

BLACK SATURDAY

Solutions, Scapegoats, Nixon and the *Herald Sun*

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Abbreviations

AFL	Australian Football League
CFA	Country Fire Authority (Victoria)
DSE	Department of Sustainability and the Environment (Victoria)
<i>HS</i>	Herald Sun (Melbourne)
<i>SHS</i>	Sunday Herald Sun (Melbourne)
VBRRA	Victorian Bushfire Reconstruction and Recovery Authority
DHS	Department of Human Services (Victoria)

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1. INTRODUCTION

The Black Saturday bushfires on 7 February 2009 are said to have been Australia's greatest natural disaster, with the fires continuing to burn for weeks afterwards. The weather on the day was extreme, recording one of the hottest days in Victoria of 46.4 degrees Celsius and winds of over 100 kilometres per hour. The fires took 173 lives (including 23 children), injured over 400 people, destroyed over 2000 homes, and burned over 430,000 hectares of land. Scores of communities were affected to varying degrees and around 7,500 people were left homeless. It is estimated that one million native animals were killed. The estimated cost of the disaster was \$45 billion. The royal commission into the disaster cost \$40 million. Australians dug deep and the Bushfire Appeal Fund raised a phenomenal \$391 million.

Black Saturday and its wake brought communities together in a way I had not seen or been a part of before. It made me proud to be Victorian, Australian. The fires were compared to 'a nuclear holocaust'¹, San Francisco's earthquakes, terrorism, the Bali Bombing, Hurricane Katrina, 9/11 and Cyclone Tracey, to name a few. The international press took notice. Firefighters, sympathy and money poured in from overseas. Sam the koala, who had her photo taken whilst being given a drink by firefighter David Tree, became a symbol of hope. Sales of the photo raised more than \$500,000. When Sam died on 6 August 2009 the editorial the next day headlined 'Sam a symbol' and letters of sadness, tears and grief flowed from readers in mourning. Sam had become a celebrity and come to represent our fighting spirit. Others were thrust into the limelight for different reasons. Dr Lachlan Fraser from Marysville and Ross Buchanan from Kinglake became spokespeople for victims and the recovery effort. There were heroes. Cameron Caine, a police officer from Kinglake, later ran unsuccessfully for parliament. Peter Thorneycroft,² who stood atop the Kinglake Pub with a hose battling the flames, was legendary. Arsonists were despised. Brendan Sokaluk was infamous for starting the Churchill fires. Ron Philpot, a CFA captain, was either a hero firefighter, or a despicable arsonist for starting the Murrindindi Mill fire. Well-known and much loved retired newsreader Brian Naylor died in the fires and was publicly mourned. Sam's wildlife carer Colleen Wood achieved short-lived fame.

Queen Elizabeth sent a personal message: 'I send my heartfelt condolences to the families of all those who have died and my deep sympathy to the many that have lost their homes in this disaster'³. The Royal Family followed suit and in January 2010 Prince William toured ravaged communities. The Red Cross, Salvation Army, the Australian Defence forces, prisoners and the people of Victoria and Australia offered to help and came through. Celebrities and the famous were there to help with fundraising, but mainly to lift our spirits. The roll call featured Leonard Cohen, the Australian test cricketers, Tom Cruise, Nicole Kidman, Roberta Flack, AFL footballers, tennis players, actors, and golfers Tiger Woods and Greg Norman. Formula One drivers hauled their cars up to Kinglake and put them through their paces. An iPhone application was developed for bushfire alerts. Crime figure Mick Gatto became a fundraiser. And the biggest concert in Australian history, Sound Relief, was a resounding success. It was held simultaneously in Melbourne and Sydney, with some acts performing at both venues.

¹ G. Thom, 'Like a nuclear holocaust', *HS*, 16/2/09, 10.

² But later to be denounced as a criminal, see A. Rule, 'Hero's bitter fall', *HS*, 14/3/12, 1&6; A Rule, 'From saviour to villain', *HS*, 16/3/12, 19.

³ Special Edition, *HS*, 10/2/09, 10.

The concert featured international acts Coldplay and Kings of Leon, together with the royalty of Australian rock, some reforming especially for the event.

On the down side came the blame. There was controversy over the merits of compensating insured and uninsured victims from the Bushfire Appeal Fund. Many held environmentalists responsible for the fires, and politicians and emergency services chiefs were well and truly in the gun.

The book

This book is a wide-ranging analysis of our desire to prevent another Black Saturday, as individuals and as a society and is a result of my journey to work through some of the issues for myself. The journey has not been easy and along the way it has made me question our economic system, how we view and relate to nature, the role of technology and our propensity to blame. It has also led to an examination of the media, its motives and its ethics. However there are important aspects of Black Saturday that are not covered. The devastation, the plight of victims, the mourning, the fundraising, and the recovery efforts are mentioned briefly or not at all. The book is not about firefighting, the work of volunteers or suffering. To date, there have been many worthwhile publications on these topics, and I would recommend, *Firestorm: Black Saturday's Tragedy*, *Kinglake 350*, *Footsteps in the Ash*, *Brothers In Arms: A Kinglake Story*, *Without Warning: One Woman's Story of Surviving Black Saturday*, and 9-year-old Kirk Wilson's, *Black Saturday was my Dad's Birthday*. Black Saturday quickly found its way into recent books on Australian disasters: *Disasters that Changed Australia*, *Disasters that Shocked Australia*, and *The Australian Book of Disasters*.

Well, what am I writing about? The answer is that I look at the categorisation of Black Saturday as natural disaster; the effect this has had on the identification of causes and solutions; the lack of consensus regarding the solutions; and the subsequent allocation of blame, leading to a bitter, emotionally charged scapegoating process.

My collection of *Herald Sun* items, their summaries and associated statistics are the raw material for the book, as well as a few references to *The Age*, *Crikey* and *The Australian*. Literature from disaster research, trauma, mental health, media and cultural studies, blame, scapegoating, Western philosophy and religion underpin the analysis to varying degrees. Books written about the tragedy by Australians such as Danielle Clode, *A Future in Flames*, Roger Franklin, *Inferno* and Karen Kissane, *Worst of Days* have given me a distinctly local perspective for which I am deeply thankful. The scapegoating analysis is unique in that Christine Nixon's memoir *Fair Cop* provides a rare, first-hand insight into the process from a victim's point of view.

The *Herald Sun*'s preoccupation with certain issues such as blaming emergency services and favouring solutions involving media communication is a world-wide trend. I examine what the paper takes as self-evident truths (that the stay-or-go policy is sound), what it chooses to support (the royal commission), criticise (Nixon), or ignore (resettlement). I look at differences in subject matter between categories, such as newspaper articles, editorials and readers. For example, throughout the coverage expert opinion is sought frequently – no surprise here – but when it came to criticising Christine Nixon's leadership and management skills, there was a total absence of such commentary. On the subject of fuel reduction, the *Herald Sun*, except for Andrew Bolt, was largely silent – readers were not. There was minimal

reporting of the fact that power company assets started the fires that caused the majority of deaths and destruction. In contrast, arsonists were fair game. Why did the *Herald Sun* have so much faith in the royal commission, and why is it that criticisms of this inquiry were only addressed by readers? And why have we not learnt lessons from previous bushfire catastrophes? At times I look at the interaction between the coverage and public opinion, each of which, without question, affects the other. Occasionally I step into murky waters, attempting to disentangle whether the reporting seems to be leading or initiating public opinion, and where it is more a reflection of society generally (fuel reduction, resettlement).

An important question is how and why Christine Nixon became the scapegoat for Black Saturday, especially when others appeared much more blameworthy. It is reasonable to ask whether the coverage was responsible, in the public interest and consistent with the *Herald Sun*'s reporting standards. In any case, the quest for objectivity, fairness and balance is futile. The *Herald Sun*'s guidelines are issued under the Herald and Weekly Times 'Editorial Code of Conduct: Professional Conduct Policy', dated 2011, which is available on the internet. The previous edition, issued by News Limited in March 2006, was titled, 'Professional Conduct Policy: The policy of our newspapers'. The Australian Press Council publishes similar guidelines in 'A Charter for a Free Press in Australia' issued in 2003 and amended since.

Although the attack on Christine Nixon may have been the catalyst, there were themes in the *Herald Sun* coverage well before this that had set me thinking. The categorisation of Black Saturday as a natural disaster, to my mind, gave the impression that the tragedy was largely unavoidable. This seemed somewhat at odds with calls for arsonists to be treated as murderers, and for politicians, the government, its agencies and others to be blamed. Particular groups shouldered much of the blame, such as the green movement, local councils and the Department of Sustainability and the Environment, whilst power companies and politicians were left largely unscathed. In fact, the then Premier, John Brumby, was portrayed more as 'saviour' than villain.

To the *Herald Sun* the catastrophe was, self-evidently, a natural disaster. Yet it concurrently maintained that 'it' must never happen again and that lessons must be learnt. The paper had great faith that a royal commission would give us the answers and all would be well. As it later became clear, one of the few achievements of the commission would be to provide us with a scapegoat. In the final analysis, the categorisation of Black Saturday as a natural disaster, the overwhelming desire that a tragedy of this magnitude not occur again, together with society's failure to learn the lessons of the past, all conspired to create the conditions in which scapegoating becomes all but inevitable in a modern Western society. To understand why, one needs to examine the fundamental relationship between culture and nature, and to trace the centuries-long history of blame and scapegoating.

The book seeks to provide a meaningful contribution to the literature on Black Saturday. Now almost four years on, it is timely to place events in context and take stock. Many hours have been put in to ensure that the analysis is comprehensive, yet it does not pretend to be definitive or exhaustive. Some will agree with the arguments put forward to varying degrees, others will strongly disagree. This is to be expected when one ventures into an area where the power of nature has both paralysed Australians in fear and left them in awe. I understand that Black Saturday is still highly emotional to some.

Although it is argued that the *Herald Sun*'s attack on Nixon went too far, a person or group was always going to be blamed. The coverage's focus on the response of emergency services, rather than looking at the absence of long-term prevention strategies, is a common feature of disaster discourse in the West. The coverage, in general, is representative of the way disasters are viewed and reported around the world.

The overall structure of the book and a significant part of the analysis is drawn from the literature on scapegoating. This is integrated with an account of the relationship between culture and nature in the West. The two fields overlap considerably. The reasons for scapegoating have been explained in psychological and sociological terms. Likewise, it is said that the relationship between nature and culture in the West has produced a social-ideological framework that ensures that someone or something will be blamed when we fail to control nature. Apart from the first and last chapters, the Introduction and Conclusion respectively, the chapters are structured along the lines of the scapegoating process. Broadly, there are five stages: (1) there is a crisis, in our case, Black Saturday – Chapters 1 & 2; (2) there is a recognition that there is a problem that must be fixed – Chapter 3; (3) there is a search for causes and solutions. In our case, a call for an independent body, a royal commission – Chapters 3 & 4; (4) the solutions are complex. In our case, the problems are apparently unresolvable – Chapter 4; (5) the lack of resolution requires that someone be blamed – to find a scapegoat – Chapter 5; and (6) targeting the scapegoat – Chapters 6 & 7.

The process just described is linear, that is, the stages follow one after the other. However, it is possible that after stages 1 & 2, some will go directly to stage 6, and find and target a scapegoat. This occurred to some extent on Black Saturday when Russell Rees, the CFA's chief fire officer, was blamed early on. I would argue that when this happens stages 3, 4 & 5 are conflated and assumed to be satisfied rather than played out. The scapegoating of Christine Nixon, however, closely follows the former pattern.

Integral to understanding the scapegoating process is the Western view that humans have the right to use, mould and control nature to their advantage. The West's philosophy and its imperialist economic system, alongside the decline in the belief in God, have created an unshakeable belief in human control over the environment. If nature wreaks havoc, this is completely unacceptable, because it shatters our view of the world as it ought to be. The solution is clear – control must be restored and someone must be to blame.

The book itself is an unusual mix of academic and less formal styles. The format (referencing, chapters, headings) is academic, and whilst the writing style is primarily in the disconnected third person, it is peppered with more personal judgments. Because I chose the *Herald Sun*'s coverage, there are numerous references to it which admittedly can make for tedious reading, particularly the middle chapters. I directly quote other authors and sources rather than paraphrase their work. This was done to give credit where it was due. Although each chapter can be read in isolation, the book is better read from start to finish, because the reasoning flows sequentially and is not always easy to follow. My hope is that readers interested in the subject matter will persevere and find their efforts rewarded.

I am unsure whether my analysis of the reporting of Christine Nixon will categorise me as a supporter or critic, but would hope that this book will promote a more informed debate on this much maligned woman, and on our response to Black Saturday generally. I have had no contact or correspondence with any person who features in this book. To be clear, this includes

the main players such as Christine Nixon, John Brumby, the *Herald Sun* journalists and victims of Black Saturday. The book is based on written sources available to the public.

Background

The book came about for a number of reasons. By my early teens I had become an avid collector of newspaper articles, one of the first being the moon landing in 1969, which I still have. The sense of occasion meant that schooling was interrupted at Braybrook High so we could watch it on television. My father made occasional appearances in the papers and I collected these. Twenty years of teaching at La Trobe University saw me using articles to relate current events to subject matter, something I saw as essential for a better understanding of law related issues. For many years I read *The Age*, and still do on a Saturday, but train travel to work changed that and, for convenience, I started reading the smaller-sized *The Sun* and *The Herald*, as they were then.

I have owned a home in Kinglake for a number of years, but at the time of the fires was living elsewhere. The day after the fires, as usual, I bought the *Herald Sun* but had little time or inclination to read it. Along with many others, I was more concerned with my home, family and friends. I continued to buy the papers daily, but rarely read them. Later, I decided to cut out the fire-related articles. In the early days this meant keeping almost the entire paper.

With no real purpose, I kept searching for and collecting articles on Black Saturday. It got to the stage where there were piles of newspapers and cuttings and not a hope of finding anything. My first attempt to create order out of the chaos was to put the cuttings into plastic leaved folders, in chronological order. This went a long way to organising the collection, but the original problem remained of not being able to locate articles on particular subjects.

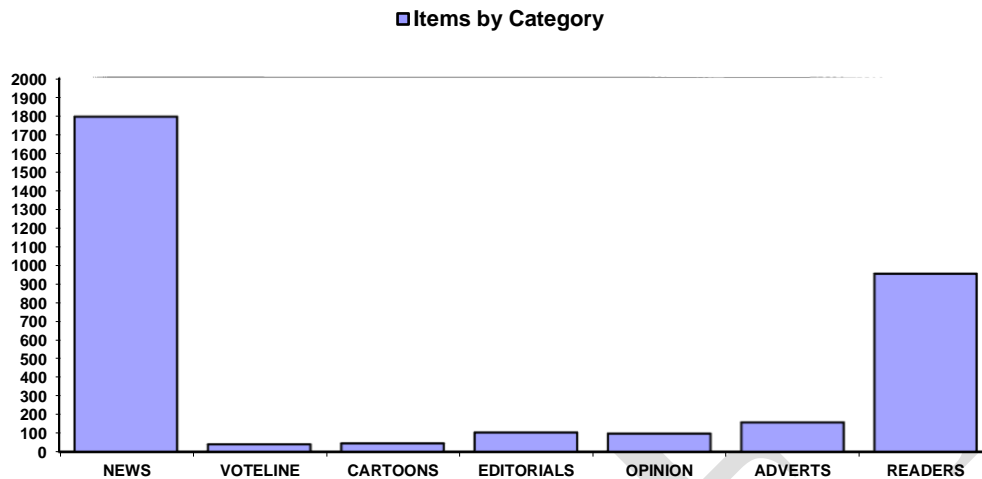
Finally, I bit the bullet and gave each cutting a reference number and a summary. This was an all-consuming task that took about two and a half years. The collection begins on 8 February 2009, the day after the fires, and ends in March 2011. I continue to collect selected articles, but they are not indexed or summarised. At this point there is no inclination to do so – a line must be drawn!

Some would argue, and they could well be right, that newspaper circulation is decreasing and the digital media, primarily the internet, is the future. I do not deny this but think that the print media remains influential. The analysis can be applied to any form of media and I believe that the findings are relevant across society generally.

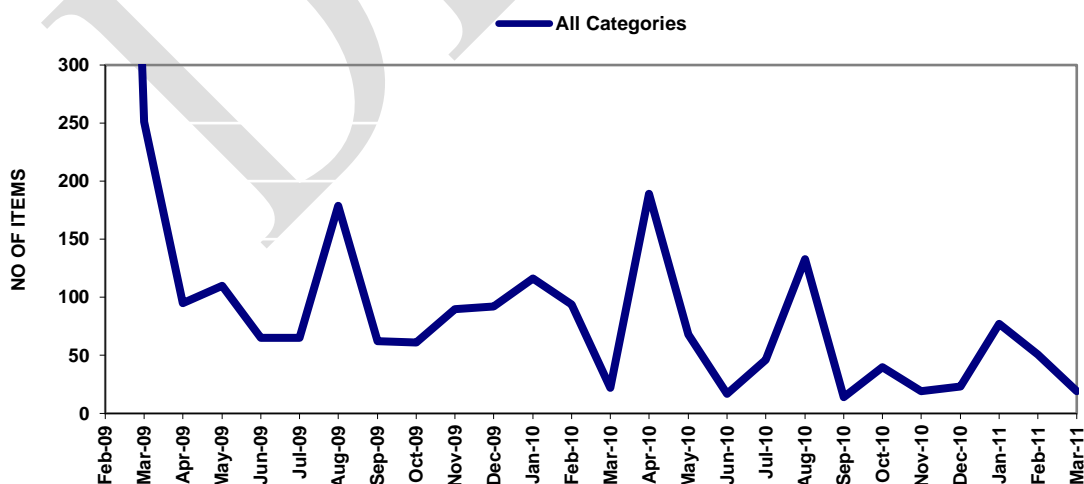
The *Herald Sun* collection

My collection consists of over 3000 newspaper items relating to Black Saturday. The sample is very large – there shouldn't be too many items missed – and on this basis statistics drawn from it are considered to accurately represent the *Herald Sun* coverage. As in all projects like this there were judgments to be made on what should be included. Items were accepted if they related to Black Saturday, though not everyone would agree on what a related item is. The term 'item' is preferred to 'article', because the general usage of 'article', I believe, does not cover cartoons, advertisements, polls and letters from readers. The term, 'article' is mainly used to refer to the reporting of news.

For parts of the analysis, the newspaper items have been divided into seven categories: news, voteline, cartoons, editorials, advertisements and readers. The ‘readers’ category includes letters, 50/50, Hot Topic, My Say, Text Talk, and other ad hoc forums where readers present their views. The collection does not include obituaries, and only selected photos are indexed individually. The total items by category for the period February 2009 – March 2011 are –



The following graph shows the number of items per month for all categories over the 25-month period, apart from February 2009 (the first month of the coverage), which had an enormous total of 1201 fire-related items and could not be represented accurately on the scales chosen. The statistics start from March 2009 (252 items). The subject matter for the book is from April 2009 onwards and of special interest are the reasons for the seven peaks, occurring in May 2009, August 2009, January 2010, April 2010, August 2010, October 2010 and January 2011. It turns out that the peaks are related to events such as the royal commission hearings and its two reports, the death of Sam the koala, preparations for subsequent fire seasons, Prince William’s visit and, finally, the 2011 Queensland floods being compared to Black Saturday. Of particular note is that of the five highest points in the graph, four are related to the activities of the royal commission.



The original items have been placed in plastic-leaved folders and given a reference number in the following format – the first number is the folder number – the second number is the page number in the folder – the third is the item number on the page. Each number is separated by a dot, and the reference number itself is enclosed in square brackets, for example [12.8.3]. For the purposes of this project the *Herald Sun* is taken to include the *Sunday Herald Sun*.

Once all items had been indexed they were then summarised and put in chronological order. Another version was developed which divides the items into the seven categories (news, voteline, cartoons, editorials, advertisements, readers), and within each category the items are listed in chronological order. To make it easier to gather statistics, items were assigned codes at the foot of each summary for relevant people and subjects. Finally, a comprehensive index was compiled from the summaries.

Statistics

The statistics cover a 26 month period from February 2009 to March 2011. Many are gathered by month and by category, focussing on people and subjects. The main players are Brumby, Cameron, Esplin, Nixon, Rees, Waller and the royal commission. The statistics cover the number of items the main players are mentioned in, their supporters and critics, and the reasons for both sides. Other lesser lights are Fontana, Walshe, Warrington, Baillieu, Rudd, Ryan, Doyle, Rush, Sgt Greg Davies, Ron Philpot, Brendan Sokaluk and Sam the Koala. There are also statistics on power lines, arson, bunkers, fuel reduction, the ‘stay-or-go’ policy, buy backs/resettlement, and who is blamed for what and by whom.

