




Speech By
Jarrold Bleijie

MEMBER FOR KAWANA

Record of Proceedings, 2 December 2015

FIRE AND EMERGENCY SERVICES (SMOKE ALARMS) AMENDMENT BILL

Introduction

 **Mr BLEIJIE** (Kawana—LNP) (4.03 pm): I present a bill for an act to amend the Fire and Emergency Services Act 1990 for particular purpose. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

Tabled paper: Fire and Emergency Services (Smoke Alarms) Amendment Bill 2015 [[1798](#)].

Tabled paper: Fire and Emergency Services (Smoke Alarms) Amendment Bill 2015, explanatory notes [[1799](#)].

A domestic house fire occurs in Queensland every 4.7 hours. It is a well-established fact that smoke alarms in Queensland and around Australia save lives. Tragically, just before midnight on 23 August 2011, a fire started on the ground floor of a house located in Slacks Creek. The first of 23 triple 0-emergency calls were made at approximately 12.04 am and the first responder crew arrived at the scene some seven minutes later. By that time, police were already in attendance and the house was fully engulfed in fire. This fire caused the greatest loss of life in a domestic house fire in Australian history. Eleven people lost their lives, including eight children. The findings of the coronial inquest into the house fire were delivered on 28 November 2014. In the case of the Slacks Creek house fire, the Coroner found that smoke alarms were either not present in the dwelling or were not maintained. He also found that had the smoke alarms been working there was a reasonable prospect that some or all of the victims could have escaped and survived. Based on the recommendations of the Queensland Fire and Emergency Services and other testimony before the coronial inquest, the final recommendations of the Coroner were that photoelectric smoke alarms should be the only type of smoke alarm that is the approved smoke alarm for the purposes of residential homes. This bill achieves that goal.

The Coroner's report noted that Chief Superintendent Neil Reid of the Queensland Fire and Emergency Services outlined the difference between ionisation and photoelectric smoke alarms and explained why it is the view of QFES that photoelectric smoke alarms are far superior. Photoelectric smoke alarms are already compulsory in commercial premises in Queensland and the alarm responds more quickly to a broader range of fires and is less likely to cause false alarms. The bill that we are introducing today provides the staged transition to photoelectric smoke alarms for domestic dwellings in Queensland as was recommended by the Coroner. The commencement date is set at 1 July 2016. Within one year of that date, tenants and landlords need to comply with the new arrangements as set out in this bill. Those who comply with the existing arrangements that are in the current act will have three years from the commencement date to comply with the new requirements. If after the commencement a smoke alarm installed in a domestic dwelling does not operate when tested or was manufactured more than 10 years before the commencement, the owner of that dwelling must immediately replace the smoke alarm with one that complies with the requirements in this bill. It is vital at the very least that we increase the awareness for smoke alarms—working smoke alarms—in Queensland homes.

On Boxing Day 2011 a house fire in Tewantin on the Sunshine Coast changed the life of Matt Golinski forever when he tragically lost his wife and three children. The coronial investigation into their deaths was released very recently on 23 November 2015 and the recommendations of that inquest were linked with that of the Slacks Creek house fire that I referred to earlier. Based on investigations as part of that report, it was concluded that the alarms in the Golinski house were most likely the ionisation type, nine-volt battery operated stand-alone smoke alarms. Neither Mr Golinski nor any of the neighbours could remember hearing the sound of an audible smoke alarm on the night of the tragic fire. It also notes that the peak body for public sector fire, land management and emergency organisations in Australia and New Zealand, the Australasian Fire and Emergency Service Authorities Council, made it clear that it advocated that all residential accommodation should be fitted with photoelectric smoke alarms instead of ionised smoke alarms. The Coroner also noted that the Queensland government has not yet responded to the Slacks Creek coronial investigation that was published in November 2014.

