

**FIREFIGHTERS AND EMERGENCY VOLUNTEERS
LEGISLATION AMENDMENT (COMPENSATION) BILL 2016**

Second Reading

Resumed from 11 May.

MS M.M. QUIRK (Girrawheen) [12.14 pm]: The opposition will be supporting the Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Bill 2016. It is about the health and wellbeing of firies. I can use the word “firies” with some endorsement now from *The Australian National Dictionary* because I understand the term has at last been included in the dictionary.

Mrs M.H. Roberts: Into the lexicon.

Ms M.M. QUIRK: Yes. The word “firies” is used by the Australian populace as connoting both affection and respect for what is a noble profession, be they career or volunteer firefighters.

As many members in this chamber are aware, in February 2012 Labor introduced a private member’s bill enshrining a presumption that if career firefighters contracted certain forms of cancer after having served a specified period, that disease was incurred in the course of employment. This was intended to be the first tranche, with provisions made for volunteers at a later time. For reasons best known to it, the government did not support the bill. In October 2012, then minister Buswell announced in a press release that the government —

would amend legislation to ensure a career or volunteer firefighter who developed a prescribed cancer—one of 12 cancers as scheduled in the Commonwealth legislation—would have greatly simplified workers’ compensation considerations.

The press release also noted —

“It has been established that firefighters are at an increased risk of developing certain cancers through exposure to carcinogens while performing lifesaving roles for the community,” ...

“This legislation will provide cover for career and volunteer firefighters who predominantly undertake structural firefighting duties, and retrospectively take into account their past years of service.”

Closer reading of this commitment made it clear that the commitment to volunteers was limited to frequent exposure to structural fires. Minister Buswell, I believe cynically, went to the election knowing that thousands of bushfire volunteers were under the mistaken impression that the promised legislation would routinely include them. Following the 2013 election, the government introduced such a bill but it covered career firefighters only. It did not even include other employed firefighters, such as those employed by the Department of Parks and Wildlife or the Forest Products Commission, nor did it include volunteers and former career firefighters. This bill was happily assented to, with the opposition’s enthusiastic consent, in September 2013.

I was advised in the briefing—I thank the minister for making his staff so readily available—that five claims have been lodged since 2013 under the presumptive legislation. Four of these claims have been accepted and in one case the presumption was rebutted. Since 2013 there has been a level of disquiet from those classes of persons who have been omitted from that 2013 legislation. This bill expands this presumption to include other state-employed firefighters, volunteer firefighters under the Fire and Emergency Services Act 1998 and former career firefighters, which I think was an omission on the last occasion, who contract any of the prescribed cancers within the prescribed period. In order to ensure that there is no negative impact on firefighters, the presumption is happily retrospective to the same date that the presumption for current career firefighters commenced in November 2013. A close examination of this bill could conclude that the inclusion of some volunteers is in name only. Although a proportionally small number of firefighters involved in road crash rescue and structural fires would, as a matter of course, be covered, most local government bushfire volunteers will not be automatically eligible. As an aside, I travelled overseas when the opposition was developing its legislation and noted that some jurisdictions have even extended this presumption—for example, to include those who contract post-traumatic stress disorder. I can see that there might be some capacity to expand that in the future, especially in the area of road crash rescues. I am thinking particularly of the south west where the fire and rescue service volunteers routinely witness road trauma. It takes an enormous toll. I make that reflection in view of the dreadful record of road fatalities in recent weeks.

To get back to the bill, certain prerequisites need to be met. Firefighters must have a qualifying period for the prescribed period pre-cancer and they must have met the requirements of “hazardous firefighting service”. I want to briefly canvass that definition in the bill. The bill states —

hazardous firefighting service means —

- (a) FES employment; and
- (b) non-FES employment during which the worker attends hazardous fires at a rate at least equivalent to the rate of 5 hazardous fires per year; and
- (c) volunteer service during which the volunteer attends hazardous fires at a rate at least equivalent to the rate of 5 hazardous fires per year;

The definition of “hazardous fire” states —

- (a) a fire in a building; or
- (b) a fire in a vehicle, whether designed to move under its own power or to be towed and whether or not still moveable; or
- (c) a fire involving non-organic refuse or rubbish created by humans; or
- (d) a fire that is prescribed to be a hazardous fire ...

If these prerequisites are met, the presumption will apply, as it does in the existing legislation, and is therefore compensable unless proven otherwise.

Local government bushfire units do not routinely engage in hazardous fires as defined by the bill, although there will be some and that statement might be contestable. By and large I think that is correct, and hence they will be outside the scope of the bill. Although local governments seem to think they will be covered, I am not so sure. It is also likely that inadequate record keeping of attendance at incidents may create some eligibility issues. We need assurances from the government that accurate records of attendance at incidents, irrespective of which branch of service the firefighter belongs to, will be maintained and kept. In this context, I refer to the August 2015 Auditor General’s report entitled “Support and Preparedness of Fire and Emergency Services Volunteers”. The media release about that report stated —

... many of the problems he had identified had arisen from, or were affected by gaps and inaccuracies in volunteer membership, training and incident data.

“Without accurate information about volunteers, DFES struggles to understand how many volunteers are needed and where, and the level of equipment, training and support they need,” ...

At this point it is worth exploring why there is an epidemiological distinction between exposure to structural fires and fighting forest or bushfires alone. As I noted in my speech on the second reading on the private member’s bill in 2012, a 2011 Senate inquiry by the Education, Employment and Workplace Relations Legislation Committee reported favourably on similar federal laws. That committee concluded —

Study after study has pointed to a higher risk of cancer for firefighters than the general population. Science has confirmed what firefighters suspected for decades: that a disproportionate number of them in the prime of their lives are brought down with illnesses usually reserved for the old and the infirm.

... The committee recognises that cancer is an illness that touches many fit, healthy people in the non-firefighter population as well. In many cases it is unpredictable and incomprehensible, due to genetics or factors we do not yet understand. But when the science tells us that a particular group of people who are routinely exposed through their service to the community to known carcinogens are at higher risk of developing certain types of cancer, then the response becomes clear.

... The committee recognises that when a person spends their professional career inhaling and absorbing known—and probably some as yet unknown—carcinogens in the course of public service, it is the moral duty of the community to enable them to seek compensation should they fall ill as a consequence.

In that second reading, I also noted the events of September 11, 2011 at the World Trade Center that exposed first responders to a cocktail of toxins. I cited a study published in the British medical journal *The Lancet* in 2011 that found that firefighters who toiled in that wreckage were 19 per cent more likely to develop cancer than those who were not there. These firefighters were exposed to the caustic dust and smoke created by the fall of the Twin Towers. The findings indicated an increased likelihood of the development of any type of cancer. There were indications in the study that certain cancers, including melanoma, non-Hodgkin’s lymphoma, and thyroid and prostate cancer occurred more frequently among those firefighters than in the general population. In that study, occurrences of lung cancer did not increase. Thankfully, such extreme and high-profile events testing the endurance, courage, resilience and threatening the lives of so many first responders are rare. They do, however, add substantially to our knowledge of the risks inherent in this kind of work.