2. NATURAL DISASTERS: CULTURE vs NATURE

The classification of Black Saturday as a natural disaster has had a significant effect on how society, not just the *Herald Sun*, has responded to the event, including what would be regarded as its major causes, the solutions and who, if anyone, should be held responsible or blamed. The very classification of the bushfires as ‘natural’ is influenced by the way society perceives its relationship with nature. As far as humans are concerned there is no disaster unless it affects society in a way that causes major disruption to our sense of control over our circumstances. But if the fires were caused by arsonists or power lines, in what sense was this catastrophe natural?

The paper was keen to drive home the extent of the destruction and significance of Black Saturday in Australia’s history, most commonly referring to it as –

Australia’s worst natural disaster¹

Victoria’s worst natural disaster²

Other variations were –

Australia’s most deadly natural disaster³

Greatest natural disaster to befall the State⁴

Nation’s worst natural disaster⁵

One of Australia’s worst natural disasters in terms of lives lost⁶

State’s worst natural disaster⁷

Victoria’s greatest natural disaster⁸

Worst natural disaster, not only in Victorian, but Australian history⁹

For all its intellectual appeal, until recently, philosophy has ignored or been ignorant of the life-sustaining relationship between humans and their environment. Most of Western philosophy from Socrates to the Twentieth Century has assumed that we are separate from the

¹ See: ‘It’s worse than Bali’, 10/2/09, 18; ‘Tragic toll certain to rise’, 10/2/09, 3; ‘Push for new safety laws’, 15/2/09, 11; ‘Toll capped at 210’, 22/3/09, 19; ‘Memorial is your decision’, 7/12/09, 26; ‘Love passes a fiery test’, 24/1/10, 20; ‘Painful path of healing’, 8/2/10, 22; Rebecca, 50/50, 9/4/10, 30; ‘Now we have a checklist to save ourselves’, 1/8/10, 73 – 2 instances; ‘Blueprint for a fireproof state’, 1/8/10, 3; ‘“Compete panic” marked deadly day’, 1/8/10, 15.

² See: ‘Call to copy SA firebug team’, 10/5/09, 36; ‘Map warned of fire threat’, 17/5/09, 33; ‘A time for us to mourn’, 30/11/09, 24; ‘10 of the worst’, 30/11/09, 11; ‘A time for reflection’, 7/2/11, 28.

³ See: ‘Victims defiant: Town is still home’, 1/8/10, 12.

⁴ See: ‘Never forget the victims’, 30/7/10, 34.

⁵ See: ‘Army in, boots and all’, 10/2/09, 15.

⁶ See: ‘A time for reflection’, 7/2/11, 28.

⁷ See: ‘Celebrities’ Black Saturday mission’, 17/5/09, 3; ‘Wear a yellow ribbon to mark Black Saturday’, 19/1/10, 2; ‘Bring MPs back’, 21/7/10, 34.

⁸ See: ‘Brave Bruce tells us the real story’, 23/3/09, 22.

⁹ See: ‘Rebuilding broken lives’, 31/1/10, 104.

world around us. Nature was seen as a never-ending, inanimate resource at our disposal. Social theorists like Marx (socialism), Durkheim (social progress) and Bentham (utilitarianism) were focussed on the ideas of human happiness, progress and social structures. Long after the Copernican revolution confirmed that the earth was not the physical centre of the universe we still insist that we are, nevertheless, the most important life-form in it.

In recent times we have witnessed the destruction of rivers and soil and it has finally dawned on some of our greatest thinkers that our fate just might be linked to the environment. We now see in universities the development of subjects like environmental ethics in philosophy courses. We have slid into existentialism where we are responsible for our own happiness, sadness and meaning. With no moral compass we have become obsessively materialistic and our endeavours have been increasingly directed at controlling human actions and the environment. The ideology of control is a key to understanding our relationship with nature, which in turn is tied into our mental wellbeing.

This chapter gives a brief outline of disasters around the world and places Black Saturday in context. We then look at the distinction between manmade and natural disasters and explain why bushfires, though classed as a natural disaster, are not typical and why it is unwise to compare them with say, floods. Two paradigms are put forward to explore the relationship between culture and nature, together with the necessary exclusion of God as either cause of or solution to catastrophic events. Individuals and human institutions are thus left to resolve the problems of human existence. The net effect has been that if nature overwhelms us, we are often traumatised, suffer grief, anger, frustration and even mental illness.

Disasters generally

For Australians disasters may be rare but, world-wide, they are becoming more frequent. The 'number of people affected by natural disasters has tripled over the past decade to 2 billion people, with an average of 211 million people affected each year'.¹⁰ Disasters are not a new social phenomena – human societies have always been faced with risks and hazards.¹¹ To be fair to the millions who are killed and suffer incredible hardship each year in other countries, it is important to acknowledge that Black Saturday's destruction was minor in comparison. Black Saturday, however, received far more media attention than much worse disasters overseas. This is consistent with research, which has found that there is 'no link between the scale of a disaster and the media interest in the story'.¹² The following are examples of large-scale tragedies that have struck humanity in the 19th, 20th and 21st centuries, some of which affected more than twice the population of Australia.

In November 1970 a cyclone hit Bhola in Pakistan killing 500,000 people and left 100,000 missing.¹³ In 1991, a cyclone hit Chittagon, Bangladesh, killing 138,000 people and resulting in US\$2.7 billion damage.¹⁴ Hurricane Katrina has been described as the greatest natural disaster in the history of the United States, with more than 1,800 people killed. A million

¹⁰ S. Cottle, *Global Crisis Reporting: Journalism in the Global Age*, 9.

¹¹ H. Rodriguez, *et al*, *Handbook of Disaster Research*, 17.

¹² S. Cottle, *Global Crisis Reporting: Journalism in the Global Age*, 46.

¹³ R. Coenraads, *Natural Disasters and How We Cope*, 17.

¹⁴ R. Coenraads, *Natural Disasters and How We Cope*, 15.

people were displaced, the area of land affected was larger than the United Kingdom, and the economic loss was estimated at \$81 billion.¹⁵

On Boxing Day 26 December 2004 a tsunami killed about 275,000 people in Indonesia, Malaysia, Bangladesh, India and Sri Lanka to name a few¹⁶. In 1931 the Yangtze River in China flooded for 900 miles and affected 51 million people and killing 3.7 million¹⁷. To end this sorry tale of human suffering, an earthquake in Tangshan in July 1976 killed 242,000 and almost destroyed the city.¹⁸

Wildfires – forest fires – bushfires

Wildfires may well be the least destructive ‘natural’ disaster but, as far as fires go, Black Saturday was one of the worst ever. Australians tend not to use the term ‘wildfire’, but it has the advantage of covering the two main types of fire: forest/bushfires and grass fires. Wildfires are said to be the uncontrolled burning of natural vegetation. They begin with ignition, such as lightning, equipment failure or arson, and can spread uncontrollably and destroy communities in their path.¹⁹ The most fire-prone areas in the world ‘include parts of California, the French Riviera, and southeastern Australia, where ‘vast tracts of eucalyptus forest, full of oils, are an ideal fuel’.²⁰ The worst bushfire in history took place in October 1871 in the US when ‘Over 1,100 people were killed and 21.2 million acres (8.6 million ha) were scorched. The small town of Peshtigo was razed.’²¹

There is no disaster unless humans are affected

It is fundamental to our understanding of a disaster that humans must be adversely affected. An earthquake, cyclone, tsunami or wildfire that does not destroy human life, property or affect us economically does not rate as a disaster at all. However, the world’s growing population and its concentration in certain areas, combined with our increasing occupation of the planet’s surface, places more and more people at risk. Events that don’t affect humans are less newsworthy. Thus, although an earthquake ‘may represent a universal and timeless challenge to human welfare ... it becomes a disaster only in the context of a specific society and a characteristic pattern of vulnerability.’²²

Fires in Australia’s Northern Territory ‘dwarf those that burn in the southern states – but few people die, so few people care.’²³ In 1974, almost one-third of the Northern Territory burnt ‘and yet this fire season is all but forgotten.’²⁴ Nature’s disasters are a lesson in ‘the relationship between human society and naturally occurring events.’²⁵ Our ‘ability and

¹⁵ R. Izard & J. Perkins, *Covering Disaster: Lessons from Media Coverage of Katrina and Rita*, 2, 20, 37, 87, 114-115.

¹⁶ R. Coenraads, *Natural Disasters and How We Cope*, 115.

¹⁷ R. Coenraads, *Natural Disasters and How We Cope*, 17.

¹⁸ R. Coenraads, *Natural Disasters and How We Cope*, 18.

¹⁹ R. Coenraads, *Natural Disasters and How We Cope*, 391.

²⁰ R. Coenraads, *Natural Disasters and How We Cope*, 391.

²¹ R. Coenraads, *Natural Disasters and How We Cope*, 395; see also, D. Clode, *A Future in Flames*, 79-80.

²² S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture: The Anthology of Disaster*, 34.

²³ A. Clode, *A Future in Flames*, 55.

²⁴ A. Clode, *A Future in Flames*, 79.

²⁵ C. Hartman & G.D. Squires, *There is No Such Thing as a Natural Disaster: Race, Class, and Hurricane Katrina*, 25.

willingness to correct relationships between man and nature that are out of balance has serious implications for the future.’²⁶ In respect to Black Saturday, this means that if finding a better balance between culture and nature is not part of our enquiry, no meaningful solutions will be found.

Types of disaster: natural – manmade (technological/biological)

Traditionally, disasters have been classified as natural or manmade. Earthquakes, floods, tsunamis and cyclones have been said to be natural, whilst Chernobyl and 9/11 are manmade. But our modern appetite for dominating nature has meant that a disaster is rarely one type or the other.²⁷ The interaction between society and nature is the current focus of research and analysis and the following outlines the developments.

Natural disasters are now seen as ‘the unintended consequences of late modernity, with its rapacious pursuit of economic growth and production of unintended environmental risks.’²⁸ Natural disasters are ‘a misnomer for the ways in which extreme weather events and other hazards are collectively anticipated, prepared for and responded to ... and are therefore contingent on the social structures ... and the available resources directed at their prevention, mitigation and response.’²⁹

Some writers argue ‘that there is no such thing as a natural disaster. Floods, hurricanes, cyclones, typhoons, heat waves, droughts, even non-climate-related events like earthquakes, are natural hazards. They become disasters only when they exceed a community’s ability to cope.’³⁰ In respect to Katrina, ‘institutional failures put people in harm’s way. The flood controls were inadequate’. Referring to such events as natural ‘deflects attention and responsibility from the institutions that actually put people at risk.’³¹ The main difference between a natural disaster and a technological one seems to be that ‘natural disasters usually have short-term disruptive social consequences, and community recovery is most often described as therapeutic.’³²

Manmade disasters are those caused by human activity. Technological disasters ‘often leave ... environments relatively intact while severely and permanently contaminating the “biophysical environment” to the extent that communities are uninhabitable.’³³ Survivors ‘often blame governmental and organisational systems for failure, and a general loss of trust in governmental agencies, corporations, and other responsible organisations emerges.’³⁴ A recent review of disaster studies found ‘that victims of technological disasters are more likely to experience severe and long-term social, physical, and mental health problems than are victims of natural disasters.’³⁵

Bushfires are not typical natural disasters

²⁶ C. Hartman & G.D. Squires, *There is No Such Things as a Natural Disaster*, 25.

²⁷ S. Cottle, *Global Crisis Reporting: Journalism in the Global Age*, 9; R.J. Ursano, *et al*, *Individual and Community Responses to Trauma and Disaster: The Structure of Human Chaos*, 138.

²⁸ S. Cottle, *Global Crisis Reporting*, 43.

²⁹ S. Cottle, *Global Crisis Reporting*, 43-44.

³⁰ J. Holmes, *et al*, quoted in S. Cottle, *Global Crisis Reporting*, 44.

³¹ D.L. Brunnsma, *et al*, *The Sociology of Katrina: Perspectives on a Modern Catastrophe*, 237.

³² D.L. Brunnsma, *et al*, *The Sociology of Katrina*, 4.

³³ D.L. Brunnsma, *et al*, *The Sociology of Katrina*, 4.

³⁴ D.L. Brunnsma, *et al*, *The Sociology of Katrina*, 5.

³⁵ D.L. Brunnsma, *et al*, *The Sociology of Katrina*, 4.

Bushfires are not a typical natural disaster in that (1) they can be triggered by human activity, (2) their precise occurrence in time and location is largely unpredictable, and (3) that prevention strategies are obvious. This contrasts with the more typical natural disasters which (1) cannot be directly caused by humans, (2) their location is often predictable, and (3) there are fewer prevention strategies available.

Bushfires present an ongoing, unpredictable threat over a long period. When and where they will occur is problematic. Whereas for a cyclone or flood, the when and where are much more predictable.³⁶ There is an assumption that natural disasters are triggered by nature, not humans. However, a bushfire can be started deliberately or accidentally, given the right circumstances, such as drought and extreme weather. Individuals cannot choose to start a flood, earthquake or cyclone, irrespective of conditions.

There is a belief that bushfires can be fought, whereas other disasters are viewed in terms of survival, rather than controlling the ferocity of the disaster. Prevention strategies for bushfires are well known: leaving early, resettlement and fuel reduction. Thus, there is an understandable view that bushfire tragedies are preventable. The same cannot be said of earthquakes, floods, cyclones and tsunamis.

Unfair comparison of Black Saturday with Queensland floods and Cyclone Yasi

Behind the response to Black Saturday in Victoria was an underlying frustration, the public face of which was an attack on the lack of leadership on the day of the fires. Premier Brumby's role was said to be 'by no means inspirational',³⁷ although Jeff Kennett (a former premier of Victoria) thought he 'discharged his responsibilities well'.³⁸ Christine Nixon, the police chief and key emergency services co-ordinator, was judged to have performed appallingly.³⁹ This was to be later contrasted with the leadership of Anna Bligh, the Premier of Queensland, when that state faced severe floods and Cyclone Yasi in early 2011. Bligh⁴⁰ appeared on television and gave moving, well rehearsed speeches applauding the courage of Queenslanders. She delivered the rousing –

It may be breaking our hearts at the moment, but it will not break our will⁴¹

She was able to announce the details of planned evacuations. Kennett reviewing her leadership just before the second anniversary of Black Saturday wrote, 'let me congratulate Anna Bligh ... Her calm, regular, and detailed briefings have been highly professional and earned her the trust of her community.'⁴² Her actions were not denounced as cynical or opportunistic – she was universally lauded as an inspirational leader. There was no mention of her taking political advantage of the media for the forthcoming election. An editorial noted that she was 'behind

³⁶ D.L. Brunnsma, *et al*, *The Sociology of Katrina*, 40.

³⁷ S. O'Brien, 'Bligh outperforms Gillard in the toughest leadership test of all', *HS*, 14/1/11, 32-33.

³⁸ J. Kennett, 'Disaster to test leaders', *HS*, 4/2/11, 30-31.

³⁹ J. Kennett, 'Disaster to test leaders', *HS*, 4/2/11, 30-31.

⁴⁰ Editorial, 'Queensland has a leader', *HS*, 15/1/11, 32; J. Ferguson, 'Flood dictates political tide', *HS*, 15/1/11, 32; A. Howe, 'Don't insult us Anna', *HS*, 24/1/11, 28-29; A. Bolt, 'Bligh's performance overturns Nixon defence', *HS*, 5/2/11, 17; W. Tozer, Brighton, Letters, 'Brumby missing in action', *HS*, 8/2/11, 24.

⁴¹ S. O'Brien, 'Bligh outperforms Gillard in the toughest leadership test of all', *HS*, 14/1/11, 32-33.

⁴² J. Kennett, 'Disaster to test leaders', *HS*, 4/2/11, 30-31.

in the polls, but may now find herself re-elected. She has not politicised what has happened'.⁴³ Closer to home, Brumby was accused of being more interested in his public image, photo opportunities, spin and sporting events.⁴⁴ The prize for the most cutting commentary was opinion writer Susie O'Brien's stinging, well-argued attack on the revision of the 'stay or go' policy.⁴⁵ Some were cruel in their assessment of Brumby's leadership.⁴⁶ There was a refusal, especially by Andrew Bolt (an opinion writer for the *Herald Sun*), to acknowledge the political opportunities that came with the Queensland disasters, though Harry Gordon (an occasional journalist for the *Herald Sun*) seemed to be when he said that the floods signalled 'Brisbane, Here I Come!'.⁴⁷ We all knew days in advance when and where the Queensland disasters would strike, ideal conditions for the media to ready themselves and unleash a stream of pictures and commentary. Evacuations were planned and in the case of cyclone Yasi, a shopping centre functioned as a community shelter. When the flooding turned unpredictable, killing residents of Grantham, Bligh's reputation was untarnished.⁴⁸

No such favourable media and political opportunities came with Black Saturday. On February 7, 2009, a fire may or may not have struck. If it did, it might strike in any bushfire-prone area in Victoria. Emergency services and politicians could only warn us that a catastrophe might happen sometime, somewhere. Neat evacuation planning was impossible, and under such circumstances, shopping centres don't offer shelter on the off-chance that people might be fleeing from fires. To compare the leadership of Bligh and Brumby was unfair, but to compare Bligh with Nixon, as Bolt did, was to compare a premier with a police chief, and to compare natural disasters that each provided entirely different opportunities for media exposure.

Nature vs culture – 2 paradigms

We will begin our exploration of the relationship between culture and nature using two paradigms, one dominant and the other which is marginalised by our political and economic institutions and vested interests. These paradigms are based on binary oppositions, a simplistic yet, in many cases, useful tool for classifying and perceiving the world around us – to make sense of things. They can be dangerous in that they can reduce the evaluation of complex

⁴³ Editorial, 'Queensland has a leader', *HS*, 15/1/11, 32.

⁴⁴ Readers: L. Stublely, Arthurs Creek, Letters, 'Fire survivors want to be heard', *HS*, 24/4/09, 37; J. Morrissey, Hawthorn, Letters, 'Reorganise CFA management', *HS*, 19/8/09; Frosty, Frankston, Text Talk, *HS*, 19/8/09, 33; Priorities, Keilor East, 50/50, *HS*, 24/8/09, 26; J. Morrissey, Hawthorn, Letters, 'Reduction in fire funds reckless', *HS*, 30/10/09, 44; J. Celentane, St Andrews, Letters, 'People in charge fail own words', *HS*, 11/11/09, 36; Toby, Hot Topic, 'Services play catch-up to fire season', *HS*, 11/11/09, 36; J. Morrissey, Hawthorn, Letters, 'Brumby shirking his responsibilities', *HS*, 5/12/09, 85; Chrissy, St Kilda, Hot Topic, 'CFA website sparks anger', *HS*, 18/12/09; B. Bath, Balmoral, Letters, 'What's changed in two months?', *HS*, 19/12/09, 80; P. Cartledge, Glen Waverley, Letters, 'Water bomber in wrong area', *HS*, 23/12/09, 40; L. Weavers, Emerald, Letters, 'Commission must be independent', *HS*, 5/2/10, 35; M. Pandik, Bell Post Hill, Letters, 'Spin rules in these times', *HS*, 16/4/10, 36; M. Moss, Richmond, Letters, 'Remember Black Saturday at ballot', *HS*, 3/11/10, 28. News articles: A. Langmaid, 'Let us grieve in our own way', *HS*, 8/12/09, 22; S. McMahon & M. Johnston, 'Don't come a knockin'', *HS*, 26/7/10, 19; S. McMahon, '“We're not your political pawns”', *HS*, 5/8/10, 2.

⁴⁵ S. O'Brien, 'Code red no use in bush', *HS*, 2/2/10, 22-23.

⁴⁶ A. Josefsberg, Balwyn North, Letters, 'Listen to the advice of locals', *HS*, 19/8/09, 32; M.J. Gamble, Belmont, Letters, 'Brumby protected liable executives', *HS*, 3/8/10, 21; A. Howe, 'No leaders to be seen', *HS*, 22/11/10, 26-27; S. O'Brien, 'Bligh outperforms Gillard in the toughest leadership test of all', *HS*, 14/1/11, 32-33; W. Tozer, Brighton, Letters, 'Brumby missing in action', *HS*, 8/2/11, 24; A. Howe, 'Lessons in Japanese', *HS*, 14/3/11, 20-21.

⁴⁷ H. Gordon, 'Mateship is the antidote', *HS*, 14/1/11, 32-33.

