The Vulnerable People in Emergencies Policy: Hiding Vulnerable Persons in Plain Sight

Slide 1:

Thank you for the introduction.

I would like to thank the conference committee for allowing me to present here today.

My name is Don Garlick. I'm the Manager: Emergency Management for Ballarat Health Services in Victoria. I have a very mixed background in health & hospital based clinical practice and emergency management as well as being a long standing volunteer CFA firefighter. I am currently working through a Masters of Emergency Management at Charles Sturt University. All of these experiences have informed this presentation.

I have been involved with the issue of Vulnerable People in Emergencies, in multiple capacities, since it was first mooted in 2009. In this presentation I will examine the origins of the vulnerable persons list recommendation, the development of the Vulnerable Persons in Emergencies Policy to manage the implications of that recommendation, how different groups perceived that policy in practice and postulate a different system of collaboratively developing emergency management plans with vulnerable persons. May aim is to demonstrate how the Vulnerable Persons in Emergencies Policy has resulted in vulnerable persons being hidden in plain sight.

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On February 7th 2009 the state of Victoria was devastated by the Black Saturday bushfires. Some 316 fires resulted in the loss of 173 lives, more than 2,000 homes destroyed or damaged, significant infrastructure and business losses and a financial cost that was estimated to be greater than four billion dollars.

During the subsequent 2009 Victorian Bushfires Royal Commission a particular set of community members were noted to be overrepresented in the mortality figures. 16 (9%) deaths were children less than 12 years old, 27 (16%) deaths of people over 70, and 50 people (29%) had a chronic or acute debility.

This group was collectively identified by the Royal Commission as vulnerable people.

During the hearings into the Murrindindi fire the VBRC received evidence about two significant evacuations that took place in Marysville. One of these evacuations related to the movement of people by Police from the local park where they were sheltering. This evacuation exemplified the typical story of last minute decision making and actions that are most often associated with these types of natural disasters.

The other evacuation was very different in origin and operation. In 2006 and 2007 the Marysville State Emergency Service had developed an evacuation plan related to a group of local residents, who had been identified as particularly vulnerable in an emergency and who would need assistance to evacuate. Shortly before 5pm as the Murrindindi fire raced towards Marysville that plan was activated. Residents were notified of the need to evacuate, either by phone or physically by a local SES crew driving around the town, and provided with instructions. The VBRC heard that all the residents who were contacted and wished to leave were able to evacuate safely to Alexandra before the fire impacted the town

The story of the Marysville SES plan demonstrated to the commissioners that an emergency management agency directly engaging with a vulnerable population in a shared planning and implementation process saved lives.

The evidence provided to the VBRC of the vulnerability of certain community members, the need for these persons to be assisted in an emergency and the demonstration of a system that worked during the bushfires led the commissioners to hand down Recommendation 3, part of which states:

> The State establish mechanisms for helping municipal councils to undertake local planning that tailors bushfire safety options to the needs of individual communities. In doing this planning, councils should:…
>
> - Compile and maintain a list of vulnerable residents who need tailored advice of a recommendation to evacuate and provide this list to local police and anyone else with pre-arranged responsibility for helping vulnerable residents evacuate. (Teague, et. al., 2010, Vol. II, p.58)

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The process of developing and maintaining a list of vulnerable residents promised to change the way emergency management agencies engaged with their communities before and during emergencies. It represented a shift back towards the concept of shared responsibility in contrast to the community self-reliance ideology that had pervaded emergency management agencies thinking previously.

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The 67 recommendations from the Royal Commission's final report were divided up between various public service departments by the State Government. The Victorian Departments of Human Services and Health were given responsibility for the vulnerable persons list recommendation. The departments in turn tasked funded health agencies, such as home care programs, through a procedural instrument; the Vulnerable Persons in Emergency Policy.

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Within funded agencies and municipal emergency planning committees there had been differing views of what a vulnerable person register meant.

For funded agencies, given their lack of emergency management training, the prevailing view was that they would identify clients who matched the definition of a vulnerable person and provide these names to municipalities to be placed on the register. For emergency service representatives the register was more commonly viewed as a collection of vulnerable people that Police would use as a tool if an evacuation of an area was needed. Representatives from DHHS, in contrast to the understanding of tasked agency representatives, viewed the register more as a community resilience building planning platform.

