

Appendix three – In scope inquiries

This appendix contains:

- a list of in scope inquiries for this audit
- a description of these different types of inquiries
- a summary of recommendations made by these inquiries by theme.

List of in scope inquiries for this audit

Table A3.1: In scope inquiries

Date of inquiry publication	Inquiry title	Type of inquiry	Agencies affected
Nov-2013	Independent Hazard Reduction Audit Panel	Independent	Ministry for Police and Emergency Services (Resilience NSW); NSW Rural Fire Service
Apr-2014	Fitness of firefighters	Audit	Fire and Rescue NSW; NSW Rural Fire Service
Apr-2014	SES Management of Volunteers	Audit	NSW State Emergency Service
Feb-2015	2013 Blue Mountains Fire Recovery Coordinators report	Recovery	Ministry for Police and Emergency Services (Resilience NSW)
Feb-2015	Wambelong fire	Parliamentary	NSW Rural Fire Service; NSW National Parks and Wildlife Service
Aug-2015	2015 East Coast Storm and Flood Recovery Coordinators Report	Recovery	Office of Emergency Management (Resilience NSW)
Sep-2015	Inquiry into fire at Wambelong Camp Ground, Warrumbungles National Park	Coronial	NSW Rural Fire Service; NSW National Parks and Wildlife Service
Aug-2016	2016 East Coast Low State Recovery Coordinators Report	Recovery	Ministry for Police and Emergency Services (Resilience NSW)
Oct-2016	Preventing and managing worker injuries	Audit	Fire and Rescue NSW
Jul-2017	Independent Review of the NSW State Emergency Service Operational Response	Independent	NSW State Emergency Service
Aug-2017	Violence against emergency services personnel	Parliamentary	Fire and Rescue NSW; Office of Emergency Management (Resilience NSW); NSW Rural Fire Service; NSW State Emergency Service
Sep-2017	2016 Inland Flooding Regional Recovery Coordinators Report	Recovery	Office of Emergency Management (Resilience NSW)

Date of inquiry publication	Inquiry title	Type of inquiry	Agencies affected
Sep-2017	Inquests into the deaths of Robin MacDonald, Colin Webb and Brian Wilson (Dungog Floods)	Coronial	NSW State Emergency Service
May-2018	Inquiry into the fire at Springwood and Mount Victoria	Coronial	Fire and Rescue NSW; NSW Rural Fire Service
Jun-2018	Bega Valley Fires Independent Review	Independent	Emergency Services Board of Commissioners (Office of Emergency Management and Resilience NSW the Secretariat)
Jul-2018	Emergency services agencies	Parliamentary	Emergency Services Board of Commissioners (Office of Emergency Management and Resilience NSW the Secretariat); Fire and Rescue NSW
Oct-2019	Inquiry into fire at Flagview South, Sir Ivan Dougherty Drive, Leadville	Coronial	NSW Rural Fire Service

Description of different types of inquiries

Coronial inquiries and inquests

Coroners conducting inquests or inquiries into deaths, fires or explosions may make recommendations concerning public health and safety or other matters that arise during an inquest or inquiry. Inquests are coronial proceedings concerning the death or suspected death of a person whereas inquiries are coronial proceedings concerning fire or explosions.

Premier's Memorandum M2009-12 requires that ministers or government agencies provide a response to the Attorney-General for coronial recommendations within six months of receiving a recommendation. Significant changes to policy or any budget implications will be discussed and endorsed by Cabinet.

The Premier's Memorandum directs the Attorney-General to publish this information on the Attorney-General's website. The Department of Communities and Justice now administers this arrangement.

The Premier's Memorandum encourages agencies to provide the Attorney-General with further updates on the status of accepted recommendation implementation. However, and consistent with the Premier's Memorandum, the Department of Communities and Justice does not actively monitor recommendation implementation progress.

This audit looked at agency responses to four coronial inquiries and inquests:

- Inquiry into fire at Wambelong Camp Ground, Warrumbungles National Park
- Inquests into the deaths of Robin MacDonald, Colin Webb and Brian Wilson (Dungog flood)
- Inquiry into the fire at Springwood and Mount Victoria
- Inquiry into fire at Flagview South, Sir Ivan Dougherty Drive, Leadville.

Independent inquiries

Independent inquiries in this audit context are defined as reviews commissioned by the government or by agencies into emergency management events. These reviews were not triggered by a statutory requirement. The reports and the official responses are not required to be published, but may be made available to the public to support a legislative agenda or for public accountability.

This audit reviewed agency responses to three independent inquiries:

- Independent Hazard Reduction Audit Panel
- Independent Review of the NSW State Emergency Service Operational Response
- Bega Valley Fires Independent Review.

Parliamentary inquiries

Parliamentary inquiries are conducted by parliamentary committees and often make recommendations to government. Under parliamentary standing orders, the relevant minister or ministers must, within six months, report on the action the government proposes to take in relation to each recommendation of the committee. The government's response and any significant changes to policy or any budget implications will be discussed and endorsed by Cabinet.

