy to have a briefing with you on that and try to support where I can to chase that down.

Ms Carne: Thank you, I am very appreciative.

Dr ROBINSON: I cannot guarantee answers. This is also a little bit of an open-ended process in terms of there will be a day 1 start, not everybody will be on board and they can migrate across in time as they are satisfied. That is my understanding. I do not say that to particularly sway anybody in what they do, but if I can help in that process, Chair, I am happy to do that.

Ms Carne: Yes, I would like to take that offer up, Mark, thank you.

**TAYLOR, Ms Monica, Disaster and Climate Resilience Project Coordinator,
Community Legal Centres Queensland**

ACTING CHAIR: Welcome. Would you like to make an opening statement of five minutes after which committee members may wish to ask you questions.

Ms Taylor: That would be great, thank you. Good morning to all committee members and thank you so much for the invitation to come and present this morning. I want to begin by acknowledging the traditional owners on whose land we meet and I want to pay my respects to elders past and present. In our work in climate and disaster, justice and resilience, Community Legal Centres Queensland wants to recognise that First Nations peoples contribute the least to climate change but are bearing the full brunt disproportionately of its impacts and we understand that climate change is also a legacy of colonisation and that centring First Nations wisdom is going to strengthen our collective resilience to disasters and extreme weather events.

Disasters bring turmoil to communities right throughout Queensland, but their impact is not evenly distributed. Not only do they destroy infrastructure and property; they can also trigger and heighten social problems such as family violence, mental health issues and financial problems; and from our sector's experience, they can create and exacerbate legal problems that people have. It is in that context that I want to make three points in relation to this reform package and these are the three points that are in our written submission.

The first is that we think this piece of reform is actually a really timely opportunity to correct another gap that exists in Queensland laws in relation to civilian rescues in the context of disasters. When people who are not authorised volunteers through official channels hop in their kayak or tinny and immediately go and rescue their neighbours and their community members, under existing law they currently are at risk of civil liability. We recognise the work done by HopgoodGanim Lawyers—and they have also submitted to this inquiry—to show that loophole exists but also how it can be easily corrected with a reform to insert a good Samaritan protection provision into civil liability legislation. Given that the Civil Liability Act is going to be amended through this reform package, we think this is a golden opportunity for government to make that additional amendment and correct the existing loophole. It would bring Queensland into line with other jurisdictions—other states and territories—it would eliminate confusion about whether or not liability attaches to civilian rescuers; and it would ensure that the heroism, the bravery of everyday people who undertake those rescues when SES is not available or cannot get there quickly enough, do that without legal risk.

Our second point goes to the dollar value of this reform package. It is significant; it is half a billion dollars over five years. The costings for stage 1, as outlined in the explanatory notes, relatively underinvest in resilience and recovery efforts. We know from research—it is really clear—that investment in social capital, in community infrastructure, in the softer emphasis of the full scale of disasters really yields a major return on investment. We would like to see more investment in particular for community and social service organisations that really do that long work of holding communities together long after the fire front has passed and long after the floodwaters have receded.

Our final point goes to the delivery of expanded powers to Queensland Police Service, who are taking the lead role now through this reform for lead agency status in disaster management. Police are generally regarded in the community as a law enforcement agency. Through our work anecdotally we know there is a lot of confusion about this reform that is coming down the line, and I think the previous witness spoke to that eloquently. We understand through our members that in some of the communities and organisations there is a level of historic distrust towards police. We know that through some of the services that we deliver and the people that our sector assist. I want to make clear that Community Legal Centres Queensland do not oppose the reform, but we think there is a real need for transparency and accountability, and inserting a statutory requirement for an independent review of QPS's lead role in disaster management would be one way to deliver on that accountability piece. We also think that, especially in light of what we have just heard, a really broad communications piece around this reform is needed. I think there is definitely still a lot of confusion in the general community about what this reform is going to mean and whose insignia means what. In the era of shared responsibility we need to be less vague about who is doing what.

