

TRANSCRIPT

STANDING COMMITTEE ON THE ENVIRONMENT AND PLANNING

Inquiry into fire season preparedness

Melbourne — 28 February 2017

Members

Mr David Davis — Chair

Ms Harriet Shing — Deputy Chair

Ms Melina Bath

Mr Richard Dalla-Riva

Ms Samantha Dunn

Mr Khalil Eideh

Mr Cesar Melhem

Mr Daniel Young

Participating Members

Mr Greg Barber

Mr Jeff Bourman

Ms Colleen Hartland

Mr James Purcell

Mr Simon Ramsay

Ms Jaclyn Symes

Witness

Ms Claire Higgins (sworn), former Chair, Country Fire Authority.

The CHAIR — I welcome Claire Higgins to the table. Ms Higgins, you are a former board chair of the CFA. I should indicate the community very much respected the service that you gave during that period.

Ms HIGGINS — Thank you.

The CHAIR — Ms Higgins, I think you are aware of the issues that the committee is considering as a part of its inquiry into bushfire preparedness. Some of these came out of hearings with the UFU and others around the EBA, and a number of issues also are related to payments to the United Firefighters Union which I think occurred around the time when you were at the CFA. I wonder if you want to make some statement before we ask questions.

Ms HIGGINS — Thank you for the opportunity, but my preference would be just to answer your questions.

The CHAIR — All right. Can you let the committee know when you resigned from the board of the CFA?

Ms HIGGINS — It was 29 August 2015.

The CHAIR — Did your resignation have anything to do with the EBA negotiations?

Ms HIGGINS — Not at all.

The CHAIR — Right. In your time at the CFA, at the change of government there were reports that there were financial payments to the United Firefighters Union of \$480 000 or thereabouts, money that many would regard as money that could have been spent for fire season preparedness and safety. Are you aware of that payment?

Ms HIGGINS — I am aware of it now.

The CHAIR — You were not aware of it at the time?

Ms HIGGINS — Not that I recall.

The CHAIR — Right. The payment should have gone, I would have thought, to the board.

Ms HIGGINS — It was under the delegated authority of the CEO.

The CHAIR — And was it reported to the board?

Ms HIGGINS — I do not recall.

The CHAIR — Right. Are you aware of any payments to the UFU in your time at the CFA?

Ms HIGGINS — No.

The CHAIR — Any payments of any type?

Ms HIGGINS — No.

The CHAIR — Can you inform the committee of your dealings, if any, with the United Firefighters Union secretary, Peter Marshall; and if any, can you inform the committee when you met with Peter Marshall?

Ms HIGGINS — The only times I have ever met with Peter Marshall were at CFA graduation ceremonies before I was chair. I do not recall the particular dates.

The CHAIR — Now there was evidence provided by Mr Wootten. In his evidence to the committee he said:

I certainly briefed the chair on a number of occasions. We had weekly meetings on a whole range of issues, and this would have been one of the issues that I would have briefed her on ...

he claimed, relating to the UFU payment. The transcript says:

The CHAIR — That was Claire Higgins.

Mr WOOTTEN — That is correct, yes. But I did not speak to the full board about it.

You have no recollection of that?

Ms HIGGINS — Sorry, in early February 2015 I have a recollection of a conversation with Mick Bourke — 2 February would be my recollection — where he raised with me that a claim had been made by the UFU with regard to our regular approaches to the Fair Work Commission, at which time I said, ‘Well, of course we will work through a process and get advice and work through that’.

Subsequent to that, I know that on 16 February Michael Wootten did advise the board about a potential claim from the UFU in relation to vexatious actions being taken by the CFA, and my understanding at that time was that the estimated value was between \$10 000 and \$15 000. As a result of that I believe that the materiality of that was — obviously \$15 000 to \$20 000 was very low, and I already understood that there was a process going on.

So that was my first knowledge of the issue that you are raising with me. It is possible that Michael discussed that with me at our regular meetings, but I do not have any specific recollections and I do not have any notes that would support that.

The CHAIR — He said he did not raise this with the board:

But I did not speak to the full board about it.

Does that accord with your recollection?

