



COMMONWEALTH OF AUSTRALIA

Proof Committee Hansard

SENATE

LEGAL AND CONSTITUTIONAL AFFAIRS REFERENCES
COMMITTEE

Use of smoke alarms to prevent smoke and fire related deaths

(Public)

MONDAY, 26 OCTOBER 2015

BRISBANE

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SENATE

LEGAL AND CONSTITUTIONAL AFFAIRS REFERENCES COMMITTEE

Monday, 26 October 2015

Members in attendance: Senators Conroy, Ketter, Lazarus, Ludwig.

Terms of Reference for the Inquiry:

To inquire into and report on:

The use of smoke alarms to prevent smoke and fire related deaths, with particular reference to:

- a. the incidence of smoke and fire related injuries and deaths and associated damage to property;
- b. the immediate and long term effects of such injuries and deaths;
- c. how the use, type and installation set-ups of smoke alarms could affect such injuries and deaths;
- d. what smoke alarms are in use in owner-occupied and rented dwellings and the installation set-ups;
- e. how the provisions of the Australian Building Code relating to smoke alarm type, installation and use can be improved;
- f. whether there are any other legislative or regulatory measures which would minimise such injuries and deaths; and
- g. any related matter.

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NAUMOVSKI, Mr Louie, President, Logan House Fire Support Network**Committee met at 09:00**

CHAIR (Senator Lazarus): I declare open this public hearing of the Senate Legal and Constitutional Affairs References Committee for its inquiry into the use of smoke alarms to prevent smoke and fire related deaths. The inquiry's terms of reference are available from the secretariat. The committee's proceedings today will follow the program as circulated. These are public proceedings, being broadcast live via the web. The committee may also agree to a request to have evidence heard in private session—described as being in camera—or may determine that certain evidence should be heard in camera. I remind all witnesses that, in giving evidence to the committee, they are protected by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a committee, and such action may be treated by the Senate as a contempt. It is also a contempt to give false or misleading evidence to the committee. The committee prefers evidence to be given in public but, under the Senate's resolutions, witnesses have the right to request to be heard in camera. It is important that witnesses give the committee notice if they intend to ask to give evidence in camera. If you are a witness today and intend to request to give evidence in camera, please bring this to the attention of the secretariat as soon as possible. If a witness objects to answering a question, the witness should state the ground upon which the objection is taken, and the committee will determine whether it will insist on an answer, having regard to the ground which is claimed. If the committee determines to insist on an answer, a witness may request that the answer be given in camera. Such a request may of course also be made at any other time.

I welcome everybody here today. Our first witness is Mr Louie Naumovski, from the Logan House Fire Support Network. Welcome and thank you for coming here and talking with us today. The committee has received a submission from the network, published as submission 25. Do you wish to make any amendments or alterations to your submission?

Mr Naumovski: No, I do not.

CHAIR: I invite you to make a brief opening statement before we go to questions.

Mr Naumovski: Good morning and thank you for giving me the opportunity to voice my concerns in regard to smoke alarm and fire related deaths. Together with my wife, Christine, I founded the Logan House Fire Support Network. As I stated in my submission, I need to take you back to the morning of 24 August 2011, at 12.04, when the first of 31 triple 0 calls were made to emergency services for a house fire in the suburb of Slacks Creek, which is in Logan City, in the state of Queensland. None of those 31 callers would have realised the tragedy unfolding and the devastating news we were to wake up to. Eleven people, consisting of three female adults and eight children, perished in the fire. We, not only as a city but as a state and a nation, were in shock and disbelief. How is it possible 11 people can die in a house fire? It is now known as Australia's worst ever house fire, and I already know the answer to that question. There were no working smoke alarms. They had been disconnected years earlier because they constantly false alarmed and become annoying. Unfortunately in a house fire of that structure, with the materials that were inside, they had little to no chance of escape from the flames and deadly carbon monoxide. Remember, they were asleep and had no warning from an alarm to know what was happening.

At that time in my life, I myself did not know there were two different types of smoke alarms available. In my own home, I used to mow the lawn, and my wife would cook dinner, and our alarms would constantly go off. I live in a rental. My wife complained to the real estate agent relentlessly, as we believed the alarms were faulty. The real estate agent sent someone out to check the alarms. Unbeknown to us, they were replaced with photoelectric smoke alarms, as we had ionisation alarms. I kept mowing and the wife kept cooking and we, from then on, had no more nuisance alarms. We commented to each other that the alarms must have been faulty. We met a gentleman—Mr Adrian Butler—from the World Fire Safety Foundation, who informed us that there were two types of alarms and explained them both to us. We now know that all of the false alarms we were experiencing before made sense.

During this hearing you will hear testimony from leading experts, emergency services and others. I am not a leading expert; I am not in emergency services; nor do I work for any government agency. I, along with my wife, are there to pick up the pieces for the days, weeks and months following the tragic event of a house fire, or even worse, a fatal house fire. The most common thing we hear is, 'I had no warning. My smoke alarm did not activate.' For example, on 11 August this year, Lesley Doody of Edens Landing in Logan City awoke to the sound of what she thought was someone breaking into her house via the roof. She woke her husband, who got up and walked up the hallway only to discover smoke coming from the garage. When he opened the door, he fed the fire with oxygen and all he could do was yell, 'Fire! Fire! Get out! Get out!' The noise Mrs Doody heard were the

flames running through the roof cavity. Her eight-year-old, hardwired, PDL SD100 ionisation alarms were silent. I have those alarms in my possession.

Smoke alarms were then shown—

Mr Naumovski: This one was most damaged. This one did not have a battery in it. It was hard wired with no battery. This one here does have a backup battery. Power was lost to the house, rendering it totally useless. The same battery is in it today that was in it when it was removed from the house. Emergency services say that a working smoke alarm is better than no alarm. Let me show you a working smoke alarm which did not activate when it was needed. The battery is in there. The hard-wire has been disconnected. We hit the test button and the alarm fails to operate. We still have the remnants inside of the charring, but as I said, it failed to operate. They are both ionisation smoke alarms. Nine people escaped this fire. If it had not been for Mrs Doody thinking that someone was breaking into her home, we would have had another tragedy on our hands.

All Australasian fire authorities have recommended the use of photoelectric smoke alarms since 2006. The key word in all of this is 'recommended'. The Queensland Fire and Emergency Services brochure has a sentence which reads, 'If yours has a radiation symbol on it, it should be replaced.' The key word, again, is the word 'should'. All ionisation alarms have a radioactive symbol on them. Why do our emergency services recommend you use a photoelectric smoke alarm and that you should replace your ionisation alarm? I am no expert, but I would say that it is because it is a far more superior alarm. You have to ask yourselves: is there a problem with ionisation alarms? Why is it that they do not detect a smouldering fire or smoke? Isn't there smoke before fire? Why is it that ionisation smoke alarms are banned in commercial buildings, hospitals, hotels and shopping centres. Why are ionisation alarms not good enough to be in a commercial building, yet they are deemed perfectly all right to use in our own homes where we are most vulnerable? If you were to buy a car and the manufacturer realises that the airbag is faulty, you would expect the car to be recalled. What if the manufacturer hid that from the public and did not warn people of the danger? We would have accidents where the airbags failed to activate. After an investigation the manufacturer would be forced to recall all other vehicles. Ionisation alarms failed to detect smouldering smoke, yet there have been no warnings and they are still on the shelf labelled with the words 'smoke alarm'.

Out of curiosity—the man who invented the ionisation alarm meant for its purpose to be a fire alarm; that is, to detect flames, not smoke. The ionisation alarm became commercially available in 1972. In 1972, we did not have the electrical items in our homes that we have now, so most fires did have a flame, not a smoulder. Just as our world develops so does technology to suit our ever changing environment. Photoelectric smoke alarms are the new technology, just as Blu-ray players are the new VCRs. If our environment constantly changes, why is it not practical that our fire alarms evolve?

In November of last year, a Queensland coroner—after powerful testimony by Acting Assistant Commissioner of Queensland Fire and Emergency Services, Mr Neil Reid—recommended that all homes, including sleeping areas, have photoelectric smoke alarms. Mr Reid is an extremely intelligent man, and the coroner almost handed down his recommendations word for word. After many meetings with our state ministers, here we are 11 months later at a Senate hearing in regard to smoke alarms and house fire deaths, and the only part that has been adopted out of the coroner's recommendations is a 'Get Out Fire About' campaign which concentrates on your fire escape plan. Please do not get me wrong: this is a highly essential part of fire safety, but one would think that the actual smoke alarms are the first port of call in warning you. That certainly would be the first step to adopt. What is worse is that the state government did not have the budget to highlight this on national TV. They thought that social media would be sufficient. From 1 November 2014 to 22 October this year, figures obtained by Queensland fire and rescue services show that there were 135 structure fires in Logan and 489 structure fires in South-East Queensland. There is a house fire in Queensland every 4.7 hours. Why are we still waiting for legislation after the findings were handed down last November?

In May this year, emergency personnel had to retrieve the body of a two-year-old boy from a house fire in Beenleigh. It was his birthday. We had to arrange his funeral. In June, emergency services personnel had to retrieve an 11-year-old autistic boy from a house fire in Westlake then had to work on his body for 40 minutes to try and revive him. Unfortunately, we had to arrange his funeral also. In August this year, as I was typing my submission to this very Senate inquiry, emergency service personnel had to retrieve the body of a three-year-old boy from a unit fire in Beenleigh. He sadly passed away on the night. His mother was rushed to hospital in a critical condition. She sadly passed away three days later. His brother was also rescued from that unit. He has severe injuries to the point that he will be permanently disabled, with severe brain damage, loss of sight and only 10 per cent hearing. Luckily, his one-year-old sister and his stepfather survived the fire. What is common in these

three house fires? They all had working ionisation alarms and they failed to activate. That is four deaths in four months that I can highlight here right now.

What the state government does not realise is that the men and women in our emergency services on the ground have to witness tragedy day in and day out. We get asked by family members of the deceased if they should view their loved ones one final time. We always advise against doing so, and, thankfully, they take our advice. They do not need to know that there is only a portion of their loved one's body left, that they were found in two different areas of the home or that a part of them was left behind. Put yourselves in the shoes of the firefighters, the police officers, the ambulance officers, the hospital staff, the coroner's office staff, the funeral home staff and the clean-up crew of the premises, if needed. Need I go on? These tragedies do not just affect the family. The roll-on effect is much greater. If ionisation alarms are banned and photoelectric smoke alarms mandated, we can reduce the amount of fatal house fires by at least 50 per cent—as a minimum. We can also reduce the amount of stress and workers compensation in emergency services. That is a pretty significant saving all around.

Tests have proven a photoelectric smoke alarm will give you ample warning and, combined with a well-rehearsed fire escape plan, time to escape and save lives, because ultimately that is what we are here for—to save lives. We are realistic. We will never stop a house fire. Accidents will happen. But with a smoke alarm that will not nuisance false alarm when you cook, mow the lawn or even barbecue, there will not be a high rate of disconnection. Having them in all sleeping areas and exit points to those sleeping areas, this can be achieved.

As you are all aware, the legislation, as it stands in rental accommodation, is that all smoke alarms must be tested within 30 days prior to a lease renewal or new tenancy. Real estate agents hire companies to do this. They are paid, on average, \$79 to provide this service. They do not need a licence to perform this service, so this has bred an industry of cowboys. I have a box alarms at home where the smoke alarm has been tested as 'in working order'. They are either faulty or expired. This industry needs to be regulated, monitored and policed. There is no legislation for homeowners to service their alarms, and I can tell you from talking to the general public that people do not know that their alarms expire after 10 years. Some do not realise that a backup battery in hard-wired alarms is for when the power is out. They think the alarm will still work. There is not enough education in the community, even to the point that we rang some insurance company that stated that as long as a smoke alarm was installed its age or whether it was working or not did not matter. So education needs to run far deeper than just to the public. It needs to extend to the insurance sectors as well. Ionisation alarms are not smoke alarms; they are flame detectors. Ban them and take them off the shelves. Mandate photoelectric smoke alarms to be installed in every bedroom and every hallway. Let's get more education in our schools and communities and reduce the number of house fires and deaths across our nation. I thank you for holding this hearing and truly hope the best outcome for all Australians can be achieved at the conclusion of the inquiry. In the interest of public safety, we need to act now.

CHAIR: Thank you, Mr Naumovski. Thanks also to your organisation for all the great work it is doing. I really appreciate it and I am sure everyone else does too. As you are aware, there have been quite a few fires in Queensland recently. Unfortunately, a lot of those have resulted in deaths. Why do you think there are so many fires in Queensland in particular at the moment?

Mr Naumovski: As I stated, education is a big thing. Sadly, we have children playing with matches and lighters. The dangers of what is a tool and what is a toy is a big issue. Also, there is the rising cost of electricity. People are saving on their power, lighting candles, and, sadly, accidents happen from that also. Kitchen fires are another big one—leaving the food unattended. Those three are a big combination.