Funded agencies, local government and emergency services also expressed confusion about the expectations of funded agencies' staff to support vulnerable persons planning. Whilst there were concerns about privacy, consent and how the lists were going to be used in an emergency, the most significant problem was the policy's definition of a vulnerable person.

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The earliest VPE definition of vulnerability was specific to geographically located bushfire risk; A Vulnerable person, apart from any other consideration, had to reside in one of the fifty two bush fire risk areas identified by the Country Fire Authority in late 2009. This emphasis on bushfire risk ran counter to the national 'All Hazards' comprehensive approach to emergency management.

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Following criticisms contained within the 2011 Comrie Flood Review, the definition of a vulnerable person was expanded to encompass all risks. This expansion of the definition threatened to overwhelm agencies with large numbers of vulnerable persons. The Vulnerable Persons in Emergencies Policy authors responded to these concerns by significantly narrowing down the inclusion criteria.

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An individual's vulnerability to any particular situation or hazard sits somewhere within a continuum related to a mixture of fixed and temporary influences such as geographical proximity to a hazard, language barriers, physical or cognitive impairment and socioeconomic status for example. For some people these influences overwhelm their ability to prepare for, recognise and safely respond to a disaster impact.

Vulnerable persons were identified in the Royal Commission's final report as persons older than seventy, younger than twelve and/or suffering from an acute or chronic debility. This definition of vulnerability influenced all subsequent policy definitions despite having significant limitations.

According to the Australian Bureau of Statistics, taken from the 2011 Census, the number of Victorians who fall within the Victorian Bushfires Royal Commission definition of vulnerability is staggeringly large. There were 302, 146 persons over the age of seventy; 800, 423 persons under the age of twelve; and 255, 496 persons identified as needing assistance for core activities (people with a significant disability) (Australian Bureau of Statistics, 2013).

Whilst it is often assumed that large number of the persons identified as needing assistance could be presumed to be aged over 70 and therefore can group together, only 9% (5) of the Black Saturday fatalities were over 70 & had a chronic disability (Handmer, O'Neill, & Killalea (2010)). Another assumption is that large numbers of elderly people reside in Nursing Homes but closer examination establishes that only 44, 619 persons were living in a Nursing Home in 2013. To make things easier lets simply assume that people with a chronic disability are less than 12 or over 70. If we accept these figures, according to the VBRC the number of vulnerable persons in Victoria is over 1.1 million!

Interestingly the first VPE policy definition of vulnerability immediately ruled out younger people despite 9% of the fatalities on Black Saturday involved children younger than 12. This quick sleight of hand removed nearly a million vulnerable people from any consideration beyond ensuring that educational institutions made plans to care for children in their facilities during an emergency.

The policy now defines a vulnerable person as someone living in the community who is: frail, and/or physically or cognitively impaired; and unable to comprehend warnings and directions and/or respond in an emergency situation.

To be included on the vulnerable persons list however, a vulnerable person has to be someone who cannot identify a personal or community support network to help them in an emergency.

As you can see from this diagram, taken directly from the Vulnerable Persons in Emergencies Policy document, the number of persons proposed to be on the list would be approximately five per cent of all persons considered vulnerable. If we just assume that all persons over 70 (not in a Nursing Home) also have a disability & use that number (about 250, 000), the policy authors postulate a total number of vulnerable persons we need to be concerned about as being around 23, 000.

Here we can see all the hidden vulnerable people in plain sight; the ninety five per cent of vulnerable people that would not be on the proposed list.

The ultimate goal of the policy was even more extreme than the diagram indicated. In response to concerns expressed by representatives' from funded health agencies and emergency services, VPE policy representatives explicitly stated an apparently implied goal of the policy in various emergency management forums and municipal emergency planning meetings.

What was the goal? That there should be no-one on the vulnerable persons list.

How to achieve the goal? Simply have a vulnerable person identify a support.

The policy clearly indicates that if a vulnerable person identifies a personal or community support, via a paper plan or verbal intent, they won't have to rely on emergency services in a crisis. Therefore they do not need to be on the vulnerable persons list. According to the policy authors a vulnerable person's plan or intent somehow removes their vulnerability.

