

**TRANSCRIPT OF PROCEEDINGS**

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**IN THE MATTER OF THE ROYAL COMMISSION INTO  
NATIONAL NATURAL DISASTER ARRANGEMENTS**

**DAY 18 TRANSCRIPT**

Continued from Monday, 6 July 2020, DAY 17

**CANBERRA**

**11:00 AM, TUESDAY, 7 JULY 2020**

**MS D HOGAN-DORAN SC and MR T GLOVER, appear as Counsel Assisting**

**<RESUMING 11:00 AM>**

COMMISSIONER BINSKIN: Ms Hogan-Doran, are we speaking today?

5 MS HOGAN-DORAN SC: Hopefully.

COMMISSIONER BINSKIN: Hopefully.

10 MS HOGAN-DORAN SC: Mr Glover is here with me.

COMMISSIONER BINSKIN: It's always good to have good backup.

MS HOGAN-DORAN SC: Indeed.

15 COMMISSIONER BINSKIN: Please proceed.

MS HOGAN-DORAN SC: Thank you. I will commence with some tender of material. I'm tendering the material from the supplementary tender list which are the videos that were played in yesterday morning's Bushfire History Project presentation.  
20 Those are items 17.11 through to 17.21.

COMMISSIONER BINSKIN: Okay. We will take the videos as marked through there as exhibits.

25 <EXHIBIT 17.11 BUSHFIRE HISTORY PROJECT VIDEOS, 17.11.1 TO 17.21.1>

MS HOGAN-DORAN SC: I'm informed that those will then be uploaded over time to the website. They're quite large files. I also tender from the amended tender list the material for today, 18.1, the Inspector-General for Emergency Management of  
30 Victoria. Those are the documents in 18.1, which is 18.1.1 through to 18.1.24. The 18.2, which is the Inspector-General Emergency Management Queensland, which are the items 18.2.1 through to 18.2.32.

COMMISSIONER BINSKIN: Okay. We will take 18.1 through 18.1.1 to 18.1.24  
35 and 18.2.1 through to 18.2.32 as exhibits as marked.

<EXHIBIT 18.1 DOCUMENTS 18.1.1 TO 18.1.24 INSPECTOR-GENERAL FOR EMERGENCY MANAGEMENT (VICTORIA) DOCUMENTS>

40 <EXHIBIT 18.2 DOCUMENTS 18.2.1 TO 18.2.32 INSPECTOR-GENERAL EMERGENCY MANAGEMENT (QUEENSLAND) DOCUMENTS>

MS HOGAN-DORAN SC: Thank you, Chair. The final matter is material I referred to yesterday in my opening, that is 18.3. This is additional material. These are the  
45 scenarios that have been issued to the States and Territories. 18.3.1 is the version that was issued to the ACT, a scenario to identify decision-making in relation to seeking

interstate, Commonwealth and international assistance. And 18.3.2 is the scenario, the same again, but the versions of it otherwise issued to the remaining States.

COMMISSIONER BINSKIN: Okay.

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MS HOGAN-DORAN SC: And the Northern Territory.

COMMISSIONER BINSKIN: We will take 18.3, point 1 and point 2, as exhibits as well marked. Thank you.

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<EXHIBIT 18.3 SCENARIOS TO IDENTIFY DECISION-MAKING IN RELATION TO SEEKING INTERSTATE, COMMONWEALTH AND INTERNATIONAL ASSISTANCE>

15 MS HOGAN-DORAN SC: And for those who are curious, the reason there's additional, there's a separate one for the ACT is that there were questions asked in regards to the Jervis Bay situation.

COMMISSIONER BINSKIN: Thank you.

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MS HOGAN-DORAN SC: I call Mr Pearce and Mr Alistair Dawson.

COMMISSIONER BINSKIN: Mr Dawson, Mr Pearce, thank you for joining us this morning and this afternoon. We appreciate you giving us the time.

25

MR DAWSON: Pleasure.

MR PEARCE: Pleasure.

30 MS HOGAN-DORAN SC: Mr Pearce will take an affirmation.

<TONY PEARCE, AFFIRMED>

MS HOGAN-DORAN SC: And Mr Dawson will take an oath.

35

<ALISTAIR DAWSON, SWORN>

<EXAMINATION BY MS HOGAN-DORAN SC>

40 MS HOGAN-DORAN SC: Mr Dawson, you're the Inspector-General of Emergency Management in Queensland?

MR DAWSON: That's correct, Ms Hogan-Doran.

45 MS HOGAN-DORAN SC: And you prepared a statement for the Commission in response to a notice dated 3 July 2020?

MR DAWSON: Yes, that's correct.

MS HOGAN-DORAN SC: Are the contents of that statement true and correct?

5 MR DAWSON: They are.

MS HOGAN-DORAN SC: Thank you. Mr Pearce, you're the Inspector-General for Emergency Management in the State of Victoria?

10 MR PEARCE: Yes, that's correct.

MS HOGAN-DORAN SC: And you provided a statement to the Commission in response to a notice; the witness statement is dated 2 July 2020?

15 MR PEARCE: I did.

MS HOGAN-DORAN SC: And are the contents of that statement true and correct?

20 MR PEARCE: Yes, they are.

MS HOGAN-DORAN SC: Thank you, gentlemen. I have a large number of topics I want to take you through today. I thought it would be useful for the Commissioners if you could commence by assisting them with an understanding as to the purpose and history of your roles. Both the Queensland and Victorian IGEM, if I may refer to them as that, the IGEM roles and offices were established in about 2014 but, as we understand it, for different reasons and with subtle differences in the titles as we've noticed. What was the purpose of having this kind of role introduced into the emergency management sector, and why did it come about? I might start with you, Mr Pearce, if I may?

30 MR PEARCE: Yes, thank you. As you've identified, the Inspector-General for Emergency Management of Victoria, the origins of the position effectively are the product of the outcomes of both the Victorian Bushfire Royal Commission in 2009, or following the 2009 fires, and also the Victoria Flood Review that did a significant review into the emergency management system subsequent to the Royal Commission. Both of those forums identified that there were a number of elements within our system that were missing, if you like, in their view. And one of those in Victoria was the capacity for the emergency management system to have an assurance mechanism sitting across the top of it to ensure that all the elements of the system were actually functioning in the most effective way possible.

45 As a result of that, the government of the day went through a white paper process to identify not only how could that be addressed but a whole range of aspects of our emergency management system, looking at the government's arrangements and the structures. And one of the recommendations that came out of that white paper, or one of the decisions rather, that came from the white paper was that there would be an Inspector-General for Emergency Management.

The objectives of the role in legislation are really quite small in number of words, if you like. They are to provide assurance to government and the community in respect of emergency management in Victoria, and to foster continuous improvement of emergency management in Victoria. Whilst they are small sentences, I guess the reality is that in doing - in providing that assurance, what we are really doing in a deeper sense is, through our specific assurance activities, we're bringing emergency management sector partners together which assists to ensure that the silos of the past continue to be broken down through our participation in our processes, because one of the issues again that was identified both in the Royal Commission and the Flood Review was that the emergency management system in Victoria was very silo-based and, therefore, agencies did not work well together.

We also enable and promote a culture of improvement within our sector, and I think progressively over the past six years as we have become better embedded in the system and we have worked right across with all of the organisations within the system, that enabling capacity has become stronger and stronger, and I have no doubt in my mind that we actually do have, I think, a significant learning and continuous improvement culture. We also, through our business, encourage a higher level thinking that focuses on the system rather than organisations and the individuals.

And one of the difficulties, I guess, in conducting our sort of role, particularly in the early days, is trying to both meet your obligations in legislation to actually assure the system, but also to do that in a way that the agencies and departments and the community trust you and want to work with you. And that has been one of the more difficult parts I guess. And part of the way that we do that is to make sure that we actually do focus on the system because the reality is, at the end of the day, nobody as an individual goes to work, nor do organisations open the door in the morning with the intent of doing wrong or bad.

They're actually there in our sector to try and do the very best they can for the community. So, therefore, we focus on what is it that the system does that facilitates decision-making or activity or otherwise by organisations and then look at how we can improve that. And I think, as a result of that, we are seen to be non-adversarial and yet, in being non-adversarial, we're still able to deliver the objectives that we have in legislation.

The last two things I would say about this is are that we create an environment where communities who interact with the emergency management system are actually able to comment and participate in providing their experience and making sure that the system, and government more broadly, actually understands what the impacts of engaging with emergency management sector actually are on them. And I think that's really, really very critical. In the past, prior to the IGEM there would have been very, very little opportunity for communities to get involved other than what you would hear in the media or otherwise, but now they are absolutely directly involved.

They are engaged and they contribute. And, as a result of that, the final point is, I suppose, that in those two very short sentences what we are actually doing is providing confidence. We're ensuring that there is a level of confidence within the community and within government that the system actually can function but that it's always open to identifying how it can do things better if that's at all possible.

MS HOGAN-DORAN SC: Thank you very much, Mr Pearce. You have touched on quite a number of the themes that I proposed to take you to in more detail during the course of the day, so I thank you for that helpful overview. If I might just go to Mr Dawson. Mr Dawson, you've been in the role now for not quite as long as Mr Pearce but, of course, are well familiar with the role, given your past. Nonetheless, could you assist the Commissioners just by explaining the purpose and the history of the role in Queensland?

MR DAWSON: Thank you very much indeed. So the IGEM in Queensland came about as a result of an independent review, which was called the Police and Community Safety Review, which was undertaken by the Queensland Government and publicly released in September 2013. One of the recommendations, or two of the recommendations arising from that review was about the creation of the role of Inspector-General Emergency Management, and this was supported by the government at the time.

So the role was first established in 2013. Queensland's first IGEM, which was Inspector-General Emergency Management, Ian McKenzie was appointed in December 2013 by the Queensland Government. The role was then formalised as a statutory position in 2014, pursuant to the Disaster Management Act 2003, section 16, here in Queensland. And at the time of the establishment, the office scanned a number of documents, both from overseas and also internally, including the one from Victoria which was a white paper.

So it looked at the organisations, the standards and the assurance and frameworks. So the office was established to look at and review and assess the effectiveness of disaster management by the State, by the districts and by the local disaster management groups here in the State. So it regularly reviews and assesses the cooperation between entities. It also looks at opportunities for new partnerships to drive forward, and seek continuous improvement, which is again very similar to Victoria. And it also has the authority to make standards and also to review and assess those standards.

So, again, although agencies were improving, there was a need to improve across the whole system so that the whole system lifts together as one. Everybody in Queensland is deemed to have a responsibility in respect to disaster management, which is locally led and then reasonably supported through the districts, then goes back to the State and then on to the Commonwealth. So that it's very much a forward driven component part of how we do our business.

MS HOGAN-DORAN SC: Thank you, Mr Dawson. What I might just do before I pass from this, getting a sense for the Commissioners of your objectives and functions, I might just go back to you, Mr Pearce. There have been a few additions to your functions over the course of recent years and I just want to clarify those to the Commissioners. If we can go to your statement, EMV.0014.0001.0698, it might be easiest if the Commissioners can see that and the next page where you set out at paragraph 8 the functions of the IGEM where you've essentially pulled out some matters, extracted the relevant section into your statement. Thank you, operator. Paragraphs (a) and (b):

*"Develop and maintain an assurance framework" -*

And:

*"Undertake system-wide reviews -"*

We will come back to that. You've already identified them in general in your opening response to my question. But (ba) and (ca) we see:

*"Monitor and report ... on implementation of recommendations arising from reviews."*

That was introduced in 2015. Could you give some insight as to why that introduction was made, and what is the value in having this as a mandated function for the IGEM in Victoria?

MR PEARCE: Yes, certainly, Ms Hogan-Doran. One of the - I guess one of the issues within assurance is that it's relatively easy - I say this in a pure way - it's relatively easy to conduct a review, and I take into account everybody's presence, but it's relatively easy to conduct a review and to arrive at recommendations and make the recommendations: that's terrific. It's also quite easy for government to choose or another entity to choose to accept those.

However, once they're accepted, the issue that we had in Victoria, and this is not dissimilar to a lot of other jurisdictions, is that it was very difficult to go back to any inquiry or any review and look at past recommendations and categorically identify what had been implemented and what hadn't been implemented and how effective it had been. Now, that is a - that has been a problem not only for this country, it's a problem internationally as well. But it was certainly something that was identified here.

And it was seen that one of the important functions that would really assist in providing assurance was for the IGEM to be able to not only look at the implementation of recommendations from the inquiries and reviews that we conduct and that are accepted by government, but also those that arise from royal commissions or parliamentary inquiries or judicial inquiries or otherwise that have application to the Emergency Management System and then have the IGEM actually

put an implementation monitoring process in place to ensure that every single one of those recommendations, once accepted, has been implemented in full and has been acquitted.

5 And, very quickly, one of the things that does happen over a period of time, and the Royal Commission in Victoria is a good example, you're looking at 10 years or thereabouts of implementation time for some of those recommendations - or, sorry, five or six years or more. Things can change: the environment can change, demography, technology, etcetera etcetera. So at times there are occasions where  
10 some of the recommendations and the way they're being implemented need to actually change to meet the new environment. And, again, it's the function of IGEM to ensure that where that happens we are satisfied that the evidence exists for the change in the way it is to be implemented, and then we monitor the new process or the new recommendation or the new aspect to it.

15 MS HOGAN-DORAN SC: I will also take you now to (ga) which was introduced in 2014 which specifically calls out an obligation to monitor, review and assess critical infrastructure resilience at a system level. Again, if you could give some insight to the Commissioners as to the introduction of this as a particular aspect of review,  
20 noting that critical infrastructure - and I'm going to come to the report later on that was done pursuant to this additional function - but noting that critical infrastructure is largely held in private hands, or at least operated by private operators in Victoria and in much of Australia.

25 MR PEARCE: That's right. Yes, certainly, the critical infrastructure aspect was always a consideration from IGEM from the very beginning. However, there was a separate, if you like, critical infrastructure process that was running concurrently with our emergency management arrangements and then this Act being implemented, that was actually building our capacity in relation to critical infrastructure. There was  
30 a critical infrastructure framework being developed and an implementation strategy being implemented and, of course, it took time for those two to be in place.

Therefore, there was not a lot of value in having a requirement in legislation for the IGEM to monitor something that hadn't yet been established. But the intent was that  
35 it was to be established and this was function, if you like, was always sitting in abeyance, and then once the two processes of the framework and then the implementation strategy were in place, it was then activated, if you like, or enabled in legislation for us to be able to start our process of monitoring from that time on.

40 MS HOGAN-DORAN SC: I see. Now, the last one I want to bring the Commissioners' attention to is (gb) which was introduced in 2018 to monitor, review and assess emergency management planning at a system level. Again, if you could provide some background to that introduction or amendment?

45 MR PEARCE: Yes, certainly. So, again, the sector had, for quite some time, been looking at its existing emergency management planning framework, if you like, and the way in which stakeholders, being community, Local Government, and others and

other organisations in our sector were actually identified within those structures and how their obligations were clear, and then what level planning occurs for what reason looking at what hazards, etcetera.

5 The review of that process or - the reviewing of that process was ongoing and, again,  
much in the same way as the critical infrastructure, there was always an intention  
within our reform, our emergency management reform, that emergency management  
planning itself would be reformed. It just so happens that this is the period just prior  
to, or leading up to, 2018 in which the reform process, if you like, for planning  
10 commenced. And, therefore, as a result of that, again, this aspect of - or, rather, this  
function was introduced into legislation for us to monitor the emergency  
management planning at that system level.

MS HOGAN-DORAN SC: Alright. Thank you, Mr Pearce. Mr Dawson, if I might  
15 go back to you and I have your statement drawn up, EMQ.003.001.0034 at 0035  
where you set out the functions. You mentioned some, in your opening response,  
such as the function to review and assess cooperation between groups, and also to  
generally inquire. What is of interest, I think, for the Commissioners is that the  
functions are set out in a different way in the sense that it identifies reviewing and  
20 assessing the effectiveness of disaster management by the State but also then by  
district groups and then local groups. May we take it that, in a sense, is because it  
reflects the way in which the State Emergency Management is structured in  
Queensland in the way that you described earlier?

25 MR DAWSON: It does. It reflects this locally led, regionally coordinated, State  
facilitated, and then supported by the Commonwealth, approach. So there are 77  
local disaster management groups in the State which reflects the Council areas. There  
are 23 disaster district groups which are reflected and led by the senior officer or  
police officer within the district, and then they report back to the State level. So when  
30 we look at the functions that are placed here in section 16C, it's about this clear  
understanding of, you know, front leads coming back to get support from the  
districts, and more support then from the State.

35 And so it's around, I suppose, being able to manage those risks and those activities  
that are occurring in front of them but in the same breath not being alone and they've  
actually being able to reach back. So the standards that we have reflect the shared  
responsibility of not only prevention and preparedness but also response and  
recovery.

40 MS HOGAN-DORAN SC: You've got sort of an incidental power at the end:

*"To perform functions incidental" -*

And:

45

*"To make all necessary inquiries to fulfil the functions"*

Which are fairly broad. Would they capture the additions that I just raised with Mr Pearce? That is, critical infrastructure, resistance, emergency management planning at a system level, and implementation of recommendations from previous reviews?

5

MR DAWSON: So, yes, from implementation of recommendations from previous years' reviews, correct. We've also just recently completed a piece of work for government around the Paradise Dam in the Burnett River system, which was looking at community safety to the east of the dam. So we worked in - we did that piece of work first, and then Byrne J undertook a piece of work around the mechanical - the engineering component. So we do have that. But additionally, we also include in our reviews for government - the last recommendation is usually that the government considers returning the report to the Inspector-General to monitor, evaluate, and report on all recommendations accepted in full or in part.