This report reviewed agency responses to three parliamentary inquiries:

- Wambelong fire
- Violence against emergency services personnel
- Emergency services agencies

Performance audits

The Auditor-General for NSW's performance audits assess whether government agencies are carrying out their activities effectively, economically, efficiently and in compliance with the law. The heads of audited agencies provide a formal response or comment on an audited report that is included in a report tabled in both houses of NSW Parliament.

The *Public Finance and Audit Act 1983* established a parliamentary committee, the Public Accounts Committee (PAC) which, amongst other functions, reviews the Auditor-General's performance audits. The PAC's practice is to review agency implementation of performance audit recommendations 12 months after the completion of an audit. Agencies submit their responses to the PAC. The PAC then selects several reports to conduct more detailed examination by way of public hearings. The PAC may then make further recommendations to government or agencies on the audited topic.

This report reviewed agency responses to three performance audits:

- Fitness of firefighters
- SES management of volunteers
- Preventing and managing worker injuries.

The PAC did not conduct public hearings for the performance audits listed above. Nor did the PAC make further recommendations regarding these reports.

Recovery reports

The *State Emergency and Rescue Management Act 1989* requires the appointment of a State Emergency Recovery Controller. The State Emergency Recovery Controller may recommend the appointment of a Recovery Coordinator once the need for a formal recovery operation has been identified. One of the functions of the Recovery Coordinator is to provide a report to the State Emergency Recovery Controller on actions taken, lessons identified and any recommendations.

Resilience NSW advised that, in practice, these reports are substantially prepared by staff supporting the Recovery Coordinator who are then responsible for implementing the resulting recommendations. In this way, they are distinct from the other inquiries or reviews reviewed in this audit. The recovery reports are published on the Resilience NSW website.

This report reviewed agency responses to four recovery reports:

- 2013 Blue Mountains Fire Recovery Coordinators Report
- 2015 East Coast Storm and Flood Recovery Coordinators Report
- 2016 Inland Flooding Regional Recovery Coordinators Report
- 2016 East Coast Low State Recovery Coordinators Report.

Of these reports, there is a formal government or agency response only to the 2015 East Coast Storm and Flood Recovery Coordinators Report.

Accepted recommendations themes from in scope public inquiries

The Bushfire and Natural Hazard Cooperative Research Centre (BNHCRC) developed a database of all disaster inquiries in Australia and this data is available on its website. The BNHCRC also coded recommendations according to several major and minor categories.¹ We extended the BNHCRC analysis by including additional inquiries and recommendation theme coding.

Table A3.2

Recommendation theme	Audit	Coronial	Independent	Parliamentary	Recovery	Total
Responsibility						
Agency reporting	--	--	2	3	--	5
Business and industry	--	2	--	--	1	3
Community education	--	3	5	1	6	15
Government responsibility	--	1	--	3	3	7
Inquiry, audit and after-action review	--	--	1	1	1	3
Personal responsibility	--	2	--	--	1	3
Responsibility total	--	8	8	8	12	36
Preparedness						
Disaster risk management	--	--	4	--	--	4
Emergency management exercises	--	--	1	--	--	1
Fire season preparation	--	2	--	8	1	11
Hazard reduction burns	--	1	--	2	--	3
Infrastructure	--	--	--	--	1	1
Land use and building regulation	--	--	2	1	--	3
Preparedness total	--	3	7	11	2	23
Response						
Access to fire ground	--	1	--	1	--	2
Communications and warnings	--	3	1	1	1	6
Emergency powers	--	1	--	--	--	1
Incident management teams	--	3	2	--	--	5

¹ See Cole L, Dovers S, Eburn M and Gough M. 2017. Major post-event inquiries and reviews: review of recommendations. Bushfire and Natural Hazard CRC. December 2017.

Recommendation theme	Audit	Coronial	Independent	Parliamentary	Recovery	Total
Inter-agency communication	--	2	--	--	--	2
Inter-service cooperation	--	3	5	--	1	9
Local knowledge	--	1	--	--	--	1
Response total	--	14	8	2	2	26
Recovery						
Insurance and legal liability	--	--	--	1	1	2
Relief and recovery	--	--	--	1	16	17
Recovery total	--	--	--	2	17	19
Agency organisation						
Doctrine, standards and reform	--	5	16	2	--	23
Emergency management agency and authority	--	2	8	4	--	14
Funding	--	--	2	1	--	3
OH&S	9	--	1	5	--	15
Training and behaviour	1	8	8	--	--	17
Volunteers	5	--	--	--	1	6
Agency organisation total	15	15	35	12	1	78
Research and technology						
Assets and technology	--	2	3	1	--	6
Mapping and data quality	--	--	--	--	2	2
Research	--	1	--	--	--	1
Research and technology total	--	3	3	1	2	9
Grand total	15	43	61	37	36	191