

INQUIRY INTO EMERGENCY SERVICES AGENCIES

Name: Mr Wayne Huggins

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Partially
Confidential

Overview:

My name is Wayne Huggins and I have been with NSWFR since 1992. In 2010 I was the relieving station officer at Station X when a man, a retained firefighter, assaulted me because he didn't want to do the work that needed to be done and that I had asked him to do. Well, that was the impetus but there were multiple underlying issues with this individual. I had taken the role at this station because I saw an opportunity to make a difference and gain some valuable experience in helping to turn around a relatively troubled station by all accounts. This one person, this one event changed my trajectory, my life. In the end, it destroyed my confidence and ability to lead, and fundamentally my belief that the fire brigade was my family.

I took FRNSW to the Supreme Court to fight for my right to due process after participating in a Kangaroo Court that was held by the FRNSW. The judge in that instance ruled that I was not guilty of the charge of 'bringing the brigade in disrepute'. Subsequently the deputy commissioner (who had no knowledge of the case) over-ruled the Kangaroo Court judgement. I then sought injunctive relief from the Supreme Court due to this injustice and specifically to highlight a complete violation of regulations and ultimately to clear my name and reputation following this assault. I was suspended for an entire year because a man who had a history of violence (which I was not allowed to raise during the court proceedings) and had recently experienced immense personal stress chose to take it out on me. My leadership didn't back me, they used this as a vehicle to get rid of me and when that failed, they kept trying to find a way.

Despite the emotional toll of this event, I fought to stay. I could have claimed damages, the Supreme Court ruled in my favor; I could have given every indication that I was now unfit to return to work and it was their fault. But this was my life's passion, surely I'll find the support I needed? I made sure that they ruled I was fit to return to work. If only I had realized how deep the cuts were. Why did I have to go to the Supreme Court? Where was the union?

'The union told me to plead guilty, it would be easier on me, it would just go away and I would keep my job...'

interestingly Workplace Standards re-iterated this sentiment when they said, 'There are two paths ahead of you – one path, plead guilty and we know the path ahead and it will be ok for you. If you plead not guilty, I don't know where that will end up...but I can tell you it won't be good for you...'

There was a presumption of guilt from day one...

Because I stood my ground, went against the union and made this public, I was threatened and later scrutinized beyond what was the norm in an effort to trap me into something I shouldn't be doing so I could be fired. An email between my new boss at Station X and the Inspector and super intendent at the time said it best,

'I think I can get him'...

I have spent the past year reviewing, re-living, analyzing, and reflecting on the events during my career with FRNSW. Am I the crazy one? My therapist and other supportive friends and colleagues reiterate that this is the first thought for someone suffering from PTSD. When talking about my history for the past 24 years, I realized that the bullying, the harassment, the hazing...happened well before 2010. It

started with the college, my first rescue, the first report to the union regarding a supervisor and the promotions and opportunities that were denied as a result. And...this "supervisor" played a key role in the events following 2010...he threatened to get me then and he sure did. My original college training instructor (who ended up stationed at Station X at one point and left due to the HR issues there) once said to me,

'I have never seen anyone so bullied, given such a hard time during training than you'....

The beginning...

1992 - 1995

I come from a helping family, my sister is high up in the ambulance service and my parents do meals on wheels and pink ladies. I have always wanted to serve and be a fire fighter. I was lucky enough to get this opportunity and joined the service in December 1992 and...it was a rocky start. I had just had my license suspended for speeding which meant I was ineligible for the driving section for the training, later my license was reinstated and I completed pump school during the academy.

When I arrived for training at the Alexandria Police Academy and informed them of what had happened I was not prepared for the level of harassment I was about to receive and that would follow later. I have since caught up with one of the station officers that was in charge of training me and he said that he had never seen someone so bullied as he saw with me during my time at the Academy.

When I moved to Sydney I was told I had to go back to the academy to complete parts of my training since I hadn't been eligible to do all of the driving section. A year later I was instructed by my DO/Inspector to attend the course in dress uniform on Monday at 0800 and would go for one week.

