

# SAFETY BULLETIN

## Volunteer Fire Fighters Association

*"The Voice of Volunteer Firefighters in NSW"*  
PO Box 123, Clarence Town NSW 2321



December 18, 2017

## NSW RFS Volunteers at Risk of Prosecution without Support or Assistance

On Wednesday 6th December 2017, a day after International Volunteer Day, a Sydney based Volunteer Firefighter was convicted of dangerous driving in a Local Court case that was heard over three days. The Volunteer was charged by the NSW Police some months after the Police attended a Hazard Reduction Burn.

The Police attended following a phone call from a paid staff member of the NSW Rural Fire Service (**the RFS**) reporting an alleged incident. The volunteer was on route to the fire station to assist with a pre-planned hazard reduction burn. The matter was reported to the Police without the RFS taking any steps to investigate the allegations internally, or to even hear the Volunteer's account of the event.

Legal costs to protect the good name of this Volunteer are now in the tens' of thousands of dollars and the Volunteer Firefighter was sentenced and ordered to pay a \$750 fine and had his license suspended for a 12-month period. The legal proceedings have been underway for approximately 14 months, they have taken an incredible toll on the volunteer, his family and brigade.

The Volunteer has not received any support or communication from the NSW RFS.

The Volunteer Firefighter almost faced a custodial sentence.

In the days after the alleged incident, some members of the NSW Police who were not involved in the investigation remarked that they would not be interested in this matter because a Police Officer was *"not there, they did not see it and no one was injured"*.

The same Police Officers also remarked that *"no one can judge speed, only the Police. Not the RFS"*.

Every single NSW Rural Fire Service Volunteer is at risk if they receive either a pager or phone call seeking their attendance at their local NSW RFS Fire Station, and in order to get there they drive in their private vehicle along a public road, and the road forms part of a 'Fireground', then that Volunteer Firefighter is at risk of being accused of speeding, driving through smoke without their hazard Lights on or being on the 'Fireground' without approval – even if the traffic controllers allow them to proceed.

The VFFA is deeply concerned that this case sets a precedent; Volunteer Firefighters can be subject to prosecution if salaried staff, without question or any internal investigation, call the NSW Police to report alleged actions of a Volunteer Firefighter based on hearsay. This incident has the potential to seriously damage the reputation of the Rural Fire Service, the relationship between RFS staff and volunteers, and it raises the question:

***Why would anyone choose to give up their time with the knowledge that they could find themselves in a similar situation?***

The Local Court decision is under appeal.

The VFFA has supported this Volunteer Firefighter and is calling upon other support groups and associations to assist with this matter as the legal proceedings continue. More information about this case will be published as appropriate on the VFFA website.

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