⁴⁸ Editorial, 'Queensland has a leader', *HS*, 15/1/11, 32.

matters to a rigid black and white, typically dividing people into ‘us’ (good) and ‘them’ (bad).⁴⁹ These oppositions, sometimes referred to as stereotypes, are often said to assist those with power to dominate weaker groups in society. However, stereotypes are used by all of us – the media, individuals, governments, commentators and critics. They tend to be dismissed as a trick employed by those we disagree with, a cynical media, or tabloids.

Essentially they function as follows. A pair of words representing concepts are selected, such as *town* and *country*, and under these further associated oppositional pairs are listed. For example⁵⁰ –

<i>town</i>	<i>country</i>
artificial	natural
polluted	clean
over-crowded	deserted
exciting	boring
commercial	non-commercial
dangerous	safe

Oppositions underpin many newspaper stories and reporting strategies, often importing the ideology of our economic and political systems. One of the oppositional pairs will be referred to in a positive way, the other in a negative fashion, either explicitly or inferred. It is a scheme that assigns good and bad, to people, groups, things and beliefs. Representation relies on certain views being accepted as self-evident, given or assumed, and those who question these ‘givens’ are misguided, vindictive or have other agendas, a style that is typical of political and religious debate. Such rigid formulas seem to be at odds with the journalistic rhetoric of balanced, unbiased, fair reporting

For my analysis, two groups of oppositional pairs have been developed to represent major relationships between culture and nature in Western thinking. These groups are referred to as paradigms. The first represents the dominant Western view that culture is superior to nature, and that nature is there to be tamed and exploited. In the second, nature represents beauty, nurturing, caring, whilst at the same time having ultimate power to destroy – culture is portrayed as indifferent, artificial, restrictive and subordinate.

Paradigm 1 – Culture is superior and ought to control nature

Culture	Nature
safe	dangerous
predictable	unpredictable/chaotic
civilised	wild
ordered	untamed
humane	savage
caring	brutal/uncaring
needs/desires	a resource
superior	inferior
scientific/rational	irrational

⁴⁹ N. Lacey, *Image and Representation*, 70.

⁵⁰ N. Lacey, *Image and Representation: Key Concepts in Media Studies*, 69.

Paradigm 2 – Culture is inferior – nature is superior, cleansing and powerful – harmonious

Culture	Nature
irrational/unpredictable/chaotic	ordered/balanced
dirty/polluted	clean
artificial	natural/real
ugly	beautiful
busy	peaceful/calming
destructive/uncaring	nurturing
restrictive	free
subordinate	ultimately powerful
dangerous	safe
life taking	life giving/rejuvenating
inferior	superior

The paradigms help us understand the way a natural disaster, and thus Black Saturday, is perceived by different groups. They also inform our understanding of cause and blame.

Paradigm 1 – discussion

In general, if the responsibility and blame for Black Saturday are discussed under paradigm 1, they will necessarily lie with an individual or institution. This is because culture (the actions of humans) is seen as controlling or capable of controlling nature. If nature destroys the hallmarks of civilisation (human life, homes, roads), the failure to protect us must rest somewhere in society. Culture must reassert itself.

The paradigm emerged slowly as a result of the decline in the belief in an intentional God, combined with the rise of reason and science as the answer to the problems of human existence. It has been argued that the desire for control is basic to our human make-up. The end product of these social and psychological factors is that humans have a world view that makes it very difficult for them to cope with, or understand, events outside their control. Tensions arise when control is wrenched from us. In fact, disaster itself is defined in terms of the lack of control. Strangely, at the same time there is a contradictory tendency to absolve ourselves by viewing events as something totally unprecedented or unpredictable. To justify this about-face, concepts normally dismissed as irrational, such as bad luck, fate or a freak of nature, are invoked. The following is a brief history of the philosophical, social and psychological explanations for our preoccupation with control.

Culture and nature have been seen as opposites, a view that can be traced back to classical Greece and Rome, but became dominant in Western culture in the seventeenth and eighteenth centuries.⁵¹ Philosophers such as Descartes and Levi-Strauss thought that humans had a

⁵¹ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 30.

fundamental right to dominate nature to satisfy their needs.⁵² Locke's thinking linked the 'unfettered exploitation of nature with self-realisation'.⁵³ It became not only legitimate to dominate nature, but we had a duty to do so. With the rise of colonialism, the arrival of the industrial revolution and capitalism, nature became little more than a means to society's ends. Nature was passive, a resource to be domesticated and harvested.⁵⁴ When nature was savage or unruly, it interrupted and violated our sense of order. Notwithstanding, nature was seen as plastic ... malleable'.⁵⁵ This went hand in hand with, and would not have been possible without, parallel developments in science and technology. Fast forward to today. Culture rules nature – mostly. Our economy, work, travel, transportation, distribution chains, essential services, and the provision of housing are the foundations of our civilised existence. This edifice relies on technology and its cohort, mass production. The two feed off each other. The ideology legitimising the plunder of the earth's resources vehemently opposes priority being given to environmental considerations. A physical and psychological dependence on human systems is created, maintained and reinforced. If these systems fail, it is, indeed, an all consuming catastrophe. Despite living in a secular society, when tragedy strikes we resort to a religious vocabulary. An editorial headline boasted 'Unbelievable holocaust',⁵⁶ Aldo Inzitari of Kinglake West said the fire was 'like a nuclear holocaust'⁵⁷ and Prime Minister Kevin Rudd told us that 'Hell and all its fury has visited the good people of Victoria'.⁵⁸ Journalist John Ferguson's story about Marysville soon after ran the headline, 'From the air, it's like Armageddon'.⁵⁹ In a letter to the *Herald Sun*, Stephen Weissbacher, a Melbourne paramedic who drove to the fire front at Kinglake on Black Saturday, wrote that 'Armageddon' was the only word to describe it'.⁶⁰ And when we tired of the biblical, we compared the disaster to the battlefield: 'Like war, there is loss of life, property being levelled to wasteland status, shattered minds'.⁶¹

Control is central to our understanding of the world, according to Dorothy Rowe in her seminal work on depression. Control is linked to our wellbeing and its absence can lead to mental illness. She says that we want to make plans for the future but we will always be 'affected by matters far beyond our control'.⁶² We often find this intolerable and demand answers.⁶³ We want a world where we are insulated from the effects of uncertainty and we expect society, the government or God to make our lives secure.⁶⁴ 'It's a dangerous world. We try to make it safe for ourselves, but wild weather and violent geological events are simply beyond our control'.⁶⁵ Our expectations can be completely unrealistic – we desire a world without death or disasters.⁶⁶ Where tragedies involve death, this is both the ultimate certainty and, at the same time, our greatest uncertainty. Humanity finds 'it difficult to conceive of the complete

⁵² S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 30-31, 120-121.

⁵³ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 31.

⁵⁴ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 31-32.

⁵⁵ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 31.

⁵⁶ Editorial, 'Unbelievable holocaust', *HS*, 9/2/09, 20.

⁵⁷ G. Thom, 'Like a nuclear holocaust', *HS*, 16/2/09, 10.

⁵⁸ Special Edition, *HS*, 9/2/09, 2.

⁵⁹ J. Ferguson, 'From the air, it's like Armageddon', *HS*, 9/2/09, 4-5.

⁶⁰ S. Weissbacher, Taylors Lakes, My Say, 'Journey into Armageddon', *HS*, 12/2/09, 39.

⁶¹ J. Kennett, 'Disaster to test leaders', *HS*, 4/2/11, 30-31.

⁶² D. Rowe, *Depression: The way out of your prison*, 213.

⁶³ D. Rowe, *Depression: The way out of your prison*, 244.

⁶⁴ D. Rowe, *Depression: The way out of your prison*, 117.

⁶⁵ N. Halley, *The Best-Ever Book of Disasters*, 4.

⁶⁶ N. Halley, *The Best-Ever Book of Disasters*, 120.

and absolute end of ... identity at death.’⁶⁷ We demand a future that is certain and safe, no matter how unrealistic this may be. Natural disasters can cause psychological wounds that result in the debilitating effects of trauma.⁶⁸ The preventability of a disaster adds to the degree of stress experienced by individuals and communities,⁶⁹ adversely affecting our long-term coping strategies and sense of self.⁷⁰

Further, an event is a disaster if there is near unanimous agreement that it is, in fact, a disaster.⁷¹ Such events bring about ‘a serious discrepancy between what [we] thought ... life was and what it actually is.’⁷² Crises occur when core values of life-sustaining systems are threatened, especially values such as safety and security, welfare and health.⁷³ For Australians, the discrepancy might be greater, because we take our disaster-free way of life for granted. The absence of catastrophes reinforces our belief that we have control over the environment. In general we all tend to play down the unpredictability of human affairs, preferring to see life as predictable.⁷⁴

Recent theories of the brain argue that the need for control is hardwired into us. It is claimed that people have a fundamental need to control their environment and that its absence can be a form of torture.⁷⁵ If our future appears uncertain, we are unable to enjoy the present⁷⁶ and the effect of uncertainty is worse when things go wrong.⁷⁷

Paradigm 1 – in action around the world – Australia and Black Saturday

Paradigm 1 distorts our relationship with nature, creating tension and contradiction when disaster strikes. Our belief system perpetuates the control myth, even in the face of insurmountable evidence to the contrary. Australian historian Tom Griffiths points out that ‘there is one thing that we never learn from history. That is, nature can overwhelm culture ... It seems to go against the grain of our humanity to admit that fact’.⁷⁸ One might add that much of this failure to learn is due to a culturally imposed ideology that prevents us from embracing a partnership with nature.

Try as we might ‘We do not control nature at all and when nature, in any guise, exerts its superior force, we are left in shock and horror. Fires, tsunamis, cyclones, storms, earthquakes, landslides, floods, volcanos rob us of our sense of control over our own lives, leaving us feeling powerless and afraid.’⁷⁹ We are offended by nature’s excesses. After the Oakland fires in the US, they were ‘instantly posed as oppositional to culture ... the fire should never have encroached upon an area variously described as “cultivated”, “landscaped”, or “residential” ...

⁶⁷ D. Rowe, *Depression: The way out of your prison*, 53.

⁶⁸ M. Healy, *et al*, *On Eggshells and Through Minefields*, 33.

⁶⁹ R.J. Ursano, *et al*, *Individual and Community Responses to Trauma and Disaster*, 404.

⁷⁰ M. Healy, *et al*, *On Eggshells and Through Minefields*, 33.

⁷¹ D. Rowe, *Depression: The way out of your prison*, 106.

⁷² D. Rowe, *Depression: The way out of your prison*, 108.

⁷³ H. Rodriguez, *et al*, *Handbook of Disaster Research*, 43.

⁷⁴ D. Gardner, *Future Babble*, 47.

⁷⁵ D. Gardner, *Future Babble*, 134.

⁷⁶ D. Gardner, *Future Babble*, 139.

⁷⁷ D. Gardner, *Future Babble*, 140.

⁷⁸ D. Clode, *A Future in Flames*, 8.

⁷⁹ D. Clode, *A Future in Flames*, 256.

a refined area of homes constructed for human occupation, a “civilized” region lifted from nature and humanly formed.’⁸⁰

According to Danielle Clode, fires like those on Black Saturday ‘shake the foundations of our sense of control over our lives. Humans do not live with nature: we control it, or least try to ... We live in a mollycoddled world of our own creation. Wind, rain and sun are reduced to mere inconveniences.’⁸¹ Anthony Oliver-Smith agrees that our culture convinces us ‘that it is safe to live on hurricane coasts and on fault lines with spectacular views.’⁸²

Disaster viewed as unpredictable, unprecedented – outside control

Armed with an unshakable belief in control, but faced with the undeniable lack of it, some desperately seek to escape the prison and argue that an event was so unlikely, destructive and unpredictable that we ought not be held responsible – the event is an exception. The phenomenon is variously described as a freak of nature, fate, a once off.⁸³ After the Oakland fires ‘survivors rushed to anoint the firestorm a freak.’⁸⁴ and ‘wild and uncontrollable.’⁸⁵ Many employ versions of this argument, few succeed.

The construction of disasters as freak events is common. Sometimes ‘losses are attributed to an unstoppable catastrophe ... [and] survival is put down to a miracle.’⁸⁶ During the media coverage of the October 2003 Southern California wildfires ‘everyone reacted as if they’d burst from nowhere. But in reality, they were just the latest chapter in a story of converging stresses that had been ignored till then and that has received little attention since.’⁸⁷ After Black Saturday there was a ‘gush of official voices insisting that what happened on February 7, 2009, was without precedent.’⁸⁸ We were reminded that there was ‘hardly an explorer’s journal or settler’s diary that does not speak of bushfires and the specific weather conditions that prompt them, so there was no basis for spinning February’s firestorms as unfortunate acts of God.’⁸⁹ Another version of the unprecedented event argument is to refer to it as a ‘monster’. After the Oakland fires when residents were forced to confront an uncontrollable nature they labelled it monster⁹⁰, which has the advantage of normalising our fear and the reinforcing the unpredictability of the event.⁹¹

These attempts to absolve ourselves from responsibility have a poor track record. Claims that the effects of Katrina were unpredictable were refuted.⁹² Tony Cutcliff, in a submission to the Black Saturday Royal Commission ‘argued that the fire behaviour on Black Saturday was neither ‘natural’ nor inevitable.’⁹³ Roger Franklin believes ‘there was no excuse, especially

⁸⁰ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 122.

⁸¹ D. Clode, *A Future in Flames*, 256.

⁸² S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 36.

⁸³ T. Douglas, *Scapegoats: Transferring Blame*, 45 & 57.

⁸⁴ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 127.

⁸⁵ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 121.

⁸⁶ D. Clode, *A Future in Flames*, 256.

⁸⁷ T. Homer-Dixon, *The Upside of Down*, 107.

⁸⁸ R. Franklin, *Inferno*, 12.

⁸⁹ R. Franklin, *Inferno*, 10.

⁹⁰ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 128.

⁹¹ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 129.

⁹² D.L. Brunsma, et al, *The Sociology of Katrina*, 2-3; R. Izard & J. Perkins, *Covering Disaster*, 1-2.

⁹³ C. Nixon, *Fair Cop*, 316-317.

that of ignorance. It wasn't as if the bush's propensity to explode was unknown.'⁹⁴ Karen Kissane agrees: 'It is no defence to argue that the circumstances on Black Saturday were unprecedented'.⁹⁵

John Brumby and Russell Rees, however, wanted us to believe that the Black Saturday fires were unprecedented.⁹⁶ The Premier in a speech to the Victorian Parliament said the fires were 'without parallel'.⁹⁷ The Bushfire Royal Commission turned its attention to the question and would have nothing of it. The commission noted that 'A number of witnesses sought to excuse failings on 7 February by saying that the fires on the day ... were "unprecedented"'.⁹⁸ and concluded that –

Although the fires of January-February 2009 were catastrophic, they were not the first fires to gravely affect the State of Victoria ... it would be a mistake to treat these fires as unprecedented or a "one-off" event unlikely to be repeated and thus ignore the lessons to be learnt.⁹⁹

Over 60 years before, Leonard Stretton, who led the inquiry into the 1939 Black Friday fires, thought much the same.¹⁰⁰

Treating the Black Saturday fires as unprecedented ignores the long history of bushfires in Australia, their predictability and regularity. Roger Franklin in *Inferno* summarises the damning history –

... from Black Thursday to Red Tuesday in 1898 and the statewide infernos of 1926 and 1932. Black Friday in 1939 was followed by three scorched years – 1942, 1943 and 1944, when, in the most severe case, 440,000 hectares were ravaged in just eight hours and at a cost of some 20 lives.¹⁰¹ [Again] in 1962, the Dandenongs burned and, three years later, seven lives were lost when almost half a million hectares went up in smoke. In 1968 and 1969, more fires. The bush exploded all over again in 1977 and 1980, but those outbreaks, bad as they were, did nowhere near the damage witnessed just three years later, when Ash Wednesday claimed 47 Victorian victims¹⁰²

We can now add to this Black Saturday in 2009, 'the most horrible assault of all. Look at history's record and marvel ... at Victoria's compulsion to reduce itself to ash.'¹⁰³

Paradigm 2 – discussion

Paradigm 2 recognises that nature can unleash forces beyond our understanding. It also sees that human life is dependent upon living in harmony with nature, that nature is not passive, and that the environment must be respected for its lifegiving qualities. There are circumstances where nature cannot be controlled by humans or their institutions. Under this scheme, answers to Black Saturday would come, not from controlling nature, but recognising its power and our

⁹⁴ *Inferno*, 11.

⁹⁵ *Worst of Days*, 31.

⁹⁶ A. Howe, 'Lessons in Japanese', *HS*, 14/2/11, 20-21.

⁹⁷ S. McMahon, 'Emotional Brumby leads MPs' tribute, *HS*, 25/2/09, 17.

⁹⁸ Victorian Bushfires Royal Commission, Final Report, Vol. I, 17.

⁹⁹ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part One, xvi.

¹⁰⁰ K. Kissane, *Worst of Days*, 38.

¹⁰¹ R. Franklin, *Inferno*, 11.

¹⁰² R. Franklin, *Inferno*, 11-12.

¹⁰³ R. Franklin, *Inferno*, 12.

limitations. This paradigm reflects the contradictions of nature: first its beauty,¹⁰⁴ healing, lifegiving and nurturing power, often referred to as Mother Nature; and second, its ultimate destructive power¹⁰⁵ – a monster, hell.

Humans must learn to deal with uncertainty and realise that control is not always possible, necessary or beneficial. This paradigm is typical of so-called ‘greenies’, spiritualists, and those who emphasise an essential inter-relationship between humans and nature. To some, nature represents real nourishment, the opposite of the artificiality of technology and its offspring.¹⁰⁶

In the aftermath of the Oakland fires, survivors recognised the lifegiving qualities of nature ‘that of a gentle and nourishing mother.’¹⁰⁷ Oaklanders understood nature’s contradictions, ‘On one hand, they cast the storm ... as wild and uncontrollable; on the other, they took the mother image and ... removed nature from blame and forgave it.’¹⁰⁸

The exclusion of God

The gradual decline of the belief that natural disasters were caused by God left us to our own devices to explain and cope with such events. We were left to provide our own meaning and our own solutions. In a society that aspires to be secular, or finds itself in this position, God has been replaced by rational scientific explanation.¹⁰⁹ Societal interpretations and responses – earlier attributed to God – are seen as accidental, natural¹¹⁰ or caused by human failure. The West has made a fundamental distinction between its idols, science and reason, and devalued its constructed opposite, religion.¹¹¹

Tom Douglas questions the usefulness of our new idols: ‘The current rational approach to social problems, while proving effective in some areas, has been woefully inadequate in others ... it has been least successful in those areas of human existence which are inhabited by fear.’¹¹² Natural disasters undoubtedly inhabit the latter category. Today, a view that God might use the bushfires to punish people is anathema. For example, when ‘Some religious Iranians said that the June 21, 1990, earthquake in northwestern Iran was God’s punishment for religious misdeeds,’¹¹³ this could not be taken seriously.

Now to the *Herald Sun*. The paper reported that ‘Preacher Danny Nalliah of Catch The Fire Ministries blamed Victoria’s recent legalisation on abortion and cited a dream in which the Almighty promised a deluge of fire to punish the state for its sins.’¹¹⁴ Nalliah’s view was condemned by William Newberry from West Hobart, who said –

¹⁰⁴ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 123.

¹⁰⁵ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 123.

¹⁰⁶ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 126.

¹⁰⁷ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 125-126.

¹⁰⁸ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 126.

¹⁰⁹ T. Douglas, *Scapegoats: Transferring Blame*, 35.

¹¹⁰ H. Rodriguez, *et al*, *Handbook of Disaster Research*, 18-20.

¹¹¹ A. de Botton, *Religion for Atheists*.

¹¹² T. Douglas, *Scapegoats: Transferring Blame*, 190.

¹¹³ R.J. Ursano, *et al*, *Individual and Community Responses to Trauma and Disaster*, 137.

¹¹⁴ R. Franklin, *Inferno*, 10.