Upon arrival I was marched in front of a senior officer and lectured/disciplined for not bringing my text books (I was only there for the driving section). At this point they indicated I was to be there for two weeks and I was to complete pump school which I had already done in my previous training. I brought this to the attention of the union and upon reviewing the issue the union pressed the senior officer on why the text books were needed and if perhaps they were actually just bullying me? The senior officer at that point said 'well he needs to complete the theoretical part of the course too'. To which the union replied, 'he's already passed the exam'. Senior officer claims they lost my test only to suddenly find it. Then he states, well, he only passed with 84% (passing was 80%). The union reminded this officer, unless you intend to re-examine everyone who got 84%, he is not required to complete that work again. In the end they agreed to let me complete pump school.

The officer in charge of the college was very upset that I had gone to the union and later I heard him say,

'I'll get that little F'ing C for going to the union'...

I notified my supervising SO in charge of training recruits at the college of this statement and he asked 'what did I want to do with this info'? He suggested that I do nothing. Then I spoke to the union and they told me not to put anything in writing.

Later that day I spoke with the officer in charge of the college who had made that statement and once I was dismissed, I asked him if we were 'good' and he said 'yeah' we're good. Why is this relevant? This officer happens to be the one who over-turned the Kangaroo court's 'not-guilty' decision in 2010 following the assault. And if you think for one minute I am being paranoid, I can assure that action in 2010 was his moment of revenge.

In 1995, following my time in [redacted] under a constant barrage of harassment and retaliation, I was then sent to [redacted] At that time this was known to be a station that the [redacted] ck ups go to since it's covered by so many other stations and there is little risk of these 'low performers' causing issues.

Once there I had a constant revolving door of SO's, no guidance or drills and training. While on annual leave they actually moved the station and didn't tell me. I came back to a new SO who was grossly incompetent, and absolutely EVERYONE knew this. And he was in charge of me. At one point, he took actions and made some calls that were very questionable and I raised this with him directly. He was furious and found a way to get me sent to another shift to report to someone who was known for being a tremendous bully. Unbelievably, this person I was now reporting to was later awarded the AFSM for his unique style of management!! yet everyone knew that style was to be a gigantic bully.

Sometimes I feel like I drew more attention to myself by standing up for principles I believed in (which I felt were in line with FRNSW core values); such as confronting the SO who showed up drunk to work every day while stationed in [redacted] In the end senior officers picked on things that I did that others had also done but were never penalized for. I felt I was overly scrutinized and held to a different standard.

In 2004, after passing my SO exam, I ended up in [redacted] as an SO. The only other station in my area was [redacted] (with 5 of other SO's). I received consistently positive feedback about my performance and specifically my ability to manage and communicate with the media (important to note because later I was slammed for that). Though I enjoyed the time at [redacted] and was excited about my career, I wanted to be in more fires and a more active area. From there I returned to [redacted] in 2006.

As a result of my performance in [redacted] I was selected in the first position for my role at another regional station, basically allowing me to choose the preferred role. I selected the relieving SO position and moved to Station X. This was a station in transition and there were a number of HR issues previous to it going 10/14 so I saw this as an opportunity to further my experiences as a leader and it was a good career challenge. Until, one day, it became the worst decision of my career.

It should be noted that at this point I had an unblemished record and had received commendations for my performance on the job. The details of the assault and ensuing court case are all public record so I won't go into much detail here but there are a few facts that should be noted.

The retained firefighter who assaulted me had assaulted a fellow firefighter previously and all records of that assault were basically erased (with no follow up from the Zone Office or involvement of HR) and his history of violence was not allowed to be discussed during the hearing. Why was he allowed to work? How was the fire brigade protecting us by allowing someone so volatile to be in the workplace?