The regime imposed by the Workers’ Compensation and Injury Management Amendment Act 2013 is more about the cumulative effect of exposure by firefighters in their day-to-day duties, in some cases over many years.

It targeted those firefighters suffering cancer contracted through years of occupational exposure to a conglomerate of carcinogens, hazardous materials and toxins emanating from structural blazes, road crash rescues and hazardous material spills. Before these laws were enacted, the injustice caused to those firefighters was manifested and comprehensively chronicled in the Senate inquiry's report. The report included moving evidence of individuals and their family members struggling with not only a cancer diagnosis, often at a young age, but also a compensation system insistent on identifying the exact event giving rise to the illness. If it is not bad enough that a firefighter must face the ultimate battle for life, he was also burdened with the knowledge that during his struggle with cancer he was not entitled to workers' compensation payments and his family faced the additional strain imposed by this financial hardship. The reason was that as the law stood at the time, the worker had to point to a particular source to prove what caused the cancer. In other words, they had to identify the carcinogen or toxin and also when they were exposed to it—namely, which fire and/or fires or emergency. That was simply never possible. I contrast that with a firefighter who is killed or physically injured attending a fire incident—he would receive compensation for work-related injuries. The Labor Party was very pleased when the 2013 act amended this anomaly.

As I have said previously, volunteer firefighters were not included in the original act because their exposure was not considered frequent and continuous and there was not the same body of evidence about exposure to bushfire smoke to warrant their inclusion at that stage. That is reflected in the "hazardous fire" definition that I read out.

It is now well accepted that exposure to both structural fires and motor crash rescues subject firefighters and rescue personnel to levels of toxins that have a high potential to be carcinogenic, even with protective clothing and breathing apparatus. However, I should note that with legislation passed federally and in several states, it was felt necessary to conduct Australian research to confirm the extensive body of overseas research on firefighter exposure and its outcomes. In 2011, Monash University was commissioned by the Australasian Fire and Emergency Service Authorities Council, more commonly known as AFAC, to carry out a national retrospective study of firefighters' mortality and cancer incidence. This is known as the Australian firefighters' health study. As I said, this study was in part prompted by the results of several overseas studies that had identified excesses of several types of cancers in firefighters. The aims of the study were to examine mortality and cancer among firefighters and investigate different subgroups based on the type of employment; duration of firefighting service; era of first employment or service; service before, including or only after 1985; the number of incidents attended; and whether an individual was identified as having been a trainer. The latter, of course, is relevant because trainers may have had higher exposure to fire-retardant foams, which have subsequently been identified as highly carcinogenic.

The research was based on the data of 232 871 current and previously serving firefighters. The study compared them with the Australian general population for both causes of death and incidence of cancer. In summary, it found that paid firefighters were at greater risk of melanoma and prostate cancer, especially after multiple exposures or prolonged service. Participating fire agencies supplied records of individual firefighters, including their job histories. The start dates of the personnel records that were provided varied with the agency and ranged from 1976 to 2003. Incident records that were attached to individual firefighters were also supplied by most agencies. The incident data also had varying start dates between 1990 and 2011. It was a complex exercise in data matching and seeing whether any trends or patterns were evident.

Compared with the Australian population, the overall cancer incidence was significantly raised for male career full-time firefighters, particularly those who had worked longer than 20 years. There was a trend of increasing overall cancer incidence with increasing attendance at vehicle fires. There was a statistically significant increase in prostate cancer incidence for career full-time firefighters overall, particularly for those employed for more than 20 years. The risk of melanoma was significantly increased for career full-time firefighters who had been employed for more than 10 years. Compared with the Australian population, kidney cancer was elevated for those who had been employed for 10 to 20 years and was significantly higher for those career full-time firefighters who had worked for more than 20 years. Lymphohematopoietic cancer occurred in career full-time firefighters at the same rate as in the Australian population but was significantly elevated for those who had worked for more than 10 years when compared with those who had worked for a shorter period. Compared with the Australian population, male breast cancer was elevated and statistically significant amongst those who had worked for more than 20 years. Compared with the Australian population, mesothelioma was statistically significant and showed higher rates.

In August 2015, Monash undertook a supplementary analysis focusing on volunteers. It found that male volunteer firefighters had an increased risk of ischemic heart disease deaths and kidney cancer compared with those male volunteer firefighters who had attended fewer incidents. Importantly, this report notes that landscape fires may go on for days or weeks, which is rare for structural or vehicle fires. A simple count of incidents does not take this into consideration; nor does it take into account information on fire intensity or duration on an individual basis, so that certainly qualified the findings. I note, however—I do not think we are at the stage to

broaden the eligibility—that there is a growing body of research that points to the harmful composition of smoke from bushfires. However, how to record levels of exposure to toxins and pinning down a nexus between a higher incidence of specific diseases is still very much a work in progress in the context of those who attend bushfires only.

In an article released in March last year by Dennekamp, Straney, Erbas, Abramson, Keywood, Smith, Sim, Glass, Del Monaco, Haikerwal and Tonkin in *Environmental Health Perspectives* entitled “Forest Fire Smoke Exposures and Out-of-Hospital Cardiac Arrests in Melbourne, Australia: A Case-Crossover Study”, the authors concluded that this study found an association between exposure to forest fire smoke and an increase in the rate of out-of-hospital cardiac arrests. They said that these findings have implications for public health messages to raise community awareness and for planning emergency services during forest fire seasons. That research related to the general population, not bush fire fighters in particular, but they certainly identified some health issues.

In addition, work done by CSIRO and the Bushfire Cooperative Research Centre, including simulations, suggests that bushfires on the peri-urban fringe produce fine particulates, carbon monoxide and a range of toxins exceeding occupational health standards, but I think it is early days and it is by no means conclusive. Underpinning those findings, within the peri-urban fringe and within those particulates there will be, for example, vehicles or housing structures. Drawing a long bow from those conclusions is not without some peril. It seems to me that if the currently minimal evidence about the carcinogenic nature of bushfire smoke alone is augmented, maybe we will need to revisit the definition of hazardous fire and it may need to be changed in the future. The opposition certainly agrees with the proposition that there is not the weight of scientific evidence to justify broader coverage at this stage.

I also note that we do not really know what impact firefighter fatigue may have on, for example, compromising the immune system. This is certainly a common problem that is identified at most major incidents, and that is another factor that we may need to consider down the track. As all of us know, as human beings, when we are fatigued, it certainly makes us susceptible to a range of infections and diseases.

I want to briefly talk about the second tier of the bill, which will ensure consistency of insurance coverage for fire and emergency volunteers. At present, different arrangements apply to different volunteer groups and their entitlements are not always the same. In his second reading speech the minister asserted —

These new provisions will maintain or improve insurance coverage for volunteers.