This process has clearly been successful in terms of limiting the problem that needs to be managed. In late 2013 there were 1334 persons listed on the Vulnerable Persons Register.

Another concern was the lack of direct engagement between emergency services and vulnerable people. The policy had effectively removed all responsibility from emergency management agencies. In summarising risk management policy trends, McLennan and Handmer revealed in this 2012 article, how governments and industry have repositioned their responsibilities away from their own institutions to at-risk communities. This view has pervaded emergency management practices for last two decades.

Emergency management agencies have consistently misread the intent of the Australian emergency management principles. These principles promote a shared responsibility, or integrated approach, between community, individuals and government agencies. Recognising this problem the Royal Commission emphasised the need for emergency management agencies to assume greater responsibilities to assist communities.

By shifting the responsibility for vulnerable people to funded agency staff the VPE policy removes the essential connection between vulnerable people and the groups tasked with their safety during an emergency. The brevity of this presentation prevents me from discussing the issues associated with assuming that health or home care workers can be effective defacto emergency evacuation planners. We can use the car mechanic metaphor to illustrate the issues more simply.

People die in car crashes every day. There is a report that recommends more be done about the road toll. The government identifies a group intimately involved with community road users: Car mechanics and tasks them with some responsibility in correcting the problem. Mechanics service cars and can tell a number of things about the people who drive them; they are neat, they don't care about cleanliness, they are hard on the brakes, they bump into things, for example. Mechanics are tasked with providing safety pamphlets to all their customers (this will remove the drivers vulnerability to car crashes) and identify "at risk" drivers to be placed on a list that is available to Police. But the program goes a bit further. It states that if the driver tells the car mechanic they will drive with a passenger who can assist with their driving skills on the road then they do not need to be on the register. This is effectively how the VPE policy manages emergency evacuation planning and response for vulnerable people.

To properly enact the Royal Commission's recommendations the Victorian state government needs to implement significant change. This should start with a dedicated agency tasked with supporting vulnerable persons. A primary objective for this agency should be that all, not some, vulnerable persons are on a list in a format that allows those tasked with assisting them in an emergency to be able to see them.

This agency would provide staff proficient in emergency risk management, local risks and resources, community engagement, human behaviour in emergencies and vulnerability assessment to assist and support vulnerable people to plan for emergencies. In addition they would interact with local emergency management agencies to develop tailored evacuation strategies.

The increased emphasis on recovery as a separate but linked activity from response and the appointment of an agency dedicated to recovery demonstrates that this approach can work.

The Vulnerable Persons in Emergencies Policy is a flawed interpretation of an innovative idea; that emergency management agencies can directly engage with a vulnerable population in a shared process that will save lives.

In 2010 the Victorian Bushfires Royal Commission handed down their final report containing 67 recommendations that required innovative changes to the emergency management arrangements in Victoria. Recommendation 3 included the development of a vulnerable persons list that could be used to help safely evacuate identified individuals which reflected an actual strategy used on Black Saturday.

Despite its stated aim of protecting vulnerable persons in emergencies the implementation of the Vulnerable People in Emergencies Policy has subverted the intent of the recommendation. Through a flawed understanding of emergency management concepts related to responsibility, a desire to limit the scope of the policy to manage the numbers involved and a failure to understand the complexity around emergency planning, the implementation of the Vulnerable People in Emergencies Policy has resulted in the production of registers that do not reflect the actual numbers of vulnerable people in a given community. The intent of removing all persons from the register simply by providing them with access to a paper plan or assuming a nominated neighbour can assist them in an emergency ignores the lived experiences of numerous past emergencies.

Those responsible for evacuation will assume there is no need to enact any specific evacuation strategies for vulnerable people during an emergency because the register will show that there are none identified in the projected impact area. Those reliant on others to provide them tailored information or assistance will wait for help that will never come.

It is sobering to realise that if the Murrindindi fire impacted on Marysville today the current arrangements as detailed in the Vulnerable Persons in Emergencies policy would ensure that people who survived in 2009 would be unlikely to survive now.