Has anyone explained ... just how inappropriate it is to try to attach the bushfire catastrophe to their political campaign on abortion laws? ... I can hardly believe the article they have published on their website ... As an educated Australian, I say to them, "Shame on you."¹¹⁵

Meanwhile, Jihadists were celebrating the destruction of the fires on websites and attributing it to an act of revenge for Australia's 'participation in the wars in Afghanistan and Iraq'.¹¹⁶ Bushfire victims were stunned¹¹⁷ and Regional Islamic Council vice-president, Dr Ameer Ali said the comments did not represent the wider Muslim community –

They have no idea what they are talking about¹¹⁸

Bryan Patterson, who writes a regular column in the *Herald Sun* on Christian issues, acknowledged that 'Human suffering is hard to understand. Some see it as the natural part of karma, or God's punishment, or as God's test.'¹¹⁹ However, if like Pastor Danny Nalliah, you publicly express the idea that the bushfires were God's punishment for the passing of abortion laws, you were a 'confused Australian church leader'.¹²⁰ Nalliah's 'comments appalled other Christians. Pastor Rob Buckingham apparently spoke for us all 'when he said linking the bushfires with abortion laws was "thoughtless, unbiblical and unwise"'.¹²¹ Pastor Fred Phelps of the US-based Westboro Baptist Church was labelled an extremist anti-gay when he 'thanked God for the fiery deaths of Victorians in the bushfires' because Australians would not repent their sins of the flesh.¹²² On page one the next day we were assured that 'police and security services have been briefed to be on the lookout for extremists trying to derail the special day. When the Westboro Baptist Church planned to picket Rod Laver Arena, 'Youth Affairs Minister James Merlino ... warned troublemakers to stay away.'¹²³

Dr Mervyn Bendle said that links between terrorists and the bushfires had been dismissed too hastily by police. He claimed that their involvement was entirely possible because pyro-terrorism was lowtech and uncomplicated.¹²⁴ The front page headline on 27 October 2009, 'Burning with hate', ensured that we would be sickened that a terrorist had gloated about the Black Saturday tragedy.¹²⁵ Accused terrorist Saney Edow Aweys, 26, was alleged to have said 'They're coming down these filthy people ... they are coming down hard by Allah.'... "They are copping hard man. Thanks to Allah."¹²⁶ The actions of arsonists were then compared with those of a terrorist¹²⁷ and Churchill CFA captain Steve Barling in a letter published in the *Herald Sun*, compared arson to a 'terrorist act.'¹²⁸ The reporting denounced those who believed in a vengeful God – they were dismissed as extremists, trouble makers or outcasts.

¹¹⁵ Letters, 'Abortion link out of order', *HS*, 14/2/09, 91.

¹¹⁶ E. Hale, 'Jihadists revel in our misery', *SHS*, 15/2/09, 3.

¹¹⁷ E. Hale, 'Jihadists revel in our misery', *SHS*, 15/2/09, 3.

¹¹⁸ E. Hale, 'Jihadists revel in our misery', *SHS*, 15/2/09, 3.

¹¹⁹ B. Patterson, Faithworks, 'Life is fragile, but faith can see us through', *SHS*, 15/2/09, 70.

¹²⁰ B. Patterson, Faithworks, 'Life is fragile, but faith can see us through', *SHS*, 15/2/09, 70.

¹²¹ B. Patterson, Faithworks, 'Life is fragile, but faith can see us through', *SHS*, 15/2/09, 70.

¹²² 'Lord praised for hellfires', *HS*, 21/2/09, 10.

¹²³ P. Rolfe, 'Fire shrine', *SHS*, 22/2/09, 1 & 6.

¹²⁴ G. McManus, 'Expert sees jihad in ashes', *HS*, 27/3/09, 34.

¹²⁵ 'Burning with hate' *HS*, 27/10/09, 1.

¹²⁶ E. Hunt, ' "Allah bring them calamity. These filthy people are coming down" ', *HS*, 27/10/09, 4-5.

¹²⁷ Christine, St Kilda, Letters, 'Terrorism on a mass scale', *HS*, 9/2/09, 24; 'Act of terror: Inferno victim lasts "disgusting" firebug', *HS*, 11/2/09, 1; N. Ross, 'Victims, authorities reflect on mistakes', *HS*, 25/3/09, 11.

¹²⁸ J. Metlikovec, 'Messages to killer', *HS*, 11/2/09, 13.

Mainstream believers of all religions felt compelled to assure us that God would never punish us with natural disasters.

A survey of the coverage identified two roles for religious organisations. The first was leading ceremonies for mourning, grieving and commemorating anniversaries, and the second was helping survivors, via counselling, fundraising and recovery support. Devotees were thus placed in ceremonial and humanitarian roles. The number of *Herald Sun* items referring to religion was 41 for the 26-month period, compared with 58 looking at psychological issues. It goes to show that our mental wellbeing falls well behind interest in say, insurance (123 items). The only topic surveyed with fewer mentions than religion was the discussion of buy backs and resettlement (33 items), arguably the best, but in reality, the least popular prevention strategy.

The shift from God as cause has ramifications for blame. In a secular society ‘when ... events occur which apparently have no rational explanation or even an obvious one, the implicit belief is that some individual or group is responsible.’¹²⁹ Moreover, ‘there is a ... powerful urge to blame someone.’¹³⁰ In Western culture ‘There is a strong belief ... that most events are, or should be, under man’s control and that if something goes wrong, it is because of some action or inaction by man ... At its worst, this system may unfairly find blame, or, unfairly not find blame’.¹³¹ When disaster strikes, victims want to know where to direct their anger.¹³² There can be a frenzy, arising from anger or rage, to ‘assign blame and call those responsible to account’.¹³³ We saw this in the US when President George Bush was blamed after Hurricane Katrina.¹³⁴

It seems that no amount of rational thought or scientific inquiry can solve complex social problems, especially where there are entrenched, conflicting community values. Our belief systems, whether based on a God or rationality and science, are intimately connected to our search for solutions and our allocation of blame.

Effect on people – grief, anger, mental illness

No matter how much the West idolises rationality, deaths in disasters are frequently traumatic, unexpected, and untimely, and more likely to be associated with pathological bereavement outcomes, including depression, PTSD, complicated grief or traumatic grief for survivors.¹³⁵

Dislocation from home and community is stressful and is associated with recognised impacts on mental health and wellbeing.¹³⁶ According to Pantti and Wahl-Jorgensen, national disasters generally trigger ‘horror, grief, empathy and anger.’¹³⁷ Similarly, Christine Nixon, sees survivors needing ‘someone, or something, to blame ... It is the classic pattern of grief – first comes the shock, then the denial; next comes the anger.’¹³⁸

¹²⁹ T. Douglas, *Scapegoats: Transferring Blame*, 36.

¹³⁰ T. Douglas, *Scapegoats: Transferring Blame*, 45.

¹³¹ R.J. Ursano, *et al*, *Individual and Community Responses to Trauma and Disaster*, 138.

¹³² R.J. Ursano, *et al*, *Individual and Community Responses to Trauma and Disaster*, 140.

¹³³ S. Cottle, *Global Crisis Reporting*, 63-64.

¹³⁴ S. Cottle, *Global Crisis Reporting*, 64.

¹³⁵ M. Blumenfield & R.J. Ursano, *Intervention and Resilience after Mass Trauma*, 15-16.

¹³⁶ M. Blumenfield & R.J. Ursano, *Intervention and Resilience after Mass Trauma*, 15-16.

¹³⁷ S. Cottle, *Global Crisis Reporting*, 63.

¹³⁸ C. Nixon, *Fair Cop*, 315.

The question is, will our relationship with nature, one based on control, together with our propensity to blame something or someone for failures, blind us to the answers? Can we learn lessons? Will we be better prepared next time? The next chapter looks at our determination to prevent another Black Saturday.

DRAFT

3. GETTING IT RIGHT (THIS TIME)

After the initial shock of the devastation on Black Saturday there were cries from all quarters that ‘it’ must not happen again. We were truly, profoundly shaken. The belief that our lives, our homes, were safe was shattered. How could this happen? How could it be allowed to happen? Nature had taken away our lifestyle, our lives. This unwelcome intrusion had to be endured, but only temporarily. This chapter looks at our determination to learn lessons this time, whilst examining our failure to learn from over 150 years of bushfires in Australia. There was no consensus on what we wanted to prevent – for example, was the main goal to save lives or minimise property damage, or both? A hard-hitting royal commission was established despite the poor record of implementing the findings of previous inquiries. The *Herald Sun* had full confidence in the commission, seemingly based on its potential as a news source goldmine. Readers saw that the commission might be a waste of time and money, and deflect blame from the government.

The Herald Sun took the *it must not happen again* slogan and ran with it. Two editorial headlines used the slogan directly: ‘It must never happen again’ on 13 February 2009,¹ and again on 15 May 2009 ‘It must not happen again’.² Justice Teague, chair of the royal commission, told survivors the same.³ Such calls were common, the most strident of which came from *Herald Sun* editorials and John Brumby, the Premier of Victoria. Just days after Black Saturday John Brumby promised in Parliament that ‘lessons from the fires would be learned and put into action’.⁴ He hoped we would ‘never again see a repeat of February 7’⁵ and that we should ‘do everything in our power to ensure a tragedy of this scale d[id] not touch our state again.’⁶

Editorials were urgent and optimistic –

We must do all in our power to ensure that the tragedy is not repeated⁷ (March 2009)

The commission’s main task is setting a framework to ensure Black Saturday is never repeated.⁸ (April 2009)

We should expect clear guidelines from the royal commission report on how we can avoid another disaster.⁹ (August 2009)

And in case we might have had a collective amnesia and lost our way, in December 2009 we were reminded that –

It must not happen again.¹⁰

¹ 38.

² 38.

³ N. Ross, ‘Tears at judge’s pledge’, *HS*, 21/3/09, 5.

⁴ S. McMahon, ‘Emotional Brumby leads MPs’ tribute’, *HS*, 25/2/09, 17.

⁵ G. Mitchell, ‘Callers left in terror’, *HS*, 18/8/98, 10.

⁶ J. Brumby, ‘No time to lose preparing for next nightmare summer’, *HS*, 18/8/09, 30-31.

⁷ ‘Act fast on fire threats’, 22.

⁸ ‘Time for justice’, 21/4/09, 22.

⁹ Editorial, ‘Lives at risk this summer’, *HS*, 11/8/09, 24.

¹⁰ Editorial, ‘Crash and burn’, *HS*, 17/12/09, 40.

In May 2010 we were told that ‘Uppermost in the minds of all Victorians must be ... how such a tragedy must be prevented from happening again.’¹¹ On 2 August 2010 the editorial quoted Brumby: ‘I personally feel the weight of responsibility to get the arrangements and system right for the future ... so that we can never again see a repeat of those circumstances on February 7.’¹²

Norrie Ross, who covered the royal commission proceedings, announced that Victorians would ‘soon learn the details of a massive shake-up of the state’s bushfire policies, designed to ensure there is no repeat of the Black Saturday catastrophe.’¹³ To welcome the commission’s final report, the front page headline was ‘Never again’.¹⁴ Perhaps the most astute observation came from journalist Peter Rolfe in the *Sunday Herald Sun* in August 2010. Speaking of the upcoming state election in November, he said that Brumby ‘has to be seen to make decisions to ensure the death and suffering Black Saturday brought to Victoria never happens again, but risks a polling booth hit if he passes the cost on to taxpayers or takes away their right to live where they want.’¹⁵ And there, in a nutshell, are two reasons why it *will* happen again despite the best rhetoric.

Black Saturday was much more than the horrendous death toll, the destruction, the economic effects and the disruption to our lifestyles. It was an attack on our belief system, our ideology of control over our urban environment and our ability to keep ourselves safe. There was an acknowledgement that we must learn lessons. Sounds easy, but we have a long, long history of ignoring nature’s rampages.

Alongside the pleas that ‘it’ must be fixed was an urgency that we must learn, a theme of many an editorial –

16 February 2009: ‘But we must also remember that life goes on, and we shall learn from tragedies such as 1983 and Black Saturday.’¹⁶

2 March 2009: ‘This time, we must put into practice what we have already learned’¹⁷

7 March 2009: ‘But lessons from the fires need to be learned as the task of rebuilding towns and communities begins.’¹⁸

17 August 2009: ‘This time, we need to get it right.’¹⁹

Brumby accepted all of the commission’s recommendations in the Interim Report and admitted that we needed to learn from the events of Black Saturday²⁰ and readers agreed.²¹ Christine

¹¹ Editorial, ‘Day of decision’, *HS*, 26/5/10, 28; see also, H. Redman, Hot Topic, ‘Fired up over Nixon’s inquiry evidence’, *HS*, 26/5/10, 26.

¹² Editorial, ‘Safety first’, *HS*, 2/8/10, 24; see also: Thomas, Hot Topic, ‘Consult fire victims’, *HS*, 2/8/10, 22; DC, Silvan, Hot Topic, ‘Consult fire victims’, *HS*, 2/8/10, 22; D.J. Paige, Hot Topic, ‘Consult fire victims’, *HS*, 2/8/10, 22.

¹³ N. Ross, ‘Bushfire policies face big revamp’, *HS*, 14/8/09, 23.

¹⁴ *SHS*, 1/8/10.

¹⁵ ‘Buyback plan looks too costly’, *SHS*, 8/8/10, 8.

¹⁶ Editorial, ‘Ash memories’, *HS*, 16/2/09, 22.

¹⁷ Editorial, ‘Act fast on fire threats’, *HS*, 2/3/09, 22.

¹⁸ Editorial, ‘From the ashes’, *HS*, 7/3/09, 82.

¹⁹ Editorial, ‘Fires report must work’, *HS*, 17/8/09, 26.

²⁰ S. McMahon, ‘Brumby vows to change policies’, *HS*, 18/8/09, 6.

²¹ G. Beattie, Lower Templestowe, Letters, ‘Indication of fire days ahead’, *HS*, 15/12/09, 32.

Nixon, head of VBRRRA, reminded us that it was ‘crucial we never forget the lessons we have learnt from the worst natural disaster in our history.’²² In January 2010, Rod Hulls, Attorney General, ‘said the lessons from Black Saturday must be heeded.’²³ Approaching the first anniversary an editorial took a different approach saying that we owed ‘it to the dead to learn the lessons’,²⁴ and on 30 July 2010 an editorial repeated once again that there were ‘lessons that must be learned.’²⁵ Readers did the same,²⁶ one writing that ‘We must get it right this time.’²⁷

Lessons not learnt

After nearly every disaster the questions are familiar: Why do so many crises arrive as a thief in the night (even though most crises seem to provide warning signals that are particularly recognisable in hindsight)? Why do crisis managers make what appear to be avoidable mistakes. Why are some lessons learned and why are others lessons learned but ignored?²⁸ History tells us that Australians have learnt little from bushfires.

Sadly, there were many who thought that we had learned little or nothing from previous fires or Black Saturday, some of them were readers.²⁹ Bolt told us that ‘Christine Fyffe, a member of the environmental and resources committee’³⁰ had warned that the lessons might not have been learned. A survivor wrote: ‘Only 12 of the interim recommendations of the royal commission are in place. Safe Neighbourhood places cannot be found’.³¹ There was despair

Who would have thought ... we’d not be ready; not even after the horror of February?³²

Well, well, here we go again. The CFA pitifully unprepared. Brumby making more excuses³³

We should have learnt something from February³⁴

Ted Baillieu lamented that our state remained ‘dangerously unprepared’.³⁵ There were double standards: ‘The Government is running advertisements for people to clean up their yards, but what has the government (state/local) done to clean up the areas for which they are responsible?’³⁶ In mid December 2009 the CFA website crashed frustrating readers and inviting cynicism –

²² C. Nixon, ‘Support is the crucial ingredient’, *HS*, 31/12/09, 31.

²³ M. Johnston, ‘Get out now’, *HS*, 11/1/10, 1 & 4.

²⁴ Editorial, ‘Painful path of healing’, *HS*, 8/2/10, 22; see also, G. Robertson, Delacombe, Letters, ‘Childhood memory of bushfire risk’, *HS*, 9/2/10, 20.

²⁵ ‘Never forget the victims’, *HS*, 34.

²⁶ G. Poulter, Malvern, 50/50, *HS*, 4/8/10, 20.

²⁷ P. Thomas, via web, The Issues, ‘Bushfires ... what now?’, *SHS*, 8/8/10, 81.

²⁸ H. Rodriguez, *et al*, *Handbook of Disaster Research*, 43.

²⁹ G. King, Briagolong, 50/50, *HS*, 17/2/09, 24; Aaron, Wandong, Letters, *HS*, 18/8/09, 28; A. Josefsberg, Balwyn, Letters, ‘Listen to the advice of locals’, *HS*, 19/8/09, 32.

³⁰ A. Bolt, ‘Gaping black hole in fire report’, *HS*, 19/8/09, 34-35.

³¹ J. Celentane, St Andrews, Letters, ‘People in charge fail own words’, *HS*, 11/11/09, 36.

³² J. Ko, Watsonia, Letters, ‘Thousands still homeless’, *HS*, 11/11/09, 36.

³³ D. Rickard, Melbourne, Hot Topic, ‘Services play catch-up to fire season’, *HS*, 11/11/09, 36.

³⁴ GB, Cann River, Hot Topic, ‘Services play catch-up to fire season’, *HS*, 11/11/09, 36.

³⁵ S. McMahon, E. Power & M. Johnston, ‘Backburns suspended as state swelters in record temperatures: Heatwave sparks fire’, *HS*, 11/11/09, 11.

³⁶ Barb, Victoria, Hot Topic, ‘Soaring heat inflames the arguments’, *HS*, 16/12/09, 38.

Nothing has been learnt from Black Saturday.³⁷

Pity the web page wasn't powered by the government spin, plenty of that over the last 12 months and no real improvements to ... well anything.³⁸

An editorial found it 'alarming that, according to State Government research, that some in bushfire danger areas are not heeding the lessons of last year's fires ... 48% of people in the state's 52 high-risk areas won't leave on a code red day.'³⁹ Early in 2010 news headlines complained of our complacency –

Failure to heed deadly lesson⁴⁰

Men are more likely to ignore fire risk⁴¹

There were double standards on clearing: 'Can we fine the council for not doing its job?'⁴² A reader asked 'why is it that so many people ... plan to defy logic and not leave their homes on a code red day?'⁴³ Another reader observed that many householders had learnt nothing.⁴⁴ It was suggested that the government would learn nothing because it depended on the Greens.⁴⁵ Mr Cesar Melhem, a union leader, reluctantly told us that we were 'tragically unprepared for another Black Saturday.'⁴⁶

The second fire season came and we were no better off. Opinion writer Miranda Devine concluded that we never learn the lessons,⁴⁷ and the town of Loch Sport still did not have a Neighbourhood Safer Place.⁴⁸ Some readers were fed up, asking –

What practical lessons have been put in place since Black Saturday?⁴⁹

What happened to being fire-ready? In Victoria's southeast the grass along the roadside is higher than the fence.⁵⁰

Journalist John Ferguson in a feature on the Queensland floods, talking about the forthcoming second anniversary of the 2009 fires said, 'But how quickly we can forget. Or how often do we refuse to learn from the lessons of the past?'⁵¹ Eddie McGuire didn't care that we couldn't stop an act of God, but we could 'plan for and soften the blow as much as possible. Groundhog Day should be a movie – not a way of life.'⁵² Sue Hall from Yea was critical of the lack of

³⁷ Rob, Hot Topic, 'CFA website sparks anger', *HS*, 18/12/09, 44.

³⁸ Jas, Mooroolbark, Hot Topic, 'CFA website sparks anger', *HS*, 16/12/09, 44.

³⁹ Editorial, 'Rebuilding broken lives', *SHS*, 31/1/10, 104.

⁴⁰ P. Rolfe, *HS*, 31/1/10, 7.

⁴¹ M. Johnston, *HS*, 1/2/10, 3.

⁴² G. Andrews, Flowerdale, Letters, 'Council neglects fire protection', *HS*, 2/2/10, 25.

⁴³ Diana, Bendigo, 'Letter of the week', *SHS*, 7/2/10, 82.

⁴⁴ M. Callanan, Lorne, Letters, 'Lessons still not heeded', *HS*, 8/2/10, 25.

⁴⁵ A. Jago, Mildura, Letters, 'Fuel for thought', *SHS*, 14/2/10, 88.

⁴⁶ N. Ross & S. McMahon, 'Black Saturday 2 will expose us', *HS*, 20/2/10, 29.

⁴⁷ M. Devine, 'Brumby escapes fire heat', *HS*, 25/11/10, 39.

⁴⁸ 'Vulnerable town still lacks fire safety', *HS*, 14/12/10, 22.

⁴⁹ M. Rees, Yendon, Letters, 'Evacuation routes hazards', *HS*, 7/1/11, 30.

⁵⁰ Jason, Pakenham, Text Talk, *HS*, 10/1/11, 20.

⁵¹ J. Ferguson, 'Flood dictates political tide', *HS*, 15/1/11, 32.