It is about ensuring consistency for volunteers who are carrying out their statutory functions under the Fire and Emergency Services Act. Fire and emergency volunteers in Western Australia currently operate under three separate pieces of legislation: fire and rescue services volunteers operate under the Fire Brigades Act 1942; bush fire brigade volunteers operate under the Bush Fires Act 1954; and State Emergency Service volunteer marine rescue services and Fire and Emergency Services unit volunteers operate under the Fire and Emergency Services Act 1998. Each of these groups of volunteers are covered by different insurance regimes, which means that not all volunteers are entitled to the same level of insurance cover and some volunteers are better protected than others in the event of injury or loss.

I recall the case of Pamela Story, a bush fire volunteer who was injured in 2011 after a firefighting vehicle ran over her. This case was, to some extent, a catalyst for some of these changes. She had to personally fight a highly technical refusal for loss of earnings, and she had to have that debate with an overseas insurance company that was the insurer for the council to which her bush fire brigade was attached. If she had suffered the same injuries but was in the volunteer fire and rescue service, for example, her coverage would have been met by RiskCover. This bill amends the Fire and Emergency Services Act to provide uniform legislative insurance for all emergency service volunteers. As I said and as has been asserted by the government, this bill will maintain or improve insurance coverage for volunteers.

The bill mandates that an insurance policy must be in place to cover loss of or damage to privately owned vehicles, equipment and items of personal property when being used for volunteer activities. This will apply when volunteer activities are being carried out by registered volunteers of the responsible agency or at the direction of a registered volunteer, bush fire control officer or Department of Fire and Emergency Services staff member. Responsible agencies will also be required to maintain an insurance policy for loss or damage to the vehicles, appliances, equipment and apparatus of their volunteer units.

When this bill was first second read in this place, I contacted the Western Australian Local Government Association to ask for its feedback as to whether these changed insurance arrangements would have any cost implications for local government members. Unfortunately, WALGA has not responded to my request for that information, so I hope for its sake that there are no unexpected adverse outcomes for local governments, and we will proceed on the basis that silence connotes assent and that local governments are not unhappy with that aspect of the bill.

This bill is about acknowledging that WA firefighters charged with protecting the community and property have an inherently dangerous job. It is about acknowledging that these dangers extend to contracting certain cancers after years of exposure to chemicals, toxins and fumes, and their cumulative effects. It is about acknowledging that some are excluded from the current rule, and seeking to do away with this inequity. It is about acknowledging that although firefighters willingly put themselves in dangerous situations to protect the community, they do so taking all reasonable precautions. We also acknowledge that these precautions are of little utility against occupationally acquired cancer. It is impossible to avoid absorbing these toxins through the skin, as protective clothing has to breathe to avoid metabolic heat build-up. As I have outlined, an impressive body of medical research indicates that firefighters have a high risk of certain cancers because they absorb the carcinogens and toxins through their skin whilst firefighting.

As I said earlier, the community has deep respect and gratitude for those who protect and assist. If we are honest, however, along with this respect and gratitude comes high expectations. We expect firefighters and rescue personnel to come to our assistance when our homes, schools, hospitals and motor vehicles are ablaze. We expect a firefighter to enter a burning building when every human instinct tells us to leave. We expect that they will search for those trapped inside and bring them out alive. We expect them to do what they can to minimise loss of life and damage to property. While everyone else is fleeing danger, it is the firefighters' duty to tackle it head-on—to enter an extreme and dangerous environment, armed with the best protective gear available.

Lastly, I previously observed that this issue should have some special resonance for Western Australians. It was not too long ago that the scandalous and shameful saga relating to the health impacts of asbestos was finally exposed. The inordinate delay between the scientific evidence of the harmful effects of asbestos being proven and that evidence being officially accepted and acted upon meant that thousands more lives than were necessary were exposed, and those people suffered lethal consequences. As an aside, it beggars belief that the stark and horrible truth we have learnt about the deadly impacts of asbestos are being conveniently forgotten, exposing construction workers at the new Perth Children's Hospital to that lethal substance in 2016. It is even more mind-boggling to think that only a stone's throw away at Sir Charles Gairdner Hospital, there are world-leading medical practitioners in the diagnosis, research and treatment of mesothelioma. It is quite extraordinary to consider that in this day and age, given our knowledge, workers are still being exposed to asbestos.

To conclude, as I said in my contribution to the second reading debate in 2012, we cannot say that our firefighters are heroes and disregard their health and wellbeing. We are duty-bound to act promptly on this bill and on the evidence, and not to repeat the mistakes of the past. The opposition proudly supports this bill, and I commend it to the house.

MR P. PAPALIA (Warnbro) [12.47 pm]: It is a pleasure to follow the member for Girrawheen in contribution to debate on the Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Bill 2016. I am sorry that I was not here for the beginning of the shadow Minister for Emergency Services' contribution; I am assuming she may have reflected on the fact that we are amending something because there was an oversight at the outset with regard to volunteer coverage for the compensation scheme and the ability to capture those volunteers. It is undeniable that the Minister for Emergency Services' predecessor, the former member for Vasse, some time ago misled the public of Western Australia, particularly the volunteer firefighting community and other volunteer services, when he suggested that they would be covered by the legislation and that they would be protected by the same processes and safeguards that were being introduced for career firefighters with respect to acknowledging the fact that they could contract cancer as a consequence of their employment. In the most recent debates, prior to the minister taking on the portfolio, I think Hon Troy Buswell suggested to the public that they were covered, and we are correcting an oversight. In my view, we are correcting a deliberate misconception engendered in the community at the time by the then minister. It is not my portfolio but I was here when the debates were conducted in Parliament.

Mr J.M. Francis: It is really simple. The first one for career firefighters was a simple amendment to draft for workers' compensation and injury management. Retired firefighters and volunteers are much more difficult.

Mr P. PAPALIA: I concede that.

Mr J.M. Francis: There were up to nine drafts for a number of different reasons, but it amends more than just that one act.

Mr P. PAPALIA: Perhaps like me, not having the portfolio at the time, the minister may not have been entirely focused on the debate. I believe that some of the contributions in this place by the former minister were deceptive. They were designed, as was his wont, he was a very effective communicator —

Ms M.M. Quirk: He didn't introduce the legislation; this minister did.

Mr P. PAPALIA: Yes. The actual context of my contribution may be wrong about the present minister amending an error and oversight, because he is introducing the legislation. I recall that the former minister

suggested that it was all covered and a wrong was going to be rectified, but then did not do it. He was very capable of creating an impression that may not have been the reality.