CHAIR: You mention candles, and I was expecting you to say that. When you compare an ionisation smoke alarm to a photoelectric one, at what stage would those two detect that something is wrong?

Mr Naumovski: Let's use a candle against a curtain as an example. A photoelectric smoke alarm will activate in response to a broader range of fires, including a flame. It covers both types: smouldering and flame fires. The ionisation one is a flame detector. If there is a curtain fire, there is no denying that an ionisation alarm would probably activate. But what if it was a smouldering fire? We do not want to take that chance. As I said, the photoelectric alarm will certainly pick it up at the same time as an ionisation one will. A candle, if it drops off the bench onto a couch, for example, might extinguish. But, with a bit of heat there, it is going to start smouldering away into the foam of the couch, and the ionisation alarm will not pick it up. It will not pick up a smouldering fire.

CHAIR: Are you aware of any evidence that demonstrates that house fires are more frequent or more likely to result in death in Queensland compared to other states and territories?

Mr Naumovski: I am not aware of that, no. But, as I mentioned, a well-rehearsed fire escape plan is something that has to be acted on, and a bit more education needs to be involved.

CHAIR: In your submission you criticised the Australian Building Code. Have you sought to engage on that? What is the latest there? What can you tell us about that?

Mr Naumovski: The Australian Building Codes Board states that they do not have sufficient evidence that one alarm is better than the other, even though we provided evidence to them last year. As I stated in my submission and my statement then, the change has been made in commercial buildings.

We are awake. Even in this building right now we will know if there is a fire. It is when you are asleep that you need to be notified. It is very rare that we have a fatality in a house fire where somebody had been awake.

CHAIR: What sort of changes do you want made to the Building Code to make things better?

Mr Naumovski: In a perfect world it would be as I said: ban the ionisation alarm. It is too confusing for the public. You can walk into any hardware store—at eye level there is an ionisation alarm.

CHAIR: What role do you see the Commonwealth or state governments playing in making the changes?

Mr Naumovski: Once again, here we are 11 months after a coronial inquiry and our state government has only acted on one of the recommendations. We did not even have a budget to highlight it on national TV. This is a very important part: a Get Out Fire About campaign to practice your escape plans. We could not even highlight that to our children. Surely, a budget should have been available there. Kids are like sponges: they will take it on board, they will talk to mum and dad and they will highlight it for us.

CHAIR: Other than a change to the Building Code—which would obviously mean we would have photoelectric fire alarms in houses—is there anything else you think we could do to make our homes safer? You touched on education; you said we need to do more there.

Mr Naumovski: Education is the big one. We are overloading our power points also. As you said, back in 1972 we did not have so many gadgets in our homes and we did not have the furniture that we have in our homes today. We have got to move with technology: as technology moves on, everything else must follow suit; otherwise, we are going to keep having these problems.

CHAIR: Would it be a big issue to remove ionisation smoke alarms from hardware stores and replace them with photoelectric?

Mr Naumovski: Absolutely not. I have got some here to show you. These are 10-year lithium battery operated smoke alarms. On average, they are \$50 each. Firstly, this would eliminate having to replace the battery every year; so people will not forget about it and they will be constantly protected for that 10-year period. We do not have to have the elderly climbing up on ladders to replace batteries. They are \$50. If we put them in every bedroom, in a standard four bedroom home, including the hallway, it is under \$300—which is \$30 a year or just 55c a week. It is not a lot of money, and that will protect you. There will be no nuisance alarms—or very minimal. False alarms are going to happen. I am not going to sit here and say you will never have a false alarm—because I would be lying; it could happen. But we have the constant nuisance of false alarms from ionisation alarms. Back in 2011 we had the tragedy of Australia's worst residential house fire. Many years earlier, this is exactly what happens: the alarm is a nuisance so you disconnect the battery.; you go on with your life, you start talking with your family, and you forget to put the battery back in. We do not blame the Taufas for that; we blame the manufacturers for not warning that there is an issue.

Senator LUDWIG: Where are you up to with your lobbying—your attempts to change the Building Code and provide education or at least change public perceptions about ionisation smoke alarms and photoelectric?

Mr Naumovski: The only people who are listening to me at the moment are the media. I have sat down with ministers and I get the same response: 'We'll look into it.' I have written to ministers and they say: 'We'll get back to you.' I am still waiting. I have put forward ideas. I have asked to have proper sit-downs so that we can start educating our community and our states and I am still waiting to hear back from them. Let's act on it now. I applaud that this hearing is taking place now.

Senator LUDWIG: Would it be fair to say that the response from the various people you have lobbied has been negligible, if not non-existent?

Mr Naumovski: It is quite disgusting, to be honest with you.

Senator LUDWIG: Why do you think that is? I sit here and listen to the evidence that you have given and it is compelling. I remember the tragic events in 2011. We see house fires on our television screens time and time again and we do consider that they are avoidable. One of the best ways of avoiding fires, particularly those fires

late at night when people are asleep, is to install electric smoke alarms in the premises. It seems like a no-brainer. This is a good idea, but you are hitting a brick wall.

Mr Naumovski: Absolutely. The comments you have just made make sense to everyone you talk to. But when you walk into a state government building—I do not know what is going on over there—they choose not to listen. They should have acted by now.

Senator LUDWIG: I am struggling with that. Why do you think that is? Let's cast our minds more broadly. Is it that people do not want the cost? Is it that government does not want to consider the cost impost? Is it because ionisation smoke alarms are readily available and less expensive?

Mr Naumovski: Photoelectrics have certainly come down in price. But you can go and buy a nine-volt ionisation for probably \$10, but you have to change your battery each year. It is certainly much cheaper. But we need to start warning the public of the difference. Yes, there is a cost factor, but if the state government just legislated it—as I mentioned earlier, \$300; \$30 a year—the government does not have to fork that money out. Sure, if they want to put an incentive scheme on, like the pink batts scheme, which sadly failed, or the water tanks and so on that local councils did. We can look at an incentive scheme, but it is not needed for \$300. People are happy to spend \$1,000 on a plasma TV. Everyone is buying all the latest gadgets in their homes. They have got to start taking ownership of protecting themselves. I am not putting all the ownership back on the state government, but if the state government mandated and got the ionisation off the shelves then we would not have that confusion in the general public. None of them know that they are not being protected. They just think, 'I'm just going to get a smoke alarm.'

Senator LUDWIG: When new buildings are built, they do not provide a choice to the consumer to use photoelectric or ionising? They leave it to the consumer?

Mr Naumovski: No. With a brand-new home, the builder buys all these ionisation smoke alarms in bulk, which is much cheaper, so they just keep putting ionisation alarms in all the brand-new homes, even to this day. Ionisation alarms fail to activate. I just proved it to you earlier in my speech. There were nine people in that home. Here is a photoelectric one. They look very similar, but this one here would have certainly activated at the Doodys' house, where a one-year-old and a three-year-old child would not be getting passed over the back fence to escape a fire. Luckily the mum—this happened at 11.45 pm; everyone was asleep—thought someone was breaking in.

Senator LUDWIG: I am going to have a look myself, but, at the big retailers or the various hardware stores or the like, are they easily accessible? My recollection is that, with ionising smoke alarms, you usually get the bins on the exits or they are easily available—and I am guilty of purchasing them myself.

Mr Naumovski: That is correct. This one here, the photoelectric, you will find near the bottom shelf or right up on the top shelf. These ones here, the ionisation, will be at eye level or, as you said, at the exits. The cheaper nine-volt will certainly be at the exit bins, for under \$10. It is a multibillion-dollar industry worldwide. They are readily available, accessible and cheap to make. That is the issue. If they were not available for the people to pick them up on the way out at that check-out, or at eye level, people would not be buying them.

Senator KETTER: I want to join with the chair in congratulating your organisation on bringing this issue forward and continuing to raise awareness of the issue.

Mr Naumovski: Thank you.

Senator KETTER: I think one of the big issues we are up against is this perceived cost saving that people can make with the ionisation version. That speaks to me of a need for perhaps education of the general public as to the short-term cost saving leading to a long-term issue. You have now indicated that, with the battery technology, there is a 10-year lithium life for the photoelectric version. That brings the cost right down. Is there any evidence that there is education going on to try to educate people about the benefits?

Mr Naumovski: No. Once again, there is not. You are right: you can purchase a nine-volt ionisation alarm for \$10, but you have to buy a nine-volt battery each year. So you have to pay about \$6 or \$7 each year—and you have got to try and remember to replace it, or, if it false alarms, you are going to disconnect it. At the end of the 10-year period, that nine-volt alarm has cost you about \$80 or \$90. You can buy a photoelectric 10-year—the best technology out there right now—for \$50. You are actually saving money. But, once again, it is not advertised—there is no education on that. Why. The ionisation company makes money. The battery company makes money. It is a combination of the lot.

Senator KETTER: On the Choice website you will see two different types of smoke alarms set out. If you go to the cost section on the Choice website, it says:

A basic ionisation alarm can be very cheap—from under \$10. A fancier model can be closer to \$50. Photoelectric alarms can be found for less than \$20, but the more complex ones can cost up to \$100.

So for the average person looking to economise on the cost of living, there is a natural tendency for people to want to find something that is going to do the basic job, without the need for extra cost.

Mr Naumovski: Certainly, but it is not going to do the job, and this is the other issue: a warning label on there. If we are going to do that, if we are going to keep them on there, let's have a warning label. Once again, it is not a smoke alarm; it is a fire detector. But no matter where you go, to every store, it is an ionisation smoke alarm.

Senator KETTER: At a couple of points in your submission you talk about the fact that the ionisation alarms lead to nuisance alarms, and they end up being disconnected.

Mr Naumovski: Yes.

Senator KETTER: What is it about the alarm that is causing that? They are obviously detecting something. What is happening there?

Mr Naumovski: I can't get into the technical side of it. I am sure you will hear testimony on that from leading experts. What I have learnt is that it is the particles. It picks up the particles, so when you burn your toast or overcook the steak, let's say—it is very rare that the wife does that, but it does happen. It has a little radioactive chamber inside. It picks up the particles, activates the chamber and will give a false alarm. So people will go up to it, either with the tea towel, which they start waving around, or hit the hush button. There are multicultural people in our society who constantly cook excessively, even on the back patio, let's say. They have big families and will bring their barbecues or other hot plates, and these are just deadly to the alarm. It will just constantly go off. If they have three or four hotplates going for cooking their food, and that is the way they cook their food, it is going to constantly false-alarm. We know the end result: absolute tragedy.

Senator KETTER: So it is detecting particles. Is that what you are saying?

Mr Naumovski: Yes, little particles—invisible particles from burning. The best way I can describe it to you, without being a leading expert is that ionisation smells and photoelectric sees. With smelling, it smells something it did not like. Smouldering fire does not have a smell sensation to it. It has that wisp of smoke that is sighted. That is why it will pick it up. Whereas the ionisation one will not see the actual wisp.

Senator KETTER: Because with the smouldering fire the particles are not as great in number so as to trip it off.

Mr Naumovski: Correct. That is right.

CHAIR: Is there something in the photoelectric smoke alarm that indicates the price? Why are photoelectric smoke alarms more expensive than ionisation ones?

Mr Naumovski: They are mass produced since 1972—and not mass produced. It is like anything.

CHAIR: Is that just because of supply and demand.

Mr Naumovski: Supply and demand. It is as simple as that. The moment we start not having these at eye level—if we start having these on the top and bottom shelf and we start having the other ones at eye level, it will certainly reduce the price. Undoubtedly, if we ban this type it is a no-brainer—the price will come down.

CHAIR: Give us a bit of a background and a bit of an idea of what your organisation does.

Mr Naumovski: We started off in 2011 after the tragedy in Slacks Creek. We attend a house fire. We will be notified on social media or by comms—whoever get to us first. We arrive on the scene and start taking care of the survivors—and we hope everyone has survived. We will do a head count first and make sure everyone is okay. We get their sizes and provide them with clothes. You have to remember that they have escaped with just the clothes on their back. Sometimes—and it has happened to us—they have only had a robe on. We will clothe them and feed them and provide emergency accommodation. Then we will assist them in looking for new premises. Once they have found it we will help furnish it, together with the community. We do not buy brand new furniture. We are a very giving state and nation. Obviously, we operate here in Logan, but we have expanded outside of Logan. We are taking care of the south-east region. Australians are very caring and giving. We will certainly look after them. It will be ongoing. If they need counselling we will arrange that for them. Sadly, if there is a fatality we will assist with the funeral. It is all free of charge. We do not charge anyone for it. It is us giving back to our community.

CHAIR: How are you funded.

Mr Naumovski: We are self-funded.

CHAIR: Do you do fund-raising?

Mr Naumovski: Yes, fund-raising is one of them. It has been tough, especially this year. We have had to arrange four funerals in four months, sadly, and they are not cheap. We will keep doing it. As we keep saying, no-one goes to work, has a hard day at work and then comes home and then goes to bed thinking, 'I am going to lose one of my loved ones.' It is not planned. We are there just to ease that burden and make sure we help in any way we possibly can.