Those are my three points and I am really happy to answer questions.

Mr BENNETT: I take it you are not the author of the submission—and my comments are not meant to be argumentative either, but I find your third point difficult to grasp. Police already have significant roles to play in disaster recovery and using an inquiry into domestic violence to somehow say there is mistrust in police by some communities—generally I would argue that people out there would have more trust in the police now taking on these roles because they do so anyway by default

through state disaster declarations. Some of your members might have a problem with police and I am sure those communities have suffered from disasters at some point. How would they suggest a state would respond if we do not allow police to do their work?

Ms Taylor: I think we can have a nuanced position here where we do absolutely recognise and value the role of police in all sorts of policing work operationally. It is an optical shift to place police at the centre of disaster management when traditionally that has not been the perception in community. It is Queensland Fire and Emergency Services that has been that lead agency under which sits the SES and so forth. We want to make the point just to put it on the public record because I do not think there has been a lot of understanding and broad civil society consultation in this reform process. It started prior to 2021 but there has been limited opportunity for consultation and input. That is why we wanted to make the point through the inquiry process.

Mr BENNETT: Your 101 presentation you do with your lawyers and communities clearly highlights the responsibilities that police have been given in various acts. It is a good document in some form in terms of showing how complex the role that police play is, so thank you for that.

Ms Taylor: Thank you. Part of the work we have been doing is trying to educate our own sector about the work that is done and bringing those sectors together so there is less of a siloed approach.

Ms LUI: Going back to the recent disaster that we faced in Far North Queensland, you made mention of good Samaritans coming out wanting to help. I have certainly seen a lot of that play out in the recent disasters. Could you elaborate a bit further on what this good Samaritan protection might look like and how we can enhance what is currently happening when there are disasters? I do not think we will be able to stop people going out, but how do we put mechanisms in place to better support good Samaritans?

Ms Taylor: There were so many stories that came out of Far North Queensland flooding after Tropical Cyclone Jasper: the stories of Gavin and Magoo, people tying their kayak to their own body to go and rescue people and the really compelling story about the mamma with her seven-day-old baby who was rescued in that situation. What will it look like? People will undertake these rescues—I think it is a very human instinct to do that knowing that the danger is imminent—and do it at risk to their own safety. In the event that something goes wrong and somebody is harmed, the person undertaking the rescue is exposed to liability. It might be unlikely that they would be sued, but they have no protection legally in undertaking those acts of bravery. The narrative in public debate is really about protecting our heroes and championing our heroes and that brings out the best of Queensland mateship and so forth, and yet those people are exposed to legal risk.

In terms of the way it would work, HopgoodGanim's legal analysis proposes two options for law reform to insert a good Samaritan protection into the Civil Liability Act. I think every other state and territory in Australia has a similar provision. If somebody in good faith and without reckless disregard undertakes a rescue, they will be protected from liability—that is roughly the wording. They also propose another slightly different amendment to the Queensland Fire and Emergency Services legislation. That is how I think it would work in practice.

Mr BERKMAN: I am not sure if you have seen the QPS response to submissions. Aside from the good Samaritan concerns which were effectively just bundled up as a question of policy for the government to deal with, their response essentially points to the existing role of the Inspector-General Emergency Management around the ongoing review of disaster management activities. Not to verbal QPS, but they essentially say that they think those concerns are dealt with. Do you have any response to that submission? Is that something you would like to address at all?

Ms Taylor: Law reform is a matter of policy. I am saying this is an opportunity right now because these pieces of legislation are being reviewed. With respect to the good Samaritan recommendation that we are making and others are making, now is the time to do that work. In relation to the Inspector-General Emergency Management, they may be the appropriate independent entity to conduct a statutory review, but a statutory review will not happen unless it is in the legislation. We are suggesting that there be a legal requirement to review the conduct of QPS further down the track. That happens in other pieces of law where a new piece of law is enacted. However, for a check and balance purpose we want to make sure we are tracking right so we will have a statutory review at the two-year mark or four-year mark. It needs to be activated; it cannot just be assumed that because IGEM exists, an independent review is going to happen.