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MS HOGAN-DORAN SC: I want to turn now to a related topic about independence. I want to get a sense for the Commissioners how independent are you in your role from the emergency management sector, and how is your independence guaranteed or at least reinforced? I note that both of you are appointed by the Governor in Council. They are statutory roles. The change, that seems to be a fairly recent change in Victoria, Mr Pearce; is that right?

20

MR PEARCE: That's correct, Ms Hogan-Doran. It occurred actually in line with the legislative amendments you identified for emergency management planning; it occurred on 1 October 2018.

25

MS HOGAN-DORAN SC: Alright. So you're both appointed by Governor in Council but you both report to the Minister but not to Parliament; is that right?

30

MR PEARCE: That's correct.

MR DAWSON: That's correct.

MR PEARCE: Other than reports are tabled in Parliament but it's not reporting to Parliament.

35

MS HOGAN-DORAN SC: Alright. They are tabled in Parliament.

MR DAWSON: Yes, they are, yes.

40

MS HOGAN-DORAN SC: Could you explain to the Commissioners, I want to understand that some of the comments that you made, Mr Pearce, in opening, is the need to have trust from those, and confidence with those for whom you're providing the assurance framework, which must necessarily involve working quite closely with the emergency management sector. But, nonetheless, how do you maintain independence of the sector, given that statutory role?

45

MR PEARCE: The - I guess it's probably reasonable, just very quickly to go back and then explain why we ended up on 1 October with the change in the appointment status. We were almost a great little pilot for - if you set up an entity such as ourselves with the intention that it be independent, if you like, to set it up under the  
5 Public Administration Act which was done at the time, which seemed quite reasonable. It is not necessarily seen by external parties particularly as being independent or even close to it.

10 And one of the problems that we had leading right up to 2018 was that we were getting involved in more and more complex and sensitive reviews and inquiries of events, and making findings that would have, I guess, long-term implications for the sector and for organisations. And there was a question being asked about whether or not, as an office and my position sitting within the Department of Justice and  
15 Regulation, as it was at the time, and reporting to a secretary, whether or not the potential then was there for the secretary and the department to influence my thinking and my decision-making, and then ultimately the recommendations I was making.

20 Whilst that had never happened in the four years up to the Governor in Council change of appointment status, the potential clearly was there, and we were getting increasing correspondence, and ministers were getting correspondence, etcetera, to that effect, from industrial bodies, from peak bodies and from others who were questioning the independence. As a result of that the government itself without  
25 actually, I might say, without any push by me, decided that it was going to change the appointment status to a Governor in Council appointment. And, effectively, as you look at the legislation, which I know you have, the only obligation - or, sorry, the only relationship now with the department proper is a resourcing relationship in that the department is required in legislation to resource me to be able to meet my  
30 legislative functions. But other than that, that is the relationship.

35 So I do, I make no reports. I contribute to no discussions around my functions or the outcomes or otherwise into the bureaucracy whatsoever. I do report directly to the Minister, obviously, and for everything other than those inquiries or reviews where government itself is requesting me to undertake them. But all of our planned review work, etcetera, that is all done of our own volition in partnership with the sector  
40 identifying what are the most relevant things that we might look at.

45 The Minister has no say in those. But, ultimately, the one thing that I can't do is I can't publish any of my reports once they have been completed, whether they be planned review reports, or whether they be at-request reports. I can't publish those of my own volition. They have to be approved by the Minister For Publication. And, again, it's a requirement within legislation. And to date, other than the couple that we're still waiting, all of our reviews have been published including all the recommendations, the observations, and the findings.

As far as the agencies go and the sector goes, again there was a real perception in the early days, that because obviously the forward facing aspect of our emergency

management system are the operational agencies obviously, that very early implementation of our new Emergency Management Act also brought into line - brought online Emergency Management Victoria and the Emergency Management Commissioner role which is very well known to everybody in our community. There was also a perception there that the Inspector-General for Emergency Management was actually working for and a part of Emergency Management Victoria. So, again, a secondary reason as to why the Governor in Council change was made; was to actually provide that very clear separation between the two and that's pretty much the history to that.

MS HOGAN-DORAN SC: Alright. Thank you. Mr Dawson, what's the position in Queensland?

MR DAWSON: Thank you very much, indeed. Well, very similar in a way. We are appointed by a Governor in Council. Our appointment is actually specified within the Disaster Management Act, and also the reasons for removal of the Inspector-General, should the need arise. So there is a quite clear separation in that regard. So the agency is not a department and, as such, not being a department, we don't access certain other government documents as well. And we report directly to the Minister for Fire, Emergency Services and the Department of Aboriginal and Torres Strait Islander Partnerships.

So, in a way, same as Tony, DM, or disaster management plan assessments, and our capability reviews, we negotiate that directly with the local disaster management group or the district disaster management group. So the fourth part to that is we are, as you said, empowered to make inquiries, and we also receive submissions from community. We also conduct telephone surveys, and we're also doing a piece of work at the moment with Griffith University around new and innovative ways of gauging community sentiment.

So our focus is on continuous improvement which was the mandate that was set back when the agency was formed. And fifthly, very similar again to Tony, the publication of our reports that we get, which are reviews that come from government, are passed back to government for their consideration, and either tabling or publication is a matter for the government of the day. We report on what we see and what we find.

MS HOGAN-DORAN SC: Mr Dawson, you were a member of the Queensland Police Service and attained the rank of Assistant Commissioner prior to our appointment, first --

MR DAWSON: Correct.

MS HOGAN-DORAN SC: -- in an acting position in July 2019, and then formally from 6 February of this year. You've got a long background and experience in the Queensland Police Service. How do you bring that experience and qualities to your role, but also then how do you manage the obligation and the advantages of being independent in this role?

MR DAWSON: So, one of the things that - the Queensland Police Service has many different aspects to it, and one of those is honesty, integrity, and also understanding that not all aspects of policing, you know, should be discussed necessarily with  
5 others. So, one of the things is, it has taught me the discipline around personal integrity and around that compass of understanding what should be independent and what should be discussed. There's also the aspect of, when I was relieving in the role, there's a very clear understanding that when we're relieving in the role, that we actually stepped outside of the Queensland Police Service itself.

10 So it's not unusual to have secondments like that from the Queensland Police Service, and to understand that at that particular point in time if you are seconded - and there are many officers that do get seconded to both the Commonwealth and to other activities, such as the Crime and Corruption  
15 Commission - that there are rules that need to be followed. So I think from an independence point of view, I'm very comfortable with that, and I resigned from the Queensland Police Service once I was successful in attaining the role of the Inspector-General Emergency Management.

20 MS HOGAN-DORAN SC: Alright. Thank you. The role, as you say, of Inspector-General of Emergency Management is, of course, not a solitary endeavour in Queensland. You have an office and you have a staff of some --

MR DAWSON: Yes.

25 MS HOGAN-DORAN SC: -- 22 including you. In Victoria, Mr Pearce, you also have a staff of about 31. Each of you divide your offices into three business streams. They all have different titles, and they seem to reflect the, perhaps the emphasis in the functions which you have both described. But, essentially, it seemed that you  
30 have essentially a similar kind of support group sitting around you. Is that a fair assessment? I take it you are both really quite familiar with each other's operations, and that's the premise of the question. Perhaps you might just clarify that and then address its substance. I might go to you first, Mr Pearce.

35 MR PEARCE: Yes, certainly. Thanks, Ms Hogan-Doran. Yes, we, I guess if you're asking about whether Mr Dawson and I understand each other's businesses and the layouts and the structures and the way we function, then yes, we obviously do. We are - I guess by necessity it's probably important that we do understand, both having  
40 similar roles and being the only two IGEMs, if you like, in Australia. Therefore, it really is important to be able to understand that not only from a structural sense but to make sure that your structure really does support the functions that you have.

45 And that goes a little bit to one of the - I guess everybody is a little bit mercenary to some extent, but it's also going back to that confidence issue again. If we were to have two IGEMs in different parts of the country that, by definition, at times will look at similar types of events. Other than the differences of the environment in which those events occur and the differences relating to particular communities and

so on, you would expect, I think, as a reasonable person, that when you inquire into those types of matters you would probably not come up with two dissimilar findings and reasonable recommendations when you look at that.

5 So, obviously, we want to make sure that, as two officers, that we are as contemporary as we can be; that we are, again, across each other's functions and the way that we perform those; and there is to some degree a level of consistency in what we do, being as the obligations are so similar. The office size, as you describe here, is 31 and myself 32, is broken up into those, effectively, the three discipline areas, if  
10 you like. So the important part about that is whilst they are, for structure's sake, everybody has to be in a box and we do have organisational structures.

The reality is that on a day-to-day business-as-usual function, I guess, the evaluation and review team are doing that, and the monitoring teams are doing that, and the  
15 assurance frameworks teams are doing those sorts of activities. A lot of our work actually requires all of those people to come together to conduct pieces of work no matter what their background, because there's nothing that we've done particularly in the requested reviews, if you like, into big events, there's nothing that we have done that doesn't require all of the skills of the office to be brought together. So day-to-day  
20 business as usual, they are functioning within those team areas under those types of titles. But for a lot of our work they are effectively working as a team of 31 on some of the larger stuff that we do.

MS HOGAN-DORAN SC: Mr Dawson, I take it from what Mr Pearce says, do you  
25 agree with what he says in terms of a summary basis?

MR DAWSON: I do. I mean we have a staff of 22, so myself and 21. We look at assurance and evaluation, research and engagement, and governance and reporting. But, like Mr Pearce, we move our people to pieces of work that are a priority and that  
30 need to be done. The other thing to probably bear in mind in this role is we do a lot of qualitative analysis. So it is particular to the role. We're always looking at how do we improve ourselves? How do we look at reducing the burden on the front line? Can we do things in a more efficient and effective way? So we do discuss these things and what it is, I find is very helpful and healthy to create that thinking. But we  
35 also have - we also have an advisory committee which has a number of agencies represented on that, but also --

MS HOGAN-DORAN SC: Actually, Mr Dawson, I might just --

40 MR DAWSON: But also they help us --

MS HOGAN-DORAN SC: Sorry, I might just interrupt you because I was going to take you to that next which was your stakeholder engagement framework because one of the, those key mechanisms you have to engage stakeholders is that advisory  
45 panel. If the Commissioners could be shown paragraph 15 of your statement, which is on 0036 and 0037. You have actually two advisory panels there: one is the IGEM advisory panel and one a research advisory panel.

MR DAWSON: Correct.

5 MS HOGAN-DORAN SC: And a number of other groups there identified, by which I take it are assisting your office and you. So there's also the technical working groups, disaster management officers' network, and a research register. It may be a little difficult for to you answer this question given the more limited time you've had in your role compared to Mr Pearce, but were these established upon start-up or have those evolved over time as the need has become apparent?

10 MR DAWSON: So I think I can say with a degree of confidence that when the office was first established, it was done with - with the support of a group of senior practitioners from across the State, but not only local and State but also at Commonwealth level as well. So that the actual - the framework and the stands that were ultimately developed by my predecessor came from this rich source of  
15 knowledge. The interesting thing, and we highlight here, is that the advisory panel allows - allows us to consult with others so that we maintain our strategic objective; that we can also maintain a good contact with, I suppose, the real world, what's happening in emergency management within the State; and the research - the  
20 research committee.

We had a mapping exercise that was completed, I think just before my arrival, and we - we found a considerable number of different research projects that - I think it was just under 200 in the State - that were actually directed towards emergency  
25 management. So one of the things that we found is our relationship with the universities has proved to be a very fruitful and a rich one for us because it allows us to look into the future around how we do our work, and how we evaluate and how we do this qualitative analysis. And so some of those pieces of work have borne well, and one of those is, especially in and around the use of big data and with one of our  
30 universities, and that has been exceptionally beneficial for us.

MS HOGAN-DORAN SC: You do mention there the focus on seeking to transition to practice sort of academic insights.

35 MR DAWSON: Yes.

MS HOGAN-DORAN SC: Is that something that you have seen - has that been of use to you in your role already or is that something that you're just seeking to pursue for the future?

40 MR DAWSON: No, it has been of great use to us in our current climate, because historically, where we have done telephone surveys, for example, there are some areas in the State where you cannot do a telephone survey. So if you want to survey a community and gauge how they feel and to try to remove some of the advices that  
45 may present through a phone survey - too long, wrong time of day, don't really want to spend 20 minutes on the phone talking to you - we have explored the options around what, in essence, is community open source data which is where people

communicate. And we get a sense then of, alright, so how does the community feel about this? What's the community feeling about that? And then if certain things occur, does that - can we correlate that back.

5 So we're in the early stages of looking at the correlation of community sentiment and the activities or the responses that we have because it's such a complex environment. And the use of landlines is slowly but surely fading out at the moment within some of the areas of the State.

10 MS HOGAN-DORAN SC: Now, Mr Pearce, have you also got a stakeholder engagement arrangement similar to those of Mr Dawson in Queensland?

MR PEARCE: No, Ms Hogan-Doran, we don't. And we actually, whilst we go - I guess we get the same, the same outcomes if you like - we go about it in a slightly  
15 different way. Certainly, when IGEM was - in the development of IGEM there was an advisory group, if you like, in relation to what an IGEM could potentially look like, and how it could benefit the sector if it were to be put in place. But then once the legislation was enacted and the appointment was made, there was no provision for an advisory group that was discussed.

20 There are a couple of issues in relation to - or a couple of issues that arose in those discussions, some of which go to the issue of independence. Again, there's a perception, it's a delicate balance, if you like, between having an advisory panel that is providing advice versus the potential for an advisory panel to be a voice for those  
25 who have a particular view of the world and would like to see that view proffered. So, therefore, that's --

MS HOGAN-DORAN SC: Sorry, Mr Pearce, I was just going to also mention to assist the Commissioners, unlike you, Mr Pearce's office has a function which  
30 specifically requires him to identify opportunities for cooperative partnerships, which is a slightly different focus to the way in which your functions have been specified by legislation. Is that a fair summary?

MR PEARCE: Sorry, was that question directed to me?  
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MS HOGAN-DORAN SC: To you, yes.

MR PEARCE: Yes. Yes, it is, absolutely. So - and, as I say, the way that we actually go about it is almost, as Mr Dawson described, the outcomes that they achieve  
40 through theirs, we do the same thing in part. For example, our planned review process requires that we actually engage with the sector to get their advice and their guidance on those issues that they see as, I guess, as deliverers of services that are system level issues that would benefit from our engagement and conducting those sorts of activities.

45 We also, throughout the year, multiple times a year on a planned basis, engage with Local Government and we use Local Government to actually get advice through their

community networks as to the types of work that we're doing, and the impact of that and the effectiveness of it. And we also use non-government organisations for the same purpose. And then, finally, from a research perspective, rather than have a research advisory group or a panel as such, I have two managers in my organisation that are - that come from a very rich research background who are our members of, for example, the Bushfire Natural Hazards CRC Research Advisory Panel and so on. So we achieve the same outcomes, if you like, as Mr Dawson but we do it in a slightly different way.

10 MS HOGAN-DORAN SC: And, as you said before, Mr Pearce, your staff is slightly larger than Mr Dawson's staff. You've got about 10 more, or nine more, and so you identified that in relation to the research managers. Now, what I want to do now, mindful of the time, is move to, having got this sense and an understanding of the nature of your roles and the resources available to you, is to turn now to the assurance framework. Could I have shown - we will start with Victoria if that's alright, Mr Dawson. We will have EMV.0014.0001.0133 shown, which should be the Assurance Framework for Emergency Management in Victoria. It's volume 1, tab 9, Commissioners. This is the second edition of this document, Mr Pearce; that's right?

20 MR PEARCE: That's correct.

MS HOGAN-DORAN SC: Alright. So that's fairly recent, I think, two thousand --

25 MR PEARCE: Yes, that's right.

MS HOGAN-DORAN SC: 2019.

MR PEARCE: That's correct.

30 MS HOGAN-DORAN SC: Alright. Could we go to the definition of "assurance" just so we have clarity, page 0410, in that first section:

*"Assurance is a feeling of confidence" -*

35 And I think both of you said this in your opening responses:

*" - is a feeling of confidence by the government, the sector and the community in the ability of the system to achieve intended outcomes. This feeling of confidence should be proportionate to the quality of the assurance provided."*

I'm going to ask each of you to comment and perhaps expand on that definition. Mr Pearce, I will start with you?

45 MR PEARCE: Yes, certainly. Thank you. I guess the important part there is probably the second sentence in that paragraph which is the one about the proportionality of assurance. I think one of the issues with the concept of assurance is that there can be

an expectation created in the minds of those who are reading our recommendations and our work that - and also understanding our obligations in legislation, that by the very fact that we conduct the work we do, that once we've done that and we have made some recommendations, those recommendations are then guaranteed to address the issues that we've seen unfold in front of us.

That, of course, is not necessarily the case because the quality of the recommendations or any other processes that arise through assurance activity are only as good as the evidence that you can actually garner to arrive at your decision-making. So, therefore, whilst we are satisfied that, to the best of our intent, our assurance processes allow us to get the best possible information and it's always supported by evidence, then we - that we use the base - to base our recommendations upon, I guess that second sentence is almost a caveat to say that so long as you have got very good evidence then you have an ability to provide very good assurance. But it is, to some extent, I guess, inhibited by that - by the quality of that evidence.

MS HOGAN-DORAN SC: While we're actually in this document because, Mr Dawson, I'm going to take you to your equivalent framework and show the Commissioners that. If we could go over to figure - on page 0143, which is figure 1, the 'Plan, Do, Check, Act' Cycle. This is a figure that shows how assurance activities, which you have just described, Mr Pearce, can contribute to continuous improvement. So, elsewhere in this document identifies that assurance activities are monitoring, debriefing, reviewing, investigating, auditing and evaluating. And you've both sketched out those kinds of activities, identified how they are in your - specified in the functions set out in your legislative authority.

What I understand from this document, or from this figure, and I want to ask you to clarify it, is: does assurance necessarily foster continuous improvement or is it more a case that assurance activities can but won't necessarily foster continuous improvement?