While I note the Senate Legal and Constitutional Affairs References Committee is currently conducting an inquiry into the use of smoke alarms to prevent fires and fire related deaths and is due to report on 16 March 2016, the LNP believes that there is currently enough evidence for the Queensland government to take action now. Photoelectric smoke alarms are already mandated for use in commercial premises in Queensland. The Queensland Fire and Emergency Services on its website recommends—

The QFES recommendation exceeds the minimum legislative requirements but does provide better safety.

- All residential accommodation be fitted with photoelectric type smoke alarms.
- Smoke alarms either hard-wired or powered by a 10-year lithium battery.
- Smoke alarms located—
 - on each level of living space;
 - outside each bedroom; and
 - in every bedroom
- All smoke alarms should be interconnected.
- Every home should have a practised escape plan.

If it is good enough for commercial premises, it should be good enough for residential premises as well. While the bill does not mandate interconnectivity between the alarms, I note the QFES recommends that this should be considered by home owners as an additional option that could enhance the protection of their home.

I support the advice and believe that the first priority is getting all homes protected by photoelectric alarms. A process of further encouraging interconnectivity between alarms may be something worth considering in future years. In that context, since 2014, interconnectivity for new homes in Queensland is already mandated. So with this issue we are effectively dealing with existing properties rather than new properties.

As it is a matter of the safety of our loved ones, I think we can go one better than recommending it: we can legislate the requirement for photoelectric smoke alarms in Queensland. The bill does not stipulate that smoke alarms should be mandated in every bedroom. However, we understand that this is an issue that has also been raised by submitters to the Senate inquiry and would be happy for the parliamentary committee considering this bill to review that matter as part of its further consideration.

Although this current government in Queensland has done nothing and this Minister for Fire and Emergency Services has sat on her hands and has sat on these coronial recommendations for 12 months now and has been completely missing in action on this issue, we will act. Like we did in government, our priority is all about community safety first.

In terms of the commentary about the photoelectric smoke alarms, I think it is important to point out the difference between the various types of alarms in the state of Queensland. For the benefit of members, I have them with me. There are ionised smoke alarms in Queensland. If Queensland citizens looked at their smoke alarms, they would generally be hardwired but they would also have a nine-volt battery. They have a radiation symbol on them. If a Queenslanders goes home tonight and has a look at their smoke alarm in the hallway of their bedroom, if they take off the cover, generally it should be hardwired and they will see that it has a nine-volt battery for extra protection if the electricity is cut. It will also have a radiation symbol. That means that it is an ionised smoke alarm. If the smoke alarm does not have a radiation symbol on it, which is the little black and yellow symbol, it will be a photoelectric smoke alarm. As I said, at the moment all the evidence is suggesting that photoelectric smoke alarms are the best in the business. If a smoke alarm has one of these little batteries, that is a nine-volt battery.

Mr Nicholls: Put it on your tongue.

Mr BLEIJIE: I will not put it on my tongue. For the benefit of the House, I should disclose that I do not have a contract with Duracell batteries. I am achieving no beneficial interest in Duracell batteries or Quell smoke alarms. That nine-volt battery will last one or two years. Unfortunately, people rely on the hardwiring of the alarms in their house. But, in a house fire, that can go first. If these batteries die, then the house is not protected. The photoelectric alarms that are on the market these days, both hardwired and interconnected by wireless activation, have a 10-year lithium battery.

This bill offers the best protection for Queensland citizens by offering smoke alarms like these. There is no need to replace the battery. The battery lasts for 10 years. It is tamper proof, it is sealed and it is a 10-year lithium battery, which is better than a nine-volt battery, which will die after a couple of years. So our bill—

Mr Pyne interjected.

Mr BLEIJIE: The member asked a question about cost. There is a discernible difference between the cost of an ionised smoke alarm and a photoelectric smoke alarm. That is why we have given a transitional period of over three years for all smoke alarms to be changed from ionised smoke alarms to the photoelectric smoke alarms. The evidence shows that the photoelectric smoke alarms offer the best protection in the majority of house fires at a smouldering level.

I refer to an ABC news article dated Monday, 26 October 2015 about Keith Golinski, the father of Matt Golinski, who lost his wife and three children in a house fire. That article states—

A Queensland man whose three granddaughters and daughter-in-law died in a house fire has backed calls for photoelectric alarms to be made mandatory, saying ionisation alarms are not as effective.