I am glad to see this legislation has been introduced. When career firefighters had to prove that their cancer was caused by their service, we were all being lobbied. I remember going to the United Firefighters Union of Western Australia's headquarters and meeting with the then secretary of the firefighters' union and discussing with people the nature of their employment and the exposure in their occupation to the dangers of the environment. Like the minister, having experienced the military going through a phase of denying responsibility and, ultimately, accepting without question that people may have been exposed to carcinogens in the course of their employment, I thought it was extraordinary that firefighters were not covered by the same acceptance of responsibility by government at the state level. At that time, I agreed with the firefighters' union and people who were advocating change that it was part of government responsibility. If people are asked to expose themselves to this type of danger in the course of their duties, we should take responsibility for caring for them and not compelling them to prove the cause of their cancer. It is good to see that the legislation is being amended to ensure that that is the case. As I said, it is very good also to recognise that many volunteer firefighters and other volunteers are exposed to similar threats in the course of their voluntary duties.

I commend the legislation and this minister for introducing it and righting the wrong that has been extant not just recently but forever, really. It is good to see that, finally at state level, this type of situation is being acknowledged. As I said, I imagine it is at least two and a half to three decades since the military accepted that many people serving in certain environments have been exposed to carcinogens.

Mr J.M. Francis: The mid-90s for asbestosis.

Mr P. PAPALIA: Yes. It is a long time for the state to delay that recognition. We are talking about almost the same environment by virtue of people being exposed to carcinogens in their workplace. It is a significant step to ensure that people deemed to have contracted cancer are not compelled to go through the additional trauma of having to prove it. It is extraordinary that it took so long for the state jurisdictions to catch up. It is also good to note and acknowledge that in the course of completing their service, the volunteers will be covered by insurance policies for the damage incurred to vehicles and private equipment that may be employed. I think those things will be universally endorsed and supported by people in this nation. Sadly, we thought it might have been the case before now but it is good that it is being taken care of with this legislation.

Prior to ending my contribution, I will take a moment to acknowledge specifically in my own electorate the volunteer bush fire brigade personnel who serve with the Baldvis Volunteer Bush Fire Brigade. It is an interesting environment down there. The suburb and the region are in transition from semi-rural, with many remnant bushlands, to very much urban fringe. All the challenges the minister is confronting with bushfire-prone zones come to bear in Baldvis because there is remnant bushland, Bush Forever sites and even heavily forested road verges that can result in serious fires, as we saw a couple of years ago. The prime response to these fires is provided by volunteers in the form of bush fire brigades. They themselves are acknowledging the transition and seeing as a priority the need to acquire the equipment and undertake the training required to fight house fires. The region within which they operate is transitioning and they need to transition, and that has been acknowledged by the department. The Fire and Emergency Services Commissioner has indicated that the status of the brigade itself is to change under his governance. He sees that it needs to become different.

Mr J.M. Francis: They made the request that they adopt a higher level to do structure firefighting.

Mr P. PAPALIA: Therefore, it must change from being a bush fire brigade to a different fire and rescue service or appropriate entity that enables them to have the equipment and training. I endorse his approach. We need a governance model, so it seems logical and reasonable to me that he has engaged in that discussion. It is a little disappointing that the debate has gone off on tangents, with people feeling that they were not being heard and consulted. They clearly are now. I urge the minister and the commissioner to get on with that process as a matter of priority so that that brigade, which provides an excellent service, can meet the additional responsibilities that they would like to meet.

Mr J.M. Francis: There are a number of submariners in it.

Mr P. PAPALIA: It is true; there are a few submariners in that brigade. That fire brigade is a great asset to the community and will be an even greater asset given its additional roles and responsibilities and training and equipment. The sooner that happens the better. Given this legislation, the firefighters will be better protected and cared for in the event that they succumb to any disease as a consequence of their service.

I, with the opposition, welcome the legislation and support it and we share any observations regarding the need for future studies that the shadow minister articulated. The shadow minister is far more across it than I am, but the growing body of evidence suggests that there may be likelihoods of other cancers as a result of exposure to different environments.

Perhaps bush fire fighting does require further studies and further effort on our behalf to ensure that we do not miss dangers that volunteers are exposed to. They may not be captured currently under this legislation. If there is the possibility to support studies, that would be a good thing. The worst thing that could happen is that we think we have captured everybody and then, decades down the track, other people succumb to diseases as a consequence of their volunteer work. Without any intended negative consequences, this legislation could miss those people; it would be bad to think that this is the end of it. As indicated by experience elsewhere in the defence forces and other sectors, different threats that were not identified at an earlier stage are constantly being encountered and recognised. We need to be flexible enough to ensure that people are covered and supported. If people's circumstances change, we need to acknowledge that and learn that there are other carcinogens out there that we have not identified, or if we learn that exposure at different rates over different periods does have the potential to increase the threat to individuals of contracting cancer, we should be able to respond to that in the future.

Beyond that, I will end my comments and commend the bill to the house.

MS L.L. BAKER (Maylands) [1.01 pm]: I am very pleased to stand and speak to the Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Bill. I congratulate the government on getting the bill here. A tremendous amount of work has gone into the formation of the bill, including consultation, particularly with the unions and volunteers involved. It is a complex area; we have already heard that spoken about today. It is a very difficult area with career firefighters and a whole bunch of volunteers—people like members of my family—who just want to do the right thing by being part of their community and helping out in times of trouble. The complexity of having an insurance program that effectively covers all their needs has always been challenging. It is absolutely wonderful that this initiative will solve some of those issues for volunteers and emergency service volunteers.

I want to put on the record my deep gratitude to the Baylands—sorry; I just made up a new suburb—Bayswater and Maylands State Emergency Service group that works out of 27 Clavering Road in Bayswater.

Mr J.M. Francis: South Park.

Ms L.L. BAKER: Yes, South Park. That is another story. Let us not go into the government's amalgamation strategy; perhaps it is best not to go back there. Let us look forward at this amazing legislation and what it will do for our volunteer firefighters and our emergency rescue crews. I would like to take this opportunity to acknowledge the great work done in my electorate by the Bayswater SES crew. At the moment, there are 57 of them, which is a good number—a solid crew. They are always very willing to be part of the community. They take part in things such as the Autumn River Festival, where members will have seen them all decked out, walking around and handing out information about the role of the SES in the community. I think they also take part in the Avon Descent, particularly at the finish line where, of course, I usually hang out to watch all the boats finish. At the moment, Nicola Wilkinson is our local manager. I have had a lot to do with previous managers of the SES, but not so much with Nicola. That is possibly because we have not had storms like we did in 2013, so we have not had to jump to support the SES's work in my community quite as much as we did back then when Perth, the suburbs, and Bayswater suffered destruction as a result of that storm. I knew Ashley Smith, who was a longstanding member of the SES Bayswater. Again, I want to thank him for all the years of service he put in to help keep our community safe. I would also like to acknowledge Martin Hale, who won the 2013 Peter Keilor Award, showing his dedication to the SES in the Bayswater community. That is great work by all of them. My Bayswater SES started back in the 1960s. In those days, of course, it was under different legislation. The SES has grown a lot since those early days, in both the complexity of the issues that it deals with and also the size of the organisation that is able to deal with the issues.