⁵² 'Forget the climate change theory and let's get on with the job', *SHS*, 23/1/11, 88.

mobile phone, ABC radio and digital TV reception two years after Black Saturday: 'If another fire comes through we will be no better off, being just as isolated from the world.'⁵³

Australia's history of bushfires and failure to learn

Herald Sun opinion writers Andrew Bolt,⁵⁴ Alan Howe,⁵⁵ Laurie Oakes⁵⁶ and Jill Singer⁵⁷ were quick to bring to our attention the long history of bushfire inquiries that had not been acted on. Ted Baillieu, the Opposition leader, drove home the point.⁵⁸ Readers called for an examination of previous inquiry recommendations⁵⁹; exposed the State Government's recent failure to implement its own Alpine report of June 2008⁶⁰; and wrote about the failure to increase fuel reduction despite the recommendations of previous inquiries.⁶¹

Authors Roger Franklin, Karen Kissane and Danielle Clode in their books written after Black Saturday reinforced the all too familiar story of neglect since the Black Friday fires in 1939. After those fires 'The politicians gritted their teeth, determined that this time would be the last time Australian would face such a fire catastrophe. From Canberra, The Minister for the Interior (and later Prime Minister) John McEwen declared that if we did not learn from the 1939 fires, if we did not take real action to solve this problem "Australia may as well reconcile itself to the sad fact that nothing will ever be done."'⁶² Was John McEwen right? Will we ever do what has to be done?

The power of nature is embedded in history: 'The conditions in Victoria on 7 February 2009 were worse than they had been on Ash Wednesday in 1983 and worse than they had been on Black Friday in 1939. But the descriptions are strikingly similar to those of the 1851 fires'⁶³ Fire researcher, Clode sees 'no reason why ... disastrous fires should not occur again. We hope they won't. We imagine that we are better prepared, better organised, better protected. We are not. There are more of us, at greater risk, now than ever before.'⁶⁴ I agree.

Roger Franklin in his book *Inferno* wrote: 'You can tick them off, one after the other, from Black Thursday to Red Tuesday in 1898 and the statewide infernos of 1926 and 1932. Black Friday in 1939 was followed by three scorched years – 1942, 1943 and 1944 ... a cost of some 20 lives.'⁶⁵... 'The 1950s were relatively quiet but, in 1962, the Dandenongs burned and, three years later, seven lives were lost when almost half a million hectares went up in smoke. In 1968 and 1969, more fires. The bush exploded all over again in 1977 and 1980, but those

⁵³ 'Letter of the day', *HS*, 7/2/11, 30.

⁵⁴ A. Bolt: 'Time to heed the warnings', *HS*, 13/2/09, 38-39; 'Gaping black hole in fire report', *HS*, 19/8/09, 34-35; 'Fuel burns will save us', *HS*, 19/2/10, 32-33; 'Burning off a life saver', *HS*, 6/8/10, 40-41.

⁵⁵ 'Lessons in Japanese', *HS*, 14/3/11, 20-21.

⁵⁶ 'Complacency kills yet again', *HS*, 14/2/09, 92.

⁵⁷ 'Inquiry is a risky business', *HS*, 23/4/09, 35.

⁵⁸ T. Baillieu, 'Take action now about fire failure', *HS*, 24/2/09, 25.

⁵⁹ G. Harding, Letter, 'Burning issues', *SHS*, 17/5/09, 86.

⁶⁰ J. Celentane, St Andrews, Letters, 'People in charge fail own words', *HS*, 11/11/09, 36; J. Duval, Northcote, Letters, 'Letter of the Day', *HS*, 3/8/10, 21.

⁶¹ H. Leach, Bendigo, Letters, 'State's reluctance fuels safety risk', *HS*, 12/9/09, 83.

⁶² D. Clode, *A Future in Flames*, 85-86.

⁶³ D. Clode, *A Future in Flames*, 117.

⁶⁴ D. Clode, *A Future in Flames*, 117.

⁶⁵ R. Franklin, *Inferno*, 11.

outbreaks, bad as they were, did nowhere near the damage witnessed just three years later, when Ash Wednesday claimed 47 Victorian victims'.⁶⁶

At times we have taken action, only to see it fall by the wayside over the years: 'Many lessons learned after ... Ash Wednesday in 1983 had been lost by 2009. The Ash Wednesday fires killed 75 people in Victoria and South Australia and destroyed 2,500 homes. Panicked people had gathered together seeking safety in numbers and in large buildings or open spaces. An inquiry later recommended that councils formally set up refuges in which people could shelter if caught in bushfires. Local refuges were initially widely established ... But over the decades that followed the scheme languished and most refuges were decommissioned.'⁶⁷ It is clear that 'we have not yet learned what we need to learn'.⁶⁸

The response to the 1961 Dwellingup fires in Western Australia follows a similar pattern of learning and then lapsing. A royal commission into those 'fires was a turning point in forest fire practices in Western Australia. Regular prescribed burning to reduce fuel loads became routine, fire prevention technologies were upgraded and an active program of research into fire behaviour began. Dwellingup was rebuilt. But most of the surrounding timber settlements ... disappeared.'⁶⁹ Sounds promising, but 'In 2007, fires again surrounded Dwellingup as firefighters battled to save the town. Residents evacuated or prepared to defend their homes. Sixteen houses were lost. Some things about life in the forest never change.'⁷⁰

The failure to learn is, of course, not unique to Australia. Take New Orleans prior to Katrina. Even when authorities are forewarned this does not mean that all will be well. The 'dire consequences of a ... hurricane for the city of New Orleans was repeatedly predicted by engineers, emergency management specialists, sociologists, and other scientists ... politicians and policymakers at all levels failed to act on predictions of physical and social scientists. These early untoward forecasts went unheeded.'⁷¹

Those who have studied bushfires in Australia are not convinced that we have learned or ever will. One finds many statements like these –

Unless the wind changes in the corridors of power there will be a next time, and the trend says it will be worse, much worse.⁷²

The lessons of the Dandenongs in 1962 had 'not been merely forgotten, but actively ignored'.⁷³

Notable Australian historian Tom Griffiths saw the importance of the relationship between culture and nature: 'There is a perennial question in human affairs that is given real edge and urgency by fire: do we learn from history? Testimony from the 1939 and 2009 fires suggests that there is one thing that we never learn ... That is, nature can overwhelm culture. That some

⁶⁶ R. Franklin, *Inferno*, 11.

⁶⁷ K. Kissane, *Worst of Days*, 36-37.

⁶⁸ K. Kissane, *Worst of Days*, 39.

⁶⁹ D. Clode, *A Future in Flames*, 89.

⁷⁰ D. Clode, *A Future in flames*, 89.

⁷¹ D.L. Brunnsma, *et al*, *The Sociology of Katrina*, 2-3; see also, R. Izard & J. Perkins, *Covering Disaster*, 14-15.

⁷² R. Franklin, *Inferno*, 12.

⁷³ R. Franklin, *Inferno*, 107.

of the fires that roar out of the Australian bush are unstoppable ... It seems to go against the grain of our humanity to admit that fact, no matter how severe are the lessons of history.’⁷⁴

And Roger Franklin: ‘Victorians on Black Saturday appeared to have absorbed none of history’s harsh lessons. If you were to go by the area burnt, the inferno of 2009 was far from the broadest spate of fires Victoria has seen. Black Friday, 1939 consumed twice as much countryside, but less than half as many lives. For all the theorising and inquiring and po-faced post-mortems, the toll this time says we are losing ground.’⁷⁵ For example, we should have known that powerlines cause bushfires: ‘Electrical lines are among the flames’ greatest allies. At post-fire inquiries in 1977 and 1983, the rough poles and wires that are the grid’s most minor capillaries were named repeatedly as problems that needed to be fixed. Many have since been replaced, upgraded with concrete polls [sic] and metal crossbars, but the rural transmission system remains a source of frequent grief.’⁷⁶

Reasons lessons not learned

That we haven’t learned from the past is indisputable. The reasons are largely explained by the discussion in Chapter 2 on culture and nature. Anthony Oliver-Smith put it this way: ‘The lessons that might have been learned from ... history, however, were obscured by the rapid expansion of the Western system and its seeming capacity to dominate nature.’⁷⁷ Eddie McGuire from the *Herald Sun* made a similar point: ‘let’s put together a realistic infrastructure blueprint for the future that finds the balance between nature and the needs of man.’⁷⁸

What is ‘it’ that must not happen?

Soon after the disaster, emotional, well-intentioned cries to prevent another Black Saturday seemed appropriate and necessary. At first the ‘it’ was obvious – we all knew what that meant. But as the search for causes and solutions went on, it became equally obvious that there was no consensus at all. It is much easier to claim, as Roger Franklin did that ‘Victoria had endured both a disaster and a debacle.’⁷⁹ There were many things we wanted to prevent, but the priority to be given to each was the problem. Among the things that needed to be prevented were –

- a fire of that intensity/magnitude
- a similar death toll
- the amount of property damage
- the economic loss to community/state
- the emotional effects, such as trauma, stress and mental illness
- environmental damage – natural landscape and wildlife
- a similar failure of emergency services

All the above are worthy and interconnected, but the priority one places on these goals has a strong bearing on what the solutions might be. There was general agreement that the highest priority should be given to saving lives, followed by a reduction in the amount of property

⁷⁴ D. Clode, *A Future in Flames*, 8.

⁷⁵ R. Franklin, *Inferno*, 12.

⁷⁶ R. Franklin, *Inferno*, 62 (see also, 63); see also, D. Clode, *A Future in Flames*, 124-125.

⁷⁷ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 33.

⁷⁸ ‘Forget the climate change theory and let’s get on with the job’, *SHS*, 23/1/11, 88.

⁷⁹ R. Franklin, *Inferno*, 10.

destruction. Solution strategies are of two major types: those that address the emergency services response on the day (and its immediate aftermath); and those that address long-term prevention management. The relationship between our prevention priorities and prevention strategies will be explored in Chapter 4. Briefly, however, the main solutions put forward were that –

people should not live in high-risk areas: buy backs/resettlement – planning policy
the amount of fuel available should be reduced: remove trees/vegetation – backburn
the stay-or-go policy should be revised to emphasise leaving early
the ignition sources should be minimised: power lines – arsonists
bunkers and community shelters should be introduced

The Bushfires Royal Commission and the *Herald Sun*

After such a tragedy there is a need for a cleansing, an airing of grief, a call for answers. But who can we trust? Not emergency services officials and most definitely not politicians. A royal commission is a stalwart, a form of inquiry thought to be above manipulation by powerful players with other agendas. Such a body would be hard hitting, leave no stone unturned, find the causes and show us the way forward. A royal commission is a court-like inquiry with wide-ranging powers to call for evidence and question those responsible. The truth is more likely that when we have a social problem that can't be fixed (or have no will to), we hold an inquiry.

According to Christine Nixon, 'The key driver for the inquiry was the question of whether the high death toll had been, in part, the consequence of failures in the strategies for dealing with fire emergencies, principally the "prepare, stay and defend, or go early doctrine", otherwise known by the shorthand of "stay-or-go"'.⁸⁰

Editorial support

The *Herald Sun* called for a royal commission and strongly supported it throughout. The newspaper had faith that it would deliver answers. Seemingly, a royal commission would divine what the 'it' was that must be prevented. Of the 16 editorials referring to the royal commission, the paper could only find fault in two. These concerned victims and their families not being given the opportunity to be heard early on⁸¹ and their recovery being forgotten in the later stages.⁸² The *Herald Sun's* editorial support is unremarkable, but its refusal to acknowledge the commission's shortcomings is.

⁸⁰ C. Nixon, *Fair Cop*, 310.

⁸¹ Editorial, 'It must not happen again', *HS*, 15/5/09, 38.

⁸² Editorial, 'Never forget the victims', *HS*, 30/7/10, 34.

In 2009 editorials were full of confidence in the commission –

must do its job⁸³ (February)

will investigate⁸⁴ (March)

must pinpoint what went wrong, why and then cast judgment⁸⁵ (April)

must investigate without fear or favour⁸⁶ (July)

should provide clear guidelines on how to avoid another disaster⁸⁷ (August)

will propose failsafe ways of providing warnings and refuges⁸⁸ (August)

On 31 August 2009, the paper finally admitted that previous governments had failed to act decisively, but that our saviour Brumby would agree to all 51 recommendations in the Interim Report.⁸⁹ On 8 February 2010 an editorial was adamant that the commission ‘must be allowed to examine failings and report honestly and frankly’.⁹⁰ By 26 May 2010, there was a noticeable change in the paper’s position on blame and scapegoating: ‘The royal commission must not only find a way to move forward, but it must take into account failures of the past’ ... ‘Christine Nixon must answer for her actions on Black Saturday’.⁹¹ However, dissecting her actions on the day was hardly an examination of the past, an examination that might have revealed that Kennett and his Liberal government ignored fire reports between 1992 and 1999, and the subsequent Brumby government was no better. Meanwhile, the paper promoted Kennett’s attacks on Nixon, soon after making him an opinion writer and providing him with a sort of gentlemen’s immunity from blame. Although the paper was anxiously awaiting the commission’s final report, on 18 July 2010 the *Sunday Herald Sun* was still preoccupied with Nixon, claiming that she should be ashamed of herself and that the commission would be highly critical of her.⁹² On Friday, 30 July 2010, the day before the release of the report, an editorial said that we would be shown ‘the way forward, in the hope that mistakes of the past [would] never be repeated’ and that dwelling on blame was counterproductive.⁹³ On 1 August the paper summarised the commission’s findings, briefly referring to Nixon’s ‘hands off’ approach, and called for action on the recommendations and better leadership.⁹⁴

Criticism

⁸³ Editorial, ‘Victoria will rise again’, *SHS*, 15/2/09, 66.

⁸⁴ Editorial, ‘A call that saves lives’, *HS*, 4/3/09, 26.

⁸⁵ Editorial, ‘Time for justice’, *HS*, 21/4/09, 22.

⁸⁶ Editorial, ‘Feeling the heat’, *HS*, 2/7/09, 32.

⁸⁷ Editorial, ‘Lives at risk this summer’, *HS*, 11/8/09, 24.

⁸⁸ Editorial, ‘Fires report must work’, *HS*, 17/8/09, 26.

⁸⁹ Editorial, ‘Real action on bushfire’, *HS*, 31/8/09, 24.

⁹⁰ Editorial, ‘Painful path of healing’, *HS*, 8/2/10, 22.

⁹¹ Editorial, ‘Day of decision’, *HS*, 26/5/10, 28.

⁹² Editorial, *SHS*, 18/7/10, 6.

⁹³ Editorial, ‘Never forget the victims’, *HS*,

⁹⁴ Editorial, ‘We must act quickly’, *SHS*, 1/8/10, 72; Editorial, ‘Safety first’, *HS*, 2/8/10, 24.

News items were more balanced when it came to assessing the value of the commission. Of 23 concerning the royal commission 11 reported positively and 12 looked at criticism. The positives were the commission's ability to provide answers and Teague's view that the primary focus would be on saving lives. When the commission pressured the State Government to develop bunker standards it was seen as tenaciously pursuing our best interests and when it found that power lines were the cause of some of the fires on Black Saturday it was seen as a hard-hitting investigator. Early criticism centred on the limited access of survivors to attend hearings and its interim report released on 17 August 2009, which failed to address fuel reduction. These are considered to be minor in the overall context. More damning were accusations that lawyers would take control, that major players such as government departments, councils, emergency services, insurance companies and power companies would hijack the proceedings, that Rees was treated unfairly, that emergency services personnel were treated unfairly generally, and that the inquiry was a waste and the money should have gone to victims.

Opinion writers were, in the main, critical. Laurie Oakes thought that the royal commission was not needed.⁹⁵ Bolt told us that the unelected commission, especially Jack Rush, was trying to usurp the government, but had no mandate to do so.⁹⁶ Bolt thought that the new warning system was confusing and impractical.⁹⁷ Jill Singer was the only one who could see that appointing a royal commission was a risky business politically.⁹⁸ Eddie McGuire thought that the hearings were being sidetracked by personality politics.⁹⁹ Christine Nixon concluded that the proceedings of royal commissions can 'become lost, derailed, hijacked.'¹⁰⁰ After the release of the final report, Bolt finally admitted that the commission had been a whitewash and let the real culprits off. Brumby and all those that had failed to act on previous reports recommending increased fuel reduction were the ones at fault, but none were named or blamed.¹⁰¹ In effect, Bolt admits that Nixon was a scapegoat.

The *Herald Sun*, the government and just about everyone else sang the praises of the royal commission. Later, Christine Nixon, in her memoir, published in the relative safety of two and a half years after the event, was the only key player to criticise the commission. For a good summary of the arguments against having a royal commission we need look no further than what readers had to say. Of the 50 letters on the topic, 1 was balanced, 6 for and 43 against. Some were confident that the commission would fearlessly investigate, as was J. Morrissey from Eltham, who even thanked a courageous Jack Rush for ensuring there was no whitewash.¹⁰²

Readers were much more aware of the commission's potential shortcomings. Some believed that it would protect the interests of the State Government and shield it from blame.¹⁰³ One

⁹⁵ 'Complacency kills yet again', *HS*, 14/2/09, 92.

⁹⁶ A. Bolt, 'Memo to the commission: don't Rush to condemn', *HS*, 10/7/09, 38-39.

⁹⁷ A. Bolt, 'Despite Code Red, remember a few home truths about safety', *HS*, 5/2/10, 36-37; 'Fuel burns will save us', *HS*, 19/2/10, 32-33.

⁹⁸ J. Singer, 'Inquiry is a risky business', *HS*, 23/4/09, 35.

⁹⁹ E. McGuire, 'Public lashings don't solve the real problems', *SHS*, 18/4/10, 84-85.

¹⁰⁰ C. Nixon, *Fair Cop*, 312.

¹⁰¹ A. Bolt, 'Burning off a life saver', *HS*, 6/8/10, 40-41.

¹⁰² Hawthorn, Letters, 'Brumby, ministers share fires blame', *HS*, 28/5/10, 34.

¹⁰³ Michael, Letters, 'Inquiry to firewall government', *HS*, 12/2/09, 39; Robyn, Broadbeach, Letters, 'I smell a rat', *SHS*, 15/2/09, 68; A.B. Fricker, Selby, 50/50, *HS*, 16/2/09, 24; J. Morrissey, Hawthorn, Letters,

described those being questioned ‘as flak-catchers for the Brumby Government’.¹⁰⁴ Another thought that any findings wouldn’t be implemented because of the Greens’ influence on Labor and councils, and Labor’s need for Greens’ preferences.¹⁰⁵ The most common criticism was that it was a waste of money.¹⁰⁶ Nixon said the commission ‘would cost in excess of \$100 million’ and that ‘The only certainties are that lawyers will much appreciate their lucrative daily rates’.¹⁰⁷ It was said that governments ignore findings and won’t fund them anyway.¹⁰⁸ Commissions are typically too critical of the wrong people and contribute to the blame game.¹⁰⁹ Christine Nixon in her memoir was of the view that they ‘can cause a great deal of grief without necessarily prosecuting the right people or asking the right questions.’¹¹⁰ And lastly, commissions can be hijacked by media,¹¹¹ which many would argue is exactly what happened after Black Saturday.

Other than readers, only two news items reported that the commission was a waste of money¹¹² compared to 15 readers. Readers were the only group who understood that the commission could be used to deflect blame from the government, functioning as a white washing or scapegoating vehicle. This is consistent with their view that the wrong people were being criticised. Nixon certainly thought so: ‘royal commissions are not always the best mechanism for finding truths efficiently and effectively. They have become a fallback for governments, a way to placate critics and disarm opposition parties.’¹¹³ Readers continued to note that governments traditionally don’t fund recommendations, and when it came to the lack of fuel reduction, also blamed the infiltration of the Greens’ agenda on all levels of government.

Whilst the newspaper championed the royal commission, it saw the need for balance and this is where the readers were useful. They welcomed the opportunity to air their views in a

‘Government fire failures concern’, *HS*, 1/7/09, 33; P.G. Kemp, Noble Park, Letters, ‘Fires report needs to be honest’, *HS*, 8/7/09, 36.

¹⁰⁴ J. Morrissey, Hawthorn, Letters, ‘Reorganise CFA management’, *HS*, 19/8/09, 32.

¹⁰⁵ J. Dixon, Croydon, 50/50, *HS*, 18/2/09, 30.

