




Speech By
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MEMBER FOR MIRANI

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EMERGENCY SERVICES REFORM AMENDMENT BILL; STATE EMERGENCY SERVICE BILL; MARINE RESCUE QUEENSLAND BILL; DISASTER MANAGEMENT AND OTHER LEGISLATION AMENDMENT BILL

Second Reading (Cognate Debate)

 **Mr ANDREW** (Mirani—PHON) (11.22 am): I rise to contribute to the cognate debate on the Emergency Services Reform Amendment Bill, the Marine Rescue Queensland Bill, the State Emergency Service Bill and the Disaster Management and Other Legislation Amendment Bill. With all respect to the member for Redlands, there was an issue with consultation. I refer to my question on notice yesterday concerning the Clairview Fire Brigade. It expressed a lot of concern to me and the entire brigade is looking to resign in the near future. It leaves a huge hole in their catchment. They are not the only ones.

We have about 54 volunteers in the very large area of my electorate. They want to work with the government fairly and respectfully. They do not feel that that is happening at the moment. In fact, one person said to me—and this is not politics—‘I am not voting Labor again because of this.’ They were his words. It was nothing to do with me. It is sad that we have to get to this point and that we do not do the right thing in terms of consultation. They go out there and risk their lives. I have seen them. During the big fires in my electorate in 2018, I was driving around with these people who were risking their lives. They were not at home for days and days and had no sleep. We cannot underestimate the power of resentment. The volunteers are worth more than anything. They are there because they are passionate. They are there because they look after their communities. They are community-based people who know the terrain and work in that area. That is why they save the infrastructure, the native animals, their livestock and their neighbours. It is very important because over 90 per cent of Queensland relies on these people.

The four bills represent stage 1 of the Miles government’s radical overhaul of Queensland’s emergency services and its fire and disaster management arrangements. I thank the minister for the meeting yesterday and reaching out to these people because we cannot lose any of them. It is so important. The overhaul reflects a growing trend in Queensland towards the greater centralisation of power and control in the state government and away from the decentralised groups with their own independent, community-based, decision-making processes.

Queensland has a long history of natural disasters ranging from cyclones and storms to mass flooding and raging bushfires. Don’t we know it! It has always been this way. Given the state’s greatly decentralised population, Queenslanders know that when disaster strikes the help they need will most likely come from a friend, a neighbour or their local volunteer groups. Trev Pullen, Dave Soper, Andy Hooley and all the boys out there work together to make it right for people in my electorate. This is why it was concerning to read in the HopgoodGanim Lawyers submission that there are significant gaps in

legal protections for good Samaritan volunteers responding to disasters in Queensland. These 'spontaneous volunteers' are often first on the scene in an emergency and motivated by a strong desire to help others in their time of need. These volunteers save lives. It is important that they are recognised.

During Cyclone Jasper we saw good Samaritans undertaking rescues in boats, kayaks and helicopters and volunteering for the Cairns mud army. The Cairns mud army volunteers rescued 100 people near Holloway's Beach, including a mother and her seven-day-old baby. As the Prime Minister said—

These are the stories of which every Australian can be proud of, where the very essence of the Australian character shines through.

This is why I urge the government to make the recommended changes in the Civil Liberty Regulation 2014 to include good Samaritan protections in the legislation, consistent with other state and territory jurisdictions.

Our local emergency service volunteers do more than a sterling job when it comes to advancing the specific needs of their communities and ensuring local knowledge is front and centre of any local disaster management response. All four bills express support for these organisations but reveal the disturbing desire for increased management and top-down control of the services and their membership. Under the ESRA Bill, a number of consequential amendments are included to align the State Emergency Service and Marine Rescue Queensland under the Queensland Police Service. The Queensland Police Commissioner has no accountability to volunteers over whom the commissioner will hold authoritarian control.

The bill's provisions even give the commissioner the power to suspend a volunteer. As Volunteering Queensland's submission points out, 'Part of volunteer recognition is ensuring a positive day-to-day volunteer experience', because they are not paid. They are there because they are passionate about what they do. The submission stated—

This includes ensuring volunteers' rights are respected and that the voluntary work, though given freely, is appropriately valued by the state.

That cannot be understated. In this respect, the bills do not sufficiently protect volunteers' rights. There is no reference to how a volunteer would be able to defend themselves or what process would be followed to ensure a fair and reasonable outcome for the volunteer. Suspensions—and the issues behind them—can have a significant impact on the morale of volunteers as well as the organisation and the community to which they belong. The people in those communities trust them, live with them and understand that they have been doing it for years—generations.

I wish to comment on the Marine Rescue Queensland Bill. Clause 23 grants marine rescue volunteers with the power to forcibly enter a place without a warrant or the consent of the owner or occupier of the place. As one submitter commented—

Why the emphasis on 'place', which is defined as premises, vacant land, vehicle, a place in Queensland waters, a place held under two titles et cetera?

MRQ is a water-based organisation. Its representatives should not need to enter a premise, a vehicle or any other property on land. The clause should refer just to the word 'vessel' and delete under the power of entry clause all other references to 'premises', 'buildings', 'vacant land', 'vehicles', 'aircraft' and 'helicopters'.

MRQ members should not be engaging in law enforcement which, as numerous submitters noted, is a conflict of interest for a rescue service. One marine rescue volunteer's submission said—

A marine rescue service should be able to freely rescue people and vessels without any law enforcement obligations. Whether a person is a law abiding citizen or Black Beard the Pirate, they or their vessel should be able to be rescued with no questions asked. This greatly reduces the risk of marine rescue personnel being assaulted by someone who needs to be rescued.

People may also be reluctant to call for rescue services for fear they may be accused of wrongdoing and charged with something. This is what they are saying: quasi-law enforcement structures are inappropriate for a rescue service. All such provisions should be removed from the bill.

Finally, I would like to express my concerns with the disaster management bill, which has provoked so much outrage in my electorate and in other electorates across the state. As mentioned in the House yesterday, at least one Rural Fire Service in my area has said they will consider resigning if this bill is enacted. This is a very sad indictment of the pressure we are going to put on these people.

The bill clearly does not have the support of its most important stakeholders—the Queensland Rural Fire Service—or the local communities they serve. It goes against every principle of good governance, in my book, for the government to be strong-arming this controversial legislation through

in the face of widespread disagreement, even anger, over the bill's changes—changes that will have a substantial impact on RFS management, funding and operational independence. They are concerned. They do not understand what is coming and how it is going to be delivered.

Consultation was minimal. Not only has the bill utterly failed in obtaining broad stakeholder support; its consultation process was rushed, with the RFS given just seven days to respond to the exposure draft it was presented with by the department. The brigades have asked that the bill be withdrawn to allow for full and frank consultation to occur with the RFBAQ and their communities on the establishment of a standalone rural fire authority. I support this request and share the brigades' concerns with the way the bill has been introduced.

There has been no structured consultation with brigades and brigade members on the contents of this bill and its implications for volunteer rural firefighters in this state. They are very concerned about the statutory requirements when this bill goes through and the push from the government on all different aspects, even the blue card.

The RFBAQ was provided with access to the bill and given seven days to review it and give feedback. The brigades' membership only had access to the bill once it was tabled in parliament last month. They did not have any say on it. I am concerned. We need to do more as far as reaching out to people is concerned, especially the rural fire brigades. They keep this state safe. They have our backs. We should have theirs. This is a very important part of what I do in my electorate. My electorate is huge—over 70,000 square kilometres—and there are areas that only the rural fire brigade keeps safe, locks down and makes sure that everyone is safe.