Our volunteer helpers have been through a lot of ups and downs. When I first took on this role, I spent a lot of time with a crew in those early days back in 2009–10. We talked about some of these reforms, but they had a lot of concerns as they could not quite see how the reforms would support their need for new equipment and a solid organisation, and for a good relationship with the career firefighters. I think they were very concerned about how that relationship would develop in the future when we changed this kind of legislation that governs their activities. I think it is fair to say that some of those concerns have been put to one side. The United Firefighters Union of WA has done a great job of representing the membership's concerns to get through those problems and I am very grateful to see Bayswater SES continue to deliver a vital service in my community.

I also want to go a bit further afield. Members know that I am very interested in what happens in the hills around Perth where I have a small property and a couple of horses, a lot of chickens and various other souls. I am always, always awestruck by the community spirit that is automatically given when a disaster happens in a local community. The Parkerville fire is probably the most recent example of that for me. Two of my best friends who have a property in Parkerville lost everything. The first I knew about it was when I drove out of my brother's property in Hovea and hit Great Eastern Highway. I looked left before I turned right onto Great Eastern Highway

and saw an enormous cloud of smoke; for all the world, if I had ever seen an atomic bomb, it would have looked similar to that. I had somebody with me who had just arrived from Ireland. She was sitting in the front seat of the car and I said, “Oh, my God; that does not look good!” She was completely oblivious; they do not get many bushfires in Ireland. She asked, “What?” and I said, “Can you see that enormous cloud? It’s going to be a problem.” Instead of turning right down Great Eastern Highway, I turned left and drove to my property. I started calling my friends who live in that area. Alannah brought her horses, dogs and cats over and we picked up her son and their dog shortly after. They lost everything. Their property was burnt basically to the ground. In the weeks that followed, their remarkable resilience struck me most of all—that and the community’s willingness to come together and help. My experience, not from having a direct involvement, but from being evacuated a few times due to bushfires, and through watching volunteers and career firefighters work to try to warn people, has been that it is an absolutely manic time for everyone involved.

It is not only incredibly dangerous, but also completely unpredictable. For my first experience of being a hills resident and having a bushfire evacuation, we had only one entry and exit point to our property. One road goes in and out, so if that road goes, we cannot go anywhere. We were called up and evacuated at about 3.00 am. The volunteer firefighters came screaming down the driveway of my property and said, “You guys have to get out; we don’t know what this fire is going to do and we can’t protect you.” They were very stressed. I cannot imagine what it must have been like to travel through the hills, delivering that message to other people in the hills. I suppose that drove home to me the gravity of the situation; mind you, that was not hard because all our furniture had been moved by friends in the preceding 12 hours when we realised that it looked like we would lose the house. We were sitting there in an empty house, with no animals on the property, and just the two of us looking around wondering whether we would have to leave. The volunteers had to make a judgement call, because although they knew the wind speed and direction at the time, they simply did not know what would happen with a summer wind that can swing from a north-westerly to an easterly at the drop of a hat, and they were huge winds. I watched the volunteer firefighters work in that incredibly dangerous and unpredictable situation, a long way away from the fire, just trying to deal with people who were incredibly stressed. It was astonishing work, and I take my hat off to them.

In the past few months we have had to do a massive green burn on a pile of prunings. When I went to get the licence for the burn, the chap said they would come around and have a look. I think they thought that, being a girl, I just had a little pile of tree prunings, but we had pruned about 200 trees and the pile was about as big as this chamber. It was on the hill, and they pulled up and said, “Oh, right.”

Mr D.A. Templeman: I heard you were handy with a chainsaw.

Ms L.L. BAKER: The chainsaw and me are like this.

They looked at the pile and said, “Yes, we can see why you want to burn this pile; it is going to be a bit of a danger.” The bad news was that we were to be put on a list, and it would probably be two and a half years before the fire brigade could get to it. That shut that door. Bless their hearts, they were very supportive and helpful, saying that we would just have to leave if there was a fire anyway, so who cares about the pile in the garden. It is a long way from the house; it is on the other side of 20 acres, but it is a big pile and I was worried for our neighbours, so we hired some local contractors with water carriers and the like, and with the help of volunteers —

The ACTING SPEAKER (Mr I.M. Britza): Excuse me, members, the conversation in the chamber is getting louder. Just be aware of that.

Ms L.L. BAKER: I think they are trying to drown me out.

The ACTING SPEAKER: I am enjoying the story; thank you very much.

Ms L.L. BAKER: Thank you.

We had the help of a local water carrier and a bunch of blokes, one of whom, quite comically, holds a doctorate of philosophy and another who is completing a doctorate in architecture—not necessarily the qualifications that we would choose for a couple of firefighters, but at least there would be a lot of circumspect discussions around the nature of fire and the architecture of it. We waited for a little bit, and we were a little concerned when they started burning, because the pile was sitting on a bit of a slope. Generally speaking, it would be logical for a pile of that size to start the burn at the base of the downhill slope and let it burn upwards, but no, they stuck the burning equipment in the top end of the pile and wondered why it just stopped. We helped them rejig, from text messaging across the property, asking whether they had ever thought that perhaps they should start burning at the base. I am very pleased to announce that we now have no pile.

Mr D.A. Templeman: You’ve got no piles?

Ms L.L. BAKER: I have got no piles!

Mr D.A. Templeman: I am very pleased to hear that. They can be an occupational hazard!

Ms L.L. BAKER: That is why we have standing orders, and that is why I am standing to deliver this speech, obviously! I am very relieved that we now have no pile. I would like to thank the local volunteers who helped us make the decision to outsource our pile burning.

That really concludes my contribution to this debate. Before I sit down and think about piles again, I would like to mention the following volunteer brigades that help in the hills. I apologise, because I probably will not name all of them, but the immediate ones are Glen Forrest, Darlington, Parkerville, Hovea, Chidlow, Sawyers Valley and Mt Helena. It was an amazing job done by quite a set of characters, and I am forever in their debt for what they bring to safety in our community. I look forward to the positive things that this bill will bring for safety, and ensuring that these protective services from career firefighters, with very valuable help from volunteers, continue in the best possible fashion.

MR D.A. TEMPLEMAN (Mandurah) [1.15 pm]: It is always interesting to follow such mirth, when members talk about various aspects of their local communities. I also rise to contribute to the debate on the Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Bill 2016. The opposition strongly supports the bill and I am sure that the bill will have swift passage through the Assembly and into the other place. I hope it does not become one of a number of bills that seem to become constipated in the other place. It seems that the other place is almost in a state of paralysis in its capacity to deal with legislation. The government has a number of bills in its legislative program that we now know we will not get to, because of its appalling handling of legislation in this place.

Ms M.M. Quirk: You wouldn't call it management.