Ms HIGGINS — Well, the recollection that I have just given you is the one of the 16 February board meeting, where he raised that there was a claim from the UFU — because we were talking about budgetary matters — of \$15 000 to \$20 000. But my understanding was at that time, and I assume it was also the board’s understanding — I do not know that for fact, but I assume it was the board’s understanding — that ‘It is in a process, it is immaterial, and that is how it proceeds’. But in terms of the payment, I have no recollection of that being discussed at board.

The CHAIR — And your understanding now, in retrospect, is that that \$15 000 to \$20 000 was likely related to this much more significant payment?

Ms HIGGINS — I am presuming so because the timing sort of fits together, but I do not know it in fact.

The CHAIR — Do you find it odd, in retrospect, that a matter of a very significant payment, and a payment that many would regard as out of the usual, was not reported in detail to the board?

Ms HIGGINS — In hindsight, I think it is strange. I think there would have been, from my perspective, satisfaction that there was a process — none of us were experts in this area, so we were seeking appropriate advice to guide us.

The CHAIR — From whom — the advice?

Ms HIGGINS — Appropriate lawyers. I cannot tell you who the advice was from because I have never seen the advice, but I understood that there was a process working through that. In hindsight, a payment of \$484 000 that suggested that we were not acting as model litigants was probably worthy of a discussion at board, yes.

The CHAIR — And do you think the CFA was acting as a model litigant?

Ms HIGGINS — Well, the impression that I was given from the CEO was that the advice that CFA was receiving was that it would be successful.

Mr DALLA-RIVA — Who was the CEO?

The CHAIR — It was Mick Bourke at the time.

Ms HIGGINS — No. Mick Bourke was the very first conversation that I was talking about, and Michael Wootten was — —

The CHAIR — And then Mr Wootten after that?

Ms HIGGINS — Correct.

Ms SHING — Thank you, Ms Higgins. I would like to take you to the same issue that the Chair has already taken you to, and in particular to evidence that Mr Wootten has given to this particular committee. You have indicated that you have no recollection about whether the specifics of the issue were discussed with the board. Mr Wootten has given evidence to the committee that it was not in fact discussed with the board. He then goes on to actually talk about the CFA and his delegated authority at the time, treating it — being the \$484 000-odd:

... as part of its overall budget for legal costs. We have a budget annually for a whole range of things. This was part of that budget.

He then goes on to say that the decision was taken by him in discussion with people and in seeking advice but that, to quote him:

I had no contact with either my minister's office or the Premier's office throughout the whole process. The decision to enter into arbitration was mine alone.

And he had not been involved in any arbitration before he gave that evidence to the committee and said that it may not be uncommon that a party may pay some or all of the other party's costs. Was this something which, during your time at the CFA, was part of the delegated authority of the CEO to manage from an operational perspective?

Ms HIGGINS — I am sorry, what in particular?

Ms SHING — In terms of the way in which this particular matter played out and the position of the CEO at the time, was it appropriate for the CEO to have had a delegated responsibility to manage those matters and to keep the board generally informed?

Ms HIGGINS — Certainly in terms of his authority, it would have been to be in the realms of EB negotiations and issues that arose out of those, and he would have also — —

Ms SHING — And would that include the arbitration?

Ms HIGGINS — I would have thought so — dispute resolution. And associated with that he would have had a financial delegation. It is my understanding that he operated under both of those arrangements.

Ms SHING — He did indicate that the amount of costs that were paid as a consequence of the arbitration were within his financial delegation. Do you recall the amount of his financial delegation while he was acting CEO?

Ms HIGGINS — Not off the top of my head.

Ms SHING — That is fine. I would also like to ask you in relation to the scope and the type of matters which would come to the board. Obviously there was an awful lot going on from an operational perspective, as well as from a strategic and planning perspective, risk and audit management et cetera, as well as the reporting requirements to government. To what level of granularity was the board in a position to get into the very specific detail of individual matters that covered an operational area in general? What was your experience while you were there?