¹⁰⁶ G. McColl, Seabrook, Letters, ‘Firefighters have answers’, *HS*, 19/2/09, 33; LD, Melbourne, Letters, *HS*, 18/8/09, 28; P. Joyce, Mt Martha, Letters, ‘First rule is to put someone in charge’, *HS*, 20/8/09, 36; J. Kent, Werribee, Letters, ‘Fires inquiry useless’, *HS*, 19/11/09, 36; V. Gallagher, Northcote, 50/50, *HS*, 12/4/10, 22; B. Wilson, Daylesford, 50/50, *HS*, 16/4/10, 36; Swoop, Bendigo, Text Talk, *HS*, 28/5/10, 35; B. Cooper, Frankston, Letters, ‘Bunkers could have saved lives’, *HS*, 28/5/10, 34; A. Elderhurst, Bendigo, Letters, ‘Nixon’s dinner is irrelevant to most’, *HS*, 29/5/10, 32; Sandra, Taylors Hill, Text Talk, *HS*, 31/5/10, 23; Andy, Shepparton, Text Talk, *HS*, 1/6/10, 23; Brendan, Mt Eliza, Hot Topic, ‘Consult fire victims’, *HS*, 2/8/10, 22; J. Duval, Northcote, Letters, ‘Letter of the Day’, *HS*, 3/8/10, 21; J. Celentane, St Andrews, Letters, ‘Still waiting on alpine fires action’, *HS*, 5/8/10, 29; P. McDonald, Railton, Tasmania, Letters, ‘More needed than just \$40m inquiry’, *HS*, 6/8/10, 38.

¹⁰⁷ C. Nixon, *Fair Cop*, 312.

¹⁰⁸ K. Dwight, Woods Point, Letters, ‘Buck stops in only one place’, *HS*, 6/7/09, 22; Cath, Donvale, Text Talk, *HS*, 11/8/10, 33.

¹⁰⁹ J. Gee, Central Victoria, Letters, *HS*, 18/8/09, 28; A. Bowles, Molesworth, Letters, ‘Forests made into fire zones’, *HS*, 19/8/09, 32; G. Jones, Emerald, Letters, ‘Rees does not deserve flak’, *HS*, 20/8/09, 36; L. Ryan, Lilydale, Letters, ‘Politicians deserve brunt of blame’, *HS*, 9/4/10, 30; V. Gallagher, Northcote, 50/50, *HS*, 12/4/10, 22; H. Redman, Hot Topic, ‘Fired up over Nixon’s inquiry evidence’, *HS*, 26/5/10, 26; Swoop, Bendigo, Text Talk, *HS*, 28/5/10, 35; S. Williams, Horsham, Letters, ‘Bushfire probe losing purpose’, *HS*, 28/5/10, 34; G. Lyttle, Letters, ‘Witch-hunt won’t help next crisis’, *HS*, 29/5/10, 32.

¹¹⁰ C. Nixon, *Fair Cop*, 312.

¹¹¹ D. Ahern, Seaford, Letters, ‘Nixon’s leadership wins praise’, *HS*, 17/4/10, 31.

¹¹² P. Rolfe, ‘Nixon sorry...again’, *SHS*, 1/8/10, 4-5; D. Hastie, ‘Report falls short: Victims expected more suggestions’, *SHS*, 1/8/10, 15.

¹¹³ C. Nixon, *Fair Cop*, 312.

‘balanced’ fashion constructed by the newspaper, all part of a well established marketing strategy to boost circulation or, in recent times, halt declining sales.¹¹⁴

Why does the Herald Sun ignore the criticism?

Editorials in particular and news articles generally, chose to ignore our appalling record of acting on the recommendations of previous bushfire inquiries – but why? One explanation might be that the *Herald Sun* believed that this inquiry would be different. There could be some truth in this. However, the media does not operate in a social vacuum. It relies heavily on government and those who finance its business: ‘the power to shape content is not the media’s alone, but is shared with a variety of institutions in society, including government, advertisers, public relations, influential news sources, interest groups, and even other media organisations.’¹¹⁵

The media can be ‘subordinated to elite interests in the larger system. While individual journalists may scrupulously avoid conflicts of interest, maintaining a professional distance from their subject, their employers may be intimately linked to larger corporate interests through interlocking boards of directors and other elite connections.’¹¹⁶ In times of crisis the press normally ‘unify with the government ... In this reflexive routine, the national media has traditionally shown an unwillingness to criticise ... the government.’¹¹⁷ Access to sources is the bottom line, ‘Reporters “must not only portray powerful individuals and institutions, but must interact with them” ’¹¹⁸ and the Bushfire Royal Commission was undoubtedly a crucial news source. A royal commission provides reliable, conservative government-backed, information. In *Fair Cop*, Christine Nixon suggests that they ‘are a gift for the media, with blood-letting and banner headlines guaranteed, and full legal privilege.’¹¹⁹

The following graphs leave us in no doubt of the strong connection between the number of items appearing in the *Herald Sun* about Black Saturday and the activities of the royal commission. That readers’ contributions are linked to improved circulation and would not have been lost on *Herald Sun* executives.¹²⁰

¹¹⁴ B. Franklin, *Pulling Newspapers Apart: Analysing Print Journalism*, 58.

¹¹⁵ D.A. Berkowitz, *Cultural Meanings of the News: A Text-Reader*, 10.

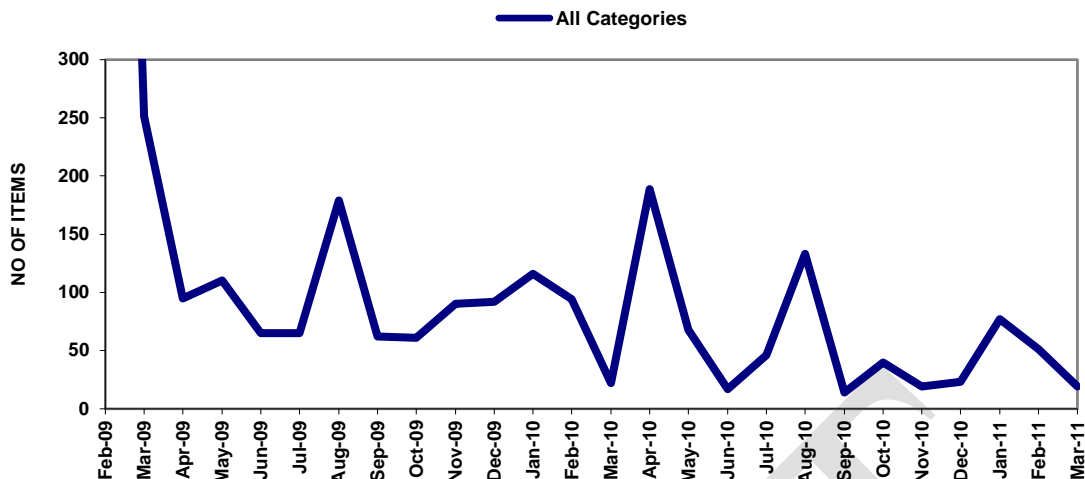
¹¹⁶ D.A. Berkowitz, *Cultural Meanings of the News: A Text-Reader*, 10.

¹¹⁷ D.A. Berkowitz, *Cultural Meanings of the News: A Text-Reader*, 101.

¹¹⁸ D.A. Berkowitz, *Cultural Meanings of the News: A Text-Reader*, 102.

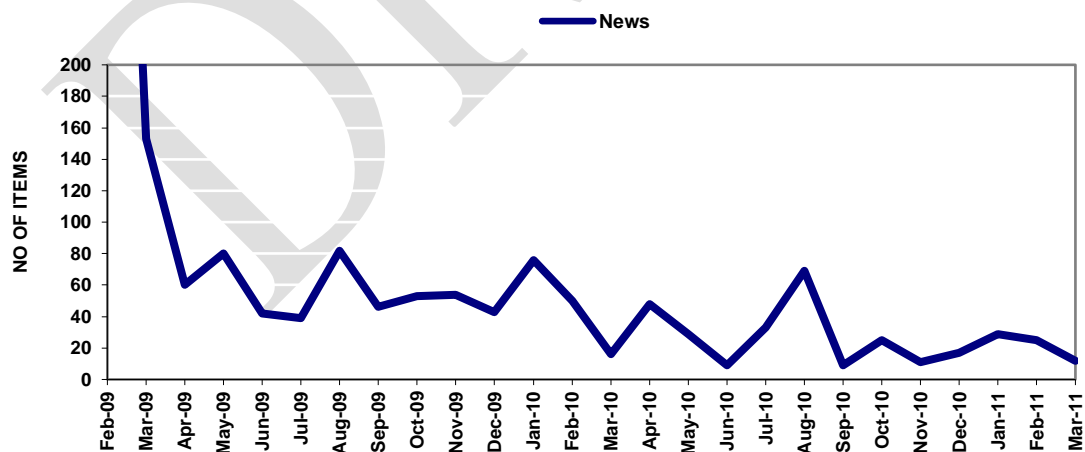
¹¹⁹ C. Nixon, *Fair Cop*, 31.

¹²⁰ B. Franklin, *Pulling Newspapers Apart: Analysing Print Journalism*, 58.

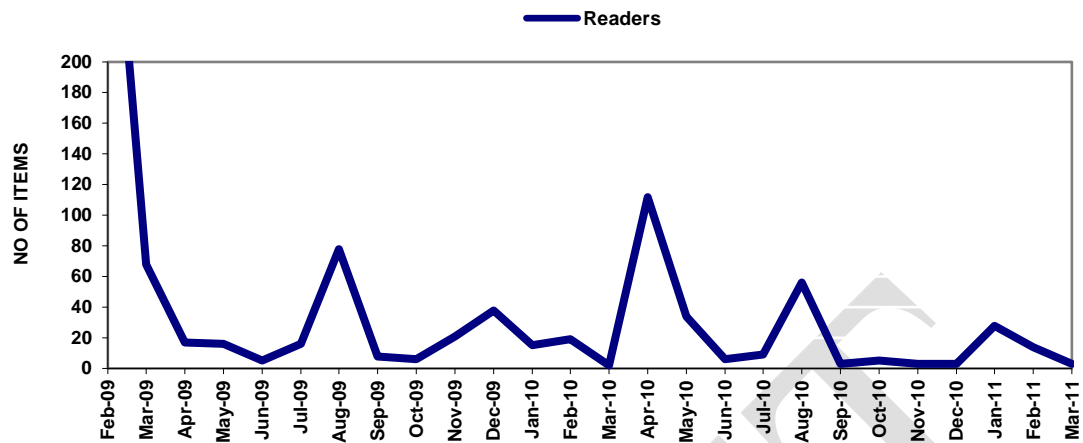


The above graph tracks the total number of items about Black Saturday for the 26-month period, by month. Of note are the 7 peaks starting from May 2009, and of special interest are the 3 highest peaks in this time frame, August 2009, April 2010 and August 2010. Interestingly, the peak in August 2009 coincides with the release of the commission's interim report. The two highest peaks relate to the commission's hearings when Nixon was being hauled over the coals. The third highest peak occurs in August after the commission's final report was handed down on 31 July 2010.

The following graph looks at the news items for the same period. It has six distinct peaks, but of interest are the four highest peaks in May 2009, August 2009, January 2010 and August 2010. In May were the first hearings of the royal commission and in August the interim report. The January 2010 peak was not related to the royal commission, but to concern over the first fire season after Black Saturday, combined with the tour of fire-ravaged areas by Prince William. The final report of commission was released on 31 July 2010.



The graph for Readers below has 5 peaks but the 3 highest are the same as for the 'all categories' graph above. In other words, the peaks can all be related to the activities of the commission.



So far we have established that many had a strong belief that we would learn lessons from Black Saturday, Australia's worst natural disaster. Our track record, however, from previous inquiries dating back to the late 1800s has been dismal, giving us little cause for optimism.

4. NO SOLUTIONS (AGAIN)

The book has so far identified a number of themes, the most important of which were that something must be done to prevent another Black Saturday and that we had not learned from the past. This chapter looks at our renewed vigour to find solutions. Chapter 3 argued that what is to be prevented is problematic. On one hand it seems to be a simple matter to find solutions – identify the causes and go from there. On the other hand, our failure to learn gives the impression that there must be more to it than that, otherwise we wouldn't be revisiting the same horrendous destruction a hundred and fifty years or so after Black Thursday in 1851.

The analysis will look at four factors: cause, solutions, goals and beliefs, each interacting with and affecting the other. We need to understand why not everyone agrees with the primary cause of, say, the deaths on Black Saturday. To some it was clearly the failure of the 'stay or go' policy; to others it was the lack of fuel reduction, the lack of bunkers in homes or the failure to provide community shelters. Our view of the primary cause determines our selection and acceptance of solutions. Critical to all this are our beliefs.

Beliefs include what is or ought to be controllable and what isn't; what we see as individual rights; and how we see our political (economic) system. If we want the government to act to on Black Saturday, is this consistent with our beliefs, or even possible? Governments are averse to high-cost solutions, as this would adversely affect powerful interest groups. Politicians are reluctant to take action that affects long-held individual rights concerning property. Governments must, in a democracy, take into account the effect of an electoral backlash resulting from unpopular decisions (about rights or funding) that might ruin their re-election chances.

Searching for solutions

The previous chapter showed that we have always had difficulty learning lessons. Part of the problem is agreeing on what those lessons might be. I suggest we start with our two highest prevention goals: **saving lives** and **minimising property damage** and work from there. We need to link the major **causes** of the fires, the **solutions** and our **goals**. The following table summarises these links. No new prevention strategies were recommended after Black Saturday, so it was the implementation of the existing ones that was the issue. This categorisation has the effect that strategies are listed under both cause and solution because of their interconnection. The first column *Cause* in the table has been divided into direct and indirect, the main purpose of which is to separate ignition from other causal factors. The direct causes are arson and power assets. Under indirect causes are the six major prevention strategies: fuel reduction, the 'stay or go' policy (warnings and evacuations), refuges (bunkers and community shelters), resettlement, fire containment and building regulations. The second column *Solution* looks at the relevant solution. The final column *Goals*, outlines which of our goals are achieved.

Table of - Causes, solutions, goals

Cause	Solution (strategy)	Goals
DIRECT		
■ Arson	Stop arsonists	Save lives – minimise property damage
■ Power assets	Asset maintenance Bury/bundle power lines	Save lives – minimise property damage
INDIRECT		
■ Fuel reduction Lack of fuel reduction	Increase fuel reduction	Save lives – minimise property damage
■ Stay-or-go Lack of warnings Failure to evacuate people	Improve warnings Evacuate people	Save lives Save lives
■ Refuges Bunkers (in homes) Community shelters	Encourage installation Designate more of them	Save lives Save lives
■ Settlement Allowing people to live in high-risk bushfire areas	Discourage/exclude people from living in high-risk bushfire areas	Save lives – minimise property damage
■ Fire containment Failure to contain/extinguish fires	Improved firefighting ability - more equipment	Save lives Minimise property damage
■ Building regulations Failure to have adequate fire-resistant standards for buildings	Introduce improved fire-resistant standards	Save lives Minimise property damage

The above table suggests that apart from dividing the strategies into direct and indirect, we can divide them another way: those that achieve both goals and those that achieve only one, saving lives. None of the options is aimed at minimising property damage only. Those that achieve both goals are stopping arsonists lighting bushfires, preventing power assets starting fires, fuel reduction, resettlement, improved firefighting capacity and improved fire-resistant building standards. The other options, modifying the stay or go policy, installing bunkers in homes, and establishing community shelters are aimed at saving lives only. On this basis we could say that the better solutions are those that save lives and property. However the answers are not that simple. There are critical factors that are not taken into account in the above, such as which strategies we are willing to accept or embrace, and the actual effectiveness of each strategy in achieving the goals. This will be summarised in the next table.

Relationship between causes and control

Prevention strategies are about controlling our environment (natural or built/urban) or the actions of humans. Here the strategies are linked to controllability and how effective they might be. This is a brief introduction to their viability. Each strategy will be examined in depth later.

Ignition source: On Black Saturday, arsonists and power lines (or associated assets) started all of the major fires. As much as we might try, stopping arsonists is not controllable, despite heavier penalties. It is possible to prevent power lines from causing fires in the future, though frightfully expensive, by burying or bundling them. Researcher Danielle Clode has surveyed ignition causes: 'In Victoria, a quarter of all bushfires are started by lightning, the single largest source of ignition. About 20 per cent of bush fires are started deliberately – by illegal burn-offs, dumped and torched cars, children and arsonists. Escaped private burn-offs account for 18 per cent of fires, with a further 10 per cent starting from camp-fires and barbeques. The remaining fires have a variety of sources: cigarettes, matches, machinery and exhaust. The causes of some fires are never known.'¹ No matter what steps we take, fire ignition will largely remain outside of our control, and will thus not achieve either of our goals.

Fuel reduction: Fuel reduction has significant appeal because it is based on the fact that without fuel there can be no fire. All we need to do is remove or reduce burnable fuels such as trees, plants and so on. The strategy is controllable and has the advantage of achieving both of our goals – saving lives and minimising property damage.

Stay-or-go policy: The emphasis after Black Saturday has been on encouraging people to leave early whenever there is a possibility of a severe bushfire, a strategy that is, in theory, controllable. The problem has been that people don't leave early and forced evacuation has been ruled out. The policy would, if successfully implemented, save lives, but would not minimise property damage.

Bunkers/shelters: Would appear to be effective in saving lives, but fail to minimise property damage.

Resettlement/buy backs: This policy, if made compulsory, would move people out of high-risk areas. This is, in theory, controllable. In practice, the government and those who live in such areas find this unacceptable. The policy has the advantage of achieving both goals – saving lives and minimising property damage.

Fire containment/extinguishment: Is more a myth than real. In practice it cannot be relied on to save lives or property.

Building standards: In practice is unlikely to save lives or protect property from fires like Black Saturday. However, it is an easy option compared with other strategies and can be achieved simply by amending building regulations.

The following table summarises the solutions/strategies, our apparent ability to control them, and our willingness to accept or embrace the solutions and their effectiveness.

¹ D. Clode, *A Future in Flames*, 123-124.

Solutions (strategy)	Controllability	Acceptance	Effective (achieve goals)
Prevent ignition			
- arsonists	not controllable (human actions)	Embraced	No
- power lines	controllable (built environment)	Embraced, but discarded	Limited
Fuel reduction	controllability (doubtful) – control nature – backburning, clearing	Embraced	Limited
Stay or go	controllability (doubtful) – control human actions	Embraced	Limited
Refuges - Bunkers/shelters	controllable (built environment)	Not embraced	Yes
Resettlement/buy backs	controllable – control built environment and control human actions	Not embraced	Yes
Fire containment	controllable (built environment & resources)	Not embraced (but basis for blame)	No
Building regulations	controllable (built environment)	Embraced	Limited

The above table makes many judgments that are not fully supported until later in the chapter or in Chapter 6. However, it is timely to introduce them here because I want to present an outline of my argument on solutions (strategies), their effectiveness and our willingness to accept them. The table suggests that, in terms of goal achievement, bunkers/shelters and resettlement/buy backs are the best options. Resettlement is the better strategy because it achieves both goals articulated earlier: it saves lives and minimises property damage, whereas bunkers/shelters save lives only. If we compare this table with the previous one that focused on goals without taking other factors into account, the viable strategies are considerably reduced. Refuges, which were not a preferred option in the previous table now become a viable strategy. Of note is that the solutions judged effective have not been embraced, indicating we reject them in favour of those that don't really work. The reasons for fuel reduction and the stay or go policy being labelled of limited effect are explored in detail later in this chapter. Our ability to stop arsonists is a myth discussed in the next section. The power asset option has been rejected primarily on the basis of its cost to consumers or tax payers, an outcome also discussed in the next section.

The last two options in the table above, fire containment and the introduction of fire-resistant building standards, to my mind, are no answer to fires like Black Saturday, some of which, at their peak, could not be fought, contained or otherwise. They will be dealt with now. I contend that these do not achieve in any meaningful sense either of the goals. The *Herald Sun's*

reporting never seriously takes on board that an improved firefighting capability or building fire-resistant homes would protect us. These measures may protect homes threatened by smaller fires and ember attack, but not from infernos that are fierce and uncontrollable. No amount of fire trucks, up-to-date equipment, or firefighters can control such fires. Lionel Elmore, writing for *Crikey*, sees no advantages for victims in the new building codes: 'Targeting towns that were burned out for special building regulations is an academic and commonsenseless approach that expands bureaucracies, punishes those burned out and leaves people in caravans, hopelessly exposed more than 18 months after the fires.'² Concentrating on the shortcomings of the firefighting effort or on new building regulations are a distraction from the more important prevention strategies.

Authors of *A Future in Flames*, *Worst of Days* and Christine Nixon in her memoir all agree that emergency services are not the answer. Danielle Clode wrote, 'But severe fires are beyond the ability of anyone to control. There is no question of stopping fires like those on Black Saturday once they get going. It becomes a question of surviving them.'³ Historian Tom Griffiths has reminded us 'That some of the fires that roar out of the Australian bush are unstoppable ... It seems to go against the grain of our humanity to admit that fact'.⁴ Referring to experience in California, Clode observes that 'Despite dramatic improvements in firefighting capacity, the fires seem to get more tragic every year. In 2007, the Witch Creek fire was part of a season of fires that claimed 14 lives and burnt over 200,000 hectares, the largest to affect the state. An arsonist suspected of starting one of the blazes was shot dead by authorities as he fled the scene.'⁵ Karen Kissane believes that 'Lost somewhere inside this complex mix of best efforts and shabby shirking of responsibility that constituted the state's bushfire response was a great historical truth: some fires are so extraordinarily fast and intense that, in the face of their fury, even the best prepared and well defended home is doomed to ashes.'⁶ And Christine Nixon thinks 'the promulgation of the notion through agencies like the CFA that we can fight fires and be secure in the bush'⁷ is dangerous.