...

He has backed calls for photoelectric alarms to be made mandatory, saying that ionisation alarms were not as effective.

I refer to the recommendations arising out of the coronial inquest, which was handed down by the Coroner, Terry Ryan, with respect to the Golinski family. On behalf of the House, I pay tribute to Matt Golinski. No-one should ever have to face his situation—a man who loses his wife and three daughters in a tragic house fire. But I pay tribute to Matt's father who, since that tragic incident, has been campaigning to have smoke alarms changed in Queensland. The Coroner's recommendations into the Golinski case were tabled very recently—on 23 November 2015. I think it is important to note a couple of things from the report of the State Coroner, Terry Ryan. He stated at item 27—

The smoke alarms failed to perform their role in warning the occupants of the house that the fire had commenced. The house was engulfed by fire by the time the occupants were awake and able to understand what was going on, resulting in Rachael and her daughters not being able to escape from the burning structure.

At item 28 he stated—

Police concluded that if the smoke alarms had been functioning effectively, the fire, and consequently the deaths, could have been prevented. I agree with that conclusion.

Terry Ryan also states in that report—

Throughout the course of my investigation, I have received and had regard to information provided to me by the World Fire Safety Foundation.

Terry Ryan is aware that representatives of the foundation liaised with Detective Senior Constable Hutton throughout the course of this investigation. He states further—

The Foundation, among many other organisations, holds concerns about the continued use and the apparent failings of ionisation type smoke alarms. Ionisation alarms have been demonstrated to be less effective in detecting smouldering type fires. Photoelectric alarms respond more rapidly to a broader range of fires and are less likely to cause false alarms.

The Coroner says at item 44—

On 17 November 2014, Coroner McDougall handed down his findings in relation to the Slacks Creek House Fire which occurred in August 2011.

He states further—

... Coroner McDougall made a number of comments and recommendations in this regard.

One of those recommendations was the implementation of a change to photoelectric alarms. The report states further—

If installed in an existing domestic dwelling in addition to, or replacing existing smoke alarms, a 240 volt hard wired smoke alarm where access is available to the ceiling space or, otherwise, a 10 year lithium battery smoke alarm which is interconnected wirelessly, to all other required smoke alarms ...

So it is clear that, unfortunately, the recommendations from the first coronial investigation into the Slacks Creek house fire have sat on the desk of the Minister for Fire and Emergency Services for 12 months now without any action by the state Labor government.

I commend the members of the Logan House Fire Support Network, who have met me on a number of occasions and who have met with the opposition leader. In the short period after we met them, we have acted. We have acted because we are putting community safety, the safety of kids, first in this state. Just like we did with the rural fireys with presumptive legislation, we acted first and then the government was forced to respond. We are doing that again with this legislation.

With respect to this bill, I believe that the government should implement an education and awareness campaign in terms of photoelectric smoke alarms.

Mrs Miller: There is.

Mr BLEIJIE: The minister can interject and say, 'There already is a campaign.'

Mrs Miller: There is.

Mr BLEIJIE: I take the interjection again. If that is the best that the minister can do in response to many Queenslanders dying in the last 12 months while this report has sat on the minister's desk, then it shows the type of minister that we have in the state. She is satisfied that a TV ad, a radio ad is sufficient. We on this side of the House do not believe that that is sufficient. That is why we have the foresight in taking the action in introducing this bill. On that note, I commend the bill to the House.

First Reading

Mr BLEIJIE (Kawana—LNP) (4.17 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Legal Affairs and Community Safety Committee

Mr DEPUTY SPEAKER (Mr Furner): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

Portfolio Committee, Reporting Date

Mr BLEIJIE (Kawana—LNP) (4.17 pm), by leave, without notice: I move—

That under the provisions of standing order 136 the Legal Affairs and Community Safety Committee report to the House on the Fire and Emergency Services (Smoke Alarms) Amendment Bill by 4 March 2016.