Ms HIGGINS — I guess it really depended on what the matter was. For example, at this time we were obviously in the process of closing Fiskville, so that was a matter of significant granularity that we would be involved with — you know, potentially 78 people losing their jobs, livelihood, training, implications. There were a whole range of things, so that would be a level of granularity that we would be interested in, but we would not normally go down to ticking every box of detail. If it sat within the CEO's delegations, our role normally is to guide the CEO on things that were concerning him or things that were concerning us as a board — guide him to his activities.

Ms SHING — You had a budget of \$500 million-odd, I think, at the time. You have already given evidence that you did not get involved in the enterprise bargaining side of things.

Ms HIGGINS — Correct.

Ms SHING — That was in fact part of that authority that the CEO had vested in him at the time. The settlement I think of short of \$500 000 is about 0.1 per cent of the annual budget. It strikes me that you had, with Fiskville and with various other matters around the royal commission et cetera, on foot a lot of things to keep you busy. Was there any perception at any time by the board that it needed to get further involved in matters of this nature?

Ms HIGGINS — It would have had to have an awareness of matters of this nature to be involved in it.

Ms SHING — Beyond the general updates that you got?

Ms HIGGINS — Yes. I think if it goes to matters of exceeding budgetary authority, we would have wanted to know about it, and in fact they were reported to the board in any case. I think if it also went to our reputation and our behaviours, then I think we would have also wanted to know about it, or in terms of long-term impacts to the organisation or positioning of the organisation — those sorts of things.

Ms SHING — But Mr Wootten gave evidence that it did not in fact exceed his authority.

Ms HIGGINS — Yes.

Ms SHING — Great. Thank you very much for that.

Ms DUNN — Thank you for your evidence, Ms Higgins. I just wanted to turn to the matter of fire preparedness for the state at your time. Did you ever think in relation to any matters that the state was at risk in terms of its activities to do with fire preparedness? I am actually bringing it back to the terms of reference for the inquiry.

Ms SHING — Yes, it would be nice to — —

Ms DUNN — I apologise for the question, but it is actually what we are here for —

Ms SHING — Substantively relevant.

Ms DUNN — even though possibly you may not be.

Ms HIGGINS — It is a very broad question, especially to ask someone with an accounting and economics background, but I think the board's approach to these matters was that we wanted to ensure that we had appropriately skilled people within the organisation to advise the board on matters in relation to fire preparedness. So our oversight obligations would be to seek reassurances from the chief officer in the main of any matters that he was concerned about in terms of fire preparedness. That would be an ongoing discussion, particularly over the winter season when we would finish the fire season and start preparing for the next season.

The only thing that I can offer that I might add is that I am aware, in reviewing the minutes, that in early 2015 we had an internal audit done on fire preparedness. So that was part of our process of oversight and governance, but nothing specifically comes to mind in response to your question.

Ms DUNN — That is terrific. Thank you, Ms Higgins. That is all I have got.

Mr RAMSAY — Thank you, Ms Higgins. I suppose I will have to ask the question on which you are here really — that is, in relation to this payment. Just reading through the notes from a witness, Mr Wootten, who was actually an interim CEO — one of many, I might add, the CFA has had over the last couple of years — my understanding in relation to the arbitration outcome of the payment was that he referred to or sought advice from the department of justice, and the department of justice indicated to him that he was to solve the problem associated with this payment. So he had a number of discussions with you, as he says on record in relation to the testimony as chair of the board of the CFA. I understand there must have been some guidance from yourself in relation to how Mr Wootten would have handled that payment. It was certainly featured in the UFU report but not in the CFA report. So I guess from our perspective we would just like to have a better understanding of the processes you as chair went through to tick off on that payment — or the assumption is that Mr Wootten ticked off on the payment — and whether actually he even had the authority to do so.