MR PEARCE: Ms Hogan-Doran, I would say that if you go through the full cycle and you get to the final part, which is the act, and you actually act and you implement, then at the end of the day I would almost categorically say that there is an improvement outcome. However, the reason that we have the cycle described in the way it is, and the act part is there is for that very point - it goes back to the comments I made almost at the start of the hearing today, that you can conduct as many assurance activities as you like and arrive at as many recommendations as you like.

But unless you actually commit to implement the act - the recommendations, and then monitor both the implementation process but also the effectiveness of those actions once they have been put in place, then you don't necessarily get an improvement outcome. So it is absolutely, in my mind, assured that you will get an improvement outcome, so long as you've got evidence-based information going in and you have people who have the expertise then to analyse that and make appropriate recommendations and you put in place an implementation strategy that you then monitor through to acquittal.

MS HOGAN-DORAN SC: Alright. Thank you. There are other parts of that document, but I think it might be of assistance if I go to Mr Dawson, yours, the Queensland statement, the Emergency Management Assurance Framework, I will go  
5 to EMQ.003.001.0038 which is actually - because it's set out in your statement to begin with, paragraph 20 of your statement:

10 *"The Emergency Management Assurance Framework developed by the IGEM provides for three tiers of assurance activities."*

So, in Queensland, there are tier 1, 2, 3, there's different tiers, and it's not presently entirely clear to me to what extent those tiers are related to what Mr Pearce has identified, which is this concept that a feeling of confidence should be proportionate to the quality of the assurance provided, that the different types of assurance  
15 activities can lead to different levels of assurance being delivered. Mr Dawson, if I might ask you first just to explain the three different tiers and what's the purpose of having those three different tiers?

MR DAWSON: Thank you, Ms Hogan-Doran. In essence, it does underpin what  
20 Tony has said. We have just laid it out in a slightly different way. So a tier 1 level activity is, in essence, a self-assessment. So it could be a local disaster management group or a district disaster management group doing an assessment of its own plans against a standard and saying, "We think we have met the standard." If we were to introduce a second layer, which is a peer review or a review by the IGEM, say, for  
25 example, in a disaster management plan assessment, then because there's an external view now of the plan, there's going to be a slightly higher level of confidence for assurance that what has been produced to us is actually in line with a slightly higher level of assurance, because if what we see is what they have said in aligns to the standard, then there is that additional layer.

30 A tier 3 review is, for example, where we are tasked to do a review of, say, the bushfires in 2019-'20 or, for example, the Paradise Dam example, that would be a tier 3. It's a more searching inquiry. It looks for more evidence. It talks to far more people. And, therefore, there's a higher level of assurance associated then with  
35 the - with the outcome. So again, as I think Tony has explained in a slightly different layout, there are different levels of assurance that can be attained through the amount of inquiry that is given.

MS HOGAN-DORAN SC: I want to understand just a couple of aspects of both of  
40 each of your responses. The first is Mr Dawson identified this issue of self-assurance; that is, the actual entity or agency undertaking a process by which it sets the assurance principles and ultimately the 'Plan, Do, Check, Act Cycle' against their own internal and external standards. Is that an expectation of the Victorian Emergency Management Framework, Mr Pearce?

45 MR PEARCE: Yes, Ms Hogan-Doran, it actually is. And when you read that document cover to cover, and it's a great read, but when you read that document

cover to cover, what you will find is it actually describes - it describes assurance in the context of a system. It's not the - if you like, it's not the IGEM's assurance framework, whilst in legislation we're obviously responsible for - that it be - the implementation and the maintenance of it, it's actually a framework that is designed  
5 in partnership with our sector, and it takes into account that all levels of the system actually have an assurance obligation of their own.

And one of the things we were very concerned about - and, in fact, when you look at that document you will see it's the only document in our suite on our website that  
10 doesn't have the IGEM logo on it, and the reason that it doesn't have the logo on it is for a very specific reason, in that assurance is everybody's responsibility. And that framework actually describes (a) that it is everybody's responsibility, but it also then goes to the concepts of assurance, the methodologies and the types of processes you might put in place. And it articulates there is an expectation that at all levels, all  
15 organisations and all entities in our sector will conduct their own assurance activities. And it is not an abrogated opportunity for organisations to say: well, the IGEM has a framework, therefore we don't have to worry about it.

MS HOGAN-DORAN SC: Mr Pearce, since you have me goaded me to do so, I'm  
20 going to take the Commissioners back to it: EMV.0014.0001.0150, if I may. It's the document from before and we will have figure 2 shown: the Complementary Perspectives from Different Assurance Roles. I think this is what you're referring to, Mr Pearce. And I note that the assurance framework is required to be approved by the Minister pursuant to section 65 of the Emergency Management Act. And, as you  
25 say, it is a broader piece than just a job for the IGEM. So this that, sort of a further version of that circle of - a continuous circumstance of 'Plan, Do, Check, Act' but taking it in on a system-wide basis.

MR PEARCE: That's correct, yes. So, that's effectively in a diagrammatic way  
30 showing you exactly what I've just explained. And the important part about the Minister approving the framework, if I just simply present the framework to the Minister and say: well, there's the updated or the refreshed version, and ask for the Minister to approve that, unless she is satisfied that all levels of the emergency management system are actually conducting their own assurance activities to a  
35 degree that provides the appropriate level of effect, then she won't approve that framework. So we spend a lot of time working with all of the organisations to satisfy ourselves that they actually have the right processes in place to conduct assurance activities at the level to which they should be doing that.

MS HOGAN-DORAN SC: And I note that you also annex your statements,  
40 annexures 4 to 7, an Annual Assurance Summary. So a summary document which is a consolidated overview of the assurance activities that you've undertaken over the course of the previous years, and providing a high level picture of sector performance risks and progress against the reform agenda. To what extent is that a  
45 score card for the emergency management sector?

MR PEARCE: It's not actually a score card, as such. So the annual assurance summary is not something you will find in legislation. All of our other activities are there, such as our reviews, planned and requested, etcetera, and our monitoring activities. But as an IGEM as we became more mature, we started to realise that one of the things that potentially gets lost is the very basis for why we exist and the very basis for why our arrangements are what they are in Victoria at the moment, which was the Bushfire Royal Commission and the Flood Review, and a full reform agenda.

10 And it's not necessarily easy to be able to look at a single document and get an understanding of, in a given year, what is the sum of activities that has occurred that you could then relate back to those reform agendas. So we decided that we would actually propose to government that we would develop an assurance summary every year which is really just a snapshot. It requires no additional effort from the agencies themselves. We have access to all of the data and the information we need. And it gives you a bit of an idea as to what incidents have occurred throughout the year, what risks have exposed themselves, and then what assurance activities have been undertaken as well. And it just gives you a bit of, I guess, a snapshot in the previous 12 months how we are progressing on that reform based on the framework and then the activities that have been undertaken. But it's not a legislative requirement, as such. It's a value-added document, if you like.

MS HOGAN-DORAN SC: The other question I have to both of you, so you've both described an obligation and an expectation that particular agencies and entities within the sector will undertake their own self-assurance activities, and that's part of a broader system in which you're providing external assurance. To what extent is there a similarity, and are there dissimilarities with the position of auditor-general that is in each State and is in other States? I'm not sure which one of you wants to take that first.

30 MR PEARCE: I will let Mr Dawson go. I will just get my breath back.

MS HOGAN-DORAN SC: Mr Dawson, it's over to you.

35 MR DAWSON: Thank you, Ms Hogan-Doran. It's interesting, when the office was first established, they actually - the founders of the office looked at: should we be a regulator, should we be a Queensland audit office type environment? And the feeling at the time and it's still the same is that no, we shouldn't be. One of the things that's interesting here is that we actually are seeking for people to drive continuous improvement within a disaster management environment or emergency management environment that is focused on generating really positive outcomes for the community in which they live because, again, it is a - it is a front to back establishment.

45 If we took a view, and this is only one view, but if we took a view that we were going to measure compliance with, say, a particular regulatory space, we would need to be able to enforce that. And I think the question then is: is that what we are really

here to do, or are we here to drive continuous improvement through, for example, a lessons management framework? You spoke about that before. How do we know people are improving? They participate in exercises, no matter where they are. They continue in operations, whether it be a disaster operation or an emergency management response operation.

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So we've just posted onto our website a lessons management framework which explains how to capture observations, insights, lessons identified, and then how to inculcate those lessons into - into their day-to-day activities. We're dealing with both people who work in this space in a full-time capacity and those who volunteer in this space, and some of them do a lot of activity in their own time. So I think the question is, we already have the Queensland Audit Office, we already have criminal investigative oversights in the State as well. What we're actually trying to do is take a teams-based approach to driving continuous improvement through encouragement.

So if we look at how at we did the bushfire review, my predecessor did that in '18-'19 and established a number of findings and recommendations which we have --

MS HOGAN-DORAN SC: Mr Dawson, I will be coming to that in quite some detail.

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MR DAWSON: I will go back then. So I suppose what we're trying to do is take a more partnership approach, a more conciliatory approach. So if you - if we can envisage emergency management and disasters as a position of a continuous journey of learning. So we have a landscape with many different types of disasters from bio hazards to human hazards such as COVID, to floods and cyclones, and fire and - to name but a few. I think one of the things is that how do you encourage people, because this is what the system is built upon, is people's enthusiasm - and Tony alluded to it earlier in the piece - is we don't think people wake up in the morning with a view to do a poor job.

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They always want to do more. And that's one of the things that we've heard constantly, that they want to - I think we want to encourage them to do more. And encouragement is about actually walking with them and helping them understand the complexities, so when they actually get to the operation, that they - they actually apply what, in essence, is the best practice they can apply for the conditions in which they find themselves so that they can learn from that.

I think we see that in other areas as well. We see it in Civil Aviation Safety Authority where we encourage people to self-report, and so they can learn by this, by their actions or by their errors, or by their good work. And I think one of the things is a positivity in how we encourage people to succeed.

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MS HOGAN-DORAN SC: Thank you, Mr Dawson. Mr Pearce, what Mr Dawson was saying in terms of taking a contrast into the position of, for example, the auditor-general, this is one of a role of more of partnership or conciliatory being on a continuous journey of learning. The auditor-general role is more of an external role,

and perhaps one that is more driven by outcomes measurement. Is that part of the distinction, Mr Pearce?

5 MR PEARCE: It is - well, it is to some extent but it's not dissimilar to Mr Dawson's discussion there. I think one of the - one of the things for at least in Victoria is when you're - you know, the office of the IGEM is here hopefully for good, because we think it's a positive delivery mechanism for improvement. So we hope it's here for good. But if that is the case, then recognising that no matter what level of activity you undertake in reviews and evaluations, or whether it's even right up to a formal  
10 inquiry, there's always going to be a level of apprehension and trepidation within those organisations, and individuals in organisations, as to what that actually might mean.

15 We are very concerned to make sure that, where possible, our processes are both non-adversarial but also not seen to be adversarial and that there is actually, through experience and past experience of working with us, that organisations and entities actually recognise how we go about doing our business and see that there is a positive benefit both to them as an organisation and also to the community at the end of it. So it's about trying to remove the potential for there to be seen to be an  
20 adversarial approach to what we do.

Secondly, if you look at independent inquiries, for example, conducting their work in our State, as they are, I guess, one event inquirers, if you like, they often take a slightly more aggressive - in fact, sometimes a very much more  
25 aggressive - approach to inquiring into something because once they've completed that work, they walk away and that's effectively the last time they engage with the sector.

30 We have to find a way to do exactly the same - get the very same outcomes at the end of the day, but do it in a way that when we go back next year and the year after, the organisations are actually comfortable to work with us because they believe that we are looking for a benefit to the community and a benefit to them as organisations, rather than trying to find the guilty, if you like, and that's the approach that we take.

35 As far as outcome measures go, it's not that dissimilar anyway. I mean, whilst yes, the auditor-general does take that approach we are actually looking for outcomes as well. It's important that if we make recommendations or if there are recommendations from other lines of inquiry that are implemented, that there are actually clear tangible benefits that can be expressed and identified; therefore, it's  
40 about outcomes delivering on the intent of the initial recommendations.

MS HOGAN-DORAN SC: Mr Pearce, I might just stay with you for a moment to answer this question, if you can: how is assurance different to accountability?

45 MR PEARCE: I don't think - I think accountability is implicit regardless. I mean, all of our sector partners have a degree of accountability through their own legislation and through the responsibility that they accept in delivering emergency management

and community safety services, if you like. So, therefore, that level of accountability never goes away. The assurance aspect of it is actually ensuring that many, many aspects of behaviour are in place, including meeting accountability obligations. When we conduct an inquiry or review, for example, it's always a starting point to  
5 make sure that you understand what are the actual accountability obligations of any entity that has taken part in an event that we might be inquiring into. And we satisfy ourselves along the journey that they've actually met their accountability obligations as well as done all the other things that we might look at. So accountability and  
10 assurance I think are intrinsically linked. They are slightly different things but they have a strong relationship.

MS HOGAN-DORAN SC: What about transparency?

15 MR PEARCE: From?

MS HOGAN-DORAN SC: Does a similar sort of analysis apply to that? That is, that to the extent that there are obligations of an emergency service agency to be transparent, your assurance activities will identify whether or not that has been done or is being done and how it might be improved?

20 MR PEARCE: Yes, certainly. I don't know that - I'm not sure that you will - if you go through legislation and the emergency management sector you will find lots of reference to transparency per se. But I think there is absolutely - there's an implicit expectation, from the community's perspective as well as from in our office and I'm  
25 sure across the agencies as well, that there is an expectation that everybody would actually be transparent in what they do. The good thing about our business, I guess, is that it is reasonably - as far as activities go, we are quite a strong command and control paramilitary type sector, if you like, just by definition of the work that gets done, and therefore there's not a lot gets hidden in relation to what we do.

30 It is all documented, its processes, procedures, its policy, etcetera, etcetera. So the transparency is there. I guess no different to anyone else. You could try, if you wanted to, to conceal your lack of delivery from a transparency perspective. But I'm satisfied that our processes would sort that out and find that. So, therefore, I don't  
35 think there's an issue, and transparency is important.

MS HOGAN-DORAN SC: So when you say "our processes" that's the processes of the Inspector-General for Emergency Management.

40 MR PEARCE: Both the Inspector-General for Emergency Management and also within organisations themselves. They would become aware, unless they were taking an organisational decision to deliberately not be transparent, which I doubt would ever happen, but if that were the case the organisation's own processes would identify that and, not only that, our process above that would then pick it up as well.

45 MS HOGAN-DORAN SC: Alright. But do you think that having the external assurance body can reinforce those obligations of transparency being complied with?

MR PEARCE: Absolutely. Yes, sorry, sorry to interrupt you. Yes, absolutely it can. I think the most important part of transparency from the IGEM's perspective is the ability for all of our reports to be published. And everything that sits behind them is, unless it's actually confidential, it is available to those who make the right applications to get access to our data and so on, unless there is a confidentiality reason as to why it can't be provided. So even the process itself is fully transparent and the outcomes of the process are fully transparent and that is really important.

10 MS HOGAN-DORAN SC: Mr Dawson, I want to go to you now and consider your accountabilities and practice fact sheets. But just before I do that, just a small point of clarification. The Queensland IGEM Act, like the broader framework, uses language of "disaster", not "emergency", whereas the Victorian IGEM Act speaks of "emergency" not "disaster". Does anything turn on that, do you think?

15 MR DAWSON: Not a great deal because the title or the role to which I've been appointed is Inspector-General Emergency Management. So in my mind, whether it be a disaster or an emergency, invariably the two are somewhat connected.

20 MS HOGAN-DORAN SC: Now, the accountabilities and practice fact sheets, this is a recent initiative of your office. We will just have them brought up. They are at paragraph 57 of your statement through to 62. There are 14 fact sheets. This project is described as being:

25 *".. undertaken to assist disaster management practitioners in applying the standard when reviewing and assessing their disaster management arrangements and plans."*

30 So as I understand it, what this initiative is doing is taking perhaps one step further and in relation to the accountability obligations, the obligation of self-assurance. Is that right, Mr Dawson?

MR DAWSON: Yes, that is correct. I mean, when we look at the Emergency Management Assurance Framework and then we look at the standard, one of the things to try to help people in remote and rural Queensland, for want of a better term - the State's, you know, about two million square kilometres - it allows them to go, well, what do they mean by this, and they can look at that particular fact sheet and they can get a bit more clarity on that. They can also talk to their - or their District Disaster Management Groups as well to seek that assurance, but it's just a way of trying to provide someone with a step, so to look at that and say, how do we do that?

45 So in the new, or in the incoming framework and standard, we've actually separated the Emergency Management Assurance Framework and the standard into two separate documents from the original one, and we've also made some other small tweaks to the document so that there's a greater level of understanding. Now, those fact sheets, 14 fact sheets, will be reviewed and placed on the back of that. So it's a tool to help understand and a tool to guide in that particular space.

MS HOGAN-DORAN SC: And that tool to understand and tool to guide, having looked through them - and I'm going to take the Commissioners to a couple of them in particular in a moment - but having looked through them, they seem to be of a kind that could be used by emergency services agencies throughout the country, not just limited to Queensland. Is that right, Mr Dawson?

MR DAWSON: Potentially they - yes, potentially they could be used by anybody. We are very much in the era of co, so in the era of co, we codevelop, codesign, co-deliver, collaborate, cooperate, so we wouldn't look upon that as something that's solely belonging to us. And I think one of the things out of this, and this - whether it be a search and rescue, emergency management, disaster management, is if you can take documents like those documents and look at your own set of circumstances and say well, do they apply here, what changes do I need to make to those - to see if they will help me, can I change them completely, and use that framework, look, I think that's quite acceptable. And I think if it goes to improving the system, if it goes to improving the safety of life and property and the environment, I think that's a wonderful thing. And I think that's something that has - I think people within the State have - have benefitted from.