CHAIR: House fires are not something that have just happened over the last three or four years. I think I know the answer, but what was it that drove you to create this organisation to help people?

Mr Naumovski: When the tragedy happened in 2011 we actually just went to offer our condolences, because it touched everyone. We could not believe 11 people died in one house fire. When we arrived I witnessed the patriarch, Tau Taufu, sleeping in a tent in the front yard. This was in 2011. That should not be happening in this day and age. That was part of it. I realised that life is too short and we have to start giving back to our community, at least.

CHAIR: Can you give us an idea of some of the challenges that survivors of house fires face in the days, weeks and months after the tragedy.

Mr Naumovski: Obviously psychological, regardless of whether or not it was a fatal. Even with a non-fatal they have lost all of their possessions—just the shock of it all as they try to get back on their feet. We clothe them but they look at themselves and realise it is not what they used to wear. Even that affects them psychologically. It is just the little things as they try to get back on their feet. We will certainly help them out with furniture, but it is that lounge that you sit on after a hard days work and then here is this stranger who has come along and given you another lounge, and it is just not yours. All of the psychological effects are ongoing.

We assist with counselling—we will get that for them. But the fatalities are the worst ones. There was the one in May where a two-year-old boy passed away on his birthday. Six months later and we are still dealing with that family. That is ongoing. All fatals are. In the recent one at Beenleigh a boy and his mother passed away, but the other one is still in hospital. He is disabled. That will be for the rest of his life. It is the ongoing effect. It has also turned the grandmother's world upside down. She has lost her daughter and now she has to be a full-time carer to the other children, plus a disabled child. We have had to assist with some renovations to the home to make sure the one-year-old is safe. That is also what our organisation does. There is nothing like that out there. We operate 24/7. We do not care what time of the day or night it is, seven days a week, we will be there.

CHAIR: I noticed in the submission you mentioned having photoelectric smoke alarms in bedrooms. I am sure my 18-year-old is no different to many other 18-year-olds—he has iPhones, computers and Xboxes. I am constantly at him to turn them off when he leaves, so that he does not leave them running during the day—things like that. You spoke about technology right throughout your evidence. I guess that is playing a part too, as far as house fires are concerned: the fact that our kids are in their bedrooms and they have half-a-dozen things plugged into the wall. Is that why you make the recommendation about putting them in bedrooms? Because that is something that I have not heard of before. We put them in areas that are going to capture different areas in the house, but you are suggesting now that we have them in every bedroom.

Mr Naumovski: What you just brought up is the perfect example, Senator: an 18-year-old in his bedroom with all those gadgets. Now think about his door being closed, and a smouldering fire starts in that bedroom with all those gadgets. His room will fill with smoke. His senses have gone to sleep also, when he does. That room is full of smoke. His door is closed. Smoke rises. Your son is unconscious now and the smoke has to get under the door to get to that smoke alarm in the hallway. I am sorry, Senator; your son is not alive. That is why we want them in bedrooms now. Privacy—people do close the doors; yes, they do have their own gadgets, but they want their privacy too. His door is closed, the alarm is activated—sure, we will still hear it, but in a perfect world, and if the dollars were right, all these alarms should be interconnected. That is the perfect world. But that \$300 I mentioned earlier? Double it—easily, as a minimum. You are probably looking at \$600 or \$700 now, if we are going to start interconnecting. But do you know what? A bit of protection is better than none. I would rather have it in the bedrooms. The example you just used with your son; certainly, you are going to get some warning up the other end of the house. You will still hear some sort of audible sound, and save your child.

CHAIR: I guess we ask what price we put on our families' lives.

Mr Naumovski: Absolutely.

CHAIR: We are running out of time, but just quickly: if your organisation was not around, where would these people seek help?

Mr Naumovski: They would be on the side of the road at 11 o'clock, 12 o'clock or one o'clock in the morning—and it has happened. We have seen them and they have just been lost. So it is something we were trying to work on with the government also. We keep trying to ask them: 'We are here. Let us know.' But sadly, once again, they do not want to align themselves with us, because the government and emergency services cannot align themselves with anybody because they cannot be seen to be favouring anyone. Don't get me wrong, Senator—Salvation Army and Lifeline do a great job. But do you know what? They are not out there at midnight, or at one or two o'clock in the morning; my wife and myself are. It is a service that we do offer. I have never asked for anything in return, just to be notified—that is all—so nobody is left out on the kerb in the early morning. A house fire is most common between 10 pm and 6 am. I do not know any charity organisation that is open at that hour for people to be fed and clothed.

CHAIR: As I said, we are very quickly running out of time. Before we finish up, is there anything that you would like to add to your evidence that we may not have touched on?

Mr Naumovski: I said it all nice and clear in there. You know exactly what I want: I want them in every bedroom and I want them in every hallway. In a perfect world, we would get rid of these ionisation alarms. The Australian Building Codes Board certainly mandates and legislates photoelectrics in all residential homes. You are doing it in commercial buildings now—let's start protecting all Australians.

CHAIR: Hear, hear!

Senator KETTER: I did quote from the Choice consumer organisation website just before. For the sake of completeness, I wanted to put on the record that Choice says:

Photoelectric smoke alarms are much faster at detecting smoke than ionisation alarms. Studies have shown that photoelectric alarms typically respond to smoky fires within about three to five minutes. Most ionisation alarms take much longer – up to 20 minutes or more – by which time escape can be much more difficult.

Choice also says, I think very importantly:

Ionisation alarms can be a useful additional level of fire protection, but should not be the only type you have in your home.

You may differ from Choice at that point—

Mr Naumovski: I do.

Senator KETTER: and say that there is no place for ionisation.

Mr Naumovski: That is correct. Everything was right until that last bit.

CHAIR: Thank you, Senator Ketter. Thank you, Mr Naumovski. Again, I just want to thank you very much for the work that you do, and your organisation, in a time of absolute mayhem. Thank you very much, and thank you for coming here today.

Mr Naumovski: You are welcome. Thank you for having me.

BUTLER, Mr Adrian, Chairman and Co-Founder, The World Fire Safety Foundation

[9:46]

CHAIR: I now welcome Mr Adrian Butler from The World Fire Safety Foundation. We thank you very much for coming here and talking with us today. The committee has received a submission from the foundation, published as submission 28. Before I invite you to make an opening statement, do you wish to make any amendments or alterations to your submission?

Mr Butler: I did mention in the submission that we would be putting a supplemental submission in. That is still pending.

CHAIR: Would you like now to make a brief opening statement before we go to questions?

Mr Butler: Yes. Senator Lazarus, Ketter, Ludwig and Conroy, I thank you for the opportunity to speak to you today. Are ionisation smoke alarms defective? On 20 June 2013, in his parliamentary speech, Mr Chris Gulaptis said:

Two types of smoke alarms are installed in most Australian homes—ionisation and photoelectric—and both may be battery or mains powered. Most Australian homes are fitted with ionisation alarms because they have been widely promoted for decades. In 2004 the smoke alarm standard affecting commercial buildings was amended to mandate the installation of photoelectric smoke detectors. That begs an important question: Are ionisation smoke alarms defective?

The Australasian Fire and Emergency Service Authorities Council is the peak representative body of all Australian and New Zealand fire brigades. In 2006 the Australasian Fire and Emergency Service Authorities Council released an official position statement. Clause 3 states, "That all residential accommodation be fitted with photoelectric smoke alarms; ionisation smoke alarms may not operate in time to alert occupants early enough to escape from smouldering fires.

For almost 15 years, The World Fire Safety Foundation has warned that scientific evidence proves that ionisation smoke alarms are so defective that they should immediately be banned and recalled. David Isaac is a member of the FP2 committee that oversees Australia's smoke alarm standard. The CSIRO is the Australian government's science agency. It tests smoke alarms to the specifications set out in the Australian smoke alarm standard. In February 2006, FP2 had a committee meeting in Hobart in Tasmania. At this meeting, I asked the CSIRO employee, who was an FP2 committee member, at what level of visible smoke did ionisation alarms activate under Australian standards testing. We have a film clip at the top of the CSIRO page on our website where David Isaac explained committee members' horror when the CSIRO scientist revealed just how defective ionisation alarms actually are.

Since February 2006, we have said that the CSIRO test data is the key to solving this problem globally. Despite repeated requests by me and by my member of parliament, the CSIRO, the Commonwealth Scientific and Industrial Research Organisation, has refused, without just cause, to provide the CSIRO test data that proves unequivocally that ionisation alarms are defective.

Senator Lazarus, in your Senate smoke alarm speech eight months ago you asked why Australians are still able to purchase and install ionisation smoke alarms. The answer is that, for legal and political reasons, everyone says photoelectric alarms are better or that you need both types. Tragically, at this stage the CSIRO have not told the public or our firefighters that ionisation alarms have life-threatening defects.

Beasley Allen is one of the United States leading law firms. On Friday of last week they sent a freedom of information request to the CSIRO asking them to disclose the level of visible smoke ionisation alarms under the CSIRO tests. This is because a protection order has blocked this information from the public. Mr LaBarron Boone, a Beasley Allen partner, has given me permission to provide you with this information and his phone number and email address so you may contact him directly about this. He is the only person outside of the CSIRO and the manufacturers and the Standards Australia committee FP-002 who has this information—actually I just added that but it is wrong. The Standards Australia committee FP-002 do not have that information on specific items; they have it in general terms but not on specific brands. Over the next 40 minutes, I would appreciate the opportunity to explain exactly why the CSIRO test data is the key to solving this problem globally. Are ionisation smoke alarms defective? Yes. Please ask me why I said yes and may this please be among the first questions.

A footnote: my son and I stayed at the Aurora building just 500 metres down the road last night. We slept in the 63rd floor. This morning I met with building maintenance manager and asked whether he was aware that there are two different types of smoke alarms. He was not. I explained to him that in common areas where the lifts are AS1670 part 1 mandates photoelectric smoke alarms. However, as you soon as you walk into the apartment, you are no longer covered by AS1670 part 1. You now come under AS3786. The alarms in the unit where I slept last night were exactly the same as the alarms which did not work in the fire which Louie was just telling us about. They are ionisation alarms. The lady had the most gorgeous little kid, eight months old. She had him there and I

was playing with this kid. She said to me, 'So are you saying that these alarms aren't any good?' I said, 'Don't listen to what I say. Listen to what the fire service says. Here's their brochure. "Wake up to photoelectric smoke alarms".' Buried in this brochure—when no-one actually ever gets this brochure to begin with and, even if you got it, you would not look at it because your alarms go off when you burn the toast—it says if you have ionisation alarms they should be replaced. She said to me, 'We have false alarms in this building and the fire service come here and they don't say anything to us.' I said, 'That's why there's a Senate inquiry this morning.' She was really upset. I said, 'If you want to be safe, it's really simple. Get your beds and put them in the hallway. Sleep in the hallway and then you'll be safe.' That sounds like I am being facetious, but that is the only way you are going to be safe. That high-rise building is just down the road with 67 floors. Only a few months ago I was contacted by the ABC in relation to the Lacrosse fire in Docklands in Melbourne. That is where the cladding on the building was meant to be non-flammable, and there was a fire, and the fire raced up the outside of the building and lit it up like a torch. Everyone is up in arms: 'Isn't this terrible? What a tragedy!' That is exactly the same building. I read the reports from the Melbourne fire service and from the government down there. The public there were saying, 'But the smoke alarms in our units did not go off.' That is because they are ionisation smoke alarms. They do not work in the smouldering stage of a fire. The whole thing got covered up.

This is the reason I am going to put it in my submission later, and I apologise it is not ready, because there are two things that are going to happen. First, I am going to give you the legislation that is about to go through in the state of Ohio. It has taken five years. We think it is probably a week away. That will be the largest state in the US to mandate photoelectric smoke alarms. Twelve million people are going to be properly protected once that legislation comes in. The other thing I am doing is that I am going to go down to Melbourne and meet with the existing victims, because they still have smoke alarms in their units, where they have been told they are safe, and they absolutely are not. There could have been many fatalities in that fire.

So thank you very much for the opportunity to speak to you. I very much appreciate it. People have said to me in the 15 years, 'Why do you keep doing this?' I have said, 'Because one day we are going to get an opportunity to sit in front of some people who are actually going to listen.' So thank you.

CHAIR: It is my pleasure and our pleasure, Mr Butler, so thank you very much for your opening statement. It touched on Ohio. What is the rest of the world doing in this space?

Mr Butler: We have done a lot of work in the UK, but most of the work is done in America. In America, there are several states—well, it is not several; there are five of them—that have mandated photoelectric smoke alarms. We have a problem in the US that we do not have here in Australia, and that is that they tried promoting combination alarms. I would really like to be able to speak to you later about why that is such a bad idea. There is progress being made, but it is incredibly slow. It is so difficult.