Ms HIGGINS — Just to answer the first question, or one of those questions in relation to the annual report, I was not chair of the board when that annual report was signed off, so I am not in a position to comment on what was in it or not in it. Secondly, in terms of the process, the process that I worked on with the CEOs that I have worked with is that we would have a weekly Monday meeting, where matters that were going on in the CFA or were on the horizon for the CFA we would discuss. That is why I am saying to you that it may well be that Michael had discussed this issue with me, but my approach would have been — I am assuming, because this is what I would normally do — given that I do not have expertise in that area, to ensure that Michael was following an appropriate process and seeking advice. Without seeing the delegations of authority, I would be very surprised if Michael operated outside of his delegations, because that is not the style of the person. So I cannot say to you that I did not have conversations with Michael, but what I would have been doing is assuring myself around the process in light of other things that were going on within the CFA at the time. Maybe that \$15 000–\$20 000 stuck in my head, and comments about the likelihood of our success were stuck in my head, and it might have coloured my judgement on that, but in relation to the other things that were going on in the CFA, it did not seem remarkable.

Mr RAMSAY — If I may, Chair, given the sort of hostility during the 2014 election campaign where the UFU were actively involved in that campaign, and given that there were ongoing EBA negotiations with the UFU and the CFA in relation to a new enterprise bargaining agreement, do you not find it strange that Mr Wootten actually admitted he has had no experience in relation to making payments to unions — on the basis of perhaps not a model litigant, or for some other reason — and that he would not seek advice? He was told by the department of justice, ‘You deal with it yourself’. You have basically said to Michael, ‘Well, you deal with it’, and the hostilities around the UFU, the CFA, the government and the coalition were such that, to my mind, this was just a pack of trouble waiting to beset everyone. So I just find it strange from a corporate governance point of view that you as chair and then Michael and then the department of justice and then whoever else that was providing advice did not actually want to make sure that the payment in fact was credible.

Ms SHING — The Auditor-General did not find it strange.

Mr RAMSAY — Well, I mean, to any layperson, I would think they would find this most strange —

Ms SHING — Why the Auditor-General — —

Mr RAMSAY — the payment even being made from the CFA itself.

Ms HIGGINS — Look, I think when you are in a situation where you do not know the rules and you do not know what is required, then you do seek guidance, and I think that is what Michael did. I cannot answer the question with respect to whether he got specific guidance from the department or not. I do not recollect the conversations. I am sorry, that is just where I am.

Mr MELHEM — Thank you, Ms Higgins. Going back to that point, when in a normal business you have a litigant take a particular matter to court and they lose, it is not uncommon for the person defending a particular case — i.e. in the Federal Court or the Supreme Court — to seek reimbursement for legal costs. It is quite common in our system. So what I am getting at is that the UFU obviously put in a claim against the CFA of I think a couple of million, as I hear — or as I heard over a period of time — to recover their legal costs on the basis that the litigation was initiated, they won and they then had to recover their costs. The advice from the department of justice and various people to the acting CEO was that, ‘There are two ways you can do it: you can fight it and say, ‘I’m not paying’, you can argue about the amount or you can go and get a settlement’. So it is not an uncommon practice even in private industry to do that, and in my view that is what the CEO has done. Do you agree with that analogy?

Ms HIGGINS — What you are saying about people going to court and they lose and then they pay costs, I am aware of that. That is not unusual, and sometimes there are settlements to work forward in an amicable way. I think certainly what we were trying to achieve with all of those discussions around the EBA — and not just that, let me say, but in all our relations with the people within the organisation — was to treat them with respect, and if we had done something wrong, to then acknowledge that and deal with it and to actually work together as an organisation.

Mr MELHEM — To me it is quite sensible, and my understanding with part of preparing a budget for every year is that there are certain line items. For example, one for legal.

Mr RAMSAY — Contingencies. You had a lot of those in the AWU.

Mr MELHEM — I did actually, Mr Ramsay, unlike you in the VFF. When you left it was actually broke, wasn't it?

Mr RAMSAY — No, it wasn't.

Mr MELHEM — It was broke.

Mr RAMSAY — It has got \$30 million worth of assets.

Mr MELHEM — When you were the CEO, it was broke.

Ms SHING — A \$100 million organisation will have an envelope for legal costs.

Mr MELHEM — So let's go back to the issue and let's stop playing politics.

Ms SHING — Yes.

Mr MELHEM — So there will be a line item, for example, about legal costs and about operational costs et cetera. What I understood from Mr Wootten last time was that it was within his line of responsibility and financial responsibility to be able to make that decision. Yes, he did discuss it with the chair, as you would. Now, to me that is what happened, is it not?