ACTING CHAIR: The submission provides that point you re-emphasised in your opening statement around the economic benefits of investing in prevention, preparedness and resilience, and emergency responses. I want to get some more feedback from you about how important it is for that to be community led and emphasise that point.

Ms Taylor: I would want to call out the work of Neighbourhood Centres Queensland in this space. They have done a brilliant piece of work—a strategy with government to really raise the profile of neighbourhood centres at all stages of the disaster cycle. They are there before disasters strike. They are there in that long tail of recovery. They do so much work that is more than just emergency relief. Procedurally, having community organisations and community-led voices at the table when disasters hit means that community is going to be heard in terms of what they want in the recovery process. That really helps people heal and build resilience. If they feel that their voice and their community's needs are accounted for, listened to, supported and resourced, then we are going to be able to build more resilience in the long term.

ACTING CHAIR: Thank you very much. I can concur with that firsthand with the role that SANDBAG, the Sandgate and Bracken Ridge community centre, has played in the two years on from the impacts of the floods that happened in February-March 2022.

Ms Taylor: Generally speaking, disaster is still very much a reactive space. Community centres, even if they are under-resourced, are of their communities and will go over and above for them and will do that work outside of hours. I think sustainable funding needs to be a part of this conversation as well, which was the point that I was alluding to in the second point.

ACTING CHAIR: Thank you for the centre's submission and thank you for your presentation today. I call our next witness.

**COWIE, Mr Edward, State President, Queensland State Emergency Service Volunteer
Association Inc.**

ACTING CHAIR: I welcome Mr Edward Cowie, State President of the Queensland State Emergency Service Volunteer Association Inc. Good morning. I invite you to make an opening statement of five minutes, after which the committee may have some questions.

Mr Cowie: Good morning, committee. Initially I would like to acknowledge the traditional owners of the land of which we meet today and pay my respects to their elders past and present and acknowledge all Aboriginal and Torres Strait Islander peoples of the lands and waters on which we live. I acknowledge the significant roles that First Nations peoples have provided in the support and resilience of Queensland, in particular in our more remote and regional lands and waters.

My name is Edward Cowie ESM and I am currently the president of the Queensland State Emergency Service Volunteer Association. This role is informed from 38 years of engagement in emergency services, much of it in a professional paid capacity and also as a volunteer. The VA represents a broad collective of unpaid professionals, our emergency services volunteers. I thank the committee for the opportunity to speak on the Emergency Services Reform Amendment Bill and the State Emergency Service Bill. At this time I do not have any authority to talk on behalf of the marine safety bill, but there might be some general things that you have.

The recent decision by the Queensland state government to reform a large part of the emergency management sector and emergency services and fire sectors has created a tremendous opportunity for many government entities and non-government agencies to reform for the common objective, and that is for community safety in Queensland. What underpins the successful reform of these agencies and organisations is strong and sustainable legislation supported by regulations that assist in the smooth transition of SES and VMR under the auspices of the Queensland Police Service. The VA is informed by many years of support and advocacy of volunteers and, in many instances, the ineffective application of regulation and legislation by non-volunteer staff of SES and QFES. The VA must look back to inform our responses. However, we are delighted to look forward for our collective futures.