People say to me, 'What's the biggest problem with all this?' It is not what people would think. The answer to that is that there are two really big problems. The first one is core belief and the second one is cognitive dissonance. Core belief comes from the fact that everybody has been told over and over for decades how fabulous smoke alarms are. You need smoke alarms in your house. You have to have a smoke alarm. And then we come along and say: 'Actually, that's absolutely correct, but not the type that you already have in your house, because they are so defective. There is scientific evidence that proves they should never have been allowed to pass any safety standard anywhere in the world.' That is challenging of core belief. It is really hard to get someone to believe that. They do not believe it. When I used to sell smoke alarms, the company I ran sold tens of thousands of them. It took me over a year, once I started finding out, to finally come to the realisation that they were not safe, because of the core belief.

The second problem is cognitive dissonance. Dissonance is the reverse of resonance. It is when you are told that these things do not work properly and you think, 'Hold on a minute; I burnt the toast this morning.' That is what the lady said to me in the place where we are staying. She said: 'But they go off when I burn the toast. Our ones are fine.' Everybody says that. Everyone knows that they go off when you burn the toast. Mr Naumovski mentioned how incredibly sensitive they are, so how come this alarm that is so sensitive to cooking does not go off in a smouldering fire? It makes absolutely no sense.

These are the two problems that we face, and tragically those two problems are really hard to overcome. You cannot overcome it by hearing about it once or twice. Most of the places where we have got legislation through in America take years of work. Ohio is going to pass this legislation. We started on it. I said to Dean Dennis, the guy that we have been working with on it back when we got the legislation through in Albany in California, 'We've got to stop putting the magnifying glass and lighting all these little fires all over America.' We need to focus on Ohio, because Ohio is such an important state and that is where Dean had already done a lot of work.

So after five years of work, after fighting with the state fire marshal, nearly all of the firefighters want photoelectrical arms and the only problem we have is the state fire marshal himself, who has said on TV that he will educate the public. Yet all he ever says is 'Install working smoke alarm.' An ionisation smoke alarm with a battery in it—and you heard Louie push the battery on this thing and off it—will work. If you are renting and you get someone to come into your apartment and they push the test button, they will say, 'It's working.' Well, no, it is not; the siren is working and it is going to go off when you burn the toast.

If you get a real fire, the types of fires that happen at night—and as Louie said, most fatal fires happen in the middle of the night when you are asleep—this thing is not going to go off. It is scientifically proven. The CSIRO hold the scientific test data that proves they should never have been allowed to pass the Australian standard. That was a long answer to a short question and I cannot even remember what the question is now.

CHAIR: I asked about what the rest of the world was doing and what is the attitude towards this.

Mr Butler: When we got the legislation through in Albany, it was really, really difficult. Underwriters Laboratory, who make the UL 217 standard for smoke alarms in America, sent a representative and Kidde, the world's second largest manufacturer, sent a representative. The city council thought they were not going to get the legislation through. We won. We always win when we get the time to educate the council members because the evidence is incredibly compelling. The problem we have is that when you talk to people, they think what a load of rubbish.

On 11 May 2011, we were on the lead story on Channel 9 here in Brisbane—three months before the Slacks Creek fire. The chief of Albany had come to Brisbane and we were on the TV on the lead story on Channel 9 at six o'clock. This is what was said on that lead story:

The fire services have known that the ionisation smoke alarms have failed the Australian standard since 1993.

Guess how many people from the media contacted us the following day? Not one, no-one, because it sounds ridiculous. 'That can't be right' and 'My smoke alarm goes off when I burn the toast.' It is incredibly difficult to get this message out.

CHAIR: On TV we see lines kilometres long when new iPhones or whatever come out. We love technology and we love the advancements in iPhones and computers. One of the reasons our cars are so expensive compared to overseas companies is that our standards and conditions for making cars and things are a lot higher than a lot of other places. We demand the safety in our cars that we carry our families in. Where does this attitude come from that we do not seem to be serious about protecting our families in our homes and we do not welcome the advancements in technology in smoke alarms?

Mr Butler: For a start, a lot of people talk about the new photoelectric smoke alarms. That makes my blood boil. In 1980, the international association of fire chiefs warned that ionisation alarms were not safe and that fire chiefs should only recommend photoelectric smoke alarms. It got covered up and it keeps getting covered up. The smoke alarms that are in almost every home here in Queensland are ionisation and they are almost exactly the same technology, with almost no advancements whatsoever based on the alarms in people's homes.

Because of the movement in America, the manufacturers have realised they have got to get out of ionisation technology. The two biggest manufacturers, both of whom say you need both types of technologies, have just completed their new ranges of smoke alarms, none of which contain any ionisation technology. They know the writing is on the wall. What everybody is trying to do is transition away and hope that they can get away with having caused tens of thousands of deaths, because they have not told the public.

In fact, I gave a talk at my local Lions club and when I got up to speak I said, 'We've just won the war.' We had just had an announcement a few weeks ago in America. I said, 'We finally won the war,' and then I just started laughing and said, 'and none of you even knew there has been a war going on.' UL 217 is the American standard. We wrote to Underwriters Laboratories in 2004. We sent them a series of letters—and this is on our website—saying that their standard was flawed and that they have a duty of care to fix their standard. They know that the standard is flawed. On 9 September they rewrote the standard, and when it gets adopted in two years time ionisation alarms will not be able to pass the new standard. However, in two years time, when it finally does get adopted, the day it gets adopted every home in America will still have the wrong smoke alarms.

Neil Reed is going to absolutely die when he hears he say this, but it needs to be said—that is why you are having a Senate inquiry—there will be an absolute tragedy if the existing legislation goes through in Queensland. Pam Parker is the mayor for Logan and she has had all of these deaths in her city. She is really serious about this, and so has the council taken her seriously. She said on national TV that we need a mandate for photoelectric alarms in all homes in Australia. Absolutely. She got it right. The commissioner of the Queensland Fire and Emergency Services said pretty much the same thing. But the proposed legislation is only for new homes. Let us

say it gets through tomorrow. That means every new home that gets built after that will have to stop putting in ionisation alarms—which most of them are doing now—and start putting in photoelectric ones. But what does that do for every home that is already built? It does not do anything.

The thing is that ionisation smoke alarms are either defective or not. If they are defective, the minute someone admits that it begs the question, 'Why haven't you told the public?' So they never say that they are defective. This is the standard line: any smoke alarm is better than none, and photoelectric smoke alarms are better across a broader range of fire. Both of those statements are true. They are both grossly negligent when you say them in the proper context, but they are true.

The fact is that the key to this thing—as I see it—is not legislation. We have spent so long trying to get legislation through, and we are just about to get it through in Ohio. I have been on this for 15 years and I do not want to spend the next five years getting another state through. It is so much work and it is actually piecemeal. There is sufficient evidence for ionisation smoke alarms to be banned.

I wish Senator Conroy were here, because I read his maiden speech a couple of nights ago and I was really impressed. He gave his maiden speech on 8 May 1996, 10 days after the Port Arthur massacre. I was in America for six weeks a couple of months ago. I was there for the Lafayette shooting in Alabama and when Ray Tensing pulled out a gun and executed Samuel DuBose, a black guy in a car, just down from the University of Ohio. It was really frightening, what has been going on in America. I said to the people in America, 'We don't even think about that. We just don't get mass shootings in Australia.' The day the Lafayette shooting happened was about the 280th day of the year and there had been 280 mass killings that year. Why do we not have this problem in Australia? The reason is that the Australian government did an honourable thing; they actually acted and had the gun buyback scheme. Therefore, now no-one worries about mass shootings in Australia. Would I be right in saying there has not even been a mass shooting since Port Arthur? I do not think so. Has there?

CHAIR: I do not know. We are talking about smoke alarms.

Mr Butler: I know, but I am saying it is relevant because the government acted. What I am suggesting here is that there is a solution to this thing which could bring the whole thing to a head. What I wanted to say to you is that the freedom of information request has been sent to the CSIRO. What it is asking them to do is to disclose the level of smoke at which the ionisation alarms activate under the Australian standard. My member of Parliament asked that question and the CSIRO refused to answer. I asked the Queensland Fire and Emergency Services if they could answer that question, because they had installed ionisation smoke alarms in the bedrooms of the brand new Burpengary Fire Station five years after they had their official position.

They would not even answer my question as to whether they would do it. When I finally got to meet with them and asked, 'Why won't you do this?' they said to me, 'We already know the answer.' I was absolutely gobsmacked. There are two ways of doing this: you can go the route which we are already going on, which is bringing in legislation; the other way of doing it is like what happened with the gun laws—you can make a huge leap and just ask the CSIRO to please disclose the information that we have been asking for for five years and say what level of smoke the alarms go off at. They say it is commercial-in-confidence, but the freedom of information request that has been sent to them overcomes that objection.

CHAIR: What do you think prompted Ohio to make these changes?

Mr Butler: Dean Dennis lost his daughter, Andrea, in 2003. In 2005, Joseph Fleming, from the Boston fire service, who is the world's leading authority and has advised the Australian government on this, contacted Dean and said, 'Did you know there are two types of smoke alarms?' Dean got onto the campaign and got onto me and we have worked together. It has taken years to educate all the firefighters across Ohio. Most firefighters do not think there is anything wrong with ionisation smoke alarms, because, when they turn up to the fire, the fire has burst into flames, the ionisation alarms have gone off and it confirms their preconceived idea that they are a fabulous device.

There are questions that you asked Louie before. An ionisation alarm is a submicron particle detector. They are not a smoke alarm. All three dictionaries—the Macquarie from Australia, the Oxford from the UK and the Merriam Webster from the US—define smoke as visible particles of combustion. Ionisation smoke alarms do not detect visible smoke. They are a submicron particle detector. We have argued for years that it is fraudulent to call them smoke alarms. I have said that on national TV. People just think, 'What a joke, because they go off when I burn the toast,' but they will not detect visible smoke. So, when you are cooking the toast and you have not even burnt it, what they are detecting when they activate is the red-hot heating elements of the toaster or the griller

giving off submicron particles. You can have a room with no smoke in it whatsoever and be cooking something and it will go off. You can open a can of paint and the fumes will set off an ionisation alarm.

The tragic thing is that, if you are in a building and there is a fire in the middle of the night which is a slow, smouldering fire, and for that type of fire, which is low-heat, there is insufficient heat to generate the submicron particles, the photoelectric alarms will remain silent. That is what *60 Minutes* showed in *The Alarming Truth* film on 19 October last year. They did some tests with the Northern Territory fire service. Karl Stefanovic went into a room, the room filled with smoke and they eventually had to go in as the ionisation alarms did not activate. They showed it on national TV a year ago. This is the problem. This is why ionisation alarms are so insidious: the very alarms that convince you in the morning of their effectiveness because they go off when you cook the toast will fail to go off in the evening if you have a slow, smouldering fire.

CHAIR: What changes would you like to see to the Building Code?

Mr Butler: The Australian Building Codes Board. They need to change. Standards Australia rewrote AS 3786. The revised standard, which came out in 2007, would have meant that ionisation smoke alarms would have to have been eliminated, because they would not have been able to pass the tests for smoke. The Australian Building Codes Board rejected that change. I said to Ray Loveridge, who is an FP2 Committee member, 'Have you spoken to Richard Bukowski?' who wrote the UL standard, and he said, 'Yes, we've been dealing with Dr Bukowski.' I said, 'He doesn't have a PhD and he is the cause of the whole problem.' Only last year, Richard Taylor from Taylor Martino in Mobile, Alabama, deposed Mr Bukowski, who is the one who has been advising the Australian Building Codes Board, and he asked Mr Bukowski, 'Whilst you were advising the Australian Building Codes Board, did you happen to tell them that the City of Boston has evidence that the ionisation smoke alarms do not activate for more than half an hour in smouldering fires?' We now discover that Mr Bukowski misrepresented the facts when he presented to the Australian Building Codes Board. When they presented on *60 Minutes*, Mr Neil Savary was asked by Karl Stefanovic, 'Why is it that you allow photoelectric alarms in commercial buildings and yet you will not allow them in residential dwellings?'

Mr Savary, in supercool, sleazy style, misrepresented the facts and said, 'We don't recommend any type of smoke alarm.' Karl is not experienced in this. Karl was not talking about types or brands, he was talking about technology. Mr Savary misled Karl Stefanovic on that program. He said, 'If we find one smoke alarm that will work in every type of fire.' Well, no smoke alarm works in every type of fire. It was a total misrepresentation by the Australian Building Codes Board.

We have written to the ABCC over and over for years—ask Louie what he has done. There are so many different ways of attacking this. David Isaac will be talking to you about legislation, but I am just asking the Senate if I can please get back to the CSIRO test data. This is the test data from our own Australian government about which my own member of parliament asked, 'Can you please let me know at what level of smoke my Quell Q46 ionisation alarm activated under the standard?' They will not answer him. He also asked: 'Could we please film the testing?' Their response to that was to totally ignore the question. That is because, as David Isaac said, if they were to allow the testing to be filmed the public would be horrified when they saw the level of smoke at which the ionisation alarms activate. And that is what you have said in your speech, Senator—that they do not activate until two or three times the maximum safety limit.