Ms HIGGINS — There is definitely a line item in the budget called legal fees, and the board approved that every year as part of the budgeting process and monitored that throughout the year. So if you look at the legal expenses for the CFA, they were quite significant at that time because we were doing a lot of work —

Ms SHING — A whole range of things.

Ms HIGGINS — around Fiskville. So we were getting a lot of legal advice. That would have been part of that spend.

Mr DALLA-RIVA — Thanks, Ms Higgins. I was quite intrigued by some of the evidence earlier that you gave to the Chair. I have some issues in terms of the evidence given by Mr Wootten, particularly because I asked questions of him. This is in respect of what Mr Melhem said, that a couple of million dollars was suggested. These are the questions I put:

In respect of the CFA, on that basic understanding of governance, did you keep the CFA board informed of this process along the way?

That is in relation to the 484 000. Mr Wootten:

No, I did not discuss it with the board.

I asked:

Given that there was an application from the UFU for \$2 million — that seems to be the ambit claim — with a settlement of 460 being —

Mr Wootten interrupted:

Four eighty-four, I think was the figure David mentioned.

Referring to the Chair. I then said:

With 484 being the final figure, do you think it would have been incumbent upon you to keep the board informed?

And this is the point that I wish to raise. Mr Wootten then replied:

I certainly briefed the chair on a number of occasions. We had weekly meetings on a whole range of issues, and this would have been one of the issues that I would have briefed her on.

The Chair then asked:

That was Claire Higgins.

Mr Wootten:

That is correct, yes. But I did not speak to the full board about it.

I said:

But that would have been considered as a liability potential —

and it goes on. So my initial concern is that in the original questions from Mr Davis, the response was that it was not a discussion that you had had. Yet Mr Wootten said that it was — that you were briefed on a number of occasions on a whole range of issues. As he said, ‘This would have been one of the issues that I would have briefed her on’.

Can I just go back to your recollection of the conversations with Mr Wootten in respect of the UFU claim. Can you clarify that you do not recall those discussions in relation to the 484 or the \$2 million ambit claim at all?

Ms HIGGINS — The only information that I have, as I already answered on 16 February, is that there was a matter raised at board and, going through all of my notes, there are no other references to this payment.

Mr DALLA-RIVA — So Mr Wootten is incorrect in his recollection?

Ms HIGGINS — No, I am saying that I do not have a recorded note that he raised it with me. It is possible he discussed it, but I do not have either a note or a recollection.

Mr DALLA-RIVA — So in respect of your resignation from the board, I think you said on 29 October — —

Ms HIGGINS — August.

Mr DALLA-RIVA — August, sorry. I have written August and I said October. You said that had nothing to do with the EBA negotiations?

Ms HIGGINS — That is right.

Mr DALLA-RIVA — What was the reason for your resignation from the board?

Ms HIGGINS — I resigned from a personal perspective. It was a decision that I took personally about where I was at that time.

Mr DALLA-RIVA — And you had at that stage had dealings with then Minister Garrett? She was the — —

Ms HIGGINS — With respect to?

Mr DALLA-RIVA — Just the general day-to-day operations of the CFA.

Ms HIGGINS — At that time I had not spoken to the minister for probably six or eight weeks.

Mr DALLA-RIVA — And no conversations with Peter Marshall, the UFU secretary, apart from meetings at graduations?

Ms HIGGINS — Yes, that is correct.

Mr DALLA-RIVA — I refer you to an article in the *Herald Sun* that was reported on 30 August, which refers to a memo by Mr Blandthorn of 4 August 2015, which happened to be about three weeks prior to your resignation, regarding the ongoing dispute with the UFU. In the memo to DPC he says:

You may consider asking Marshall to be more respectful to all ministers, members, staff and departments and to treat them with the respect that he would demand himself ...

Were any of the engagements you had with Mr Marshall at the graduation at any point threatening?

Ms HIGGINS — No.

Mr DALLA-RIVA — Swearing or yelling at you?