Mr D.A. TEMPLEMAN: No, we certainly would not; it has been appalling. I honestly hope that this bill is not one of the bills that languish in the other place and does not see gazettal and proclamation before Parliament is prorogued in preparation for the much anticipated March 2017 election.

This bill does a number of important things. I will not go over some of the very important aspects that the member for Girrawheen, as our very able shadow minister, outlined in her contribution. The aspects of the bill that ensure the protection of emergency service volunteers are absolutely admirable and are strongly supported by the opposition. The other aspect of the bill that I think is important is its capacity to ensure that volunteers in any emergency service area are equally protected by insurance. The minister's second reading speech states that currently three separate pieces of legislation oversee volunteers. Fire and rescue service volunteers are covered under the Fire Brigades Act 1942; bush fire brigade volunteers are covered under the Bush Fires Act 1954; and the State Emergency Service, Volunteer Marine Rescue Services and fire and emergency service volunteers are covered under the Fire and Emergency Services Act 1998. Each of those volunteer groups has been covered by a different insurance arrangement and this bill seeks to amend those acts to provide uniform legislative insurance provisions for all of them. That is very important.

I am a member from the Peel region, which, in recent times, has experienced some of the most horrific bushfires, as recently as January of this year. There are other examples prior to that of numerous local government areas in the Peel region that have been threatened by bushfires and, indeed, damaged. Earlier this year, there was the tragic loss of two lives in the Waroona bushfire. I therefore know the importance of ensuring that people who put on the uniform of a volunteer, alongside their colleagues in the career fire and emergency services, are protected appropriately. That is crucial.

This is not a dig at members who represent inner city boutique electorates and enjoy sipping on lattes and feasting on pastries from their local patisserie. I certainly do not want to reflect poorly on those boutique members, who are protected in their beds by gated communities and personal security mechanisms. However, as a member from the regions, we need only look at some of the country towns and rural and regional centres, and even outer metropolitan local government areas, to understand the importance of the commitment of many dedicated people to the communities in which they live. Many of those people were born in their community and have lived there for decades. When their community is threatened, they have a remarkable innate response.

I want to reflect on a couple of volunteers in the Peel region and in my electorate of Mandurah, which many people have assumed is a boutique little seat. Many people would not be aware that one-third of my seat is in fact a rural part of the west Murray portion of the Shire of Murray. This is a very historic, well-known and unique part of the Peel and the Shire of Murray. I will mention two names. However, that is not to demean the work of all the other tremendous volunteers in the West Murray Volunteer Bush Fire Brigade. These two people are local government councillors and long-serving volunteers with the west Murray brigade and the nearby Coolup Volunteer Bush Fire Brigade. The first is Councillor Chris Thompson. She is a former deputy shire president of the Shire of Murray and has been a councillor of the Shire of Murray for over 30 years.

Earlier this year, the shire commemorated her 30-plus years of commitment as an integral part of the local government of the Shire of Murray. Her service to the local bush fire brigade is remarkable. I will always remember going to the Pinjarra evacuation centre during the Waroona bushfires in January this year, and there was Chris Thompson in the corner with her phone. I think her role at that stage was very much being responsible for radio and communications. She has also been on the State Emergency Management Committee and the district emergency management committee, which are the two hierarchical emergency management groups. There she was in the corner, as she has been on countless occasions during bushfire emergencies and during other emergency challenges, directing the traffic in her communications capacity. What a remarkable Western Australian woman. Not only is she making a significant contribution to her community in that local government area, but embedded in that contribution is her commitment to her local community in countless other organisations, including bushfire volunteering. She is a tremendous role model for the many young men and women who come through that brigade in the Shire of Murray and the brigades in the surrounding local government areas for her expertise, commitment and contribution. It is remarkable. I am not saying she is the only person in our community who has that commitment. There are many people like Chris Thompson throughout Western Australia and Australia. They are the unsung heroes of our communities.

I also want to mention Councillor Trish Briggs from the Shire of Murray. She is also a remarkable Western Australian woman. She also was a radio operator during the Waroona bushfire when the Murray bush fire groups were responding in more of a support role to the effort in the Shire of Waroona and ultimately into the Shire of Harvey. Trish Briggs has made a remarkable contribution to the bush fire service and to local government, as well as to many community organisations. I am very thankful to people like Chris Thompson and Trish Briggs, who are long-term committed residents in my electorate of Mandurah and are consistently supporting an emergency response whenever that is required. I still see Chris Thompson sitting there with her phone and notepad and communications logbook, or whatever she was responding to, and doing that in a very matter-of-fact way, as she has done for many years. I salute Chris and Trish. I also salute all the volunteers south of Mandurah, in the electorate of the member for Dawesville, who are part of the Mandurah Southern Districts Bush Fire Brigade and the Falcon brigade. We often see them on a Sunday morning doing their training exercises. They are tremendously led and are tremendous men and women. The firefighters in the Mandurah Volunteer Fire and Rescue Service are also a tremendous group of men and women who respond whenever they are required to do so. I salute them, too. I went to their awards night last year, and an awards night must be coming up again soon, I would hope.

Some of the people I am talking about have dedicated decades to the service. I remember a great young fellow whom I taught at North Mandurah Primary School. His dad is Mr Hendon—I keep forgetting his first name. The commitment of the Hendon family in serving their community in fighting bushfires and being involved in fire and rescue now crosses generations. Mr Hendon started his commitment to volunteer firefighting in Wickham when he was there in the early days and his family was very young—his children were born in Wickham and were only babies. He came to Mandurah after that time and has continued that commitment. I remember Mr Hendon senior received his 40-year service acknowledgement at that awards night—which is tremendous. For them, being part of an organisation like that—be it volunteer firefighting, State Emergency Service or marine rescue—is very much like being part of a family; they treat each other like family.

I want to highlight the importance of this bill as it will affect and impact very positively on volunteers from other emergency services in the region, including Chris Stickland and his team at the Mandurah SES unit. The minister will remember he came down a few months back when we opened the great new Mandurah SES unit facilities in the north of Mandurah. Chris Stickland and his team are very proud of that facility, which will ensure that the Mandurah SES unit will continue to be a leading unit in Western Australia. It is a leading unit in terms of numbers, and in terms of the cadet program, which has now run for over 20 years, specifically under Chris Stickland's stewardship when he was a teacher at Mandurah High School and then at Mandurah Senior College. Chris, with his team of volunteers, has seen over 5 000 young people go through that cadet training program, and many of them return as active adult participants in the Mandurah SES unit. It is the quality of the leadership of people like him and his predecessors, as managers of that unit, that has cemented that unit as one of our pinnacle units in Western Australia. I say that unashamedly.

Mr J.M. Francis: Can you seek an extension, so I can ask you a question?

Mr D.A. TEMPLEMAN: I will seek an extension.

[Member's time extended.]

Mr J.M. Francis: Did you find out whether the origin of that unit is the story about the priest looking for the boy down a well?