As would be expected from the discussion in chapter 2, there is no suggestion, except by extremists, that God was responsible for igniting the fires. Although lightning started one of the minor fires, the worst were the work of arsonists and power lines. There is a definite trend in the West to expect that the government and significant others have a role in preventing harm, and ever more so for disasters.⁸ The expanding modern law of negligence is the legal manifestation of this. The increasing emphasis on specialisation and expertise, especially by government, and the birth of the welfare state, reinforce our dependence.

There are those who claim that 'there is a general tendency to confuse symptoms ("troubles") with causes, particularly when human agency is involved.'⁹ Presumably this is aimed at our emphasis on emergency services to solve the bushfire problem (the symptom), rather than

² L. Elmore, 'Tracking the Black Saturday bushfires – at the source of ignition', *Crikey*, 3/8/10, at <<http://www.crikey.com.au/2010/08/03/>>

³ D. Clode, *A Future in Flames*, 7.

⁴ D. Clode, *A Future in Flames*, 8.

⁵ D. Clode, *A Future in Flames*, 101.

⁶ K. Kissane, *Worst of Days*, 37.

⁷ C. Nixon, *Fair Cop*, 316-317.

⁸ T. Douglas, *Scapegoats: Transferring Blame*, 64-65.

⁹ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 46.

reduce fuel loads and so on, which are seen as the real causes. The reasons we don't look at the obvious prevention strategies are the subject of this chapter.

'Stay-or-go' is a compromise of sorts between saving lives and saving properties, whereas bunkers/shelters focus on saving lives only. The only fail-safe ways to avoid death and destruction of property is not to live in high-risk areas at all or reduce fuel loads to such an extent that fires cannot occur. Resettlement receives the least attention, being the least acceptable in our culture. It requires an admission that, even with modern weather forecasting, fuel reduction, firefighting, and construction technology, we cannot protect ourselves from, or control, nature. If the above table is correct, we embrace strategies that are ineffective and refuse to accept those that are.

What is controllable, in theory, tells us what solutions are available. In practice, however, our ideology of control leads us to overestimate or over-generalise our actual control, as in the case of building regulations being seen as a solution to Black Saturday. Sometime we convince ourselves we have control where we have none, as in the case of bushfire arsonists. At other times the solution is under our control but we ignore it, as in the maintenance of power lines, an option that was dropped in favour of the high-cost burying alternative.

Which solutions does the *Herald Sun* support?

The following table breaks down the number of items by category for the direct and indirect causes, excluding the fire containment and building regulations' strategies.

CATEGORY	TOPICS – NO. OF ITEMS					
	ARSON	POWER LINES	BUNKERS/ SHELTERS	RES'MENT BUYBACKS	FUEL REDUCTION	STAY OR GO
NEWS	84	43	50	24	80	153
VOTELINE	2	0	2	0	0	2
CARTOONS	0	0	3	0	0	2
EDITORIALS	6	2	3	1	5	14
OPINION	2	2	5	0	18	13
ADVERTS	4	1	5	0	14	18
READERS	38	10	31	8	124	59
TOTALS	136	58	99	33	241	261

In the earlier discussion on the ignition of fires, which focussed on arson and power lines it was argued that, of the two, arson was not controllable. Of course, not everyone would agree. There are those who look to the 'law and order' approach to solve social problems with tougher policing and harsher punishments. The *Herald Sun* is a long-term advocate of this approach, which sees desperate calls for increased penalties. It feeds off our hatred and contempt of arsonists. A reader on 9 February 2009 was forthcoming: 'Let's stop fooling around with firebugs, or low-life, as they should be branded. Anyone ... caught lighting a fire that causes loss of life should be jailed for life.'¹⁰ and on 18 February, 'Arsonists ... don't have any

¹⁰ G. Gee, Wallan, Letters, 'Take a life, spend yours in jail', *HS*, 9/2/09, 25.

rights.’¹¹ Experts were brought in to educate us on the sociological and psychological backgrounds of arsonist in terms of profiles.¹² Even Prince William slammed firebugs.¹³ No matter how strong our emotions, focussing on arsonists does little to prevent another Black Saturday. Nevertheless, the preoccupation with arson was short-lived, with more than half the articles on the subject published in the first three weeks after the fires.¹⁴

In contrast, power supply issues are mentioned less than half as much, although the problem of faulty assets is clearly more controllable. There were more articles on arson in the first 3 weeks than for the entire coverage for power related issues. What limited reporting there was, was devoted to burying power lines and legal action being taken by survivors. No journalists were at the door confronting power companies and asking the hard questions. Only days after the fire it was known that power lines almost certainly started some of the worst fires.¹⁵ But the reporting suggests that the power companies were neither responsible for their power lines, nor part of the solution. That the cause of the fires might have been a maintenance issue was ignored in favour of outrageously more expensive options.¹⁶ This issue will be revisited in Chapter 6.

Of the four indirect prevention strategies, resettlement or buy backs was by far the least popular. It got 33 mentions in the entire coverage, most in relation to the royal commission’s final report. The *Herald Sun* showed some interest in bunkers and shelters – 99 mentions. The bunker issue was reduced to outrage at bogus installers and a call for national standards. Neighbourhood Safer Places were the face of the community shelter issue. The newspaper noted that these were important and that it was a disgrace that nothing was being done. As for fuel reduction, the paper’s editorials and news items did not embrace it, whereas readers were strongly in favour. Because of the readers’ contribution to the debate, fuel reduction saw 241 mentions. Lionel Elmore, writing in *Crikey*, accuses the media of silencing those critical of fuel reduction, including politicians.¹⁷ There is some truth in this, but I think the better explanation is that there was a general public hostility, even hatred, at the time towards those opposed to fuel reduction, characterising such people as ill-informed greenies. Elmore thinks the media placed too much emphasis on ‘promoting the views of people burned out by the fires and demanding that their wishes were acted on.’¹⁸ I think the opposite is true – the *Herald Sun* was responding to, or was an expression of, public opinion rather responsible for it. An anti-fuel reduction position by the *Herald Sun* would have been unpopular and attracted a foreseeable backlash in circulation. From the paper’s point of view, better leave the slamming of greenies to readers. The most mentioned strategy, with 261 mentions, was ‘stay-or-go’. The *Herald Sun* pushed for modifications to the policy and came out strongly in favour of the new fire danger ratings and a greater emphasis on ‘leaving early’. The paper embraced the FireReady campaign, which focussed on educating people to better prepare their homes and

¹¹ M. Jones, Victoria, Letters, ‘Sentence too light’, *HS*, 18/2/09, 30.

¹² N. Ross, ‘Firebugs dodge jail’, *HS*, 17/2/09, 6; Editorial, ‘Dealing with the firebugs’, *HS*, 17/2/09, 26.

¹³ D. Murray, ‘Prince slams callous bushfire arsonists’, *HS*, 26/2/09, 15.

¹⁴ There were 75 items in the first 3 weeks, out of a total of 136 for the 26 month period.

¹⁵ J. Ferguson, ‘Birthplace of a monster’, Special Edition, *HS*, 12/2/09, 2; ‘Power firms facing fresh class action’, *HS*, 18/2/09, 7.

¹⁶ L. Elmore, ‘Tracking the Black Saturday bushfires – at the source of ignition’, *Crikey*, 3/8/10, at <<http://www.crikey.com.au/2010/08/03/>>

¹⁷ L. Elmore, ‘Tracking the Black Saturday bushfires – at the source of ignition’, *Crikey*, 3/8/10, at <<http://www.crikey.com.au/2010/08/03/>>

¹⁸ L. Elmore, ‘Tracking the Black Saturday bushfires – at the source of ignition’, *Crikey*, 3/8/10, at <<http://www.crikey.com.au/2010/08/03/>>

to understand and better apply stay-or-go. That newspapers would choose to support a strategy based on warnings and education over perhaps more effective options seems to originate from the media's primary role as a mass communicator. This is precisely what the press did after Katrina in the US.¹⁹ The importance of the media in the communication of risk and warnings has been recognised world-wide.²⁰

The remainder of this chapter is devoted to our responses to four indirect strategies (fuel reduction, stay-or-go, refuges, resettlement) and why we end up with no real answers – again! The four were selected on the basis that two were judged to be the most effective earlier in the chapter (refuges, resettlement), whilst the other two were the options most reported in the *Herald Sun*. Just before we launch the detailed analysis, we should keep in mind that seeing the problem as a 'once off' doesn't lead us to long-term solutions. We should keep in mind the words of William Westgarth in 1888 –

There has never been, throughout Australia, either before or since, such a day as Victoria's Black Thursday, and most likely or rather most certainly, it will never, to its frightening extent, occur again; for every year, with the spread of occupation, brings its step in the accumulation of protectives.²¹

Fuel reduction

In many ways fuel reduction is the ultimate answer to the bushfire problem. It relies on reducing the amount of combustible vegetation, either by clearing or backburning. This option is appealing because people can continue to live where they are in safety without fear of lives being lost or property being destroyed. Why then is it the most controversial answer, causing a bitter divide between neighbours, communities, city and country, and an ongoing confrontation between environmentalists and conservatives? The responsibility for fuel reduction falls squarely on the government, since it controls public land. Such land 'contains three-quarters of our high bushfire-risk forests.'²² This may explain why readers fiercely support increased fuel reduction and are critical of its neglect, taking offence at laws preventing landowners clearing their own properties. And there was evidence for their anger. The worst reported cases were where a Fairhaven man was fined \$5000²³ for pruning 10 branches off a tree, Steve Daicos and other farmers were fined for clearing their properties for CFA access,²⁴ and Jo Van Gaal who was fined \$550 for clearing his land in accordance with instructions from council fire prevention officers.²⁵ Andrew Bolt of the *Herald Sun* was the champion of fuel reductioners.²⁶

Environmental concerns

¹⁹ R. Izard & J. Perkins, *Covering Disaster*, 13, 19, 29, 101.

²⁰ H. Rodriguez, *et al*, *Handbook of Disaster Research*, 482-483.

²¹ D. Clode, *A Future in Flames*, 65.

²² D. Clode, *A Future in Flames*, 142.

²³ T. Brown, 'Perfect setting for a disaster', *HS*, 19/8/09, 6.

²⁴ M. Dunn, 'Furious farmers say red tape shows councillors have ... Rocks in their heads', *HS*, 18/2/09, 5.

²⁵ P. Murphy, 'Tribunal orders farmer to replant firebreak: Clearing fuels a fiery debate', *HS*, 22/8/09, 4.

²⁶ A. Bolt: 'Old lessons to relearn', *HS*, 11/2/09, 32-33; 'Time to heed warnings', *HS*, 13/2/09, 38-39; 'Stridently dark green', *HS*, 18/2/09, 28-29; 'Burn-offs too little, too late from unsustainably green DSE', *HS*, 20/2/09, 38-39; 'Gaping black hole in fire report', *HS*, 19/8/09, 34-35; 'Despite Code Red, remember a few home truths about safety', *HS*, 5/2/10, 36-37; 'Fuel burns will save us', *HS*, 19/2/10, 32-33; 'We must punish poor leadership', *HS*, 16/4/10, 35.

Fuel reduction is a battleground between environmentalists and those who see it as essential for human safety. Environmentalists, whoever they may be, are held responsible for the current fuel loads and pro-tree policies. The 'debate ... finds almost nothing in the way of common ground. It also stays mostly beneath public awareness and media attention until the next inferno reinstates it on front pages and in opinion columns ... [T]he war over controlled burning has raged for decades.'²⁷ The Greens and their 'ideologies in council chambers prohibited or stymied preventive burning and fined those who dared to clear the land around their homes. In universities, theorists insisted that their research had scuttled all the popular notions that Aborigines once put much of the countryside to the torch.'²⁸ The royal commission noted, 'There are unresolved tensions between bushfire risk mitigation and environmental conservation reflected in fuel management activities'.²⁹

Anti-green sentiment was forthcoming from readers, but did not feature in the general coverage. From Inglewood came, 'Greenies, it's time to see the obvious. Burn-offs can save lives. Trees can grow back, people can't.'³⁰ and another from South Morang, 'Unless all levels of government are willing to stand up to the greenies and allow/promote proper fire prevention measures, it will happen again whenever nature feels like it.'³¹ But a few greenies fought back. Josh White from Moe countered that, 'the complained-about fuel-loads by armchair experts like Andrew Bolt have practically no bearing on fire danger.'³² A letter from Jose Sanchez from Richmond implored us to end our arrogance towards nature 'We need to find a way to live safely in harmony with the bush. Destruction for the sake of perceived safety is short-sighted and greatly concerning. Unregulated clearing is not the answer ... For the good of all of us – locally, globally, current and future generations – we need to respect the planet, and stop acting like we own the place.'³³ It was noticeable though, that those opposed to fuel reduction were reluctant to air their views publicly at the time for fear of public backlash.

Geraldine Brooks, an expatriate and former journalist and foreign correspondent, in her 2011 Boyer Lecture, spoke of our treatment of the planet. Our 'story of human alteration to the natural world ... it happens now in the Amazon, in Africa ... and innumerable corners of the world ... and the planet that is our only home reels and buckles under the accumulated strain.'³⁴ 'The pace of our headlong rush from a wilderness existence through an agrarian life to urbanisation is staggering and exponential.'³⁵ We have reached the point where 'There is no longer any true wilderness left on Earth.'³⁶

There is some agreement on both sides that forests are essential to the eco-system, and thus necessary for human existence. There is evidence that fires are a necessary part of the life cycle for a healthy wilderness. Bushfire expert Dr Kevin Tolhurst 'believes that extreme bushfires are partly an artefact of the modern practice of "fire exclusion". The Australian bush has evolved to need fire periodically as part of its natural cycle of death and rebirth but is no

²⁷ R. Franklin, *Inferno*, 87-88.

²⁸ R. Franklin, *Inferno*, 11.

²⁹ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part One, 279.

³⁰ Mandi, Inglewood, Text Talk, *HS*, 4/8/10, 20.

³¹ Grumpy, South Morang, Hot Topic, 'Consult fire victims', *HS*, 2/8/10, 22.

³² J. White, Moe, Letters, 'Burning issue is under control', *HS*, 4/3/09, 29.

³³ J. Sanchez, Richmond, Letters, 'Stop acting like we own the planet', *HS*, 8/8/09, 29.

³⁴ G. Brooks, *The Idea of Home*, 16.

³⁵ G. Brooks, *The Idea of Home*, 23.

³⁶ G. Brooks, *The Idea of Home*, 24.

longer getting what it needs, he argues. “Fire triggers a whole lot of significant events. It releases nutrients, removes competition [by other plants and herbivores], changes for a short time the alkalinity of the soil; it changes the whole suite of microbes that dominate, for a short period of time. It triggers an event that allows regeneration of the ecosystem that doesn’t happen in the absence of fire.” Incidentally, planned fire also helps the human ecosystem by lowering the fuel available to wildfires.³⁷

Environmentalists often justify their opposition to backburning in terms of its detrimental effect on native wildlife and the wider ecosystem. This version of environmentalism enrages fuel reductioners, who argue that extreme fires end up causing more damage than any controlled burning. And they are probably right. We seem to be damned if we burn off and damned if we don’t. Karen Kissane neatly summarises the tension: ‘Planned burn-offs are rarer these days because of fears that people damage a fragile natural heritage when they intervene in it. Fires leave trees blackened and bare, they add to carbon dioxide release in an era of global warming, and they kill native animals. But failing to burn off changes the habitat of native species in ways that can be even deadlier, argues Tolhurst the forester. It seems to him that humanity’s ill-informed love of nature is helping to kill off the more delicate pockets of it.’³⁸

David Packham, another bushfire expert, says that ‘emotion beats reason and science.’,³⁹ implying that if we were all reasonable and scientific we would embrace backburning. This smells of over simplification. It may well be that he has been attacked mercilessly by some environmentalists for his views, but he ignores the basic problem that fuel reduction itself springs from a desire to control nature. Packham’s resort to reason and science hides the fact that his view rests on scant evidence and that his answer is just another environmental strategy ‘based on the conception that society must learn to care for and safe-guard nature’⁴⁰

There is scant evidence that fuel reduction works

There is little evidence that the necessary fuel reduction can be done in the small windows of opportunity that arise in autumn and spring. Recent backburning at Margaret River in Western Australia has again highlighted the risks involved. Nevertheless, Packham insists that ‘The key to avoiding catastrophe ... is to fight fire with the fire of prescribed burning.’⁴¹ According to the royal commission ‘research has established that fuel reduction through prescribed burning mitigates the intensity and effect of bushfires by reducing the extent and severity of fires and increasing the ability to suppress fires, hence reducing their potential size and impact.’⁴² Homer-Dixon recognises that once we set out ‘to control and regulate forests’ we necessarily have to control ‘undergrowth and debris’ or else we create ‘the conditions for a catastrophe’.⁴³ Calls for more burning off do not tell us if the amount that must be done is possible and how effective it would be. Vague references to a reduced risk by the royal commission are hardly convincing,⁴⁴ and Elmore goes further when he says ‘going by the

³⁷ In K. Kissane, *Worst of Days*, 69-70.

³⁸ K. Kissane, *Worst of Days*, 69.

³⁹ In R. Franklin, *Inferno*, 87.

⁴⁰ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 32.

⁴¹ In R. Franklin, *Inferno*, 87.

⁴² Victorian Bushfires Royal Commission, Final Report, Vol. II, Part One, 279.

⁴³ T. Homer-Dixon, *The Upside of Down*, 232-233.

⁴⁴ Victorian Bushfire Royal Commission, Final Report, Vol. 1, 226; Final Report, Vol. II, Part Two, 280-284.

findings of the Commission there is not a scintilla of evidence justifying it.⁴⁵ The commission favoured a state-wide fuel reduction target, without considering whether this is effective. It seems pointless burning off wilderness areas where there are no people. There are appeals to a more 'scientific' burning off⁴⁶ regime that better targets areas, but the more important question is in what sense is a decision to burn-off or leave our ecological systems alone, scientific?

Governments reluctant to fund

Apart from doubts about the effectiveness of fuel reduction, the financial costs and drain on resources are prohibitive: 'It is time-consuming and resource intensive. It always carries the risk of fires getting out of control ... While governments are only too happy to open their wallets and cheque books in response to a fire disaster, they are less forthcoming with everyday funding for mundane fire protection activities, even though these may be considerably cheaper and substantially reduce the losses caused by fires.'⁴⁷ The Oakland fires in California were started by 'workers burning off weeds, but ... A natural thing, like a fire, should have never been employed to solve a cultural problem, like an overgrown yard.'⁴⁸

Whatever the pros and cons of prescribed burning 'the State has maintained a minimalist approach ... despite a number of recent official or independent reports and inquiries, all of which have recommended increasing the prescribed burning program. The State has allowed the forests to continue accumulating excessive fuel loads. Not dealing with this problem on a long-term and programmed basis means that fuel levels continue to increase, adding to the intensity of bushfires that inevitably eventuate and placing firefighters and communities at greater future risk.'⁴⁹ To rectify this the commission recommended that 'The State fund and commit to implementing a long-term program of prescribed burning based on an annual rolling target of 5 percent minimum of public land.'⁵⁰ Andrew Bolt and readers have slammed the government time and time again for failing to backburn. In February 2010 Bolt wrote –

Only now is the royal commission getting close to the true scandal behind the devastating Black Saturday fires. It's this: why did this Labor Government ignore so many warnings that it was burning too little of our forests? Did its green agenda cripple the most effective technique it had to keep our bush towns safe – to burn off the fuel loads that turn a fire into an inferno?⁵¹

And a year earlier a V. Gallagher from Northcote had written –

So, \$40 million to tell us what we already know: Fires need fuel to burn. Pity this money wasn't spent over the years on back-burning and proper forest management. This royal commission is just political grandstanding once again.⁵²

⁴⁵ L. Elmore, 'Tracking the Black Saturday bushfires – at the source of ignition', *Crikey*, 3/8/10, at <<http://www.crikey.com.au/2010/08/03/>>

⁴⁶ I. Brothwell, Mornington, Letters, 'If a plea falls in the forest', *HS*, 21/2/09, 73; G. McFadzean, Fitzroy, Letters, 'Burn-off goal too simplistic', *HS*, 3/8/10, 21.