Ms HIGGINS — No.

Mr DALLA-RIVA — Are you aware of any of those dealings where Mr Marshall had threatened, sworn at or yelled at any of your board or staff that work with you?

Ms HIGGINS — Not that I recall.

The CHAIR — Just to follow up on that memo, were you aware of that memo from Mr Blandthorn — —

Ms HIGGINS — I have no idea what you are speaking about, Chair.

The CHAIR — Okay. There was a memo by Mr Blandthorn in the Premier's office, a DPC person:

You may consider asking Marshall to be more respectful to all ministers, members, staff and departments ...

You are saying you were not aware of that memo at all?

Ms HIGGINS — Now that you have quoted it back to me, I have a vague recollection of it having been in the paper or somewhere. I have a vague recollection of it, but it might not even be that one.

The CHAIR — Just to understand the time line with the annual report, you were there as chair until August, and the annual report was not prepared at that time, or it was prepared — the 2015 — —

Ms HIGGINS — It would have been in draft, but the financials would not be popped in there until just before the audit committee meeting, which would have been just before the board meeting that signed off the accounts. I am presuming it is September; that is when it would normally have occurred. So usually there would be an audit committee meeting just before then, and the papers would be circulated a couple of days before that, with the financials in them.

The CHAIR — Do you have a copy of the board minutes for that period, in the first six months of 2015?

Ms HIGGINS — Do I have a copy of — —

The CHAIR — The board minutes from the CFA in the first six months of 2015?

Ms HIGGINS — Yes, I do now — only through my lawyers.

The CHAIR — Would you provide us with a copy of that set of minutes?

Ms HIGGINS — Of the board minutes?

The CHAIR — The board minutes.

Ms HIGGINS — Yes, I can organise that.

The CHAIR — To the secretariat. That would be helpful.

Ms HIGGINS — Would that come through the CFA? Sorry, I am just not sure whether that — —

The CHAIR — I want to cross-tabulate these. We are interested in this document that you have got. That would be very helpful.

Ms HIGGINS — Is it the 16 February one you are talking about? Which one?

The CHAIR — Actually all the board minutes for the first half of 2015.

Ms HIGGINS — I do not have them all.

The CHAIR — You only have the 16th?

Ms HIGGINS — I have a suite of board minutes that my lawyers requested from the CFA.

Ms SHING — So they were given to you under lawyer-client privilege? You might want to just check that in relation to the operational privilege here.

Ms HIGGINS — Can I just clarify, I do not actually have a copy. I have access to them through my lawyer's portal.

The CHAIR — It would be helpful for us to have a copy of the first six months of 2015.

Mr MELHEM — On a point of order, Chair, there is nothing wrong in asking for copies of these minutes —

The CHAIR — Absolutely not.

Mr MELHEM — but I think it should be done through the correct channels. I do not think we should put Ms Higgins through this. A request should be made to the CFA to request these minutes.

The CHAIR — We have requested those minutes.

Mr MELHEM — The responsibility should not be transferred to Ms Higgins. I do not think that is right.

The CHAIR — I am actually seeking to cross-tabulate to see whether we have an equivalent copy.

Ms SHING — Ms Higgins, did you only get access to these documents as a consequence of a legal process?

Ms HIGGINS — Of course.

Ms SHING — Thank you. Therefore again I do not want to see you unnecessarily exposed where a request might otherwise go to the CFA.

The CHAIR — If you have no difficulty in making those available, we would appreciate them.

Ms HIGGINS — I would prefer to seek legal advice before I agree to that.

Mr DALLA-RIVA — Can I just interrupt, Chair? The access to the board minutes was as a result of legal action; is that what you said?

Ms HIGGINS — No, it was in response to the summons that I received from this committee. On Monday, 13 February, I made contact with lawyers who have supported me in the past, and they have made requests of the CFA for documents that would be relevant, and I have access to those through a portal.

Mr DALLA-RIVA — You might need to seek access from Deborah Glass, the Ombudsman, with this government. That is how open and honest they are.

Ms SHING — Just take that as editorial.

Ms DUNN — You really do not need to answer that.