On the day of my suspension, a reporter turns up to do a story at the station and our supervisor stated we would not be doing an interview. The shadow minister arrives and ends up talking about how much the permanent firefighters have harassed the retained (ex-deputy captain turns up as well and they were interviewed together). My inspector rang me after the story appeared on the news while I was on the overtime shift to suspend me. After 20 years of service, no prior history of violence, no performance plans, several commendations, I was suspended by phone. This individual and I had also had a prior run in as he questioned many of my decisions due to the fact that he really did not understand regional operations. I pushed back in those instances and as a result I was now being punished.

I was suspended in 2010. Following my court case win and subsequent reinstatement, I met with the Area Commander at Station X to review my return work training. I was informed at that time that antagonistic comments about my court case win had been noted on the posted that day; notified workplace standards and no one ever decided to follow up with the three individuals who could have done it. I also reported information that had been posted on the internet about me and Work Place Standards basically said there was nothing they could do. I was on my own.

Prior to returning to work at Station X, I decided to file an AVO against the RF who assaulted me as he was also to return to work (he actually had resigned so that was a mute point). At the filing the inspector who was assigned to support me during this whole process actually turned up and sat next to the RF and his family, despite the fact that this RF was no longer employed by FRNSW. The Deputy Captain at the time notified HR that my action upset the retained staff at Station X and they threatened to boycott any calls if I was in charge even though the RF had agreed to restraining order without a hearing.

In November I was then Informed by the head of Workplace Standards about a rumour that a local biker gang had threatened to chase me out of town.

Upon my return to work at Station X in 2012, I had to complete a course in Sydney to get updates on policies and procedures. Unbelievably I was actually to return to work at the same station where I was assaulted and that was still a hotbed of political tension between the retained and permanent staff. I was notified that the issues there had not been resolved and so I returned to work at a different station (call it Station Y) – On my first day there, a FF that lived with another FF (who was part of the retained crew involved in my assault), refused to work with me. I was in the midst of a handover with the Captain on shift and I had to recall him to recover headcount to stay online. As is policy, I contacted the inspector to notify him. This inspector was the same individual who was assigned to be my support person during my suspension. I can assure, as evidenced above, there was anything but support from him as described above. This individual only contacted me during my suspension after two SO's placed 'concern for welfare' calls.

Later that day the FF returned to work and we were asked to meet in the zone office to meet with the management team. I was called in first. We talked about training and then talked about the straight talk process. I then asked the Zone Commander for a straight talk related to something I had been told by FF's attending a meeting where he had spoken about the assault. They said that this Zone Commander had stated "*this was partially my fault because I hired Wayne*". I reiterated that I had heard this from no less than 7 people and I wanted to clear the air and it was important to get a fresh start. He denied saying it. Keep in mind that this Zone Commander was the support person assigned to the RF who assaulted me during his own suspension. I continued to try to discuss my frustration of how my

suspension was handled and wanted to know why I was suspended by phone, AFTER 20 YEARS OF SERVICE, never mind that the regs state that it should be done in person. At this point the Zone Commander became defensive and threatened to 'run me' because he was adamant that the inspector had done it in person when in fact at the hearing the inspector in question insisted that he was with this Zone Commander while ON THE PHONE with me.

This was my second official day back at work...

I didn't initially return to Station X as mentioned above because FRNSW had failed to inform all members of the formal inquiry's outcomes. During the meeting held at Station X with retained and permanent members (facilitated by Workplace Standards), my name was reportedly raised multiple times and there was clear contention by retained as to why I was allowed to return to work. Several who attended reported that the WPS person was definitely not unbiased, bordering on slanderous and I requested that this be reviewed by Deputy Commissioner X.

I later contacted WPS to request mediation for the prior straight talk with the Zone Commander (where he threatened to run me). The mediation did not occur for an entire year despite claims it would be done within 2 weeks. For an entire year I worked under a Zone Commander and Inspector who had clear contempt for me. This became more evident in subsequent interactions with Inspector once I was asked to return to Station X. In this entire year I spoke to him only a handful of times.

Through 2012, following my return to Station X, I endured repeated attempts to discredit me and multiple rounds of bullying by my leadership. After absolutely no issues for almost 20 years of service I was accused of taking an unauthorized absence, denied overtime and leave requests, was given busy work and frankly was severely underutilized at a very high cost to the state.