But I would also just like to pick up on a point that Tony mentioned and it's that systems-based approach. So if you are in the Gulf of Carpentaria, your risks might be slightly different than if you lived on the Gold Coast and will probably be slightly different if you lived at Camooweal. So I point that out is because this is about trying to support the system for improvement and I'm sure that there are some groups that probably look at those and think no, we pretty well understand what we've got to do. That's fine. But there will be other people that will look at that and think that's really good and I would like to rely on that. And I think that's a wonderful thing.

MS HOGAN-DORAN SC: And, of course, in Queensland the arrangement means it's not just the State emergency agencies but it's the district and the Local Government areas that have, as you've said before, a part of that shared responsibility for disaster management across the system?

MR DAWSON: That's correct. They build the strength of the system. So the system, as it engages at a local level, knows that it has support from a district, the district knows that it can get support from the State and the State knows that it can lean back onto the Commonwealth, also for assistance in this space. So the interesting thing about the Queensland system, there are two other aspects and I understand that you will be talking to one of my colleagues in the next couple of days from the Queensland Reconstruction Authority. I think that's an important part - a very important part of our system.

And the other role is that of the State Disaster Coordinator and how that role interfaces in the system and actually supports, I suppose, what in essence is this local - locally-driven approach to make sure that, during times of crisis, that we bring

to bear all the resources that we can bring to bear within the State to support the front.

5 MS HOGAN-DORAN SC: Commissioners, I'm looking at the time. Are there any of these that - these particular fact sheets that you would like me to take Mr Dawson to?

COMMISSIONER BINSKIN: No, not at the moment, unless you want to take us on a journey, as I know you do.

10 MS HOGAN-DORAN SC: Just one moment. I think, given the time, I might move on. Are there similar kinds of sort of resources planned in Victoria, Mr Pearce?

15 MR PEARCE: No, Ms Hogan-Doran, one of the differences between the Queensland IGEM and the Victorian IGEM is that in Victoria we actually don't - we don't set standards. So - and it's a very deliberate reason for not doing that. It's one of the few differences, I guess, between our two jurisdictions. But Emergency Management Victoria who I believe you've spoken to already and possibly again in the coming weeks, but the Emergency Management Victoria and the Emergency Management Commissioner is responsible for the development of standards in Victoria.

20 And the reason that we don't do it is that it can be - in my mind, there can be some complexity around establishing standards that you then monitor performance against. We find that it's actually probably better that the sector, who are the contemporary experts day to day in all of their business, identify the appropriate standards that they should be performing to and delivering and that they monitor their performance against those on a day-to-day basis because inherently within every activity that we undertake we will go to their performance anyway and we will look at the standards that they've actually agreed to and that they've endorsed within the State and we will assess their performance against them regardless. So therefore it's easier for the sector itself to identify what are the appropriate standards and then to deliver against those and we then monitor the performance against those in a very broad sense right across the board.

35 MS HOGAN-DORAN SC: I can have the Commissioners taken to it but in volume 4, tab 24 is the Lessons Management Handbook from the Australian Institute for Disaster Resilience, and in volume 1, tab 8, is the Queensland's new Disaster Management Lessons Framework, which there's obviously some overlap between those two documents and the matters that they are both addressing. What is in the handbook, the Australian Institute for Disaster Resilience Handbook is a description of - and I will have it brought up, EMQ.001.001.0114. If that's going to be the right page - may not be the right page.

45 If we can go over to box 1.2, I want to identify and have you comment on - there's a recurring theme throughout this inquiry - and indeed it seems through many, many inquiries stretching back many, many years in Australia - that problems appear to be wicked problems that are being addressed; recurring problems that are experienced which are complex issues that go beyond the capability of any one organisation to

understand and resolve, and there's often disagreement about the causes of the problems and the best way to tackle them.

5 I want to come to how it suggests here how wicked problems can be addressed. But a wicked problem is, essentially, your stock-in-trade, Mr Pearce and you, Mr Dawson?

10 MR PEARCE: Ms Hogan-Doran, I guess if you wanted to use one way of describing our business, you could say, yes, that's the case. The concept of wicked problems is reasonably accurate, and I guess what they're saying is yes, everything is complex, and it is. And in order to address complexity, then you can guarantee that you need to use a whole raft of different solutions to be able to do that. I think that's probably a pretty good descriptor. The only problem I have with using terminologies like "wicked problems" is at times it elevates - it elevates the complexity of things to a level that it maybe actually doesn't need to reach and people at times can, in their own minds, almost come from a position of this is too hard.

20 So I think whilst the principles that are being expressed within this box are reasonably accurate, I'm not so sure that the way that it's described in there is one that I would use too frequently because you then create - potentially create a perception of difficulty that is unreasonable.

MS HOGAN-DORAN SC: I understand. Mr Dawson, the second part of the box says:

25 *"Wicked problems require innovative comprehensive solutions that can be modified in the light of experience and on-the-ground feedback."*

30 You've already mentioned a number of elements that are part of the Queensland arrangements where you're having feedback and community feedback, and taking a comprehensive whole-of-system, whole-of-government approach to disaster management. And, accepting what Mr Pearce says about the limitations of using this prism of wicked problems, to what extent is this kind of analysis used by you or, like Mr Pearce, do you think that it just causes more - it creates an ability essentially to cop out?

35 MR DAWSON: I think it's - I don't disagree with what Tony has said. We've based our lessons management plan - or framework, sorry, on some of the work that has been done by AIDR and it has been very valuable work as well. I think it's about understanding the difference between what is a wicked problem, a complex problem, and just one that is hard to solve. And I think, if memory serves me rightly, in the academic studies that I've done, a wicked problem is something that is probably not going to be solved very quickly. It requires multiple types of approaches to trying to solve it. And if I was looking at it from an emergency management context, it would probably frame on an international scale of a disaster within a disaster, so where you have some very significant challenges already and they're then compounded by other very significant challenges.

And I can just think of a couple in my head. I think one of the things is, about trying to describe the problem, is the first thing is to understand what is the cause of the problem, and if we go back to what the causal factors are, we will probably find that some of them are really quite hard to solve. But we've got to keep working away at them in an emergency management or a disaster management sense because some challenges or problems do take a little bit longer to solve than others, and they just require probably a bit more thought or a bit more space.

So some of those - some of those really complex issues can be moved up through a response environment. They can be parked with others. That sole focus is on trying to solve a particular problem. If it is a problem that you wish to solve straightaway, or is it a problem that you want to learn from or analyse for the future? And I think there is two things there. But I do - I do agree with Tony. I think sometimes wicked and complex are interchangeable and they don't truly describe the nub of the problem.

MS HOGAN-DORAN SC: Thank you. That's a helpful insight for us, Mr Dawson and Mr Pearce. What I want to do, just to give you a sense of where I'm proposing to go because I'm conscious that we may not complete before lunchtime. What I want to do is take Mr Pearce through three of the reports from last year that were published: the Organisational Relationship Structures, the High Risk Communities Report, and the Critical Infrastructure Resilience Arrangements Report. I only want to sort of take you through a couple of quick points in relation to those.

Then, Mr Dawson, I want to identify for the Commission some of the recent reports that have been done by your office, some of which you've mentioned. But then I want to look at the Cyclone Debbie review. And then I want to take you both to cross-border and interstate issues and then the bushfires review in your future work plan. We have allowed additional time; we will see how we track.

Looking at some of your previous reviews, Mr Pearce, and just trying to understand how they came about, these look like complex problems that have been addressed. And I deliberately used that word "complex" and not "wicked", complex problems. The first of the Organisational Relationship Structures Review, which is in tab 22, EMV.0014.0001.0523, this report was a review of connecting and collaborating with the private sector and community organisations. And in the course of the review, it identifies the different types of relationship structures and different types of collaborations and the collaboration spectrum.

And one of the case studies that you used on collaboration and mitigation and resilience building, at page 552, is the Phoenix Rapid Fire project. I will just have that brought up. Just the top section of the page so the Commissioners can see that. Now, that's just one of the examples, or one of the case studies that you did in the course of that review, Mr Pearce. If you could, if it's possible to summarise, what was the point of doing a review like this, and what was learned through the process?

MR PEARCE: Yes, certainly. The - whilst the example that you've pulled up there is actually an emergency management example, if you like, from the development of a tool and the process, the rationale for conducting this review was actually far broader than just what might be presented here. We have - we know from past experience in  
5 emergencies that the private sector and community organisations are not necessarily, or have not necessarily in the past been well engaged with the emergency management sector. And yet the capacity and capability of those areas to actually assist communities in emergencies is very, very significant.

10 And the purpose of the review, in effect, was to actually do an analysis of what level of engagement is actually currently being conducted out there between emergency management organisations, governments and the sector with these private industry partners, and so on. And is it something that is delivering a benefit to communities? Is it something where the capacity and capability within those types of organisations  
15 is being properly identified and then being effectively utilised? And are they, in effect, a partner, if you like, with the emergency management system that then is able to be brought to bear when things go wrong?

And I think, whilst we identified some good examples of collaboration and so on,  
20 overall it would be reasonable to say that governments, plural, and across the country, and internationally I might add, are not necessarily well placed in the development of their relationships with the private sector, and private sector organisations, nor are they able, in a planned and structured way, to be able to draw down on the capacity and capability that exists. So we were trying to, in effect,  
25 identify where some of the shortcomings are but also provide some examples of where the system has actually engaged well and then show some of the benefits that have come from that.

MS HOGAN-DORAN SC: So --  
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MR PEARCE: There's a lot of work, I might add, sorry, going on to private-

MS HOGAN-DORAN SC: No, no, that's alright. So one of the things that you mention is that, elsewhere in the report - and, as you say, this is quite a narrow  
35 example - the Phoenix Rapid Fire one. If I might go to 556 where you take a broader sort of cross-sector organisational relationships during response and recovery efforts, and you pick up here some of the work done at relief centres with the collaborations with the Australian Red Cross.

40 MR PEARCE: Yes.

MS HOGAN-DORAN SC: And you go on to identify some other good private sector collaborations such as the Good Shepherd, Micro Finance and Suncorp Project. One of the things I thought was of interest to the Commissioners was that you identify in  
45 this report that there are some barriers to effective collaboration, one of which is that there may be distrust and there may be a lack of appreciation of the

other collaborators' work. Is that the kind of the gist of what you identified, Mr Pearce?

5 MR PEARCE: Yes, that certainly is part of it. I mean, there are, as in anything, there are always inhibitors to being able to get the best benefit out of any engagement and some of those, as you describe there, are some of them. But I think in regard to the types of organisations you are talking about here and as you have displayed on there, these organisations, and collaboration with them, as in a lot of other jurisdictions, these are the types of organisations that probably have had the longest standing  
10 engagement with our sector throughout the - throughout the journey, if you like, and are reasonably well versed and well integrated to some extent, but even then there are still - there is still a capacity there to misunderstand what is available, to misinterpret how best to communicate to get the best out of the relationship, and also then to be perceived to be undervaluing and underestimating what it is that they can bring to the  
15 table, if you like. If you then go to the private business sector, that gets even worse.

MS HOGAN-DORAN SC: It appeared from having reviewed the report that partly what you are doing is just sort of naming and identifying those factors so that those that are participating say from the government side and also from the  
20 non-government side each identified that this as a potential barrier and then, by at least acknowledging the existence of that, then seek to work and modify the way in which they will collaborate in order to make a better outcome?

MR PEARCE: That's correct, and we would - we would expect, because we've  
25 actually engaged - you know, we don't just show a photograph of Red Cross, for example, they are a participant through that review. So therefore, because we've engaged with those parties and also with the emergency management organisations themselves, then the expectation we would have is that as those things are identified they then naturally start to consider them as part of their - part of their normal  
30 thinking when they - when they're going through the process and start to - start to look at ways to actually try and reduce the impact of those potential issues.

MS HOGAN-DORAN SC: Alright. So that was published in June 2019. The next  
35 one I want to take you to is the one that was published in October 2019 which was your Report on High Risk Communities and Other System-Wide Report. Tab 20 in your volume, Commissioners. EMV.0014.0001.0354. I think this is the executive summary we've been taken to, it looks like. Yes it has. Was the trigger for this - I know you had some stakeholder feedback, but was the trigger for this review the Grenfell Tower fire which was a high-risk community in the UK that experienced a  
40 devastating emergency, Mr Pearce?

MR PEARCE: No, Ms Hogan. No, sorry, it wasn't. Sorry, no, it wasn't actually a trigger as such. But because of the timing obviously it was a consideration, but I think it would be reasonable to say that, again in most jurisdictions, and I know from  
45 my own experience from engaging with international organisations, that vulnerable communities and high-risk communities are not necessarily well considered to the extent - I think people would say well, people with language difficulties or languages

other than English are well recognised and people who require, you know, oxygen on a day-to-day basis, for example, are probably well recognised and identified within their communities and in some planning processes.

5 But for us, we were concerned that it actually goes far deeper than that. It's not just the obvious things that may mean that a community or groups are high risk. So therefore, what we were trying to do through this review, as I've said, it was just purely good timing, if you like, in relation to Grenfell, was identify the breadth and depth of the issue and call out some of those deeper environments in which  
10 communities might be considered to be high risk and have the sector then consider how they are actually performing with regard to identifying those and then catering for, as best they can, to support those organisations, recognising that what we don't recommend is that everything gets done to and for everybody. But it's about, if you don't know who the high-risk communities are in the real sense of high risk in the  
15 way it's described in this report, it's very difficult to plan your response to them and with them taking into account those potential implications.

MS HOGAN-DORAN SC: And I'm just going to take the Commissioners to a couple of points in this report. Just that last paragraph we can see presently on the page, the  
20 one you just had there, operator, the review highlights - no, just one moment. Just wait till the operator is able to bring back the page we had. It was 0354 and it was, if we can go down to the next section, Victorian context, and back to the paragraph that says:

25 *"This review highlights..."*

Thank you, operator:

30 *"This review highlights the range of social vulnerabilities that intersect the different hazard landscapes of metropolitan, peri-urban and rural Victorian landscapes. Relevant social considerations include physical and cognitive impairment, social connection, local knowledge of hazard risk and language and cultural differences."*

35 So as you say, Mr Pearce, there's a range of different factors, not just English as a second language, that is a social vulnerability, and puts people into a high-risk category as a member of a broader community?

40 MR PEARCE: Yes, that's absolutely correct and I guess the point the report is making is that unless you actually do the right level of analysis and properly identify what high risk is in the context of the way we've described it in this report, then you're going to inevitably have groups that fall through the cracks in these types of events and I think Grenfell is a good example of how that can happen. And, of course, our environment in Victoria is no different with the types of apartment blocks and so on that we have here, even if you only used Grenfell as an example.

45 MS HOGAN-DORAN SC: You made a finding - it's at 0356 and 0367 - that there's:

*"..no common understanding or comprehensive definition of high-risk communities and individuals in the Victorian emergency management sector."*

5 That's at the bottom of the page. Is that a - an observation you would apply, to the extent you have the knowledge, to other States and Territories across the Commonwealth, emergency sectors?

10 MR PEARCE: Look, I think it would be pure - I think it would be pure speculation on my part to try and comment on their behalfs, but I would say, certainly from my experience, that it would not - I would suspect it would not be an uncommon finding. If someone else were to conduct the same review in the same way we did, I think a lot of jurisdictions would find similar. So yes. So that's not to say there's a, you know, that I'm speaking on their behalf, if you like.

15 MS HOGAN-DORAN SC: I appreciate the limitations. If you go over to the finding --

20 COMMISSIONER BINSKIN: Can you, just before you jump, just go back one. Has Mr Pearce got a comment on the observation? Actually it's just above that observation one. It would be worthwhile while we're on that page.

MS HOGAN-DORAN SC: Yes.

25 COMMISSIONER BINSKIN: Yes, please.

MS HOGAN-DORAN SC: The observation there, I will just have it recorded for the transcript, Mr Pearce, that:

30 *"The Inspector-General for emergency management observes that concerns surrounding privacy, data quality and data entry are all potential considerations for limiting the sector's access to sensitive information. There is scope for improved cross-sector clarity, centralisation, coordination and sharing of intelligence to support decisions at all levels of government and across all hazards. This will also support the development of leading practice system level and place-based*  
35 *intelligence of Victoria's high risk communities."*

40 MR PEARCE: Yes, sorry, so my comment to that would be that it was - that was an accurate observation at the time and, to some extent, there is a continuation of that, depending on what event you look at. I think it's - and I'm sure this is the same across the country, and again I know it's the same internationally because I've spoken to  
45 organisations about it, but the degree of privacy requirements and legislation and the different laws that apply to different sectors, and so on, and regulation is such that at times, I think our sector or parts of our sector err on the side of caution from their perspective, and they err to the extent that you actually limit your own capacity to provide information.

In fact, in one of our - and I just can't remember off the top of my head at the moment which one it was - but one of the reviews we did into a particular event revealed that that had been a problem. And yet when we actually did the analysis of the legislation and we got the legal advice to support our finding, we found that in  
5 that particular case there actually was little - little reason to inhibit providing information on that day about that particular event. So I think what this is saying is there are - there are - there is a lot of - there are a lot of encumbrances in regards to legislation and regulation regarding privacy that are obviously all there for the right reasons.

10

But the way you interpret them and the way you apply your thinking to those at times can encumber the way in which you share your information, and I think probably we think that there's some work that needs to be done on that, which is ongoing as I understand. But it's one of those if you wanted to put it into the wicked basket, it  
15 probably is one of the wicked ones.

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MS HOGAN-DORAN SC: And is part of that a lack of understanding, Mr Pearce, amongst emergency management and others participating particularly in the relief and recovery phase from emergencies and disasters, that there are exemptions in  
20 these privacy obligations and privacy requirements?