Senator LUDWIG: Maybe it would be helpful if you tell us a little bit about your organisation. Obviously, your submission is well written and provides pretty compelling evidence for photoelectric smoke alarms. It is very unusual that, after all this time, we have not made that shift. But first things first: I am curious about your organisation and how long you have been pursuing this.

Mr Butler: I used to run an organisation that sold ionisation smoking alarms. When we discovered in 1997 that there was this problem, we started investigating. Several of the clients we had sold ionisation alarms to complained that they were not working properly. The package of information I have here to give to you gentlemen contains a film with testimonials from several of those customers. By the year 2000 we had finally realised that there was a serious problem. I have run two big campaigns in the past—one against the insurance industry and one against the banks. I thought: this is going to be so easy. In your words, Senator Ketter, this is a no-brainer—and that is actually what John Kerry, the former senator in Massachusetts, said about this. We thought it would take two years. We started in March 2000. We do not accept donations. We do not solicit donations. Our website is in Singapore, so you cannot close us down. We realised that, one day, when you corner the rat it will bite—well, there is nothing to bite because we do not have an organisation per se. Whenever I go to America and they introduce me as the chairman of the World Fire Safety Foundation they think we are a massive organisation because we have such a fabulous name. But it is two just guys—me and Karl Westwell. I added up the hours I have worked on this the other day and I realised why I am so tired. I have done this five hours a day,

seven days a week, for 14½ years. That is 27,000 hours I have put into this—without any pay. That is why I got upset before—having put so much work in for so long. I saw the mother, with her little kid, and the look of horror on her face. She said: 'How come the fire brigades aren't telling us this?' I said, 'That's why we're going to the Senate inquiry.'

In answer to your question: we are a not-for-profit, we do not take donations, it is all self-funded.

Senator LUDWIG: I was looking at the submission around the CSIRO test data. It says: 'Discuss the confidentiality order preventing disclosure.' Are you able to tell me what that is?

Mr Butler: There was a fire in Montgomery, Alabama, where three little girls died in a house fitted with working ionisation smoke alarms. Beasley Allen asked me and David Isaac to testify. In Australia, my member of parliament, Chris Gulaptis, had a Quell ionisation smoke alarm. Quell, Chubb and Kidde are brand names in Australia but the parent company is United Technologies Corporation, headquartered in Hartford, Connecticut. So UTC was the company being sued in Alabama—and because Labarron Boone had heard about our organisation and had in fact been dealing with us prior to these deaths, they asked if we would testify. Within 24 hours of us agreeing to testify, UTC settled out of court with a protection order on all of the documents. These are the documents between David Isaac and the company here in Australia. He was the head guy for the safety division and he had been writing backwards and forwards telling them there was a serious problem and they needed to take it seriously or they could face catastrophic legal consequences—and they chose to ignore him. So the protection order covered the documents backwards and forwards between David and the company and the CSIRO evidence that proves that the ionisation smoke alarms are not safe.

Senator LUDWIG: So the data was generated because the CSIRO was requested to provide evidence in a court case? How did they come to do the data and how did that become subject to a court order?

Mr Butler: When a smoke alarm is tested to AS 3786, 3786 calls up a separate standard—the testing standard—which is 2362.17. Clause 7 of that standard is called 'Reporting'. Under that clause, it is a requirement that the level of smoke is recorded and reported. The ionisation smoke alarms do not have to pass a test for smoke. That is why we have said they are not safe. They have to pass a sub-micron test—and they can pass that because they are a sub-micron particle detector. But even though they do not have to pass the test for smoke, it is a required of the standard that the level of smoke must be recorded by the CSIRO and reported to the manufacturer. So the level of smoke for the alarms in this particular fire, which had the same alarm as was tested by the CSIRO here in Australia, is what was given to Labarron Boone from Beasley Allen and that is what was sealed under the protection order. And there was a settlement order so that the information about the settlement could not be made public as well. But the key to it is the protection order; the key to it is the scientific evidence that the CSIRO write down every time they test an ionisation alarm—that is, the level of smoke at which they activate. And that is the information I would like the senators to ask the CSIRO for in an email. If you are interested in doing that, I can provide you with the exact way to ask that question.

Senator LUDWIG: From your evidence, that testing data, which was specific for that circumstance, is under a court order. But the CSIRO do test ionisation smoke alarms more broadly?

Mr Butler: Yes.

Senator LUDWIG: So they would have test data on that?

Mr Butler: Every ionisation alarm is tested to AS 3786 (1993). It has been a requirement since 1993 that the level of smoke is recorded and reported to the manufacturers. That is the information we have been seeking for five years. Despite repeated requests, even from my own member of parliament, they refuse to give that information.

Senator LUDWIG: Do the manufacturers pay CSIRO for that?

Mr Butler: They pay about \$20,000 to get the CSIRO's seal of approval.

Senator LUDWIG: And the test data is then effectively the manufacturer's test data?

Mr Butler: It is both. The CSIRO has a record of it and it is the manufacturer's data, which is why the CSIRO says it is commercial in confidence.

Senator KETTER: In your submission you referred to CSIRO AS 2362.17 test data. Is that in the same category—commercial in confidence?

Mr Butler: Yes, that is the test data we are referring to.

Senator LUDWIG: Yes, there are two parts to it. There is one set of test data which relates to a fire in the US, which is subject to a court order or a confidentiality court order. The second is test data that is required to be done

in accordance with the Australian standard, which is manufacturers' generated data and therefore commercially in confidence. There are two different—

Mr Butler: Just to make 100 per cent sure that we are in the same wavelength: the data they requested in the US was the CSIRO test data relevant to Australia.

Senator LUDWIG: Yes.

Mr Butler: So it is Australian test data. There are several brands of smoke alarms that are tested in Australia that are exactly the same models that are sold in America, and this is why an increasing number of US law firms are realising that this may be the key to solving the problem globally. This is what we have said for a long time: the CSIRO test data is the method that we can use, and you senators could request under freedom of information—probably not. I do not know if 'parliamentary privilege' is the right term, but I am hoping that you can ask for this data. It is really simple to ask. You just ask for the data on clause 7 of 2362 part 17: what level of smoke did the ionisation smoke alarms go off at?

And do you know something? We already know the answer because the CSIRO scientist, Peter Haggard, is a member of the FP-002 committee. When the submission was put in by the FP-002 committee to the Australian Building Codes Board saying they wanted them to amend the Building Code of Australia, which is now called the National Construction Code, Peter Haggard provided the information, but it was generic. He said that ionisation alarms do not detect smoke—this is what he said—and he said that the level of smoke that ionisation smoke alarms activate at is between 40 and 60 per cent, most of them closer to 60 per cent. The ionisation smoke alarms do not go off until nearly 60 per cent in most cases, but photoelectric smoke alarms have to go off before 20 per cent. That begs the question: how come they can pass the standard? The answer to that is: because they do not have to pass the test for smoke.

Senator LUDWIG: Maybe the way we can do that, Chair, if I can suggest it, is to ask the CSIRO to come along and provide some evidence to the committee.

CHAIR: Suggestion noted, Senator Ludwig.

Senator LUDWIG: Thank you.

Senator KETTER: Mr Butler, congratulations on—as you described it—winning the war in the sense that on 9 September, as I understand your evidence, the American standard is being changed, but in two years time. Is that correct?

Mr Butler: Yes.

Senator KETTER: Do you accept that that will inevitably have consequences for Australia?

Mr Butler: Yes. Within 10 years no-one will be selling ionisation smoke alarms. There is no doubt about that. But the collateral damage is too high.

Senator KETTER: What is your practical suggestion as to how we transition from the current system to getting rid of the ionisation?

Mr Butler: It is really simple. It is a fabulous question, and thank you very much for it. Ask the CSIRO to provide the evidence that we have been asking for, and when they provide that evidence you will have all the evidence to ban and recall ionisation smoke alarms. They should be banned and recalled.

We have three minutes. Could I please, in this three minutes, just say one really critical thing. One of the things where people get really confused is that everyone says, 'Ionisation smoke alarms are better for flaming fires, and photoelectric smoke alarms are better in smouldering fires, and therefore, because you have two types of fires, you need two types of smoke alarms.' It is complete rubbish, and everybody buys it because it makes sense.

Here is the truth. From 1980 to 2006, when we had been working for six years, everyone said, 'There's nothing wrong with ionisation smoke alarms.' In 2006, once the truth started coming out, the manufacturers said: 'There're two types of fires. You need two types of smoke alarms.' No, there are not. It is a complete fabrication. There are two stages of fire. Most fatal fires start in the smouldering stage and then they burst into flames, and now the same fire has become a flaming fire. In the flaming stage of the fire, when it is too late, that is when the ionisation alarms will activate—if they have not been disconnected, which in 30 per cent of the cases globally they will have been.

People say, 'Yes, but what if someone lights a candle or someone lights a fire?' That means you are intimate with the fire, and if you are intimate with the fire you do not need a smoke alarm. If you have just lit the blasted thing, you do not need a smoke alarm. 'But what about the case where the child is in the bedroom and they've lit a candle?' You are appealing to the anomaly. Even if they do light a candle in the bedroom, if the ionisation has not

been disconnected in the bedroom, yes, it will activate seconds earlier than the photoelectric, but the point is that the photoelectric will still activate.

But, if it is a smouldering fire, the ionisation alarm in most cases, if it has not been disconnected, will not go off at all until the fire finally bursts into flames. This is the whole problem, and that is why it is not a good idea to have one of both types. Where are you going to put the ionisation smoke alarm that is not going to go off until the fire bursts into flames? It actually is not even a smoke alarm.

Louie mentioned Duane Pearsall's daughter, Maryann Rowley. We were on the phone to her for an hour and a half just recently, and it was just amazing when she said the words. This is the daughter of the person who invented the ionisation smoke alarm. She said: 'We never called it a smoke alarm. It's not a smoke alarm. It's a product-of-combustion detector. That's what we called it.' I stayed at Richard Patton's house. He is 90 years old. He wrote in 1976 a document called *The smoke detector fraud* report. He has 11 banks of cabinets, and in the bottom of one of these cabinets are all of the NFPA journals from 1965 to 1975. One morning I got up early, and I was almost in tears reading through these damn journals. No-one called them smoke alarms in the early years. They were product-of-combustion detectors. And that is what they are. I could never figure out how they managed to call them smoke alarms. Duane Pearsall's daughter explained it, because her father sold the company in the mid-seventies and got completely out of the business. It made sense now. And then everyone started calling them smoke alarms.

Just one last thing: there are smoke alarms and smoke detectors. They are completely different animals. A smoke alarm is in a residential setting, and it has an alarm built into it. A smoke detector is in a commercial building, and it is a detector. It is a detection device, and it usually goes back to a panel which then has the siren set onto it. So they are different animals.

Senators, I realise I have done my time, and I really appreciate the opportunity to speak today. I know it is about the fourth time, but, if you could, please, please get that information from the CSIRO. I was going to take you through the letters that we had written. We wrote to the CEO, Dr Clark, in 2013 an open letter which was prior to the letter sent by my member of parliament requesting it. If you understand what actually went on, the answer that Dr Anita Hill, who was the CSIRO's representative, gave is unconscionable. Chris Gulaptis said: 'Can you please disclose this level of smoke? I've asked the manufacturer four times for it.' And she said, 'Go back and ask the manufacturer.'

There is a package of information there. There is the Queensland Fire and Emergency Services brochure where they say ionisation alarms should be replaced. There is the brochure I always carry my back pocket, which is this back pocket. I always carry these wherever I go, and this one is the one to the *60 Minutes* film. I would encourage you gentlemen, if you have not watched it, to please watch it. They did an incredible job. They really got it right. So there is this brochure and this one here, and there are two magazines, original copies. There is the Volunteer Fire Fighters Association magazine, which has the *60 Minutes* story in it, but there is also the magazine which contains the CSIRO open letter to Dr Megan Clark. She left, and I thought, 'Wow, we've got a new CEO at the CSIRO, Larry Marshall—fantastic!' I wrote to him a very polite letter with all the information. Four months ago I rang his PAs up twice, 'Oh, yes, we'll be getting back to you.' That was four months ago.

CHAIR: Thanks, Mr Butler. Thank you very much for your time.

Proceedings suspended from 10:34 to 10:51

LAWLESS, Ms Suzanne, Policy Manager, National Seniors Australia**SAUNDERS, Ms Sarah, Deputy Chief Executive and General Manager, Public Affairs, National Seniors Australia**

CHAIR: Welcome. Thank you for coming and talking with us today. The committee has received a submission from National Seniors Australia, published as submission No. 7. Do you wish to make any amendments or alterations to your submission? No. I now invite you to make an opening statement and then we will go to questions.

Ms Saunders: Thank you very much for the opportunity to appear before the committee. We will probably come at this from a very different perspective. We do not have the sort of technical knowledge that I am sure other parties who are appearing before you have. National Seniors is Australia's independent consumer lobby for people aged 50 and over. We were established 40 years ago and we have just under 200,000 individual fee-paying members. We represent people from all socioeconomic backgrounds, ranging in age from 50 to 100.

