

RFS volunteer has dangerous driving conviction overturned after two years

Emma Partridge, The Daily Telegraph

POLICE never saw it and no one was hurt, but it still took two years and \$74,000 for a Rural Fire Service volunteer to overturn a conviction for driving dangerously during a hazard reduction burn on Sydney's northern beaches.

A judge quashed Oliver Maruda's dangerous driving conviction and slammed the "problematic" and "imprecise" evidence of two other RFS volunteers who doxed him in to police simply because they heard a "whoosh" as he drove past them in his car in October 2016.

Mr Maruda, a volunteer of 15 years at Cottage Point RFS, was charged by police five months after the event based on the accounts of Duffys Forest volunteers Rick James and Luke Graham.



Oliver Maruda, an RFS volunteer cleared of a speeding charge, leaves court on Thursday. Picture: Richard Dobson

Mr Maruda, an IT worker and passionate volunteer, was suspended from the RFS and later convicted of the charge after a three-day hearing involving 13 witnesses. He appealed.

NSW District Court Judge Paul Conlon on Wednesday disagreed with the magistrate's finding that Mr James and Mr Graham were "credible witnesses".

"The evidence is very problematic in this case ... the estimate of speed comes about from Mr Graham by virtue of his fact that he opened the door ...(and) he was startled by a car passing about 1m from him," Judge Conlon said.



An RFS firefighter controls a hazard reduction burn.

During Mr Maruda's appeal hearing, the court was also told the two RFS volunteers believed Mr Maruda had been speeding because the force of his car passing had caused the door of their ute to slam shut as they were parked on the side of Cottage Point Rd.

Judge Conlon noted the door may have shut due to high winds on the day.

Outside the court, Cottage Point RFS captain Jon Russell said the RFS had abandoned Mr Maruda and offered him no support throughout the court process.



Backburning pictured from a NSW RFS fire truck. Picture: Twitter

“Oliver is one of the most decent fellows I’ve met in my 38 years and what has been done to him (by the RFS) is the most despicable thing that has ever happened to a volunteer and the RFS completely abandoned him,” Mr Russell said.

The RFS yesterday said Mr Maruda was stood down after being charged in May 2017, but he then sought a review of that decision.

“The matter was reviewed and he was reinstated in July 2017,” an RFS spokesman said.

“The NSW RFS has offered Mr Maruda a number of support services throughout the matter.”

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