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MR PEARCE: I'm not sure. I'm not sure, no, I wouldn't say it's a lack of understanding. I think it's - I think it's probably - well, certainly not by the organisations it wouldn't be a lack of understanding, no. But I think individually, if  
25 you're in the heat of something extremely critical that's going on around you and you are questioning yourself about, "Can I actually reveal this or not, and am I going to be doing something that's potentially going to create an unintended consequence to the person who I'm providing information on that outweighs the benefit of providing the information?" then I think that's the degree of lack of understanding that occurs.

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But there's also, I think, a broader piece of work to be done, not only in Victoria, that says: what is the intent of all of the legislation, the regulation that exists? And where are there opportunities for that intent still to be met but recognised that there is a need for information to be shared? And I think that's the question that has to be asked  
35 and answered. It's not so much about all of the individual bits themselves but it's a higher order question.

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MS HOGAN-DORAN SC: Commissioner Bennett, did you have a follow-up?

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COMMISSIONER BENNETT: No, I was just going to make the observation perhaps that was the something, the subject of one of Mr Dawson's fact sheets that could be helpfully sent out to various organisations concerned.

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MS HOGAN-DORAN SC: Just on the next page, I will just capture the findings of the High Risk Communities Report. Findings 5 and 9 I thought might explore or identify, having regard to what Mr Dawson was saying earlier about collaboration and your earlier report on organisational relationships, this is looking at improving

collaboration between community service organisations and the emergency management sector to further strengthen planning, current planning and response arrangements for high risk individuals and communities. A finding like that, what happens with a finding like that in a report like this, Mr Pearce?

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MR PEARCE: I guess one of the - one of the issues with conducting these reports is that if you're not careful you turn everything into a specific recommendation. We try, where possible, to produce findings and also describe our observations to allow the sector to recognise that they are effectively points of contention or points of issue that need some consideration that won't necessarily at this time have a recommendation directed from our perspective, but they identify other areas that the sector, or whoever we're inquiring into, needs to take consideration of.

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So when these occur, we know through going back and working with the organisations on the implementation of specific recommendations and then talking to them about the findings and the observations as we go through, we know that they actually address them in that way and look at how they can address the issues that have been identified in them in that way as well. So they don't necessarily - they are not a recommendation as such, but they are certainly a direction and a bit of a pointer, if you like, to another area that needs to be considered. And it's also a flag to those parties that we don't forget the findings and the observations, you know, at the - at the, if you like, at the mercy of having a recommendation made. We will still be wanting to see how these findings and observations have been considered.

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MS HOGAN-DORAN SC: So that's an interesting observation, Mr Pearce, because the next finding I was going to take you to and then the recommendation that you fashioned from that, you identify in finding 9 that there's a current lack - I will just wait until - Mr Pearce can see me?

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MR PEARCE: Yes, sorry, I can't see you, Ms Hogan-Doran, no.

MS HOGAN-DORAN SC: That's alright.

MR PEARCE: I can see the Commissioners.

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MS HOGAN-DORAN SC: There we go.

MR PEARCE: There you are.

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MS HOGAN-DORAN SC: I'm back. Finding 9 makes a finding about a current lack of clarity within the emergency management sector around the respective roles of the Emergency Management Victoria and the Department of Health and Human Services with regard to high risk communities. What you then go on to recommend is, on recommendation 1, that the Department of Health lead the development of an agreed definition of high risk communities and individuals. Is that an example of you saying: well, I can make a series of recommendations, but really what I need to do is

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make a series of findings and then targeted recommendations that are ones that are capable - that are practical and that can be implemented in a defined way?

5 MR PEARCE: Yes, absolutely. And that's almost a good summary of how they are presented, if you like, and the expectation that surrounds them. And the observations particularly are, findings will generally in some way inform a recommendation, I think you will find in there. But the observations are more, if you like, almost pseudo recommendations in their own right. If you read the issue of the observation, then you can usually, I would expect, identify a way in which you might address what has  
10 been observed.

MS HOGAN-DORAN SC: The other recommendation 3, I will get it, 0359 operator, to assist you, you also make a recommend here that:

15 *"At this time the Emergency Management Victoria in consultation with community service organisations lead the development and the implementation of a plan to integrate sector-wide place based and system level intelligence relevant to high risk communities and individuals to support effective emergency management decisions across all phases of emergencies."*

20 Now, that's recommendation 3 in the middle of the page, operator. I just want to ask a couple of questions about this recommendation. The first is: again, what you've done is identify what is the body that needs to take the action; how they make a recommendation as to how they might go about that, that is, recommending they do  
25 it in consultation; identifying that they take the lead. Then the various matters that identify issues that were raised in your findings, and then a way to further operationalise that by having a working group, and establishing it within the existing emergency management sector arrangements. What's the value in doing all of that in the way that one fashions a recommendation for implementation?

30 MR PEARCE: Some of our - some of our recommendations will be very, very high level to the extent that we won't be prescriptive at all in any aspects of them. There are others though where we recognise, because of the way in which the sector, the sector is structured, if you like, and the way that the governance structures operate, that it helps to be a little more pointed in trying to identify which elements of the  
35 governance arrangements actually should take responsibility for which aspects of the - or the outcome that we're trying to achieve to the recommendation.

40 So, in this case, that's exactly what we've done, because we're talking about organisations, we're talking committees, and then we're talking about consultative processes. And we thought it important to make sure that all of those are covered off in the rec because we believe if they are, then the outcome that we're trying to achieve will be delivered. And with regard to that, I was just actually having a look to see what the status of that is, because we report - we review all of these  
45 recommendations and progress on them annually, and they're currently ongoing. But the work is progressing to actually address these issues.

MS HOGAN-DORAN SC: You've actually anticipated my next question which was: how do you track? You don't have a time frame in this recommendation?

MR PEARCE: No.

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MS HOGAN-DORAN SC: Would you ordinarily add in a time frame or would it be one that might be negotiated with the relevant agency as part --

MR PEARCE: It would be - it would be unusual - sorry, had you finished?

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MS HOGAN-DORAN SC: As part of your ongoing monitoring process?

MR PEARCE: Yes. So we have an ongoing monitoring process of the recommendations - or sorry, specific monitoring of the implementation of all of our recommendations that we've made. And we produce a summary of that each year so as we have a good sense for where they're all going. It would be unusual to put a time frame on something specifically because, at the end of the day, whilst we have the capacity to identify the issue, and also a way to describe what a solution might look like, we don't have the in-depth understanding of the constraints that apply to each or all of the entities that are involved in the delivery of that recommendation.

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So, therefore, we wouldn't specify a time frame but we also have a very good understanding on each of the things that we produce on what is reasonable and what isn't. And, in fact, just recently we've gone back to an organisation where we had accepted slippage in the times and the commitments they had given us on a recommendation, and when we went back the second time said to them, "Unfortunately, that is unreasonable and, therefore, you now need to do something by a certain period, otherwise that's going to create a problem in the way we report." So we do agree with the sector as to what the appropriate time frames are. But if we think someone, if you like, is having a lend of us and trying to extend something to an unreasonable period then we would absolutely call that out and it wouldn't be accepted.

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MS HOGAN-DORAN SC: And to what extent do you consult on your proposed recommendations in advance of them being published or in advance of them being submitted to the Minister?

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MR PEARCE: Right. So the - our observations and findings are always seen by all agencies. It depends, it depends at the end of the day as to what the issue is as to whether or not the recommendations are provided. And sometimes that's simply because we don't arrive at the recommendations almost - almost until the very last minute, if you like, because of the evidence gathering and then the consultation on our observations and findings, and also ensuring that the context of the actual detail in the report is accurate. It's then that we put the recommendations together.

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In the planned reviews, usually the recommendations will be seen by the organisations before the event. But in the reactive reviews that are more inquiry

based, if you like, to a particular emergency that has been undertaken, it's really my decision as to whether or not those recommendations themselves are seen.

MS HOGAN-DORAN SC: Right.

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MR PEARCE: The reason for that, at the end of the day, is the benefit in seeing a recommendation is really that you get a bit of a head start on what it is that we might be going to say, and you might want to think about how you're going to respond to it, and that is obviously a value. But we don't want to, for one minute, suggest to  
10 organisations that they have any capacity to influence the recommendation. They certainly have a capacity to comment on the finding and the observation if they think it's inaccurate, and they can provide evidence to that basis. But the recommendation is that: it's a recommendation and it's our recommendation.

15 MS HOGAN-DORAN SC: I will just pause and ask Mr Dawson, is that a similar methodology that you have in Queensland? That is, that you might consult on aspects of a draft report but not on recommendations if it's a reactive report as opposed to a planned review?

20 MR DAWSON: Yes. So if we are tasked by a government to do a review, we will draft the report. Very similar to what Tony has said, is that there are sometimes cases where you may wish to - may wish to flag with the entities what the recommendation is going to be, because sometimes you do find there are other recommendations  
25 within that agency that we're not aware about, that actually may align and help inform them that this is probably a little wider, or it might have been work that has already been done and we were not aware of. But very similar to Tony in that regard: once that report is done, away it goes.

In other cases, such as capability reviews and the disaster management plan  
30 assessments, then what we do is we actually work with those entities. We look at where they've been, so our observations and our findings, and then work with them around what that construct of the betterment report, for want of a better term, is going to look like. So that's it's all scalable, it's relevant, and we know that we're targeting, I suppose, what is the area that needs to be targeted.

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MS HOGAN-DORAN SC: I will just finish, if I may, this topic with you, Mr Pearce, before the lunchbreak, because after lunch, Mr Dawson, I've got to take you to the Cyclone Debbie Review and the Bushfires Review. And I will have a couple of things to go to Mr Pearce in the course of that but it will be mostly with you,  
40 Mr Dawson. Just on the final piece of work that was published in November 2019, Mr Pearce, this is the Critical Infrastructure Resilience Arrangements. That's at tab 25 of your bundle, Commissioners. It's RCN.900.056.0001. This report is actually dated 2018. Is this an example of one where you can't publish it until such time as it has essentially been through, provided to the Minister and any consultation that's  
45 going to be done on that, and then it will be published?

MR PEARCE: I'm sorry, Ms Hogan-Doran, all I can see is a cover with IGEM on it. I can't see any report title or otherwise.

5 MS HOGAN-DORAN SC: If we can go to the next page, operator. I can't see on this version that's displayed the code page, the coding at the top of the display. That's alright. It should be 0002. Alright, well, that's not working. So what I will just do is I will put that proposition to one side. You probably can assist us by your recollection, Mr Pearce.

10 MR PEARCE: No, I'm sorry, as I say, what I might do is I might take that on notice and I'm happy to respond after the lunchbreak, if you like.

MS HOGAN-DORAN SC: That's alright, thank you. Just in summary, this report, if we can go to 0006, operator, if you're able to do that, the Executive Summary there, it identifies that:

15 *"The primary responsibility for critical infrastructure resilience rests with the private sector."*

20 We're going to try a different way to display it. There we go.

MR PEARCE: I can see it now.

MS HOGAN-DORAN SC: You can see some of it now?

25 MR PEARCE: I can.

MS HOGAN-DORAN SC: Would you have been able to do this report before that amendment was made to your functions, as I identified at the commencement of the examination?

MR PEARCE: I think, no. I think it's fair to say that whilst we probably - we would have been able to - certainly would have been able to engage with all of the parties and come up with something, there's no doubt, having the legislative capacity to conduct that activity gives us far greater reach and depth. And, as you can imagine, one of the problems in the critical infrastructure space is, as you've said, that it's private operators and private entities that are operating and providing the service. But it's also a very competition rich environment, and there are commercial considerations and a lot of other considerations as well that we, quite rightly, accept as being an issue for the sector in revealing to us.

40 So we've had to spend a lot of time working with the critical infrastructure and different sectors of the critical infrastructure environment to get an understanding and an acceptance of the way in which we will safeguard that confidential and sensitive information before we could actually get to this stage. So I would suggest without the legislation it would have been almost impossible to do that prior, but now that we have that then we certainly have a good relationship with critical

infrastructure structure sectors and also the government forums that conduct that activity and we get all of the information we need, including the sensitive stuff that we only obviously refer to what's in it for our own purposes and then it isn't revealed, but we have access to it.

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MS HOGAN-DORAN SC: In the middle of the page there it's referring to the critical infrastructure resilience strategy which notes:

10 *"That while primary responsibilities for critical infrastructure resilience rests with infrastructure owners and operators, the community expects that government will take appropriate measures to ensure that owners and/or operators are managing their risks and that vital service delivery is not interrupted."*

15 Is that together, that expectation with the backing of the amendment to your functions, enable you to take those private operators into your system-wide review?

MR PEARCE: Yes. Yes, absolutely it does. And I guess we've approached this in a two-stage way, if you like. I mean, again, the legislation is one line and two words, I think, something along those lines. For the whole piece of the legislation in our space  
20 of what we're doing. But there was I guess, as I said, leading up to the implementation or the enabling of that part of the legislation, there was a process of the framework being developed and the strategy being developed. We took the decision to, rather than go in boots and all and start saying: well, is it resilient or is it not, and making statements to that effect, we chose to break this down into bite size  
25 and going back to that collaborative approach, actually practical way in which to monitor resilience.

The first thing was to satisfy ourselves that the implementation of the resilience critical infrastructure strategy and the framework actually had been done  
30 appropriately because if that's the case, we can then start to monitor and report on the effectiveness and resilience. We're now at the stage where we only wrote a few months ago to all of the sectors to say we're now satisfied that the strategy has been implemented effectively and efficiently; we are now moving to monitoring the performance and resilience of critical infrastructure. So that will be the next focus  
35 and the next context in which we report on this.

MS HOGAN-DORAN SC: Page 12 has the eight critical infrastructure sectors which I anticipate you mean are the ones that you referred to: energy, transport, water,  
40 banking and finance, communications, food supply, and health.

MR PEARCE: Yes.

MS HOGAN-DORAN SC: You've also got government as a sector, as an identified critical infrastructure sector. I was just curious about that.

45

MR PEARCE: Yes, in Victoria, whilst those sectors that you see there closely align with the national framework and national critical infrastructure sectors, if you like,

but government obviously is also effectively critical infrastructure in itself. And if government fails then obviously we've got a real problem and community has a problem. So, therefore, we approach government in almost the same way as we do these sectors here. The only difference is these are clearly identified and they are regulated, etcetera, etcetera; whereas government is an entity to itself, if you like. But we look at it in the same context but with a slightly different lens.

MS HOGAN-DORAN SC: Notwithstanding there are all those sectors, what you chose as your case study for this review was this 2016 South Australian Black System event, which was one that, at least in the first space, directly affected the energy sector, the electricity supply. Was there a reason for that, the selection for that?

MR PEARCE: I can honestly say I can't recall whether there was a reason but there's a logic in my mind automatically when you just remind me of the fact that we did use that. One of the things we're very conscious of in monitoring the resilience of critical infrastructure, is that critical infrastructure, none of it stands alone.

MS HOGAN-DORAN SC: Yes, indeed, and I will just interrupt you.

MR PEARCE: It's actually - there are interdependencies right throughout - sorry, go on.

MS HOGAN-DORAN SC: No, you're quite right. Those interdependencies between the services, and I might just take the Commissioners to page 11. The interdependencies, it's very difficult with the way it has been set out, I'm sorry.

MR PEARCE: So, while you're doing that, Ms Hogan-Doran, the reason for using a power example is that in most cases probably the most critical, I think, sector of all is the power sector because it impacts on nearly all of the others. So, therefore, it was a good one to use, mainly for its impact on communities but also to, I guess, express how interdependencies are critical as well as the infrastructure in its own right.

MS HOGAN-DORAN SC: One of the things that is mentioned here is the cascading disruption, that when the electricity supply goes, and we've seen this in evidence in this Royal Commission, that there are significant flow-on impacts on delivery of essential services such as telecommunications, banking transactions, food services. And so then that has a direct impact on a much broader community. And if there's not resilience built into the infrastructure system, there can be really significant impacts on a much broader scale. And, by way of summary, one of the matters that you identify is, as a positive, was the business continuity planning by the water authority, which meant that there wasn't - there was some mitigation of the consequences to the community of this Black System event?

MR PEARCE: Yes, that's correct. And I think the point that we have both made in the dialogue that we've just had effectively is that if I look at what's happening here - and it's the same nationally - critical infrastructure, whilst in their own right

they are business lines, if you like, and service provision lines of critical infrastructure, but they actually work collectively in all - at all levels when they're planning and preparing and so on, for resilience because they actually all recognise as well the interdependency. So, therefore, it's almost like the emergency management sector working as one, if you like. Critical infrastructure effectively works as one as well because of those interdependencies.

MS HOGAN-DORAN SC: Alright. Commissioners, I note the time, and I have completed what I wanted to deal with in relation to those reports from the Victorian IGEM.

COMMISSIONER BINSKIN: Alright. Noting you've got your voice back and you're on a roll, I think we should take a break and we will reconvene at 1400 Canberra time. That will give everyone a chance to break, and then we will cover those last couple of specific bits that you wanted to cover.

MS HOGAN-DORAN SC: Thank you, Chair.

COMMISSIONER BINSKIN: All right. We will adjourn until 1400.

**<ADJOURNED 1:06 PM>**

**<RESUMING 2:01 PM>**

COMMISSIONER BINSKIN: Ms Hogan-Doran?

MS HOGAN-DORAN SC: Yes, Chair. Right, yes.

COMMISSIONER BINSKIN: Mr Pearce, Mr Dawson, thank you for coming back. We appreciate it.

MR DAWSON: Thank you.

MR PEARCE: Thank you very much indeed, Commissioner.

MS HOGAN-DORAN SC: Mr Dawson, I will start with you this afternoon's session. We've just seen the system-wide review is mandated under the Victorian arrangements, and Queensland has historically been more event-based in the way that it has approached its Inspector-General reports, in part, am I right, because you're directed to look at district and local disaster management arrangements?