In terms of the inquiry, we are particularly interested in how the provisions of the Australian Building Code relating to smoke alarm type, installation and use can be improved, but particularly relating to automatic sprinklers; whether there are any other legislative or regulatory measures which would minimise such injuries and deaths; and any related matter; and as these relate specifically to nursing homes.

I would like to start off by painting a picture of our nursing homes. In 2011, 170,000 Australians were living in a nursing home. That will increase significantly as the population ages. Three-quarters, or 77 per cent, were aged 80 and over. Fifty-seven per cent were aged 85 and over. They are our most vulnerable Australians. They have limited or no mobility. They are unable to get out of bed on their own, often, and sometimes require two staff to help them up. Some have cognitive impairment and have challenges, therefore, understanding instructions for a quick evacuation. At the best of times, we all know, nursing homes are notorious for their staffing shortages, particularly after hours.

The issue, as we see it, with sprinklers is that automatic sprinkler systems, even though they are considered one of the most effective defences against the threat of fire, are not mandatory in the Australian building code. In 2011, 14 people died in the tragic Quakers Hill nursing home fire in New South Wales and they did not have automatic sprinklers. Together with smoke alarms, automatic sprinklers increase a person's chance of surviving a fire to over 97 per cent; yet, as I have said, they are not a mandatory requirement under the Building Code of Australia for existing aged care facilities—for new aged care facilities, yes, they are mandatory, but for existing nursing homes there is no requirement for sprinklers. Queensland, New South Wales and Victoria are the only Australian states that legislate for automatic fire sprinkler systems to be fitted in both new and pre-existing residential aged care facilities.

The mandatory installation of sprinklers within all Australian aged care facilities would control the spread of fire and allow these people, who are most vulnerable, to reach safety more quickly. Internationally, other countries are already doing this. In the United States, sprinkler systems have been mandatory since 2000 in new nursing homes; since 2008, following the death of 31 residents in 2003 in nursing home fires, it has been mandatory in existing nursing homes. Industry was given five years to retrospectively install sprinklers.

Today, National Seniors is calling for the Building Code of Australia to be amended to include a mandate for all aged care facilities, new and pre-existing, to be retrofitted with automatic fire sprinklers. We understand the costs involved for industry, so we recommend that low-interest loans be made available to pre-existing aged care facilities to assist with the costs of retrofitting automatic fire sprinkler systems.

CHAIR: Ms Lawless, would you like to add anything?

Ms Lawless: No, thank you.

CHAIR: In your submission, you particularly focus on fire safety for aged care facilities. Are older Australians living independently outside of aged care facilities at particular risk from house fires? If they are living at home, either as a couple or on their own, are they at particular risk?

Ms Lawless: We would say yes, they are. Our focus in responding to this inquiry was particularly on aged care facilities, just because of the density of population in those residences and the limitations with mobility and staffing requirements. Our focus was specifically on residential care and not private homes.

CHAIR: How does Australia compare to other countries in this area? Are you aware of any conditions or requirements that other countries impose on their aged care facilities that we do not here?

Ms Lawless: Ms Saunders has already touched on the United States, where sprinklers have to be retrofitted in pre-existing nursing homes. That is the direction that we would like to see adopted here, with, again, sufficient time for industry to transition to those arrangements.

CHAIR: You mentioned the Quakers Hill incident. Did they have smoke alarms?

Ms Saunders: I am not sure about smoke alarms, but they did not have sprinklers.

CHAIR: Was there an inquiry into the Quakers Hill fire?

Ms Lawless: Yes, there was.

CHAIR: Has that been released?

Ms Lawless: Yes.

CHAIR: Did you read the report?

Ms Lawless: Yes, we did. I cannot clarify whether there was specific reference to the smoke alarms. It made a series of recommendations, including things like adequate training of staff for appropriate evacuation procedures. It was quite comprehensive, but, I am sorry, I cannot verify the particulars about the smoke alarms.

CHAIR: That is okay. You recommend that there be changes to the Building Code of Australia. Do you think that is the only change needed or do you think we could go further in making sure that we get this right? It appears that it has not been amended for ages. Times have changed. Do you think there are other options for changing the code?

Ms Saunders: We do not know the code to the extent that we could respond to that but this would certainly be a very good starting point. As you know, Queensland, New South Wales and Victoria have done it on their own accord and New South Wales was reacting in response to the Quakers Hill fire. That would be a very good starting point.

CHAIR: You mentioned in your submission that standards and requirements vary depending on which state or territory you are in. What do you think is the best example in Australia at the moment as far as conditions and requirements are concerned?

Ms Lawless: Obviously, Victoria were leading in terms of mandating for automatic sprinklers to be retrofitted. So they are a good starting point but equally are Queensland and New South Wales, given those states seem to be the most progressive in terms of their approaches to fire safety.

CHAIR: How many fires do we have in aged care facilities on average or each year?

Ms Lawless: I could not tell you that. We can come back to the committee with that information.

CHAIR: The Quakers Hill one was deliberately lit?

Ms Lawless: Yes.

CHAIR: Do you think the standard should be applied as one through the whole country? I am trying to think about what differences there might be. Northern Australia is completely different from southern Australia, but do you think the one code all around the country would be better than dealing with each state and territory as their own entity?

Ms Lawless: Ideally, I think that is a useful starting point. Obviously, though, the whole approach to fire safety has to give consideration to the particular circumstances, where the buildings are and the profile of the residents. Obviously it would have to be fit for purpose but I think the Building Code would set a nationally consistent standard. That is desirable and that is where we would like to see it changed.

CHAIR: Has your organisation approached any state or local governments on this issue and, if so, what sort of response have you got?

Ms Saunders: Yes. Over the last few years we have written to state governments and we have had quite a bit of media attention around it as well. I think the states that have not required sprinklers to be mandatory responded in a stock standard way but it is an issue that we could take further.

CHAIR: You spoke about low-cost loans to upgrade the facilities. Can you expand on that, how that would happen? What do you have in mind in that area?

Ms Lawless: I would see the state governments facilitating that in each jurisdiction and obviously having an established pool of funds and making accessible through that funding existing aged care facilities, having low-interest long-term loans to pay that back over a period of time, but again it would need to be facilitated through the respective state governments.

Ms Saunders: I did see that in the United States they did have hardship funds for some of the older nursing homes that were really struggling and would go broke if they were required to install the sprinklers. I am not sure whether we would go that far but certainly we would look at the low-interest loans.

CHAIR: So if an aged care facility is built today it is not required to have sprinkler systems put in—is that correct?

Ms Saunders: They are but it is retrospective. So if a nursing home that has been there for five, 10 or 15 years, they are not required to have sprinkler systems in place.

CHAIR: That obviously has been changed at some stage to make it mandatory to have them put in when building a facility.

Ms Saunders: Yes.

Senator LUDWIG: You heard the earlier evidence between photoelectric and ionisation smoke alarms. Many seniors are now preferring to stay at home and there is supported care for seniors to stay at home for longer rather than going to aged-care facilities. Have you looked at this issue in more detail about how you support older Australians to stay at home and also feel safe—in other words provide them information about how they should purchase or be supported in purchasing smoke alarms that work?

Ms Saunders: I am afraid we did not hear the earlier evidence. We do understand that people have been encouraged to age at home and it is being set up for them to age at home, and that is what they prefer to do, but we have not looked at fire safety issues outside of the nursing home.

Senator LUDWIG: If people are in aged-care facilities—and I understand the evidence that you are presenting to the committee—the best thing you can do in terms of their fire safety is for the older aged-care facilities to retrofit sprinklers; in other words, good protection from fires and the like. I am also thinking more broadly. Your submission really only highlights the one issue. You could take it on notice. I know your boss reasonably well. If you convey to him whether he has considered these issues more broadly and what he would like to consider doing about it.

Ms Saunders: Okay.

Senator LUDWIG: Thank you very much.

Senator KETTER: Ms Saunders, the focus of your submission is more about automatic sprinklers than the type of smoke alarm that we are talking about. You mention in your submission that, as far as Queensland is concerned, if I understand your submission correctly, by the end of next year all residential care buildings should have automatic sprinkler systems and some sort of smoke detection system in place. Is that correct?

Ms Saunders: Yes. I think that is the case for New South Wales as well, with 2016 being the deadline for that.

Senator KETTER: You do not make any comment about Australian Standard 3786?

Ms Lawless: No.

Senator KETTER: You are agnostic about that particular issue?

Ms Lawless: We are not sure.

Senator KETTER: You said New South Wales is in the same situation. You say Victoria is doing well here. In which respect? Are they in exactly the same boat as us in Queensland?

Ms Saunders: Yes. Victoria took the lead. They were the first state to retrofit sprinklers, then Queensland followed suit and then New South Wales only started to do it themselves after the Quaker Hill fire. They started in 2012 or 2013 and the industry has been given until 2016 to fit these. About 95 per cent had, on our last report.

Senator KETTER: Thank you.

CHAIR: If there is nothing further you would like to add, we can leave it there. Thank you very much for coming along and contributing today.

GOLINSKI, Mr Keith John, Private capacity

[11:10]

CHAIR: Welcome. The committee has not received a written submission from you. I invite you to make a brief opening statement before we go to questions.

Mr Golinski: Thank you for the opportunity. I am here to give a firsthand account of an experience from nearly four years ago. Once I have given that account, I probably cannot add much more, because I do not have any technical experience. But I guess firsthand experience counts for a lot anyway. If I can contribute in any way to prevent others from having to go through what my family went through four years ago then I am quite happy to.

CHAIR: You can say whatever you like in your opening statement. I think it is very important that we hear about the issue and the issues that you faced after the tragedy. Whatever you think is relevant by all means relate to us, because we are very keen to hear your story.

Mr Golinski: Thank you. I have summarised it, and I have made a copy for everyone, which I think you now have. It is a summary, so it probably will not take all that long. I have called it 'A new script', and I hope that is poignant.

On Christmas Day 2011, my partner and I joined my son, Matt, his beautiful wife, Rachael, and their beautiful daughters—Sage and Willow, twins aged 12, and Starlia, 10 years old—for brunch and to swap Christmas presents. They were a wonderful close, loving family, absolutely devoted to each other. The next morning, Boxing Day 2011, we woke to the news that a woman and three children had died in a house fire in Tewantin which had occurred at 3.30 am. I was quite worried and tried phoning but did not find out for a couple of hours that I had lost three beautiful granddaughters and their mother and that my son was in a critical condition in hospital with burns to 40 per cent of his body, which he had received trying to save his family. He had lain on the grass for more than half an hour waiting for an ambulance whilst his family perished inside. All he could keep saying was, 'I have lost my whole family.' He spent eight weeks in a coma in intensive care and a further eight weeks in hospital. When he woke from the coma, I had to tell him that they had all perished. I did not know whether he knew or not. As the coroner's report has not yet been completed, and it is now approaching four years, I am not allowed to divulge information contained in the police report, which itself took nearly 2½ years.

I was expecting that the coroner would have made strong recommendations, with some urgency, regarding smoke alarms as a result of this fire, and it has been frustrating that, each year that goes by, more people have died—deaths which perhaps could have been prevented. However, there are known facts which I can now make known to you, in the hope that it might save other lives. I was pleased to hear about the Senate inquiry into smoke alarms. The facts that are known are: the house was fitted with two ionisation-type smoke alarms, one hard-wired and both believed to be working. It has been stated by several people that at least one of these alarms would activate if the toast burnt. We have heard that before, haven't we?

It was believed that these would protect the family in the event of a house fire. I am sure Matt and his family would have gone to bed on that Christmas night fully believing that they would have been woken by the alarms in the event of a fire, as millions of people do every night.

Although the police speculated at the time that the fire may have been caused by either candles or Christmas tree lights, it is almost certain that the Christmas tree lights were the cause. Matt was woken by Rachael, who woke up when the house was well engulfed by fire. The alarms had not activated. Matt tried to get into Starlia's room, which was closest, while Rachael went for the twins, whose bedroom was at the other end of the house. Both efforts were useless, as Matt met with a wall fire, mainly from above, and Rachael never made it back. Matt made it out of the back door with skin draped around his body. Even the dog did not escape.

Funerals for Rachael and the girls were held on 18 March 2012. Matt was not able to be there. He has recovered physically since but his life has been shattered, as I am sure most people could understand but could never feel what he feels. He returned to house site with me in March this year for the first time. It is difficult for me and I can only imagine it must be a thousand times more difficult for him. Nearly everything was destroyed in the fire. But a story that Rachael had written in 2011 about the twins' struggle with life had survived on someone else's computer. I had it printed and Matt had it on the wall of his hospital room. I really think it helped him to continue on. It starts with the following:

Our story is inspiring and highlights how adapting to and accepting that life does not always follow your own script is the key to getting on with the situation at hand with grace. Rachael

Just knowing is not enough. I had a new home built myself and moved in in May 2011. It had one smoke alarm, hard-wired. Being a new home, I assumed everything would be the latest thing and I would be protected. Even

after going through all that I had been through, it was not until earlier this year that I thought I should check. I took the smoke alarm down and was a bit shocked to find that it was still an ionisation type. I still felt I would somehow be safe, but I was not protected at all. I went out and bought two photoelectric alarms, which is probably still not ideal.