Mr D.A. TEMPLEMAN: There are two stories; I will tell members about that very quickly. One relates to another group. The SES has its early origins in the incident in the late 1950s of the boy who fell down a well in

Ward Street, in central Mandurah. One late afternoon, a young fellow of about five years was playing in what was then a very big vacant part of Mandurah—it is almost in the centre of Mandurah now—and fell down a four-metre borehole. He was wedged and he could not get out. In 1959—I think it was 1959—it got national attention, and the community rallied. In 1959, Mandurah probably had about 700 or 800 or maybe 1 000 people. That is how big Mandurah was in 1959. The community rallied around. The people in the house across the road rallied, and two trucks of rescue workers were called to come from Collie. They were on their way on the South Western Highway to help this boy. The local doctor, who now has a unit named after him in the Peel Health Campus, was called. There was going to be a dance in town. Most of the old families, if you like, the Suttons and the Tuckeys, were all down in the Santoy ballroom getting ready for a midnight stomp that night.

Ms M.M. Quirk: Actually, 1959 would be pre-stomp.

Mr D.A. TEMPLEMAN: They used to call them a midnight stomp.

They had to leave the preparations for the stomp to get over to Ward Street and work out how they were going to save this boy. They could not go straight down the hole, so they had to dig a hole adjacent to the hole that the boy was in. In the meantime, they handed down a vacuum cleaner, because they were worried about sand falling on the boy. They had a vacuum cleaner down there, but I cannot remember what they were doing with that; it was to keep the sand away from him. They also had a tube going down to him. This boy was distraught, as members can imagine. As the night went on, the digging was taking place, and the boys from Collie arrived and the press arrived. There was one big tree in the paddock, if you like. Interestingly enough, a guy grabbed a ladder and a reporter climbed up the ladder to try to get some photos—it was a big tree. While he was up the ladder trying to get photographs, somebody took the ladder away because they needed it, and he was stuck up there. It was quite an interesting story, apparently. As it turned out, the whole community—a very small community—responded, and the boy was recovered from the borehole after I think it was 13 hours or 14 hours from when the incident was reported. Minister, that is the early origins of the Mandurah SES.

The other story from the Peel region is the story of the Mandurah Water Rescue Group, which I am the patron of, and I have been for more than 15 years. The Mandurah Water Rescue Group's origins are in the tragic drowning of some nuns and a priest in 1963. A group of Catholic nuns and a priest, six of them, went out in a small tinnie one beautiful Sunday afternoon. The Mandurah Estuary looks beautiful and sedate or flat but can become quite a treacherous place, and that is what happened that afternoon. The boat capsized—remember that Mandurah was very sparsely populated then—and they did not return. The people at the local parish noticed they had not returned, and someone went out on horseback. I think that the late Dudley Tuckey was one who went out on the early search for them. Unfortunately, a couple of the nuns passed fairly quickly when they slid into the water when the boat overturned. They perished fairly quickly, but the others clung to the overturned boat most of the night. It was not until the next morning that they were found. That tragedy commenced the establishment of the water rescue group, which I think was the first in Western Australia. The history of that water rescue group goes back decades.

The Mandurah Volunteer Marine Rescue Group has a magnificent facility, as the minister has seen, in the Mandurah Ocean Marina and the volunteer men and women involved in that organisation are remarkable. Interestingly, the Peel–Harvey waterway system is a very large expanse of water, and so the marine water rescue group in Mandurah plays a significant role in water rescues throughout the year, particularly in our peak seasons—in the crabbing season, the summer and the spring. This group is almost certainly engaged in a few hundred rescues or responses throughout the year. Another interesting thing about the Mandurah Water Rescue Group is that during the Waroona fires in January this year it saved people from the beaches of Preston Beach. The fires had jumped Old Coast Road and were threatening Preston Beach, which is a small community of a few hundred people. It has only one road in and out, so people could not escape via the eastern side of the town, because that is where the fire was coming from.

Most of the people who were still in Preston Beach during that fire had to retreat to the car park areas around the beach. It was almost expected that Preston Beach was going to be lost. During the height of the fires, I remember that the beach was covered in a huge amount of smoke that was going out over the ocean. Then the big water rescue vessels from the Mandurah Volunteer Marine Rescue Group arrived and a number of people were plucked off the beach. The volunteers evacuated people from the beach, particularly people who were vulnerable. It made the front page of *The West Australian* during the height of those fires as a photo was shown of the marine rescue group boat and people being ferried from the shore. I am immensely proud of my community volunteers in the emergency services areas. I am pleased that I am associated with many of them in a variety of ways, not just as local member, but I know a number of those people involved personally and call them friends. I salute them and am pleased that this bill is being presented to this house. I hope it has very swift carriage through this place. It will not only underpin the important work that they do in a voluntary capacity, but also send a message, I suppose, that this Parliament and members of Parliament genuinely understand and recognise the importance of volunteers to our communities—the work that they do, the threats and the dangers

that they find themselves in and the tremendous courage that they demonstrate time and again when faced with a perilous situation.

One last thing—I think we should always do this—is to acknowledge the families who support these men and women and the anguish, thoughts and prayers involved each time their loved ones go out, sometimes into very perilous situations. Many, many families willingly support their loved one—man or woman, father, son or daughter, or whoever—in their endeavours in their voluntary capacities. Unfortunately, given the perilous nature of Australian landscapes, some of those volunteers do not come home. I can only imagine what it would be like being a mother, a father, a son, a daughter, a wife or a husband of somebody who did not return, having given their lives ultimately to community service. Those families should always be in our thoughts at all times when there are emergency situations in our communities.

MS J.M. FREEMAN (Mirrabooka) [1.43 pm]: I will be very brief. I want to make a few comments on the Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Bill 2016. I recognise members of the United Firefighters Union of WA in the Speaker's gallery. They do great work in representing the workers and firefighters, and, as the member for Mandurah outlined, recognition in our community of the important work that firefighters do is vital to keeping our community safe.

The purpose of this bill is to provide a rebuttal presumption. That is really interesting. It is not a reversal of onus as such, I understand, but provides a set of parameters that state, "If you have met this, it will be seen to be a causative factor." Instead of going in and saying, "I have cancer, and the workers' compensation jurisdiction and my employment made this happen", the employer or the insurer for the employer has to say that actually, no, there would be other things. Therefore, this reverses the onus of who can show that this is a rebuttal presumption. That may be because the workers' compensation jurisdiction tends to be a no-blame jurisdiction, so this is the terminology used. I am sure I stood up here and spoke on the first measure that this bill is amending, but I had not heard a rebuttal presumption before; maybe it is in the previous bill and I just missed it.