MR DAWSON: So the - the over - well, the monitoring and the evaluation and assurance of local disaster management plans and district capability is something that's already within the agency's remit. What we are given by government is reviews around either the whole of it or around very specific parts of the event, accompanied by a terms of reference.

MS HOGAN-DORAN SC: Thank you for that clarification, and reminder. The disaster's district reviews, they're part of your sort of business as usual, not dependent upon a ministerial reference?

5 MR DAWSON: No, they're not dependent upon a ministerial reference. We place them into our operational plans. The operational plans are populated. We consult with the districts. We consult with police and fire, because part of the 2010 Police and Community Safety Review actually indicated the IGEM needed to work with and consult with Police and also Fire.

10 MS HOGAN-DORAN SC: In the --

MR DAWSON: As the primary agencies.

15 MS HOGAN-DORAN SC: Right. In the Commissioners' materials at tab 27, I'm not going to take you to it in detail, but there's a Disaster District Review of Townsville, RCN.001.005.7750 and at tab 32, Mackay, RCN.001.005.7693. Is one of the advantages of doing a disaster district review that you are able to look at questions at a broader landscape level or, for example --

20 MR DAWSON: Yes.

MS HOGAN-DORAN SC: -- if I take them by catchment and so on?

25 MR DAWSON: Yes. So we can look at a district - and districts have anywhere between one Local Disaster Management Group, or I think it's up to about nine or even 12 in some cases - and so we can actually do a thematic look at that particular district, yes.

30 MS HOGAN-DORAN SC: And in looking at it in sort of a thematic way, as is said at the note on the bottom of this one that is being displayed, that:

*"As a combined district, a particular area would be well placed to manage the expected range of hazards."*

35 So that they are able to identify the hazards in a sort of systemic or landscape way basis and then manage accordingly?

MR DAWSON: Yes.

40 MS HOGAN-DORAN SC: Right.

MR DAWSON: So that's a broader statement around the district itself. So that particular district encompasses the Whitsundays, it encompasses Mackay. So it covers that sort of central Queensland area that's sort of just above Rockhampton.

MS HOGAN-DORAN SC: You mentioned in your evidence earlier - that can be brought down, operator - you mentioned in your earlier evidence the Paradise Dam Preparedness Review. Now, that was a review undertaken during the course of your role as IGEM?

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MR DAWSON: Correct.

MS HOGAN-DORAN SC: That's RCN.001.005.9308. That's at tab 31. I think when you raised it with me before the luncheon adjournment, you raised it, I think, as an example of you looking at a critical infrastructure piece; is that right?

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MR DAWSON: That is correct. So the dam is an irrigation dam, and part of it was that there was a concern raised with government. Government tasked us to look at the dam and to ensure that the disaster or emergency management arrangements to the east of the dam and across any potentially affected communities, that the - that the mechanisms of, I suppose, preparedness and response and recovery were more - under preparedness and response, were actually in play in that space. Now, that particular river flows out to - through Bundaberg to the Burnett, on the Burnett River. And so we were looking at this from the - what's the risk assessment now of the dam? To what sort of weather events will it sustain and what will it look like should we get a sort of a decent rainfall?

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So it was about providing, one, assurance to government that this review had been undertaken and these were the levels of tolerance; and two, about to the community that it's still okay to be where you are based on what we know and the fact that Local Government - so the Local Disaster Management Group - and the district have plans in place for this eventuality. So, yes, it was around providing this level of assurance. So it was what we would call a tier 3 review. So we spent a lot of time talking to various people from various walks of life, including dam engineers, universities, water engineers, SunWater itself who operates the dam. So yes.

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MS HOGAN-DORAN SC: You may not be able to answer this question because it may be confidential. Have you received or do you anticipate receiving further review tasks on other items of critical infrastructure? Is that the kind of work that you anticipate as part of your future work plan?

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MR DAWSON: I would say that IGEM is always ready to accept pieces of work irregardless of what it might be where there might be a concern in regards to whatever it is. So whether it be infrastructure bridges, or it could be flooding, cyclones, and even, you know, what happens for biosecurity, and even things such as COVID. So there's no - I don't envisage a barrier to any of that, but the part of this was around this particular piece of infrastructure and then, you know, so we're ready for the wet season that's coming up.

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MS HOGAN-DORAN SC: Yes. Just on those particular matters that might be referred, including COVID, are they all examples, ones that you would need to have referred to you? They're not ones that you could self-initiate?

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MR DAWSON: They're ones that would probably be referred to us, given the enormity and the size of that. Now, if you look at the impact of matters such as COVID and the types of decisions that have got to be made, that's probably a referable one, I would say, yes.

MS HOGAN-DORAN SC: The Monsoon Trough Rainfall and Flood Review which is tab 29 of your volumes, Commissioners, RCN.900.043.0141, this was a report of your predecessor published in June 2019. We've had quite a deal of evidence, and this will supplement that, concerning the monsoon trough rainfall and flood. We've heard some evidence from the - excuse me - the drought and North Queensland Floods, Relief and Recovery Agency. This was an example of where a severe weather event led to more than half of Queensland's geographic area being affected and very significant local impacts which, of course, were varied because of the variable nature of the Queensland scale - sorry, Queensland landscape.

With a review like this, this is an example of a major event being referred to the IGEM, what kind of resources - do you need to be supplemented in order to take on something of this scale, to take on this kind of work, or is it part of just your usual resources and business as usual?

MR DAWSON: So that would - first of all, that would depend on, one, how much work we have on the books, and what we're doing and the levels of urgency. The second part to that is, once the problem definition has been clearly established and we look at how we're going to do it, there are opportunities for us to seek support from other agencies for the loan of personnel to support in this endeavour. And invariably we can bring in people, say, from other agencies that are appropriately qualified or have the experience in this space.

But they work as part of an IGEM team and that would be a fair comment in this regard. So it's around looking at then, for example, some of them may have studies in water, or may have studies in animals, or may have particular experience in the area and so are able to direct and guide where we need to send people. But it's about, again, going into the area, talking to the head of the Local Disaster Management Group, talking to communities, talking to stakeholders, receiving submissions; and invariably those come through on email and they're placed into our collection of data.

MS HOGAN-DORAN SC: I might just pause with you, Mr Dawson, if I may, and just go to Mr Pearce. Mr Pearce, some of the material from Annexures 10 through to 13 to your statement attaches the Forward Projections of Reviews, that is essentially your forward work plan. And in your one for 2020 which is tab 13, EMV.0014.0001.0249, you make the comment that:

*"Because of the reference to perform an independent inquiry into the 2019-2020 Victorian fire season, due to the significant scope, time frame and resource commitments."*

You defer the additional planned reviews for 2020. Sorry, I don't have a page reference for that comment.

MR PEARCE: That's okay. I'm aware of it.

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MS HOGAN-DORAN SC: You probably know it because you wrote it. It's essentially the flip of the question I put to Mr Dawson which is, can you have these really significant reviews referred to you? How do you manage that from a resource perspective? Mr Dawson has talked about well, he may second people, draw on other agencies. I'm not going into the detail of your review but it does seem to have affected your future work plan; is that right?

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MR PEARCE: Yes, that's right. Well, there's a difference between, I guess - there's reviews and there's reviews. Planned reviews obviously are done within resource constraints, so that's easy, and that's BAU, if you like, for us. So, therefore, our budget, our standing budget covers off on that, as it does with our annual monitoring activities of all the various things that we're monitoring.

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A reactive review, depending on just how complex it is, in some cases we can still do that within our existing budget remit and within our resources. It may mean that we might defer some of our planned work, which we've done before, to accommodate that. But when you get to something like the current bushfire inquiry, for example, because of the scale of that, as you can appreciate yourselves, that is of a size where you need, effectively, a whole-of-office approach. If you go back to the way in which we described early on the business areas of our office, so to speak, there might be 31 staff in there but there are not 31 skilled evaluators, reviewers and inquirers. They are a combination of skill sets.

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Therefore, you can't conduct a large inquiry such as the one that we're doing at the moment with only those - with those few resources that are experts in evaluation review in that context. So we have an understanding in place with government that we will conduct our plans obviously within budget. Anything that's at request, if we can do it within budget and defer something that is not critical, then we will do that. And if you get to what we would consider here to be a large-scale complex inquiry, then government will actually fund us additionally to be able to do that. So that's how this one is being done. But it still requires us, though, because the engine room, if you like, the management of the inquiry is still done by our core group of evaluation and review experts, supplemented.

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MS HOGAN-DORAN SC: Alright. Thanks Mr Pearce. I will just go back to you now, Mr Dawson. I want to take the Commissioners now for a couple of purposes to your predecessor's Cyclone Debby Review. Which is at tab 25. That's RCN.900.043.0001. This is a 2017 report of the IGEM. And, Commissioners, just to get a sense of the scale of what was captured by this report, the inside cover tells you - you can leave it where it is, Mr Operator - that the front cover images show flooding encroaching on Rockhampton Airport, Airlie Beach slashed by wind and rain, and Pine Creek Road cut at Springbrook on the Gold Coast Hinterland. Now,

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Mr Dawson, from Airlie Beach to the Gold Coast, that's some 1100 kilometres of coastline. It gives the Commissioners a sense of the scale of that natural disaster.

MR DAWSON: Yes.

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MS HOGAN-DORAN SC: If you will excuse me, Chair, while I do this. If we go to page 0042 under 0046. So, some of the evidence we heard in the first part of the Royal Commission was about the cyclone activity in Queensland, that ordinarily cyclones cross the coast in sort of mid - in about this area, not down in the sort of south-east quadrant of Queensland, but in that sort of midrange in and around Townsville and in this Townsville Mackay region. Commissioners, it's hard to see on this, but on the second map, you can see just to the south of Townsville, Home Hill, Mr Glover's home town.

15 Mr Dawson, the impact of this cyclone was very significant, but I'm intrigued by the maps that are shown here, particularly on the left, where you can see it tracking down, crossing the coast, tracking down across Queensland, and then ending just at the border. Now, as I understand it, that continued on and affected and there was significant flooding in Lismore, which is about 200 kilometres south of the border with Queensland. Is it a jurisdictional issue that stops you taking a sort of a land - the IGEM taking a landscape view of the impact of severe weather events in these kinds of reviews?

25 MR DAWSON: So, the point you're raising is very accurate. I mean, interesting with cyclones: they don't necessarily form within about five degrees of the equator. And then, as you see, you've got impact zones, so they even extend further north. But in this particular case when IGEM was tasked with a review of this particular event, because we are tasked by basically the State, we look at the State's impacts.

30 In regards to what happens into New South Wales, and we - I believe that we didn't - we weren't asked to look any further than what we look at there. But the interesting thing and the practicalities of disaster management in this particular area, and I can speak from experience here, is that there is a communication across the border to advise of the incidents that are occurring; and in particular in this case, obviously the Bureau of Meteorology intelligence would push that further down so that there would be a voice around that occurring.

40 But the uniqueness of this particular cyclone was also replicated in 2010 in, I think it was '10-'11, where you get a cyclone that sits halfway off the coast and the water temperature is warming up to keep it driving and it will keep moving. It will reduce probably in speed and size in general terms, but it will still cause a problem as it passes through those different catchment areas. And as you talk about Rockhampton, Rockhampton has two significant catchments because for Tropical Cyclone Debbie, I was the Assistant Commissioner based in Rockhampton for Police then, and that actually extends from Bowen down to the Sunshine Coast. So a lot of this was in the area in which I was then currently working.

So yes, we don't do - we don't undertake reviews for other States and Territories unless, of course, I suppose there was a specific request for it. But I've never encountered that.

5 MS HOGAN-DORAN SC: Since we're on that topic, to what extent do you - and I will come to you too Mr Pearce - is there any equivalent of, any functional equivalent if not by name - well, clearly not by name - but any functional equivalent in any of the bordering States that undertake the kind of role that you do other than on an ad hoc, you know, Royal Commission, Special Commission of Inquiry basis?

10 MR DAWSON: From my personal view, I'm not aware of any. I do have contacts in New South Wales and I am aware of the review that's currently being undertaken in relation to the fires down there, but that's more a personal professional relationship with the person undertaking that.

15 MS HOGAN-DORAN SC: So there's no formal arrangement between the IGEM and any sort of - in particular, this particular review, but other reviews like there were on weather events, severe weather events?

20 MR DAWSON: Yes, I think - not that I'm aware of. And I think if it was of such a nature and we were requested, we would obviously work very closely with our New South Wales counterparts. But, as Tony has indicated, there are only two IGEMs currently in Australia: myself and Tony.

25 MS HOGAN-DORAN SC: Mr Pearce, what about you for your bordering States, New South Wales and South Australia?

MR PEARCE: With regard to, have we done or would we do work with other jurisdictions in this space, then similar to Mr Dawson, we haven't actually actively  
30 done any joint inquiries or reviews as such. However, events that impact the border though, by definition, at least to some degree, have a - the border is artificial with regard to the emergencies.

35 So, therefore, for some, some distance in, there are communities that are effectively, as we see with the COVID issue down here at the moment, there are communities that live in a wide expanse of land that traverses the border. Therefore, we engage with our interstate colleagues only to the extent that we can get information from them that is relevant to the way in which we responded or the way in which their jurisdiction responded impacting upon Victorian communities. So we would do that.

40 As far as the IGEM structural concept goes, if you like - and Western Australia has a small assurance capability built into their office of emergency services over there or emergency management over there, that in some way, but on a much, much smaller scale, was based on Victoria and was contributed to by us with intellectual property,  
45 if you like, and we've had significant dialogue with the office of emergency management in New South Wales, particularly in '15-'16 with consideration of

similar activities there. So I know New South Wales has undertaken activity but I'm not aware of any other formal entities, if you like.

MR DAWSON: Could I just --

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MS HOGAN-DORAN SC: I will come back to you, Mr Dawson. When you were just speaking about engaging with other agencies in relation to matters across borders in that you need information or insights from those agencies, are those agencies just other emergency management agencies or does that include other departments and include, for example, cross-border commissioners?

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MR PEARCE: It certainly involves cross-border commissioners and other agencies, yes. Yes it depends on, if there's an agency that we identify in another jurisdiction that has a relationship to the event that we're looking at, then we would approach them regardless, and we've never had a problem ever in engaging in that way.

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MS HOGAN-DORAN SC: Mr Dawson, you were going to contribute something?

MR DAWSON: I was just going to highlight that the actual response itself, there is obviously close working relationships for more in that review space we're very much tasked to within the State. That's where our remit is.

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MS HOGAN-DORAN SC: So the question I was going to ask you then - and I will come back to another aspect of this, but what about the Commonwealth? We've talked about interstate, or your bordering States and their agencies. What about in terms of having occasion to liaise or engage with relevant Commonwealth agencies? Mr Pearce, you've got a background in EMA Australia, you were there leading that agency for a long time?

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MR PEARCE: Yes. We - similarly the Commonwealth is, with all due respects, the Commonwealth is just another jurisdiction with regard to our work. So, again, if there's a relationship to the incident or the issue that we're addressing in Victoria that has a Commonwealth aspect to it, then we absolutely do engage with the Commonwealth, and again, that's reciprocated. So, yes.

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MS HOGAN-DORAN SC: And Mr Dawson?

MR DAWSON: So in the State, the Commonwealth is represented in some cases on local disaster management groups, and that tends to be where there are significant, for example, ADF deployments like Townsville, Brisbane. Also, they are represented in some cases on disaster district management groups and, again, where they are predominantly populated.

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At the - at the Queensland Disaster Management Committee which is chaired by our Premier, I sit there as an observer, but on many occasions I have actually seen both Defence in the room at senior level providing advice to the Premier. And the other thing is that the Bureau of Meteorology is well represented, providing very clear

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advice under the direction of the State manager to not only the State meetings at the Queensland Disaster Management Committee but also the State Disaster Coordination Group and also to the Local Councils in the area. So we have that.

5 When we are in a disaster situation and the EMA deploys, the Emergency  
Management Australia reps come to the State Disaster Coordination Group in  
Brisbane. So there is representation there, and there is the ability for the sharing of  
information in that regard. The other people that are in the room are the Queensland  
10 Reconstruction Authority, and Mr Moon is also an observer on the Queensland  
Disaster Management Committee. And so there is a connectivity back to the  
Commonwealth because, as I indicated, there's almost a four-level approach to this.  
There's support, which is Local Disaster Management Group. Then you've got the  
district disaster management group, leaning back into the State. And then when the  
15 State leans back, it's leaning back into the Commonwealth. So there is a movement  
of information and briefings supplied in that - in that - in that area. And then again, if  
there's assets brought in to supplement or support, they are also briefed from both  
interstate and also nationally.

MS HOGAN-DORAN SC: You mentioned the Australian Defence Force's  
20 incorporation in some aspects of disaster management in Queensland. The  
Commonwealth's assistance, through the ADF, was addressed in the Monsoon  
Trough Rainfall and Flood Review but it's not really addressed in the Cyclone  
Debbie Review. You were on the ground in your former role with Queensland  
Police. Were the Commonwealth involved to a significant extent in that cyclone  
25 relief and response effort?

MR DAWSON: Yes, they were, and they were involved in the far north of the State  
from Townsville, and it's a bit probably more lower level. But I travelled to  
Townsville to see the officers that were stationed there. And there was a small  
30 contingent of soldiers that had come from Townsville and being deployed in advance  
of Debbie and worked with local police on the ground, and for that we actually wrote  
a recommendation to the brigadier around their actions and their courage in doing  
that. So I think it's a fair comment to say that what I was seeing on the ground was  
probably replicated across the State. And we do have a very good working  
35 relationship with the Commonwealth in that regard.

MS HOGAN-DORAN SC: Alright. And because they're incorporated in the disaster  
management - the example you gave was really in anticipation of the disaster, doing  
work in advance and in preparation --

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MR DAWSON: Yes.

MS HOGAN-DORAN SC: -- to the anticipated relief and response that was going to  
be required. Does it require any kind of additional reference or specification to be  
45 able to capture any review of that work or that contribution by the Commonwealth?