Laws need to be changed to make photoelectric alarms in both and new existing homes mandatory, as people are lulled into a false sense of safety at present. Truthful and accurate information certainly needs to be made available to the public so they are aware of the inadequacy of these alarms. If only I could rewrite the script. I hope the Senate inquiry can help write a new script.

CHAIR: Thank you. How is Matt going, by the way?

Mr Golinski: Amazingly. When he was in hospital shortly before he was released, he could barely sit on the side of the bed. I think three or four months later, he ran a five-kilometre race. A few months later, he did a ten. He has since done half marathons and a month or two ago, he completed his first full marathon. It took him four hours 35 minutes, but he got there.

CHAIR: How are you coping? Are you okay?

Mr Golinski: You never get over it. Nobody does. You simply cannot dwell on the fact. You have a life to go on with and you have to complete it without them. We have the attitude that one life is not totally dependent on another. Even though you miss them like crazy, you have still got to go on with your own, and, if you let yourself go back to that occasion, that is where you will stay. You just cannot move on if you keep going back to it, and it will destroy your own life, so you just must.

Senator CONROY: You mentioned that you had the new house constructed. Did the builder ask you or seek your view on what type of fire alarms, or did you just think, 'He'll pick the best possible for me, and I'll be okay?'

Mr Golinski: That is simply the standard. It is a standard specified as one smoke alarm in a three-bedroom home. But I have looked at things since then and realised that you have three bedrooms. If you have kids and they have their doors closed and there is fire in any one of those rooms, they are dead before you get anywhere near them. None of the smoke alarms would go off outside that room. So basically every room really does have to have a smoke alarm.

CHAIR: Did the room where the fire started have a smoke alarm?

Mr Golinski: In Matt's house?

CHAIR: Yes.

Mr Golinski: Just outside of their bedroom door—the door would have been open—no more than a metre. The other one was at the other end of the house.

CHAIR: The coroner's report has not been tabled yet?

Mr Golinski: No.

CHAIR: Have they given you any reasons why?

Mr Golinski: No. I have written to them since six months after the fire, and I have asked and asked. Two years ago I wrote, and they said they were waiting on the police report. They then contacted the police. The police said, 'Yes, it'll be there next week.' Six months later they got it. Twelve months after that they sent it to me and Matt, but nothing has happened since March of this year.

CHAIR: What is your understanding with regard to the time that it takes to produce a report like that? Is it unusual that it has taken over four years?

Mr Golinski: I cannot understand it at all. I cannot understand a police report taking a time like that when it was relatively simple. There was nothing to delve into. It was purely accidental. I suppose I should not say that—that is pre-empting the coroner. We have been told that there will not be an inquest, so there is still no reason for a hold-up.

CHAIR: Do you have a theory on why it has taken so long?

Mr Golinski: I do not have any idea whatsoever. I think most people would look at a situation like that and be aghast, really. To take four years—and in those four years we have had so many other fires, so many other deaths. Why wouldn't somebody look at it and say, 'We've got to get something moving on this'? In this case, the smoke alarms definitely were not disconnected. They were an ionisation type. They did not function.

CHAIR: This might sound like a bit of a 'der' question, but do you think it would highlight the fact that ionisation smoke alarms do not work, do not give people enough warning, do not give people enough time to get out of their house?

Mr Golinski: I think that is pretty obvious, really. I look around at people in the room, at people in the street, at people in the town, at people everywhere and think, 'Do they know that they are playing Russian roulette, not only with their own lives but with their family's lives?' simply because they do not know, partly because they will always say, 'It won't be my house; it'll be somebody else's,' and partly because they believe that because they have smoke alarms there, ionisation or anything else, they are safe. It will take people being forced into a situation, I think, before it really happens. Otherwise people will put it in the too-hard basket or 'it can be done tomorrow'—but we have got tonight, and people could die tonight because they do not have a smoke alarm that would warn them in time.

CHAIR: What would releasing this report do for your family? Would it have a positive or a negative impact on your family?

Mr Golinski: I think it would be a bit of a relief that that is another thing that is over and done with. I do not like the term 'closure', because there is no such thing as closure—it is a cliché that means nothing to me—but they are all steps. They are all another step. Going back to the house site was a step. You take these little steps and it lets you get on with your life. Having a coroner's report out, finished and done with and knowing that there have been recommendations made and that it is doing some good, that it might save other people—that is another step. But you cannot bring anyone back. It is not going to change anything, but it could save other people.

CHAIR: Tell us a little bit about the Light Foundation, which Matt is involved with. What does that foundation do?

Mr Golinski: The Light Foundation? He doesn't tell me a lot! He does a little bit, but he has his life—and it is father and son, I suppose.

CHAIR: I can tell you what it does. Do you want me to tell you what it does?

Mr Golinski: Yes. That is a good idea.

CHAIR: In some countries in Africa, the main source of fuel for cooking and lighting is kerosene, which is causing 1½ million per year deaths from respiratory related illnesses, from people inhaling the fumes, and 800,000 burns per year. This is Matt:

I was lucky to have really awesome care at the Royal Brisbane hospital, but without that, I would have almost certainly died. What would have happened somewhere like Africa, where there is no fancy hospital? If we could cut burn rates from 800,000 to 400,000 - that would be amazing.

The Light Foundation provides solar energy to communities and households in developing countries. There you go. Now you can tell Matt exactly what he is up to!

Mr Golinski: I must admit he had not told me that much. He went over there and met with people in schools. Over there, they do not have windows like this to let light in at all. It is quite dark inside because they only have brick openings. They put these lights in, which are modular units, and they can plug, I think, eight into a bank with one solar panel. Like everything over there, if they put in a proper big solar system or a generator or whatever, nobody can fix them if anything goes wrong, but with these lights they simply unplug one and the rest of them keep going, or they plug another one in. I think they cost \$40 each. I think they put eight banks of four in this schoolroom, and the teachers and kids were going back at night and were able to do work, because of the lighting.

CHAIR: Since the tragedy, have you been in contact with, or been in the presence of, other firefighting organisations or representatives? If so, have you spoken to them about smoke alarms? If you have, please give us some idea of what they are saying about the difference between ionisation and photoelectric.

Mr Golinski: They have convinced me. I hope they convince the committee and I hope that goes on to other things. Right from the start, it started coming out about ionisation alarms, but we could not really say anything. You are tied into a code of silence because of the investigations, the coroner's report and everything else, so you really cannot go out and say much. But, after the *60 Minutes* program, I was in touch with David Isaac, who is going to speak further on in the inquiry, and he gave me quite a bit of information, and I learnt a lot more about them.

CHAIR: But you are absolutely convinced that photoelectric are far better than ionisation?

Mr Golinski: Yes, there is no doubt in my mind now. It is funny, and I think I was the same: just because you have an alarm there and it has been put into a house only four years ago, you feel as though you are safe. Even when you are told that no, that ionisation alarm will not go off, and even having gone through what I went through and knowing that it did not go off, you still feel that you are secure and protected somehow.

Senator KETTER: Would you please accept my sincere condolences for your tragic loss.

Mr Golinski: Thank you.

Senator KETTER: I want to pay tribute to the courage that you have shown today in coming forward to talk about such a terrible situation.

Mr Golinski: Thank you.

Senator KETTER: In your submission, you talk about the police report, which took 2½ years to come forward, and you say that you are expecting the coroner to make some strong recommendations. I am not sure if you were here at the outset, but the chair did indicate that people giving testimony before this committee are protected by parliamentary privilege.

Mr Golinski: No, I was not here.

Senator KETTER: If you felt there was anything in that police report that you would like to place on the record, you have the opportunity to do that with protection. Alternatively, if you would feel more comfortable giving that testimony in camera, that would be confidential to the members of the committee. But I just wanted to give you that opportunity. If there was anything in that police report that you thought was relevant and that you wanted to talk about, please feel free to do so.

Mr Golinski: Thank you. I do not really think that it came up with anything that was unexpected and that was not widely known anyway, so I do not really think there is, but they do give you a warning when they hand that report out that you are not to disseminate any of the contents of it and so on and so on. So I just have to be careful, but there really is not anything that I am saying that is not widely known anyway. I do not think there is anything in there that would add to it.

Senator KETTER: You mentioned that the fire almost certainly resulted from an electrical failure with the Christmas tree lights.

Mr Golinski: Well, that is what is believed. I think nobody will ever know, but that was the speculation, and I know that the fire started in that vicinity, close to that area.

Senator KETTER: Which room of the house was the Christmas tree in?

Mr Golinski: That was in the main lounge room/dining room—an open-plan-living type lounge/dining room. In that folder that I have given you, you will see photographs of the damaged house on the back—particularly in that top one. You can see the rails of the bed, which were solid steel—50 millimetres—basically bent and touching the ground. That is just from sheer heat inside a house fire. That is incredible.

Senator KETTER: There seems to be an increasing incidence of house fires, particularly in Queensland.

Mr Golinski: Yes.

Senator KETTER: I just wondered if you have anything to share with us about that. Do you think there is a particular reason why house fires are becoming more common in Queensland?

Mr Golinski: Yes, and you certainly notice it a lot more when you have been through something. It is from everyone that you hear. Nearly every morning you wake up and they will say, 'there has been another house fire.' The number of house fires is just incredible. Certainly, I think the amount of electrical appliances and equipment and gadgets and transformers that are running things is a factor. Transformers are one of the more dangerous things, and that is possibly what the Christmas lights situation was, as they heat up. The fire brigade did tell me that they will often go and try and pull those out of the wall and they are too hot to hold; they are so hot that they burn their fingers on them. That is a simple 12-volt system that is running Christmas tree lights, and it is the transformer that is heating to that point.

So the amount of electrical equipment and so on is one factor, and the other is the volatility of houses now with the materials and contents of the house—everything is synthetic and so much more flammable. I have seen that in the tests that they have done, or I have heard of it, that years ago it would take X number of minutes for a house to become engulfed; these days it is a few minutes. The difference is incredible. Therefore, the importance of alarms that will warn people very quickly is imperative.

The other thing I would like to add—and probably nobody would listen to this recommendation—is that it would almost pay the government to hand out smoke alarms. I believe that the photoelectrics cost \$2.50 each to produce whereas ionisations cost \$1.25 each to produce. The medical costs, insurance costs and human costs are astronomical now, so even providing a million smoke alarms would be a saving. Handing out smoke alarms would be a great way to save money. They are not an expensive item. It just seems so ridiculous that such an inexpensive item is not provided.

CHAIR: Mr Golinski, was there anything else you would like to say?

Mr Golinski: No, that is about it. Thank you again.

CHAIR: What would you like to see changed? What sort of outcomes would you like to see come out of this inquiry?

Mr Golinski: Legislation to make photoelectric smoke alarms mandatory. Not just for new houses—it would take the next 50 years for them to wear out in existing houses, and how many more people would die in that 50 years? It would be great to see legislation to make it compulsory firstly in new houses, and then in existing houses. And it would be great to see a lot more information put out to the public to make them aware. It has got to be pumped into people, because we have been told so many things that people believe that ionisation alarms are fine. It is going to take a lot more information to get through to people, and possibly the subsidising of smoke alarms—if not giving them away. We have got to see them in every building, and multiple smoke alarms in each building. Even houses need more than one, two, three or whatever. It is cheap protection, really. It is the best \$50 you will ever spend.

CHAIR: Thanks, Mr Golinski, for your time and for sharing your experience with us. I am sure it is hard talking about it, but you also, obviously, want to get some outcomes with some changes. I appreciate you coming along and contributing.

MURPHY, Mr Cameron Andrew, Manager Regulatory Services, Queensland Building and Construction Commission

[11:41]

CHAIR: I would like to welcome Mr Cameron Murphy from the Queensland Building and Construction Commission. Thanks for coming along and talking with us today. The committee has not received a submission from the commission. I would like to remind senators that the Senate has resolved that an officer of the Commonwealth or of a state shall not be asked to give opinions on matters of policy and shall be given reasonable opportunity to refer questions asked of the officer to superior officers or to a minister. This resolution prohibits only questions asking for opinions on matters of policy. It is not preclude questions asking for explanations of policies or factual questions about when and how policies were adopted. I invite you to make a brief opening statement before we go to questions.

Mr Murphy: I appear as an officer for the state government commission. I am unable to give this committee any evidence of the effectiveness of smoke alarms. I intend to brief the committee on the regulation of the installation and maintenance of smoke alarms in Queensland. I have presented you with packs of information. Perhaps we will work through the first one, which is entitled, 'Licensing time line: The major milestones.' Throughout this document, you will note at the top that I have referred to us as the Queensland Building and Construction Commission. We did replace the Queensland Building Services Authority on 1 December 2013. With some of these older time lines, you will note that I refer to the QBSA or BSA—being the former Building Services Authority. The commission supports a growing Queensland community by providing information, advice and regulation to ensure the maintenance of proper building standards, providing remedies for defective building work and promoting confidence in the building and construction industry. Our four main services for Queensland homeowners and contractors are licensing, dispute prevention and resolution services, home warranty insurance and information and education.