The CHAIR — Also, Ms Higgins, we would appreciate a copy of the notes you have taken in those meetings with your CEO.

Ms HIGGINS — With respect to what?

The CHAIR — With respect to the actual totality of those notes.

Ms SHING — The enormous fishing expedition that is currently being undertaken by the Chair.

Ms HIGGINS — I will seek legal advice on that as well.

The CHAIR — We will seek them, so it would be helpful.

Ms BATH — Ms Higgins, my understanding is that you were with the CFA for eight years almost —

Ms HIGGINS — Correct.

Ms BATH — both as the chair and prior to that within the system. At the time of the fire services review would you have been involved in providing information to that?

Ms HIGGINS — The review conducted by David O'Byrne?

Ms BATH — Drawing a line — —

Ms HIGGINS — That report came out after I was chair, but in the early days I had a conversation.

Ms BATH — You had some involvement and some information. I asked a similar question of Mr Lapsley, and it goes to that report, which talked about morale between volunteers and paid firefighters and went into that in some depth and the importance of bringing people together, and I guess my question is on a slightly different tack to what we have had in previous questions and relates to how, in your opinion, with the gap between the country and the city, we can ensure that the country is not disadvantaged. If you were sitting in this spot again, what recommendations or suggestions would you make to ensure that the country and volunteers are not disadvantaged moving forward?

Ms HIGGINS — Sorry, I am just contemplating the breadth of that question and the depth of that conversation.

Ms BATH — That was a fairly big question.

Ms HIGGINS — I think there are only a couple of points that I could make, and that is the importance of supporting the volunteers in an environment in which it is becoming more difficult to volunteer, and I think that is a very important component in rural and regional Victoria, where there are both demographic growth and shrinking of volunteerism in some of the more remote areas of the state. That has to be a particular focus. I am not sure if that answers your question very well, but it is not something that I had thought through.

Ms BATH — Thank you. I appreciate it was on a different tack. Just on a final note from me, I would like to say thank you for those eight years of your service. They were outstanding, from my observation. We appreciate your efforts.

Ms HIGGINS — Thank you.

The CHAIR — Just to follow up on this central point of 16 February and the period around that, essentially what you are telling us is that the CEO at the time on 2 February first raised a matter around this.

Ms HIGGINS — Yes.

The CHAIR — And then on 16 February there was a board minute to say what?

Ms HIGGINS — The board minute says that the CEO report was discussed and there are some bullet points that say — I cannot remember — inquiry, industrial relations matters et cetera. That is what the minute reflects.

The CHAIR — Later the then acting CEO, Michael Wootten, did not see fit to raise in detail these matters with you as chair or with the board in detail — the payment of nearly \$500 000.

Ms SHING — Already given the evidence on this, Chair.

The CHAIR — I am just trying to be absolutely clear.

Ms HIGGINS — I will give the same answer to the question I have given before, and that is that I do not recollect having those conversations with Michael, but it is possible that he did.

The CHAIR — The point here is that all through the period of the dispute with the United Firefighters Union you did not meet with that group.

Ms SHING — We are just going round in circles now.

Ms HIGGINS — Which group are you talking about?

The CHAIR — The UFU.

Ms HIGGINS — No.

The CHAIR — No. Was there an industrial relations committee of the board that dealt with the matters around the EBA claims?

Ms HIGGINS — No, not specifically.

The CHAIR — Right. Did the audit committee deal with some of those matters?

Ms HIGGINS — Some of those things, and then some of them were discussed at board level. But the negotiations with the UFU did not really kick off — well, there were conversations going on and the claims coming in and that sort of thing, but most of the meetings were happening centrally. Then after I left are the events that happened post.

The CHAIR — So it is possible that some of these payments might have been discussed at the audit committee?

Ms HIGGINS — Well, I have got copies through my lawyers of the audit committee's, and I do not see any — I have not got the papers, but from the minutes I cannot see where they have been discussed.

The CHAIR — So you do not believe so. Thank you, and I really appreciate your evidence today and I reiterate the points made about your remarkable service on the board over a lengthy period.

Ms HIGGINS — Thank you.

Witness withdrew.