MR DAWSON: Invariably, when we're looking at our review, we can go and ask the local commanders if they are happy to participate. We're very mindful that we would obviously need to write to them to gauge that. We haven't done a lot in that regard, but we acknowledge the fact that when we look at the system, and we're looking at  
5 the system when we do our review, is how the system actually works. And invariably what we find is participants in the actual response, and that included volunteers, paid staff, people from the community, will pass comment on what they see and the observations that they make.

10 So, and I know this is probably in advance of one of your questions, but in the '19-'20 bushfire review, we based it on observations taken from people that were actually on the front line, so to speak. So I think when you look at that and then look at well, we also worked with them around Canungra, which is another area that was obviously under threat. So we actually see this almost seamless contribution occurring, but it's  
15 because, I think, of the relationship at both the State level and the State Disaster Coordination Group level.

Probably one of the observations I would make is that a lot of that is reliant on DACC, the Defence Force Aid to Civil Communities, and part of that is the  
20 importance of that particular connectivity. But I'm not sure when it was last reviewed, but invariably there was a fairly tight window of opportunity for Defence. And there's something that I think when you have Defence living, working, embedded into our communities, which they are, that I think the community look with great pride upon how Defence is actually deployed and how they're supporting  
25 the broader community in which they live and work.

MS HOGAN-DORAN SC: I will just finish off on this review, the Cyclone Debbie Review. Following that review, there was an action plan developed?

30 MR DAWSON: Yes.

MS HOGAN-DORAN SC: And that involves the government response to the review. Could we have tab 30, RCN.900.049.0037. Am I right in understanding, both  
35 from you Mr Dawson and you Mr Pearce, that it's a routine step that, following one of the reviews that are made to government, that there will be a government response or either a departmental or an agency response, depending on the scale of the review? Is that your experience Mr Dawson?

40 MR DAWSON: That's correct in our case.

MS HOGAN-DORAN SC: Yes. And Mr Pearce, is that a standard step in your experience?

45 MR PEARCE: Yes, it certainly is. If we do a review that makes recommendations, then generally it's the government that accepts or otherwise, and they give a response to that. So yes, that's accurate.

MS HOGAN-DORAN SC: Alright. Mr Dawson, I just want to focus on the first one.

MR DAWSON: Yes.

5 MS HOGAN-DORAN SC: Which is the culture of learning. This is the primary  
recommendation or the first recommendation that's elevated to be the first  
recommendation that Queensland should implement and maintain a system-wide  
lesson management program. That recommendation was supported and there's  
10 actions identified by all agencies to do that. You've subsequently taken action  
yourself. I might just get you to - that is the Lessons Management Framework was  
something that was --

MR DAWSON: Correct.

15 MS HOGAN-DORAN SC: You identified earlier on. But, as I understand it also, that  
has then led to a recommendation that your reviews should now take a more  
system-wide approach on a more systematic basis. Is that accurate?

MR DAWSON: Well, the actual Lessons Management Framework is around  
20 identifying, I suppose, the observations are made on the ground. So those  
observations can be on activities that went quite well, that might require future  
investigation. So the actual capture of the observations are formed into or grouped  
together to create an insight. Once that insight is created, there will be a lesson  
identified, and then that can be turned into a lesson learnt by inculcating it into the - I  
25 suppose the culture, or in this particular case, the disaster management system.

So it operates at a number of different levels. It can operate for an individual group in  
how it does its business. It can operate for a district in how it undertakes its work. It  
can operate for the State as well as to what its observations and insights are and those  
30 lessons. And I think one of the things around this was about the recommendations, is  
the driver for continuous improvement. So if we look at it from a systems-based  
approach and we're thinking how do we actually create more synergy for  
improvement within the system, is by this, a process which is adopted across the  
State.

35 There are agencies that already have their own lessons programs, and there's a couple  
that do spring to mind that are - that are vastly collecting observation, insights and  
driving forward. So the purpose of this is to actually capture those, those  
observations and insights, to drive continuous improvement within the Queensland  
40 disaster management system.

MS HOGAN-DORAN SC: There's a large number of recommendations that I don't  
have take to take the Commissioners to, but on page 41 is a recommendation  
concerning warnings and emergency alerts.

45 MR DAWSON: Yes.

MS HOGAN-DORAN SC: We can see here, so:

5 *"Efforts are made to improve the timeliness, accuracy and targeting of emergency alert; messaging by educating the sector about how emergency alert works in detail and involving them in its testing; ensuring the preparation and authorisation of emergency alert campaigns consider those to be warned, and are not limited by disaster management boundaries; allowing the operation of emergency alert and the authorisation of its campaigns by disaster management practitioners at a district and local level."*

10  
15 And that recommendation was supported in principle, and some actions have been taken which are identified in the second-last column to the right. I wanted to just focus on, to what extent, Mr Dawson, are you aware of through your work as IGEM, to moves towards making emergency alert focus on their impact on the people who will be warned? That is, they're being driven by how that information will be received and how it will be acted upon by the people who receive them?

20 MR DAWSON: So it's a very good point you raise because the emergency alert, there is a national committee, as I know that you're aware, Queensland Fire and Emergency Service have a lead on that and we have a representative on that, from an observer capacity. So there's working towards - the objective is to get a national agreement around those particular alerts.

25 Now, the emergency alerts that go out are normally drawn by polygon, and they're provided to the people within the polygon. The actual communication, and I think this is part of - I referred to earlier as a journey - is around understanding what the message is and how we actually communicate with others. So when we, for example, ask people to leave a certain environment, it's because there's normally grave and imminent danger approaching to their life, but the messaging is really hard to sort of  
30 get that out there. But yet we still see people that will not evacuate or that will say, "We're not, I want to stay and defend." And I think those decisions are, you know, basically one for the individuals, provided that they're pretty well informed about that.

35 But it's about trying to get people to understand the emergency alert. This then has different complexities, and you referred to it before, about cultural and linguistically diverse. There's also other aspects to this, which is for someone who may understand the language but can't actually read the language. So there are so many different aspects to this, but I think the more we can - the more we, well, communicate and the  
40 more effectively can be in communication, and more timely, but in some cases events move so quickly that they can actually move past the actual process of getting the alert out as well.

45 So there are - this is a very complex area and I know it has been worked on for quite some time now. But I think, at the end of the day, it's about trying to get people to react to information when, if you took Rockhampton, for example, and say, "Rockhampton is going to flood" but it's a blue, sunny day people think, "It doesn't

look like it's going to flood because there's no rain", but you've actually got catchments now pouring water into the city itself. So there are sunny day disasters and there are ones where, what you see and what you hear neatly align and therefore you get the triggers. So this is a very complex area.

5

MS HOGAN-DORAN SC: This was a recommendation that was directed to warnings in the context of a cyclone review, so it was in a context --

MR DAWSON: Yes.

10

MS HOGAN-DORAN SC: -- of dealing with flooding and other damage caused by the cyclone itself. So what extent are emergency warnings and alerts in Queensland done on an all-hazards basis? That is, are the warnings and emergency alerts the same for bushfires as they are for floods and cyclones?

15

MR DAWSON: Yes. So the warning itself can be prefaced by cyclone, fire, or whatever is sent out, is restricted by number of characters. But, in essence, it's the same system that's used irrespective of whether it's a cyclone, flood, fire. It's the one system. There's not a different system.

20

MS HOGAN-DORAN SC: Now, this was a 2017 recommendation. I'm going to take the Commissioners to the bushfires report which also had a recommendation concerning warnings. I was trying to get a sense of to what extent had these recommendations about ways to improve warnings subsequently taken up in the bushfires context?

25

MR DAWSON: Right.

MS HOGAN-DORAN SC: If you can just address that.

30

MR DAWSON: Right. So, every recommendation that we make goes into our evaluation area. And so when you look at some of the recommendations they are very clear, and it's not clear on this particular one with Debbie. But a lot of the recommendations, for example, are due in August 2020. One which was due first up was the, as you rightly point out, was the lessons management framework. So that has been achieved and it's up and running.

35

So, in the lead-up to the due date by which the recommendations are due, we engage with the agencies. We take the document that you've got up there now, and we looked at the actions in response. So that's where we're going to gather our evidence from. And then we talk to the agencies. We gather the evidence. We do an analysis on the evidence. We look at, is the evidence supporting the direction of the recommendation? How well advanced are we in achieving the recommendation? And so we scale that and report on that to the Minister around what we are currently seeing. And, as more information comes in, we can go back and engage with those agencies.

45

So, as you will see on the right-hand column, there are a number of agencies involved in achieving these recommendations. And so the more complex the recommendation, the little bit longer it takes, the more simpler the recommendation, obviously the quicker it can be achieved.

5

MS HOGAN-DORAN SC: And just for completeness, I will just have the second page shown so that there's no confusion with that. Actions and Response does go on to a second page which - if that can just be shown, for completeness. Just excuse me one moment. I'm going to move to the bushfires review now. That document can be brought down. As you said, Mr Dawson, the Queensland Bushfires Review was done in two parts. The 2019-2021 is the one that you have completed, but you have also had a second stage. I will try and do it in an efficient way. I will just - while we're on this issue of warnings, so that it is easier to proceed thematically, tab 11 of your papers, Commissioners, EMQ.001.001.0711 and when the operator has that document up, if we could go to page 0744.

What is being picked up here is that there's an earlier report, Mr Dawson, from November 2018 bushfires, and that's at page 34 of the original document, Mr Dawson, if that's of assistance to you. I think you've got the original there?

20

MR DAWSON: Yes. Yes, thank you.

MS HOGAN-DORAN SC: There we go. Just to give an orientation to the Commissioners, there's an additional report in your bundle in the previous tab, tab 10, which is the 2018 Queensland Bushfires Review. That report has a number of recommendations that I want the Commissioners to know about. One of them is this community messaging and warnings recommendation which was made in 2018 --

30 MR DAWSON: Yes.

MS HOGAN-DORAN SC: -- that the national messages for catastrophic fire danger rating should be integrated with all existing and new community bushfire safety information, and that was accepted. And a piece of work that was done as part of this review, which is the review of the 2019, is you commissioned qualitative research of community perceptions of the timeliness and usefulness of the emergency warnings and alerts that they received. Is that right, Mr Dawson?

40 MR DAWSON: That's correct, yes.

MS HOGAN-DORAN SC: And just speaking in a summary way, what was the conclusion reached by that community research project?

45 MR DAWSON: So we used research around those areas and what we found is that, in general terms, people got the message. They did understand it, but there was times when there was confusion around, "Do you want me to stay or do you want me to leave?" So one of the things out of this actual review for '19-'20 which is the review

you've got on the screen, was that the second part to this review was to also look at the recommendations arising from the '18-'19 report and to provide advice as to where we currently were with that.

5 So, in general terms, in regards to warnings and how they're disseminated, there are times when the event is moving so fast that the warnings actually do not necessarily keep up with the speed of the event, and the other side to that is as trying to be in front of the event for the evacuation and get people to understand it. So when we look at, when we look at that, people say, "Yes, I received a warning but I wasn't  
10 sure what I was going to do", or they got it in a sequence app that confused them, so they were scrolling through the messages and saying, "Well, I wasn't sure which message came first."

MS HOGAN-DORAN SC: Now, I will just have the next page shown up which  
15 points out that - no, you were right, operator, leave it where it was, thank you, the top two paragraphs - that you had heard confusion from both disaster management entities and the community members as to what some messages mean, uncertainty as to what action should be taken, and in the next paragraph:

20 *"Also heard instances where messaging being sent out was not accurate and did not reflect what was happening on the ground."*

Now, the Commissioners heard evidence of that kind in this Royal Commission not just limited to Queensland. This stage of your review was to identify observations  
25 and insights and to not, as such, lead to recommendations. Nonetheless, are you aware of whether or not those kinds of issues are being addressed by Queensland Fire and Emergency Services and other emergency managers despite waiting for your review?

30 MR DAWSON: Yes, I'm aware --

MS HOGAN-DORAN SC: Yes.

MR DAWSON: Yes, I am aware that they are currently being worked on. It's  
35 the - again, the speed of the event. People getting lists of messages, not sure or what's actually happening, haven't had the radio on, haven't been able to keep abreast of what's actually happening. So, in case of these three fires that we looked at, which was Sarabah, Stanthorpe and Peregian it was around, again, that getting the message into the community and saying, this is - that part of the community needed to  
40 evacuate or they could return. But again it's the time delay in getting the information back, getting the warning constructed.

There are activities to pre-construct warnings so they can be sent out in advance. And one of the things - and I see on, in the thing here, we talk about when people could  
45 safely return to their residence - even though the fire has gone through, the whole issue around safety and return to residence is based on structural capacity of the residence to not impact and impede on their return. So the actual advices, as you will

see there, talks about receiving advices to leave by telephone message when they've been told they can safely return. It's about at what point of time do they interact with the message at what point the messages go out, and the speed of messages, it comes down to almost the decision is how often do we tell because it can actually be  
5 confusing, the more messages you put out.

MS HOGAN-DORAN SC: Just related to part of your answer: you said that, as you understand it, the agencies are acting on this observation, notwithstanding that your actual recommendations won't be delivered for another 12 or so months; that's right?  
10

MR DAWSON: Yes.

MS HOGAN-DORAN SC: Is that usually the way it is proceeded on? That is, that the agencies don't, and are not encouraged to, wait for the recommendations to come? That is, as part of their continuous improvement arrangements, if they are identifying issues or concerns, they will set about seeking to fix them? Is that your  
15 experience?

MR DAWSON: As far as I'm aware and in the majority of cases, when an agency is aware that IGEM is making recommendations, because we do actually talk to the agencies, we do show, like Tony indicated, we show this is the recommendation. And then even in the case of the bushfire 2019-2020, yes, there are observations and insights. But one of the things that arises out of that is because IGEM has written the report, it doesn't mean to say that being silent in no recommendations is actually a  
20 key to do nothing. Because the purpose of not issuing recommendations was the fact the report had been released two months earlier before the fire.  
25

And so putting more recommendations into that environment may actually be a little bit confusing. Whereas if they have already have the recommendations, they know what they need to do there. They've got this report here. And we've actually seen messaging that that's actually very supportive of these observations and insights, which indicates that yes, we will be doing a lot more work in that space.  
30

MS HOGAN-DORAN SC: Mr Pearce, in Victoria, what's the process for, if you're undertaking a review of some kind, do the emergency services sort of have to sit back and wait until you've made recommendations or are they expected to do things and actively act upon concerns or criticisms in the meantime?  
35

MR PEARCE: No, they would - in fact, it would reflect very poorly on them in our review or our inquiry if they did sit back and wait for us to say something. The reality is, and I will just go back to something Mr Dawson just said, just clarifying again, as I did earlier, that the recommendations, in our planned reviews they see those every time. In the reactive reviews to big events very often they won't. I just want to make sure that's clear.  
40

MS HOGAN-DORAN SC: Yes.  
45

MR PEARCE: Therefore, they are actually undertaking, of their own volition, through their own internal assurance processes, responses to issues arisen that they are aware of. And that happens as a matter of course. So, as I said, they are not expected, in fact, it would be a negative response from me if they were to sit back and wait for IGEM. As it happens, they already have, through our framework, their own obligations to conduct their own assurance activities and they do that regardless. And very often, in fact, if you were sort of looking at an IGEM that wanted to look all shiny and good, it may well be that we'd picked something up early on in our inquiry, that by the time we get to the point of looking to make a recommendation it or something, we know they've already started to address it of their own volition, and it takes away some of the potential shine for our recommendations, if you like, because they are proactive.

MS HOGAN-DORAN SC: Just while I'm with you, I was tracking back a little bit, speaking with Mr Dawson about interstate and Commonwealth assistance in natural disaster events. In one of your early assurance, annual assurance summaries, you identified an operational context of interstate assistance and resource supplementation with interstate or international assistance. Is that the kind of thing that you focus on as a matter of routine, or is it really only if the event warrants it that that will be something that you will start to focus on?

MR PEARCE: In any review that we do where there is a resource aspect to the review, whether it's a reactive one in response to an event or if it's a planned review, if there is a resource aspect to it, then all of the potential resources that can be utilised by the State will be considered. So, therefore, ADF and Commonwealth could be used, could be considered in a planned review, in exactly the same way as they might in a reactive review. It is issue specific if you like, rather than - rather than standard or not.

MS HOGAN-DORAN SC: Right. That leads me to my next question which is that - have I got the right reference? I'm not sure I have the right reference. In the Enhanced Terms of Reference for your current inquiry into the 2019-2020 Victorian fire season, it includes references to interstate and - here we go - EMV.0014.0001.0343. And we can see the fifth dot point down, Commonwealth assistance is identified there. And then if we go down into the last dot point on that page, we can see, as an inside dot point, the last one:

*"Impact of providing Victorian responder officers to other Australian jurisdictions to assist with emergency events as early as September 2019 this summer season."*

And on the next page, 0344, in the context of the activation of Commonwealth assistance, we can see:

*"Effectiveness of current national resource sharing arrangements when multiple and simultaneous fire events are occurring, effectiveness of the existing governance arrangements supporting access to Commonwealth and State air fleets, and the use*

*and integration of Australian Defence Force assets into Victoria's emergency response and relief operations."*

5 So we see that that is part of your Enhanced Terms of Reference, Mr Pearce. What's the status of your review in the time frames for your review, going forward?

10 MR PEARCE: The - currently the - the draft report has been out for consultation to the organisations and the stakeholders that were participants as providers of evidence and so on, just to ensure contextual accuracy and factual accuracy, and we're currently going through the process of reviewing that feedback now to then determine what our recommendations potentially will be.

15 MS HOGAN-DORAN SC: Is that the exercise - I think you've said before, in these reviews where they're not self-initiated but are ones where you've received a reference, that the external - externally indicated that you will keep recommendations out of being - for circulation. Those recommendations come at the end once you've gone through that exercise of consultation?