Overall, the VA has been excited to be involved in the empowerment offered by the Reform Implementation Taskforce, known as the RIT. The leadership and guidance through this process has been, in our opinion, exemplary. As such, there are a few issues that we need to raise here today. The VA does note that the state rescue policy remains with the QPS and we believe this is the only place it should be, regardless of any agitation from other agencies. The VA has much anecdotal evidence that emergency service units, while good in concept, have created a quagmire for volunteers as they are trying to serve multiple agencies while wearing a singular uniform. Members have described a utopic view that they have one 'owner' and one set of policy and procedures or return to turning out in the uniform required for the task of the day. I can speak on a personal level at the issues arising where conflict had developed and this bill tries to clear the issue where effectively paid SES local controllers are subject to the Public Sector Act 2022 or the Local Government Act 2009 where I am unsure who or what takes precedence, in particular in matters of governance or performance. I welcome questions in relation to that matter. Given that approximately 96 per cent of members of the SES workforce are volunteers, the Queensland State Emergency Service Volunteer Association has advocated for a volunteer-led operational response and recovery since its inception. We advocate for volunteers leading volunteers and engagement within our communities by volunteers with the support—not direction—from the non-volunteer cohort of the QSES.

This also is a reminder that the connection with the local government entities are vital to the community safety of Queenslanders. This is vital and needs close attention and engagement. Recently the VA was asked to comment on the Disaster Management and Other Legislation Amendment Bill, and in particular we have concerns on the proposed amendments to the Fire and Emergency Services Act 1990. Of concern is that there is a proposal that leaders of the Queensland fire department and Rural Fire Service would be quarantined to persons with particular professional work history, effectively removing any persons with suitable leadership qualities who may be needed at the time for each of these services. In particular, a person with significant leadership abilities demonstrated by work history would not qualify for appointment as the fire or rural fire commissioner.

Historically, the Queensland ambulance saw a commissioner with a QPS history be commissioner for a period of time and QFES saw a commissioner with QPS history. Such stipulations would exclude Rural Fire Service volunteers, perhaps with a military history, not being able to lead the Rural Fire Service. Should these aspects of legislation be able to remain in place, the VA is concerned that this may exclude people from leadership roles needed for a particular time in an

organisation's development to be excluded for no apparent reason other than the form of some protectionism. The Queensland SES Volunteer Association commends the bills and looks forward to the bright future offered to SES volunteers of Queensland and the continued improvement in community safety.

ACTING CHAIR: Thank you, Mr Cowie.

Mr BENNETT: Good morning. Thanks for making an effort to come along. It is always good to hear from our SES. With regard to the representation of your members, we have heard processes about how natural justice can apply and of course the QPS being now more embedded in the process. As an association, do you have a fairly robust system of support for members who may be confronting disciplinary or some other difficulties in their membership and service?

Mr Cowie: Yes, we absolutely do and the volunteers association takes very seriously any form of approaches to volunteers where disciplinary processes might be on the agenda. Certainly the process from a volunteer perspective is that if a volunteer does require support we will certainly offer that and ultimately provide whatever services we can to ensure that natural justice does appear for those people.

Mr BENNETT: In terms of the legislation from your reading and interpretation, do you have concerns at the inference that a QPS officer can discipline or dismiss SES volunteers?

Mr Cowie: Essentially that process can already occur under the QFES structure. It is not so much whether or not that should or should not occur; we actually believe that absolutely there should be a process in place as long as there is appropriate governance in and around those processes. We absolutely know that there needs to be some type of structure in place. Our concerns more so are in relation to the confusion under parts of the act in relation to what determines the employment of an SES volunteer compared to an SES volunteer in local government. The confusion around that is that in our interpretation of the act it appears that the entity—whether it be the Queensland State Emergency Service or in turn the Queensland police and emergency services—has, we believe in our interpretation, the opportunity to go to a local government if a local government employee, say, somebody in the role of an SES role under local government, and suspend that person even though they are a paid employee of the local government. Our concern is that there could be some confusion in relation to that and ultimately who actually does own those positions.

Mr BENNETT: Can I just—

ACTING CHAIR: We are probably going to seek the same clarification. Just clarifying, but is your concern around how the current act operates as well?

Mr Cowie: No, not the current one.