From 2013 thru 2016 I continued to request a review of my treatment at work and for some acknowledgement that bullying, harassment and retaliation were evident. Work Cover continued to deny any liability for worker's compensation. Here is a brief summary of remarkable events, I am happy to go into more detail.

- 2013; Met with Deputy Commissioner to review all outstanding issues (utilization, incident, Ret F Other incident, AVO not followed thru, platoon transfers) and he referred it again to WPS.
- 2013; ongoing complaints raised again with WPS (Work Cover). I also filed a new worker's compensation claim, requested leave following a hostile and belittling email from my Inspector about my performance, absence and generally nit-picking every aspect of my day to day work at the station. Requested re-evaluation of liability coverage for all prior claims. Note – the email from my inspector was subsequently removed from my

FRNSW account and not available from his sent items folder. This was the one where he stated ' I think I can get him'.

- – submitted case to Shadow Minister for Police & Emergency Services
- 2013 - Zone management requested a referral for a medical review as they deemed I was a potential harm to myself or others.
- 2013 – work cover again denies liability for workers compensation claim and subsequently stated that this is not work related.

Themes

- Consistent pattern of how management deals with the HR issues at Station X, particularly complaints made by permanent firefighters re: retained staff. This ultimately fuelled the initial assault and subsequent harassment.
- Total lack of support by workplace standards during my court case and well after
- Absolute biased and contemptuous treatment by Zone Commander and Inspector that ultimately added to my harassment when returning to Station X under the current Command

2014 – 2015

- 2014 – FRNSW Consulting Psychiatrist completed assessment; determined I was fit to return to duty with no underlying medical conditions. Note – there were specific references to the ongoing workplace issues that needed to be remediated.
- 2014 – notified that was cleared for duty and though the reason for the absence & request for assessment was medically advised, the assessment recommended no medical restrictions. I was asked to sign a 'back to work agreement', basically a performance plan, this was not standard procedure and in no way related to the original assessment of a medical request.
- –Union advised the Commissioner that this was an inappropriate request, FRNSW used a medical process to pursue an unrelated outcome without actually addressing the medical concerns and return to work would not commence until
- 2014 – Broad message from the Commissioner's desk re: workplace bullying
- 2014 – Returned to work as relieving officer at Station X
- For the period between 2014 and end of 2015 – maintained day to day responsibilities but in the end was subject to endless scrutiny and threats from within the station and those related to the retained. I then went out on leave until 2016

In of 2016 I submitted a request to Work Cover to re-examine my prior claims of bullying (following my Supreme Court win). Once again, Work Cover indicated there was no new evidence warranting any further action –

"I am satisfied there are no new matters or fresh evidence contained within these materials which would warrant any further action being taken by FRNSW. Each of the matters raised has been appropriately addressed to date."

In 2016 I took my annual leave and traveled to the US to see an old friend (now my wife). Once there I realized just how broken I had become; depressed, unable to focus beyond the events that got

me to this point. With the help of my primary care doctor and a therapist I was slowly starting to recover and decided I was ready to take action against the fire brigade for damages and leave that career behind.

I travelled back to Australia in late 2017 to meet with FRNSW, my lawyer, and other advisors as it was time to begin my separation from FRNSW. I thought I was ready to take this head on, to keep perspective to build a solid case for discharge and damages. I wasn't ready, and out of desperation, desperation to end the pain I felt along with the stress and strain I was causing others, I attempted to take my own life.

I am struggling with PTSD; it is a life-long event, and it takes many forms. There is no just 'getting over it'. I am unable to work and on most days I can barely function. There was little support for me from those who were supposed to provide it. We are here today, participating in this inquiry, because finally someone acknowledged that there was a systemic problem to be addressed. It's time to fix it for those serving now and time bring closure for those who have had no choice but to move on. I have committed myself to serve, to inspire trust in others, to operate with integrity. I am and will always be accountable for my actions. It's time for FRNSW to be accountable for theirs.