On 5 January 2001, the former Building Services Authority commenced with licensing certain sectors of the fire protection industry. Previous to that, the Building Services Authority was formed in July 1992. It licenced a range of builders and trade contractors. It was not until 5 January 2001 that we commenced licensing certain sectors of the fire industry. One of them was fire detection systems, which includes smoke alarms. On 1 July 2001, we created an exemption for licenced electrical mechanics—or licenced electricians—to ensure they did not require our licence as well to install or maintain smoke alarms.

We will jump forward to 2009 on page 2 of the document. We amended our regulation to introduce what we call 'fire protection occupational licensing'. Previous to that, we licensed contractors and nominee supervisors in fire protection work. On 1 January 2009, we created a fire protection occupational licensing regime, which meant that every worker or every practitioner who carried out fire protection work or supervised fire protection work in Queensland required a licence. There was a transition period from 1 January 2009 until the mandatory requirement to hold this occupational licence, which was 1 January 2011.

What is QBCC fire occupational licensing? It means all practitioners carrying out or supervising fire protection work require a licence. Everybody doing this work requires this licence except those who hold a nominee supervisor or contractor grade of licence. There is a hierarchy of licences, so if you hold the higher licence you do not need to hold the lower grade.

There are some exemptions for plumbers and electricians, as I mentioned before, and the occupational licensing for everybody was mandatory on 1 January 2011. We introduced this as a result of the Childers backpacker hostel fire in June 2000, where 15 people lost their lives. The building fire safety in Queensland budget accommodation report made recommendations, one of which, to tighten up the industry, was to allow for or to bring about a fire protection occupational licensing scheme. We carried out extensive consultation with the fire protection industry and other stakeholders before the Queensland parliament passed the legislative changes. The amendments to the act recognised for the first time in Australia that fire protection work should be licensed in the same way as other occupations impacting on the health and safety of the community such as plumbers and electricians. The introduction of the fire protection system was an important step in ensuring Queenslanders have access to the highest level of fire protection safety and standards. The community, industry and firefighters are better protected in the event of a building fire.

What we did with the framework for licensing is that we linked our licences as best as possible to the Australian Qualifications Framework. So if there is a qualification out there at certificate II, III or IV level in a certain activity, we lent that to our licensing framework. The objectives of this occupational licensing were to ensure licence holders have the essential skills to competently carry out fire protection work as authorised under

their licence; to draw on as far as possible the competencies recognised under the Australian Qualifications Framework; to best facilitate employment and career progression within the fire protection industry, including advancement to a contractor and nominee supervisor class or grade of licence; to meet the operational and growth needs of the fire protection industry; obviously the benefit of better protection for people and property in the event of a building fire; improved training and safety for fire protection workers; and improved compliance with building fire safety regulations, leading to reduced costs to owners, occupiers, government, emergency services and local governments. It would instil greater community confidence that work is performed by appropriately skilled workers to the prescribed standards and reduce the risks for firefighters attending fire emergencies. As I said before, any person, including an employee or someone working as a subcontractor who personally performs or supervises fire protection work is required to hold an appropriate licence. Students, apprentices and trainees are exempt. Home owners and building owners are also exempt where the value of fire protection work is less than \$1,100. I gave you the current numbers of fire protection contractors who are licensed in our fire detection, alarm and warning systems licence class. We have 577 individuals and companies licensed as a contract or nominee supervisor. At the occupational licence level, we have 819 individuals who hold a fire detection alarm and warning system occupational licence.

The other piece of information I would like to draw your attention to is our licensing information statement, our one-page document, that we publish on our website. It is titled: Smoke Alarms and Fire Detection Systems. It runs through the licensing required to install or maintain smoke alarms. On page two of that document, it has a table that shows who is required to hold a licence. For basic cleaning—which is pushing a test button, replacing the battery, cleaning off the cobwebs et cetera—which is a non-Australian Standard 1851 function, no QBCC licence is required to perform that task. If you wish to inspect and test a smoke alarm in accordance with the Australian Standard 1851, you need to hold and maintain an extra low voltage fire detection, alarm and warning systems licence as a minimum. If you wish to install and maintain a smoke alarm, for the Building Code of Australia, now called the National Construction Code, or a hard-wired alarm you are required to install and maintain an extra low voltage fire detection, alarm and warning systems licence. For a non-NCC battery operated smoke alarm, you do not need a licence. If you wish to certify or conduct any certification functions to do with smoke alarms or fire detection systems, you are going to need a QBCC certified class of fire detection alarm and warning system licence.

I have also provided a copy of our fire occupational licencing booklet, which I will not go through now. I said at the start, I just wanted to appraise the committee of the licensing requirements for fire detection alarm and warning systems in Queensland.

CHAIR: Thank you Mr Murphy. What is the QBCC's thoughts and feelings on photoelectric smoke alarms?

Mr Murphy: We only administer what is regulated, so we will be looking to the National Construction Code. If ionisation or photoelectric are permitted in the National Construction Code then that is the line we will have to take.

Senator CONROY: What are your background qualifications? Have you come from this sector?

Mr Murphy: I am a carpenter and joiner by trade, a licensed builder. I have been in building industry for 30-odd years. I am not a fire industry professional as such. I have been involved in setting up the fire application licensing framework since about 2005 or 2006.

Senator CONROY: So you would not be in a position to give us an expert opinion on the two types, we have heard a lot of evidence this morning—

Mr Murphy: No, definitely not, I am sorry.

Senator CONROY: It seems like you have adapted and upgraded and have a good regulatory framework for the people installing them. Now the question which is before us this morning, where we have heard some compelling and tragic evidence, is: what is it that should be installed? You are not in a position to deal with that question, other than to say that you have set up this process, you have gotten rid of the shonks out the industry and people cannot come in and do anything that they want. You have the framework, it is just what is actually being installed now.

Mr Murphy: That is right. As I said, we have to follow the National Construction Code.

Senator CONROY: What does that say on that at the moment? On the type of fire alarm, what does the National Construction Code say?

Mr Murphy: I could not offer any advice on that at the moment.

Senator LUDWIG: Can you step me through what you have to do if you want to change the national code? Do you have an input into that or is that dealt with in another forum?

Mr Murphy: I am sure the Queensland Building and Construction Commission would have an input. We would seek advice through the state Department of Housing and Public Works. We also have a body here called Building Codes Queensland, who are affiliated with the Australian Building Codes Board. I think that is where it all starts.

Senator CONROY: Is it a COAG process?

Mr Murphy: I do not believe so, but I am not 100 per cent sure.

Senator LUDWIG: For the benefit of the committee, we sometimes ask witnesses to take something on notice; effectively, to go away and have a look within your framework. So, more broadly, the building codes changed; they changed not only for fire safety but also for a whole range of issues. They changed at a national level, and then you implemented the national standards through your work. That is the way it works as I understand it. Is that correct?

Mr Murphy: Correct.

Senator LUDWIG: How does it come to change and how do you have an input into that change? Sometimes states might generate change into the national arena and then that brings about a national change. This is the process question I was trying to understand.

Mr Murphy: Would you like me to come back with that information?

Senator LUDWIG: Yes, please.

Senator CONROY: Just with an outline. If you decide, listening to all of the evidence today, 'Look, I think I should take this back to the boss to work through the system—Queensland wants to make a change, 'What would you do then?

Mr Murphy: I will report back.

Senator CONROY: Thank you very much.

CHAIR: Do you have regular contact and engagement with the Australian Building Codes Board?

Mr Murphy: Personally, in my position, I do not. I believe other officers of the commission do. Again, I can report back on that.

Senator KETTER: Mr Murphy, you mentioned the Queensland building codes board. Is that the title?

Mr Murphy: Building Codes Queensland.

Senator KETTER: Is it the role of that organisation to recommend changes to the actual standards?

Mr Murphy: I believe it is.

Senator KETTER: And your organisation has some liaison with that organisation as well?

Mr Murphy: Again, yes, we do.

Senator KETTER: What is the nature of that interaction between your two organisations?

Mr Murphy: That would be at DLO level—department liaison officer level. But, again, I will have to report back on some of these questions. It is not my area of expertise in our commission.

CHAIR: So why then have you come along here, Mr Murphy? Why did you not send someone who could answer these questions?

Mr Murphy: I came along to show you guys what we do here as far as regulating the industry goes and licensing the industry.

CHAIR: I will be blunt. It is great to have all of the licences up to date, but I seriously think there is an issue with updating our smoke alarms. We really would like to know why the Australian Building Codes Board seems to dismiss any evidence that is given or any requests from people who obviously have a lot of experience in the area of smoke alarms—it is becoming quite frustrating. You are not prepared, or you do not have the capacity, to answer any questions with regard to smoke alarms. Is that right?

Mr Murphy: Only the licensing and the regulations.

CHAIR: Only the licensing and—

Mr Murphy: I am sorry I have wasted your time, Senator.

Senator CONROY: You have the regulatory framework and that has been very helpful for us to understand.

CHAIR: Are there any other questions?

Senator KETTER: There were some reforms to the licensing system following the tragic Childers Palace Backpackers Hostel fire.

Mr Murphy: Correct.

Senator KETTER: Are you able to shed some light on the circumstances of what happened with the Childers fire? There were changes to the licensing arrangements. Can you tell us something more about why that led to a change?

Mr Murphy: Queensland first introduced fire protection contractor licensing to an accreditation scheme back in 1989 through the Fire Protection Contractors Registration Board of Queensland, which later changed to the Fire Protection Industry Board of Queensland. They had an accreditation scheme for quite some time. The Building Services Authority at the time were looking at introducing fire licensing. We looked at that back in 1999-2000. I was not there at the time. However, unfortunately the event in Childers sped up the process of us introducing licensing, and we therefore introduced it in January 2001, some six months after the Childers backpacker fire. That is probably all I can add.

Senator KETTER: So, in terms of the smoke alarms or smoke detection arrangements at that backpackers hostel, you are not able to tell us much about it?

Mr Murphy: I do not know enough about that actual event. I am afraid to comment.

CHAIR: Do you get feedback from contractors in regard to smoke alarms or the issues with smoke alarms, or have there been any issues raised by contractors in regard to this?

Mr Murphy: No, there have been no issues raised to my knowledge.

Senator LUDWIG: The current standard for fire protection is different for commercial residences and residential residences, but the Australian standards framework requires a different requirement for commercial from the requirement for residential as I understand it. Is that correct?

Mr Murphy: Yes.

Senator LUDWIG: Are you aware of the standards that are required?

Mr Murphy: No, I do not have an intimate knowledge of the standards.

Senator LUDWIG: All right. I will leave it at that. Thanks.

CHAIR: Do you agree that there needs to be change as far as people's attitudes towards photoelectric fire alarms compared to ionisation ones are concerned?

Mr Murphy: I cannot comment on that.

CHAIR: What can you comment on, Mr Murphy?

Mr Murphy: The licensing arrangements.

CHAIR: Who can we talk to about this?

Mr Murphy: I am sorry, but you guys are organising this committee, so I am sure you put the notice out there.

CHAIR: Quite clearly, there is a need for change, and yet you are only prepared to talk about licensing. Is that right?

Mr Murphy: I am sorry, but that is my role.

CHAIR: Why didn't they send someone along whose role included smoke alarms and the different types of smoke alarms?

Mr Murphy: I cannot comment on that.

CHAIR: Why not?

Mr Murphy: Because I do not know.

CHAIR: We have heard evidence here all day about tragedies and the need not only to change our ideas on smoke alarms but to get people like you and your organisation to understand that people want this to change. They want the legislation changed so that every household has photoelectric smoke alarms, and you cannot, or your organisation cannot, bring anyone here for us to talk to about that. They bring along someone—no disrespect—who can only speak to us about licensing. Is that what I am meant to believe?

Mr Murphy: That is correct. I said before I am sorry I wasted your time today. I am absolutely sorry.

CHAIR: As we have said, you are not wasting our time, but it is very, very disappointing that we are talking about smoke alarms and every other witness has raised the fact that our attitudes towards smoke alarms need to change, and no-one from your organisation could be bothered to come along to talk about that very fact. I am very pleased that our licensing and the people that put in the smoke alarms are up to date and qualified, but at the end of the day the majority of the witnesses here today want the Building Code changed to have photoelectric smoke alarms fitted and not continue down this ridiculous path of ionisation smoke alarms. They quite clearly do not work and certainly are not as effective as photoelectric. I thank you for your time, Mr Murphy.

Mr Murphy: Thank you.

CHAIR: That concludes today's proceedings. The committee has agreed that answers to questions put on notice in today's hearing should be returned by 5 November. I would like to thank all the witnesses who gave evidence to the committee today, and I understand some of it was very difficult to relay to us, but we really do appreciate your coming along. I would like to thank Hansard, Broadcasting and the secretariat today.

Committee adjourned at 12:05