ACTING CHAIR: No? It is in the bill?

Mr Cowie: Yes.

ACTING CHAIR: Sorry. I just wanted to get that clarity.

Mr Cowie: We are certainly aware that it does not matter whether you are a paid employee of the state government, whether you are a paid employee of local government or whether you are a volunteer. We understand that you are employed by the soon-to-be Queensland State Emergency Service as part of Queensland police and emergency services I assume. We understand that, but the concern is about the reach in from the state into local government. That is of concern and ultimately that is based upon some previous examples where an attempt was made to suspend a person by the state into local government in the past. There was a local controller in a local government area who was suspended and ultimately after a nine-week investigation it was found that there were no grounds at all for the suspension and local government ultimately had to pay that person not only their wage but consideration of an apology where the decision was made by the state. We are concerned that we need to ensure that there is some clarity around that.

Mr BENNETT: Through your stakeholder negotiation through this process, is there any reference to what you have heard previously about your assets and your fundraising in that you may need to quarantine them, or are you hearing anything different?

Mr Cowie: Yes. We are aware of that. If I can put another hat on, if I may, I am ex Queensland Ambulance Service of many years and I will go back to the QATB days.

ACTING CHAIR: Committees.

Mr Cowie: Yes, QATB days and the committees.

Mr BENNETT: Chook raffles.

Mr Cowie: Yes, the chook raffles. I was there. What we saw was the need for change and the uncertainty of what that would mean. There were many people who were concerned and a lot of public money had been raised for those individual entities, but what I think we know historically now as time has gone by is that it has now created a massive opportunity of sustainability for each ambulance service—

ACTING CHAIR: So a much better system?

Mr Cowie: In hearing what I have heard—and I am aware and I have had a number of discussions with some of our colleagues within VMR where again I do not want to talk on behalf of the act—I would say that with the right type of structure in place and a reassurance of what the future may look like based upon potentially what happened with the Queensland Ambulance Service post QATB it may show that there is actually a very good process to come out.

ACTING CHAIR: Are there any other questions? Mr Berkman?

Mr BERKMAN: I do not know that I have a question, but now would be the appropriate time to just express—and I am sure on behalf of the whole committee—our sincere thanks to all of those SES volunteers and yourself for the tireless work across the entire state.

Mr SKELTON: Hear, hear!

Mr Cowie: And we will continue.

ACTING CHAIR: I was going to conclude with saying something quite similar, so thank you, Mr Berkman, for helping me.

Mr BENNETT: As a sidenote, do SES volunteers get for their awards a dress uniform and a clean pair of boots to wear? Obviously they are doing all of this work and getting scuffed and dirty. Do they qualify for a jacket in winter and a dress uniform?

Mr Cowie: It does depend. I have been an SES volunteer for 38 years. For over half of that time I have been a volunteer executive and in turn we get an executive uniform, but they are only the people at the higher echelon of leadership. The short answer is for the average SES volunteer on the ground, no, they do not. What is concerning is that you can have an SES member who one day can be out in floodwaters up to their armpits in mud who then has to try to get that uniform clean for an Australia Day ceremony or an Anzac Day march.

Mr BENNETT: Yes, shaking hands.

Mr Cowie: SES volunteers are issued with two sets of uniforms traditionally. Certainly it is a good question. It is one where I hope the budget may rectify that in the future.

ACTING CHAIR: And the nature of their work means that they might be using both in the one day.

Mr Cowie: Absolutely. A typical deployment for SES is anywhere from three to five days away, and the last thing you want to be doing coming home after a 15-hour shift is to wash your uniforms.

Mr BENNETT: Thanks for that clarity.

ACTING CHAIR: I thank you for your evidence today. That concludes this hearing. I want to thank all who have participated and thank our Hansard reporters. A transcript of these proceedings will be available on the committee's webpage in due course. I now declare this public hearing closed.

The committee adjourned at 11.58 am.