This bill provides for volunteer firefighters, state employed firefighters such as the Department of Parks and Wildlife and Forest Products Commission firefighters, and former career firefighters—which is very important—who contract any one of the 12 prescribed cancers to workers' compensation as long as they meet the prerequisites, which are outlined in the bill or in regulations. As long as those are met, it is presumed that the cancer occurred as a result of the firefighting and is therefore compensable unless proven otherwise. There is a bit of reversal of proof there, but it is accepted that the causative factor was workplace related—that is, it happened in the course of employment. That is the terminology used in the workers' compensation legislation. I also understand the bill amends the Fire and Emergency Services Act 1998 to provide uniform legislated insurance provision for all emergency service volunteers, and I congratulate the minister on that.

One of the worst situations that a person can be in in any workers' compensation dispute is an argument between insurers, because it becomes all about money and not about the substantive nature of the matter. Being able to have one insurer is a very important aspect. It causes great difficulties if people work at a particular place with different insurers. I understand this has a minimum of five years. A person could volunteer at a particular place and then volunteer somewhere else. If they fell under different insurers, that would cause a technical difficulty. When they are dealing with the prognosis of cancer and recovery from cancer, they do not want to have to deal with an argument between insurers about who has liability.

I stand here with my experience of having dealt with workers' compensation for many years, as the minister knows. I believe that certainty for workers when they are trying to recover from an illness is very important so that they can provide for their families and have the capacity for wellbeing, even whilst they are dealing with their cancer. It is such an important thing to have certainty of financial security and other things. I refer to certainty that they will be able to get the treatment they need and that they will have the support of their organisation. Those things are absolutely pivotal to people being able to have the best prognosis for their illness and cancer. I have often said in this place, and I was saying this to one of my colleagues the other day, that the most difficult thing about the workers' compensation system is that a person often has to keep proving to the insurers—the employers a bit, but the insurer mostly—that they are sick enough to stay in the system. If they have to do that the whole time, it can have an impact on their mental wellbeing, which can also impact on their physical wellbeing. That is certainly my view.

The member for Girrawheen did a sterling job in outlining the background to the reasons for this amendment. She outlined the history of the matter with how the Labor Party in opposition brought in a bill in the first instance, and then subsequently a measure came in through the government. She referred to the history of the campaign to ensure that this very important issue is recognised by both our sides of Parliament and has bipartisan support.

What I want to raise is how we reduce the toxins in our workplaces and homes, the areas that catch fire, so that we do not have to compensate exposed workers. How do we reduce the hazard of getting cancer in the first

instance versus compensating someone who has cancer? The next challenge for the minister as an employing authority is how to reduce the toxins. In the last 20-odd years—it may be more, but for the best part of between 20 and 30 years—there has been an increase in the toxins and hazards in a fire because of the way products are designed and the materials used in those products. It goes across all portfolios that we should look at the health and wellbeing of our community and the products it uses to ensure that the chemicals used in products are safe for normal use. If those products are then flammable and release carcinogenic toxins in a fire, we have to ask ourselves what, over the last 30 years, let us say, have we let occur in our community, the manufacturing industry and the importing of goods that has increased the hazard of things that burn.

I refer to an article in *The Atlantic*—I am sure that the minister’s attention has been drawn to this article—titled “How Modern Furniture Endangers Firefighters”, which was written by Olga Khazan on 11 September 2015. It outlines the problems that have caused a rise in firefighter cancer deaths in the United States since the 1950s and refers to research from other countries. I want to focus on the comment in the article that the problem is our stuff. The problem is the stuff that we like to put in our houses, such as furniture and the Hardie board that we use on our walls, because when they catch fire, they become noxious fuel. The article reads —

The cancer rates are being driven up, researchers believe, by chemicals that lace the smoke and soot inside burning buildings. Consumer goods are increasingly manufactured using synthetic materials, and fires are more toxic as a result.

A century ago, we furnished our houses with wood, cloth, metal, and glass. Today, it’s plastics, foams, and coatings—all of which create a toxic soup of carcinogens when they burn.

The article refers to fire retardants that, when ignited, become very dangerous. The article quotes Timothy Rebbeck, a professor at the Dana-Farber Cancer Institute, to highlight how dangerous they are. The article refers to—I have seen it on YouTube or television—the flammability of a modern room compared with the flammability of a legacy room, so the wood and furnishings et cetera. Having had an opportunity to look at it, I suddenly realised how highly flammable and highly dangerous modern buildings are, especially given the massive heat that comes from window dressings, furniture, televisions, things that melt—all sorts of things.

I was in Dunsborough during the fires that we have been talking about and I could see the plume of smoke, which was black. It was clear that it was a bush fire, but with the loss of so many homes, I wondered how many other particulates were in that fire. I think we need a serious discussion about how we as legislators can ensure that the things that catch fire do not increase the risk to those people on whom we rely to put out fires.

One of the issues the article refers to is the suits that firefighters wear, which soak up toxins and give off gases, and have higher levels of carcinogenic compounds, such as phthalates, which are chemicals added to plastic to make it soft, as well as arsenic, lead and mercury. As we have moved into further areas of technology, we have gone into nanotechnology. Things like paint use nanotechnology, which is very small particles to achieve better adherence of and smoothness in paint. There are concerns about the people who apply the paint because of the impact the particles may have on their bodies when they inhale the fumes and pass into the membranes of their lungs. Imagine nanotechnology and what will happen when it burns. We have no understanding of the impact, yet we race on with that new technology for being a great solver of some of the problems of modern manufacturing and modern products. I do not for one minute want to be labelled a Luddite—that is not what I am asking. Rather, I am saying that the debate has to turn its mind to other matters. Now that we have decided to properly compensate the people whom we rely on to put out fires, we must move on to how we can ensure that we listen to them and others in our community to make sure that they put out fires with the safest of capacities and that we do not increase the level of hazards to which they are exposed.

I note that the United States Congress recently passed the Frank R. Lautenberg Chemical Safety for the 21st Century Act. The act was named after Frank R. Lautenberg because he had been fighting for such legislation for so long. The 1976 Toxic Substances Control Act had basically been powerless for the past 20-odd years or more. When in 1991 the agency that regulated the Toxic Substances Control Act attempted to ban asbestos under the act, the case was struck out by the federal appeals court. Effectively, one of the biggest manufacturing and exporting and importing countries, and a country that leads the way in many environmental legislative reforms, has effectively, since 1991, had a mute chemical hazards act. I refer to an article that argues that because of the Toxic Substances Control Act’s weakness, Americans have been exposed to chemicals at a greater rate in their workplaces and consumer products, for which there is little or no toxicity information.

An article that appeared on *The Conversation*’s website stated that in 2010 the President’s Cancer Panel concluded that the true burden of environmentally induced cancers has been grossly underestimated. Considering that the current President, Obama, at one stage made a grand claim that we should be trying to cure cancer, we need to look beyond research into cures and into what causes it, and limiting the causes. That is what I continue to say here. It is that whole perspective of limiting the causes. In the final minute I have, I want to say that we have the capacity here.

Debate interrupted, pursuant to standing orders.

[Continued on page 5169.]