20 MR PEARCE: Well, that's right, because until we know that - asking a question and getting an answer and then us - us then reflecting that in our own way without going back and fact checking is dangerous. So, therefore, we want to make sure that the context of all of the - the content of the draft report is accurate. And if that is the case we can then use that as the basis then for developing our recommendations.

25 MS HOGAN-DORAN SC: I raised with you, much earlier on that the impact that having to take on this review has had on the balance of the activities or work plan that you had set for the agency, for the office of the IGEM. How do you prioritise a work plan from here? There are a range of other issues that were picked up in your most recent work plan which was, I believe, EMV.0014.0001.0254, which is tab 13.  
30 I think that's the right one. 0014.0001.0254.

MR PEARCE: Just while you're bringing that up, I think I can answer that question for you anyway.

35 MS HOGAN-DORAN SC: Please.

40 MR PEARCE: If not, I will self-correct. However, each year we go through a process of engaging back with the organisations. So I write to the chief officers, departmental secretaries, and other chiefs of non-government organisations to provide them the update of the last projection, if you like, of issues that were going to be considered for review at some stage in the next coming years. And when we do that, we're effectively asking them whether or not they believe (a) that the current list is still accurate in relation to its importance, and also whether there's anything else that has arisen that they're aware of that we might want to consider conducting a review on.  
45

And at the same time we also consider anything else that we've done during the year, particularly the reactive reviews because very often what we will find, depending on

what the event was or even the scale of it, a number of the issues that we might have been wanting to look at in the planned review sense in a much smaller review will have actually been addressed by conducting the large incident review. And in this case the inquiry into the bushfires, for example, potentially will cover a number of those issues that we might have sitting in the forward projection now. So we will review that again with the sector once this inquiry is up before we then finalise what the next list is, if you like.

MS HOGAN-DORAN SC: Just want to have identified the forward projection reviews, so these are the reviews that you were going to be doing if you hadn't had this significant review that you've been progressing for the last few months. So systems and platforms for interoperability, agency coordination for class 2 emergency. Now class 2 emergencies are hazards such as human disease, agricultural pest and disease, disruption to essential services, road accidents and environmental pollution. You make the point in this paragraph that:

*"The State emergency risk assessment identifies that Victoria's greatest risk include a combination of class 1 and 2 emergencies."*

And the next one. So in Queensland - just while I'm at this, in Queensland, Mr Dawson, there isn't this distinction between classes of emergency. There's just - is that right?

MR DAWSON: Yes. So there's events occur and then they can be declared as a disaster, but you don't need to declare it as a disaster to get the appropriate response.

MS HOGAN-DORAN SC: Alright. Back to this document, over to the next page, operator:

*"Relocation and evacuation planning and management, community level and urgency management."*

And I might just add, Mr Pearce, one of the reasons I'm saying these things are these are all issues that are emerging in the course of this Royal Commission. Over the next page:

*"Emergency management training and exercising, long-term recovery, disaster risk mitigation, critical infrastructure."*

And I think you foreshadowed that you've done that first stage of work of looking at the critical infrastructure resilience framework and to the extent that's being met, and that this is a future work plan for that:

*"Use of surge staff for additional emergency management capacity regulation and emergency management."*

And this last one, I'm going to ask you a couple of questions about:

*"Culture values and behaviours."*

The second - the second paragraph here says that:

5

*"Anecdotally reported evidence suggests that ongoing challenges with organisational culture, values and behaviours within the sector is in part driven by an array of sector-specific characteristics spanning industrial, geographical, social and psychological considerations."*

10

Is an inquiry into cultural – cultural values and behaviours a qualitatively different kind of evaluative exercise to the other ones that I've just identified?

15 MR PEARCE: Well, it certainly would be and whilst we obviously hadn't developed - and can I just pick you up very quickly, if you don't mind.

MS HOGAN-DORAN SC: Please.

20 MR PEARCE: If you don't mind, just on one thing, you talked about this as being the plan and the things that we would have looked at had we not had the inquiry in place. That's not the case.

MS HOGAN-DORAN SC: Right.

25 MR PEARCE: This is the projection of issues that at some stage in future years, depending on their priority, will get looked at, but next year we actually didn't develop - we actually had the projection but we hadn't actually identified which of those things we were going to review this year. So the plan didn't get developed. This is just the ongoing role in projection, if you like.

30

MS HOGAN-DORAN SC: I see.

35 MR PEARCE: But getting back to your question - sorry, so getting back to your question about this, then yes, just by definition it would be different simply because what we're looking at in response to an emergency that's - that has occurred is the way in which the response was conducted, and the impacts of those - of that response, whereas you're here looking at those very things. You're looking at before the event occurs, the culture of an organisation, its values, its behaviours and how they potentially then impact on the way it's occurring. So you're a step before, if you like, a step before review is what this would be, compared to one that's looking at a

40 specific event or a particular activity that would be undertaken because culture, values and behaviours all influence the way in which something would have occurred and would be undertaken.

45 MS HOGAN-DORAN SC: The last question I want to ask you both is, in the course of your evidence, Mr Pearce, when we were early on looking at the question of amendments or expansions to your functions and the scope of your activities, you

identified that there - it had happened at a time of greater maturity of the IGEM role and office.

MR PEARCE: Yes.

5

MS HOGAN-DORAN SC: If an IGEM had to be stood up in another State or Territory or the Commonwealth, would it be your recommendation that it begin in the sort of the more narrow focus that the original or kind of immature stance and then go through the exercise of maturity, or should it take on where your scope and function is now sitting?

10

MR PEARCE: My own - my own view, having been in this chair from Day One, I guess, so we've actually - I've been here since we started and I think it's fair to say that had we tried to just simply jump in where we are now, that would have been an abstract failure and, in fact, the organisation would have ceased to exist fairly quickly. It would have provided no value and there would have been no - there would have been no basis or rationale or strategy around why it was doing what it was doing.

15

20 What we learnt early in the piece was that you can have a half understanding of the technical - or in fact, if I go back and give you an example, on the first day that I was appointed, when I met the minister of the day and he congratulated me on the appointment I then asked him, just as general dialogue, I asked him what it was that he was hoping that the IGEM could achieve for him and for government, and his response at that time was, "I hope that the first thing you can do is tell me what it is that we need you to do."

25

And I think that's - what that was saying, that we really didn't know what the IGEM concept was. We knew it was about assurance. What does that mean in the context of emergency management? We had no idea. We had no processes to benchmark off. We had no - no other office or organisation that had been down this journey before in Australia, and there are only a few internationally that I'm well linked with now who have similar types of processes. Therefore we had to build it.

30

35 The other thing is, of course, that the minute you create something like this, there is an automatic expectation that it will deliver something, both from a community perspective and from a political perspective. I also knew that if we tried to start delivering things in a sector that has not traditionally had an assurance function sitting above it, and where there was a significant degree, early days, of weariness about the watchdog approach and the big stick approach we might try and take, if we hadn't spent as much of our effort taking the sector on the journey as we did developing our processes and so on, then again it would have failed.

40

45 So I would say to you if you're setting up something like this, if you didn't draw upon us, you know, our two offices, for example, as a source of some of the background if you were starting fresh, you really are looking at a good 18 months to two years of delivering small step things before you have an internal culture that's right of your

own, internal skill sets that are right, a framework that actually identifies where you need to go and how you're going to get there, and a sector that actually wants to work with you.

5 MS HOGAN-DORAN SC: Mr Dawson, have you got a comment to that?

MR DAWSON: I actually agree totally with what Tony has said. And I think, looking at how IGEM Queensland was established, it was established by way of a recommendation from a review. It was put into a legislated framework, and then  
10 eased gently down into what then is - or what then was the Queensland disaster management system. I can't overemphasise Tony's comments around collegiateness and communication into not only the community of disaster management but also in the broader community. And I think the adage of - is under promise and over deliver is definitely at the start.

15 There's a lot of complexity involved, as we all know, with qualitative analysis and working with the sectors, because it is such a complex area. But again the ultimate thing is how each day do we value add to the safety of the community irrespective where you are in the State, and you get the best response possible with the assets that  
20 are readily available right there. And we know that it's a case of sometimes having to move assets around to make it work, even in response. But the focus in this State has been around trying to drive and not - and succeeding around continuous improvement.

25 MS HOGAN-DORAN SC: Thank you, Mr Dawson. Thank you, Mr Pearce, Commissioners, those are my questions.

COMMISSIONER BINSKIN: Commissioner Bennett.

30 COMMISSIONER BENNETT: Thanks, Chair. I've just got one slightly smaller question and one broad systemic question. The smaller question is this: if I can have brought up, please, EMQ.001.001.0736 and also EMQ.001.001.0738. This is the Noosa hazard reduction burn, Mr Dawson, and if, when you look at it, this was quite an extraordinary - it looks quite dramatic, if I may say so. And you've made the  
35 comment that:

*"Overall the level of interagency and community cooperation for the burn was exceptional."*

40 I've just got one question, I'm looking at the smoke and I'm just wondering if part of your assessment and consideration with regard to emergency management includes the whole issue of the effect of smoke on the population, and I'm going to ask Mr Pearce the same question. Are you looking into that yet? And I guess my other question is were there many complaints about the smoke because I'm interested in  
45 that health consequence issue?

MR DAWSON: Yes. So aware of the issues of smoke, especially with people with breathing issues and those things, and also the health. Indeed, I'm not aware of the number of complaints that may have been made, but what I am aware of is that there was a significant amount of community engagement involved prior to this event  
5 taking place. The balance in here is around the risk. Not to clear it, so to make it safe, and yet run the risk of a fire into the area in - had one occurred, there might have been a different outcome. So it's almost the trade-off is a reduction burn there, there is smoke. How long that will last for, I'm not sure. But in looking at that, it was - it was identified as good practice because it actually brought together so many agencies  
10 to reduce what was a high risk for that community and offset that against the smoke. So I think that's the way to answer that.

COMMISSIONER BENNETT: Is it fair to say then that you're aware that there was a deal of community education engaged in prior to that hazard reduction burn?  
15

MR DAWSON: Yes, and part of the advice I received was around this, there had been communications with, for example, ambulance, police, there had been people put on the roads to actually direct traffic, notifications had gone out and that there would be the reduction burn. That's my understanding of it.  
20

COMMISSIONER BENNETT: So community education and information prior to it taking place?  
25

MR DAWSON: That's my understanding, yes.

COMMISSIONER BENNETT: Thank you. Mr Pearce, do you look at these issues in Victoria as well? Things like health consequences of smoke generally?  
30

MR PEARCE: Yes, absolutely we do, and I think if I could just take you back, if I could Commissioner, just very briefly, back to the Hazelwood Mine fire in Victoria and the subsequent review undertaken by Justice Teague in his panel in 2014, and then the second review, the health review in '15-'16, if you like, that whole issue of smoke was a significant part of that inquiry. And as a result of that the State has developed a smoke framework that actually addresses that in all activities it  
35 undertakes, but it also applies that even to the impacts of bushfire and bushfire smoke where the fires aren't manmade or generated. So yes, we absolutely do.

COMMISSIONER BENNETT: Thank you very much. That's very helpful. My second question really goes more into the systemic nature of what you both do, and you've described the fact that, in effect, it has been almost an incremental journey from the standing start to come where you are now, and that you've had to take the organisation with you in that process, and I found that very, very informative. But it also seems to me that you've come from slightly different perspectives in the way you deal with it.  
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It's almost, to my way of thinking- I know I'm probably oversimplifying it - one is more of a bottom-up approach and one is more of a top-down approach. I don't know

if you understand what I mean by that, but in the way, in the organisational input and output that you each have. I guess my question is, bearing in mind it's incremental and you're the only two going in the country, are you planning changes to take from each other further - you know, if your wish list now as to bringing in maybe other ways of doing it, or additional ways of doing it, whether or not you see any areas that you would now wish to change or incorporate into your existing frameworks in that continuing journey? Mr Pearce, can I ask you first?

MR PEARCE: Commissioner, I think the answer is probably no, in regards to that. I think we're at a stage now where it's almost an organic process, if you like. Things almost naturally self-present or concepts that we might look at and engage in, whether it's between ourselves and Queensland or ourselves and other jurisdictions who don't even have the types of entities that we're talking about, it's almost become self-evident to us as to what those things are that we would or wouldn't talk about.

And fortunately, even without an IGEM or something similar in each jurisdiction, we do have networks and contacts into the jurisdictions that we know where to go to discuss these sorts of things and also, you know, even get some ideas from them about improvement concepts for our own work, but there's nothing that really stands out.

The only thing I would say is that we - back in 2015, I think, it became - I think I had one of those moments where I looked at what we would doing here and what Queensland is doing and thought this concept is, regardless to whether you call them IGEMs or not, and take myself out of it as the individual who runs our show, the whole concept of emergency management system assurance has proven itself in Victoria to be extremely valuable. And I look back now to 2009 and then major events between then and when we started the office, or when the legislation was enabled and I am absolutely convinced that undertaking system level assurance activities that engages the whole sector, which includes non-government organisations and the community, has put this State in a far, far better place than it's ever been before. It can always improve, it will always be doing that, but we are in probably the best place that we can be and now further opportunities to improve.

I would suspect that if you were to have a system level assurance capacity across the country in different jurisdictions - doesn't matter what you call it - but if the concept was similar, then by definition I would suggest that the country would be in a better place, not just the individual jurisdictions because it has proven itself to us, it's not about me and I'm sure Alistair doesn't think it's about him, but it is about the fact that when you put a good process in place that is well supported, that is doing the right things for the right reasons and engages everybody you get far better outcomes, and I think that would be probably the message I would leave.

COMMISSIONER BENNETT: Thanks Mr Pearce, that you very much.  
Mr Dawson?

MR DAWSON: Thank you very much indeed, Commissioner. I think the journey for IGEM Queensland, yes, has been slightly different. I'm a believer, having worked in the system, that the State Disaster Management System is probably in the best shape I've seen it and, you know, considerably and going forward. I'm very blessed to be  
5 working with 21 other very brilliant people and they certainly give great value to what we do, and that's undeniable. I think one of the things that has come out of our systems is the understanding and the importance of training, and this continual development and understanding of what a lessons management framework looks like.

10 When I talk to agencies overseas, and I've got quite a broad network now, what I do hear is comments such as, "I wish we did it like you." In other words, this ability to look at things, do a risk analysis, move forward, keep moving forward. The State is enormous. People choose to live all over our State. And part of our job is actually to  
15 provide them with the best system possible for their protection and safety, especially in the disaster management space.

And I think around that is the assurance activities, so people know that no one's sitting still and doing nothing. We're actually doing a lot, and we're constantly trying  
20 to refine the system to provide that support. But, again, it's everybody has this responsibility and, like Tony, we're just resetting our strategic plan for the next five years and that will be a far more rapid and responsive IGEM over the next five years.

COMMISSIONER BENNETT: Thank you very much. Thank you both very much  
25 indeed.

COMMISSIONER BINSKIN: Thank you. I've got one question. I will actually go to Mr Pearce, only because he has got longevity in the role. And it's one of those, do  
30 you ever wake up thinking it's a Groundhog Day, and along the lines of you look at one sector and you find a lesson there, and another sector where it's relevant to, doesn't realise that it's relevant and you haven't picked up on it and, if you have, how do you address that?

MR PEARCE: Yes, I guess, Commissioner, the difficulty is that there are - I mean,  
35 as you are well aware, there are various assurance bodies through various different sectors and integrity bodies assigned, and the reality is we don't all talk to each other. However, having said that, certainly in Victoria we have a standing arrangement where we meet at least a couple of times a year with other bodies who do similar work, which includes the Victorian Auditor-General's Office, and part of the reason  
40 is because we're compelled to, the legislation actually specifies that we are to ensure that we are working in a complementary fashion with other bodies and not duplicating work or tripping over each other's reviews and inquiries, and the like.

The other benefit, of course, is if you had to do that, then you utilise that for the best  
45 possible benefit you can get out of it, which is not just meeting a legislative obligation but also to be able to benefit from the work that they have done previously or the work they might be considering in the future, as well as their methodology and

so on. So we do that as a matter of course. It's well enshrined and we don't miss too much. But there are certainly other sectors where we don't see what goes on other than after the fact when their reviews and their inquiry reports are produced. But, again, within the office we have, I guess, an intelligence gathering capacity, if you  
5 like. That means that day in and day out we're watching for all of these things anyway; and even when there are inquiries are going on that we're not even aware of, we certainly know when they've been delivered and we look at what's in them to see if there's any benefit to our environment.

10 COMMISSIONER BINSKIN: Thank you very much. Gentlemen, we appreciate you're both very busy in your roles, but we also appreciate the fact you took so much time with us today to give us an insight into what is an IGEM and the different approaches to it, which actually are far more aligned than what it initially looks like when you looked at it on paper. So thank you for sharing that, sharing your wisdom  
15 and sharing your experience. We appreciate it very, very much.

MR PEARCE: My pleasure.

MR DAWSON: Thank you very much.  
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MS HOGAN-DORAN SC: And may the witnesses be released?

COMMISSIONER BINSKIN: The witnesses may be released from their summons. Thank you and good luck.  
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MR DAWSON: Thank you very much.

MR PEARCE: Thank you Commissioners.

30 MS HOGAN-DORAN SC: And Mr Glover did check with our instructing solicitor in relation to any communications from parties with leave and there were none. That's all for today, Commissioners.

COMMISSIONER BINSKIN: Okay. We will adjourn. We've got a slightly earlier  
35 start tomorrow morning. That's 9.30.

MS HOGAN-DORAN SC: I believe so.

COMMISSIONER BINSKIN: So we will adjourn now until 9.30 am Canberra time.  
40 Thank you.

**<ADJOURNED 3:21 PM TO WEDNESDAY, 8 JULY 2020 AT 9:30 AM>**