⁴⁷ D. Clode, *A Future in Flames*, 141.

⁴⁸ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 121.

⁴⁹ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part Two, 278.

⁵⁰ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part Two, 295.

⁵¹ A. Bolt, 'Fuel burns will save us', *HS*, 19/2/10, 32-33.

⁵² 50/50, *HS*, 19/2/09, 32.

Fuel reduction – conclusions

The reasons for the lack of fuel reduction are many, some very convincing: the risks of backburning starting a bushfire; the cost of funding a viable program; the question of whether enough can ever be done; its lack of credentials as an effective option; its dubious environmental status; and that many people live in these areas because they want to live in the midst of the bush. Given these concerns, fuel reduction is unlikely to be embraced by governments and, as history indicates, never has been.

Stay-or-go

Stay-or-go is a compromise between living in the bush, defending one's home and saving lives in a bushfire. The increased emphasis after Black Saturday on leaving early has been at the expense of protecting property. People have found it confusing, especially the 'go', not knowing where.⁵³ Bolt told us that the new Code Red was going to get someone killed,⁵⁴ and a reader from Hamilton warned that it was unworkable and dangerous.⁵⁵ Rachel Doyle, counsel for the commission, maintains that residents can be put in a position where it's too dangerous to stay and too dangerous to go.⁵⁶

Basis of

The policy has two sides: one, where people are encouraged to stay and defend their property during a bushfire if they are properly prepared and equipped; and two, where people are advised to leave their property well before the bushfire arrives if they are not adequately prepared or not willing or able to defend their home. A study by Dr Katharine Haynes of the number of deaths of people in homes, outside homes and late evacuation has been used to retrospectively justify the policy. It found that there were fewer deaths in homes, which lead to the belief that people were safer there. Bruce Esplin, Emergency Services Commissioner on Black Saturday, writing in the *Herald Sun*, said that in his view the policy was based on sound research.⁵⁷ Robert Manne claims that the figures don't back the conclusions.⁵⁸ Frank Campbell believes there is a fundamental flaw in Haynes' logic, because she assumes that houses are safe refuges in which one stays inside until the fire front passes and emerge from unscathed. A better explanation of people's behaviour is that they 'flee because their house is burning or about to, and that people die fighting outside because the house is burning or about to, and that people die inside because they would be killed quicker if they came out.'⁵⁹ I agree, but would add that all Haynes gives us is a break up of where people died, there are no crucial

⁵³ J. Ferguson, M. Johnston & A. Harris, 'Police chief plea on fire code' and 'Code Red Chaos: Use common sense, police chief urges', *HS*, 12/1/10, 1 & 4; S. O'Brien, 'Code red no use in bush', *HS*, 2/2/10, 22-23.

⁵⁴ A. Bolt, 'Despite Code Red, remember a few home truths about safety', *HS*, 5/2/10, 36-37.

⁵⁵ T. Wettenhall, Letters, 'Fire code ignites confusion and risk', *HS*, 6/2/10, 76.

⁵⁶ G. Mitchell, 'Bushfires advice of no use', *HS*, 31/3/10, 25.

⁵⁷ B. Esplin, 'Blazes that no fire service can combat', *HS*, 12/2/09, 36-37.

⁵⁸ R. Manne, *Making Trouble*, 151.

⁵⁹ F. Campbell, 'Black Saturday revelations demand a complete rethink of fire science', *Crikey*, 6/7/09 at <<http://www.crikey.com.au/2009/07/06/>>

statistics on the total number of people who left late (and survived) and the number of people who stayed in their homes (and survived). Further, it is not taken into account whether the people who left late would have died in their homes anyway, or that those who died in their homes would have been better off leaving late. To expose the study's central fallacy, let's make a simple comparison. If a survey of deaths at sea found that fewer people died in vessels that had capsized, than amongst those who abandoned ship, those who rely on the Haynes' figures would have us believe that it is safer to seek refuge in a boat as it heads for the ocean floor – an absurdity. Based on Haynes' findings Andrew Bolt was convinced that staying at home was still by far the safest option.⁶⁰

Experience indicates that people leave late, that is, when a fire actually threatens. Not long after Black Saturday hundreds of people in Warburton would not evacuate⁶¹ – and 'Victorian women are more likely than men to abandon bushfire-prone homes, but many will do it late, and risk death, a report has found.'⁶² In August 2010 a small news item 'Fleeing saved life' reported that 'A survey of Black Saturday survivors showed many owed their lives to a decision to flee when the flames neared their homes ... and more than three quarters left with the flames less than 500m from their homes ... Many of the late leavers were from areas where almost everyone who stayed behind was killed'.⁶³ Such evidence, which ran counter to the tenets of 'stay or go' was of no interest to the *Herald Sun* since it was committed to the official line.

Warnings

Robert Manne discusses the lack of warnings to residents on Black Saturday in *Making Trouble*. He tells of the chaos and lack of co-ordination and concludes that the 'stay-or-go' policy lay behind the catastrophic failure. To residents warnings are essential. They are a signal to leave for many, instead of packing up every high-risk day. Yet 'stay-or-go', by design or flaw, didn't focus on warnings on Black Saturday and still doesn't. By chance, the very day (Sunday, 5/2/12) I am writing this I am in my lounge room in Cottles Bridge and a neighbour has warned me of a grass fire in the district and that it's time to leave. Two days later the *Herald Sun* reported that residents in Coombs Road, Kinglake West had been trapped in their street that same Sunday because a fire escape route had been locked.⁶⁴ This was the road that Brian Naylor and his wife died in on Black Saturday. Another article referred to the grass fire that had my neighbours worried. Apparently the blaze broke out at about 1.30pm, but no warnings were broadcast on the CFA website until after 2pm. Locals were advised to implement their fire plans, but the fire was brought under control at 1.53pm. There was a minor traffic jam in St Andrews. Questions were asked about why the new SMS alert system hadn't been used, and the answer was to the effect that the fire was soon under control. So we don't get SMS warnings until fires are out of control? But aren't people supposed to leave before the fire becomes a threat? Confusing yes – not because we don't understand it – it just doesn't make sense. Despite the recommendations of the royal commission and pleas from residents in high-risk areas, the authorities cling to the idea that people either leave early (and thus don't need a warning) or, if they stay, they don't need one either – because they are there to defend.

⁶⁰ A. Bolt, 'Despite Code Red, remember a few home truths about safety', *HS*, 5/2/10, 36-37.

⁶¹ J. Ferguson, 'Nothing can save us if we refuse to learn from the fires', *HS*, 11/8/09, 24-25.

⁶² M. Johnston, 'Men more likely to ignore fire risks', *HS*, 1/2/10, 3.

⁶³ H. Heard, In Brief, 'Fleeing saved lives', *SHS*, 1/8/10, 7.

⁶⁴ A. Harris, 'Locked gate traps residents', *HS*, 7/2/12, 9.

When to leave: not leaving – leaving early – leaving late

The new fire danger ratings introduced after Black Saturday have added another level of complexity. They were meant to be the trigger to activate one's fire plan, and for those not properly prepared to defend their property, the signal to leave early. The main difference between a Code Red day and the other ratings that recommend leaving, is that for a Code Red we are advised to leave the night before or early in the day. For the other ratings severe and extreme (and in the earlier days 'very high') the advice was to leave early in the day. The fire danger ratings are tucked away in small print in the weather section. Large advertisements tell us to have a fire plan and consult it. Yet the fire plan for most residents depends on the fire danger rating to trigger the decision to leave. The thrust of the advice is that somehow a person's individual bushfire plan will reveal all. In fact, people really need to go to the weather report for the danger ratings. Why not make this clear in the first place? Bolt's take is we have been given 'utterly impractical panic-panic warnings to flee the bush on each hot day – to flee the bush that this green Government failed to make safe.'⁶⁵

According to Professor Herman B. Leonard the test of the policy should be '“not in its theory, but in its consequences. From a moral perspective, it is not enough to say that under this policy it is up to households to inform themselves and take the necessary actions, and that if they do not do so the negative outcomes are self-inflicted, and on their own account and not society's ... the policy cannot be defended by claiming that it would work in theory if everyone cooperated.”'⁶⁶ The royal commission agreed: 'The “prepare, stay and defend or leave early” policy appears “sound on paper” but “implementation presents major challenges.”'⁶⁷

Central to 'stay-or-go' is leaving early, a concept 'open to interpretation. Was “early” the night before, or when you could smell the smoke, or see the flames: Despite the Country Fire Authority (CFA) telling communities for years that they might not get a warning, many people still expected something – a siren, a knock on the door, an instruction on the radio or television, an alert on the internet. But what if the power and communications failed? What if the system was overwhelmed?'⁶⁸ Lisa Nichols for the commission said that there was confusion about what 'leave early' meant⁶⁹ and Ron Fischer from Sebastopol in a letter 'When do we decide to leave?' told of his distress –

“Go early is safe option”, your editorial advises (August 18). But when do you decide? The evening news always tells that “tomorrow is a day of total fire ban”. Do you then pack a picnic lunch at 6am and clear out? We do sometimes have several such days in succession. Do you relocate in accordance with your dictum only to be so tired on the fourth day that you stay and risk your life?⁷⁰

Justice Teague, chair of the royal commission, weighed in and said that 'early means well before there is any fire in the immediate neighbourhood.'⁷¹ Karen Kissane puts much of the policy's failure down to the fact that most Australians 'deny the risk, which saves them from feeling unsettled and allows them to go about daily life as if the vast precipice at the edge of

⁶⁵ A. Bolt, 'Fuel burns will save us', *HS*, 19/2/10, 32-33.

⁶⁶ C. Nixon, *Fair Cop*, 341.

⁶⁷ Victorian Bushfires Royal Commission, Final Report, Vol. I, 335.

⁶⁸ C. Nixon, *Fair Cop*, 310-311.

⁶⁹ N. Ross, 'Warnings the job of CFA chief – QC', *HS*, 3/7/09, 26.

⁷⁰ *HS*, 20/8/09, 36.

⁷¹ G. Mitchell & S. McMahon, 'Heat is on all of us today', *HS*, 16/12/09, 3.

it does not exist ... So do most people in other countries who live in areas subject to extreme but irregular natural hazards.’⁷² Kissane also claims that the policy ‘was not anchored strongly enough in the experience of history, both Australia’s history of fire and humanity’s history of denial of danger. Worse, the policy did not point out bluntly in its booklets that defending could mean death. In this way it colluded with the very denial of danger it sought to challenge.’⁷³ Although risk denial might be a factor it is overplayed. Danielle Clode nails part of the problem when she says that the greatest failure of ‘stay-or-go’ is not to take into account the psychology of leaving one’s home undefended. Clarrie Wolfenden, from Frankston in his tell-it-like-it-is letter, says ‘How much more ridiculous can our State Government get? They spend millions of dollars on helicopters and then advise people to leave early and let a bushfire burn their house down.’⁷⁴ The record shows that very few leave, ‘In fact, only around 3 per cent of people actually leave every total fire ban day.’⁷⁵ And if people do leave, they usually leave late: ‘Part of the difficulty lies in the dilemma between saving your house and saving your life. Undoubtedly the best way to save our life is to leave the bushfire area on high fire-risk days ... The best way to save your house in the event of a fire is to be there to defend it. Houses are much more likely to survive when they are defended, and highly likely to burn down when they are not.’⁷⁶ The home must be seen in the context that, for home owners, it is normally the biggest investment they will make in their lives and the social importance or status of home ownership in Australia. Renters risk losing their life’s possessions, including photos and other mementos. A reader reminded us that leaving en mass is an invitation to looters and firebugs.⁷⁷

Economic consequences

Leaving early, the night before, if taken seriously means that the bulk of the population in high-risk areas must leave. Schools and local businesses will close, visitors and tourists will not come. Local business owners and their employees will lose money, but so too will many of the workers who have jobs outside the area. How are locals to keep up their mortgage or rent payments and find alternative accommodation? Children need to be looked after. Susie O’Brien points out that locals are told, ‘Don’t go to work, don’t go to school, don’t stay at home ... Go somewhere else.’ and ‘If a whole town really does shut down every time a warning is issued from some glass high-rise building in Melbourne, economics will kill the community before any fire does.’⁷⁸ And if this isn’t bad enough, where do people go?

Nowhere to go

The decision to leave is difficult enough, but Manne estimates that there are 1.5 million in areas that are encouraged to leave⁷⁹ and a similar point is made by Bruce Esplin.⁸⁰ Even if leaving were possible, where do all these people go? This is the greatest failure of the policy.

⁷² K. Kissane, *Worst of Days*, 31.

⁷³ K. Kissane, *Worst of Days*, 31.

⁷⁴ ‘Back burn advice for Brumby’, *HS*, 1/12/09, 25.

⁷⁵ D. Clode, *A Future in Flames*, 167.

⁷⁶ D. Clode, *A Future in Flames*, 211.

⁷⁷ T. Wettenhall, Hamilton, Letters, ‘Evacuation far too dangerous’, *HS*, 19/10/09, 27.

⁷⁸ S. O’Brien, ‘Code red no use in bush’, *HS*, 2/2/10, 22-23.

⁷⁹ R. Manne, *Making Trouble*, 152.

⁸⁰ B. Esplin, ‘Blazes that no fire service can combat’, *HS*, 12/2/09, 36-37; see also, J. Ferguson & G. Mitchell, ‘Stay-or-leave policy set for vital changes; Better fire warning flagged’, *HS*, 17/8/09, 11.

There are management plans for so many things, but the accommodation and feeding of over a million people who must leave home with a few hours' notice is left to common sense. Maybe people could go to their local Neighbourhood Safer Places? We are told to find out where the safer places are. The problem is that they have been long decommissioned and nowhere to be found in high-risk areas. Even if they did exist, residents are discouraged from using them. An advertisement on 24 February 2010 declares boldly 'Neighbourhood Safer Places. Only a last resort.'⁸¹ Nevertheless the advice continues to be to check the CFA website for locations, giving the impression that there are some. Apparently they are too risky to build and too risky to use. Perhaps we could install a bunker on our property? No way. The official word is that they too are an absolute 'last resort', because it's much safer to leave early.⁸²

At the heart of this could be the tension between economic survival in a capitalist system and the need for safety – with safety being too costly. It might explain why higher power bills capture infinitely more attention than the proper maintenance of power lines or burying them. When it comes to big problems our political system has precious few answers. It imposes employment obligations on its citizens. If they can't find work – they must be unmotivated and lazy. The government rarely looks at the real problem, job creation. Rather the answer lies in training or retraining (a bonus for training organisations) or rewriting job applications. Similarly, when it comes to figuring out 'where to go', without which there can be no effective 'stay-or-go' policy, the government has not even the sniff of a plan (but no shortage of bureaucrats to support the policy) – it's up to individuals to use their 'common sense' according to Premier Brumby⁸³ – it's the citizens' fault yet again. Despite millions of dollars in advertising and bushfire safety, residents don't understand the system. An editorial had the gall to side with Brumby.⁸⁴ Brumby suggested heading for a shopping complex, but for many in country areas the nearest can be 100km away – they are not set up to accommodate hundreds or thousands of refugees – bushfires don't confine themselves to business hours – and what about car parking and fines? One can't go to a safe haven because shires don't have them for fear of litigation.⁸⁵ Greg Fletcher, a reader, was incensed that the government would recommend shopping centres: 'You have to leave when they close – this suggestion defies logic if you leave the night before – laughable but serious.'⁸⁶ Outrageous advice – common sense? – definitely not. This is the emperor with no clothes, the problem no-one wants to see, ignored by governments, the royal commission and Victoria's emergency services. The obvious refuge would be a home bunker or a designated safe place in towns. Absolutely not – these are not safe enough!

A reader predicted that when the first statewide Code Red was declared it would cause chaos because there was nowhere to go⁸⁷; communities have been left confused about the location of their Neighbourhood Safer Places and when they should go⁸⁸; and where exactly does one go when the warning covers most of the state?⁸⁹; another reader highlighted parking restriction

⁸¹ Victorian Government, FireReady, 'Neighbourhood Safer Places. Only a last resort.', *HS*, 24/2/10, 13.

⁸² Victorian Bushfires Royal Commission, Interim Report 2, 4.

⁸³ J. Ferguson, M. Johnston & A. Harris, 'Code Red Chaos: Use common sense, police chief urges', *HS*, 21/1/10, 1 & 4.

⁸⁴ Editorial, 'Your life is in your hands', *HS*, 12/1/10, 26.

⁸⁵ T. Hartshorne, Newmerella, Letters, 'Escape roads risk themselves', *HS*, 13/1/10, 30.

⁸⁶ Jobba, Mulgrave, 50/50, *HS*, 14/1/10, 30.

⁸⁷ H. James, Smythes Creek, Letters, 'Roads clogged escaping fires', *HS*, 14/10/09, 33.

⁸⁸ M. Johnston & S. McMahon, 'Victorians told to brace for bushfires', *HS*, 29/10/09, 9.

⁸⁹ Country girl, Northeast Victoria, Hot Topic, 'Soaring heat inflames the arguments', *HS*, 16/12/09, 38.

problems at shopping centres.⁹⁰ Official advice suggests that it is safer at home than go to a safer place.⁹¹ Ed Gannon of the *Herald Sun* thinks that no matter how flawed stay or go is, its alternative, evacuation, is frightening⁹² – but official advice to residents on a Code Red day *is* a defacto evacuation.

Defendability

The other side of ‘stay-or-go’ is deciding whether your home is defendable. Proper assessments are not done by the CFA, the body in the best position to do them, because of ‘the risk of being sued. Its personnel were forbidden to tell householders if they suspected a house was not defendable. Making such an assessment was outside their expertise, was the public line. (Which begged the question: how was the average Joe expected to work it out himself with the help of a couple of booklets that did not even define how large the defendable space – cleared of vegetation – around the house should be?) In fact, CFA volunteers were told in private that the main reason for the no-advice rule was, again, legal liability. The CFA feared being sued over safety assessments, that bushfires might later prove wrong.’⁹³

There has to be an acknowledgement at the policy level that ‘somewhere inside this complex mix of best efforts and shabby shirking of responsibility that constituted the state’s bushfire response was a great historical truth: some fires are so extraordinarily fast and intense that, in the face of their fury, even the best prepared and well defended home is doomed to ashes.’⁹⁴ This truth strikes at the heart of the ‘stay and defend’ side of the policy. Some of the fires on that fateful day were likened to atomic bombs – surely we don’t advise residents to stay.

Evacuation

If we accept that most people stay with their homes, these are the people most likely to flee at the last minute and face death on the roads: ‘The safety of roads during fires is a major concern for residents. Many people are obstructed by falling trees, or caught in flames from burning vegetation. The dangers of being on the road during a fire cannot be overestimated. Fire trucks don’t travel down roads while they are burning. Nor should anyone else. Cars and roads are a dangerous place to be, even in a grass fire. Clearing every tree along the roadside, even if it were possible, wouldn’t necessarily make it safer to drive through flames and smoke. A great many people who die in fires on the road die from collisions or accidents. The only way to make roads safer during a fire is not use them.’⁹⁵

To ensure that people leave danger zones, compulsory evacuation is an option. The ‘term is used to describe the withdrawal actions of persons from a specific area because of a real or anticipated threat or hazard. The time period for the span of withdrawal is elastic in that the evacuation may last for any amount of time, and may occur more than once ... Further, the evacuation experience can include events when a return to the original site is not feasible or is

⁹⁰ A. Thompson, Plenty, Letters, ‘Time runs out during fire alert’, *HS*, 15/1/10, 35.

⁹¹ G. Mitchell, ‘Bushfires advice of no use’, *HS*, 31/3/10, 25.

⁹² ‘Fire levy is in need of overhaul’, *HS*, 29/7/10, 35.

⁹³ K. Kissane, *Worst of Days*, 37.

⁹⁴ K. Kissane, *Worst of Days*, 37.

⁹⁵ D. Clode, *A Future in Flames*, 149.

forbidden, as when the ... government buys out or relocates communities prone to recurring floods'.⁹⁶

In the US 'Many states ... evacuate communities that are in the path of what Americans call wildfires. In October 2007 southern California evacuated 300,000 people. Three thousand homes were destroyed but only 10 people died.'⁹⁷ The commission did suggest that the Californian approach should be considered for Victoria.⁹⁸ Evacuation, and equally so for stay-or-go, is 'closely associated with officials issuing warnings ... Warnings and technology are strongly interconnected.'⁹⁹ However, 'There is a tendency to hold back warnings for fear of panic and to order evacuations even after danger has passed because officials think victims can't cope.'¹⁰⁰ 'It is estimated that about 80% of all disasters are directly tied to weather events: thus forecasting weather has become a very important scientific, economic and political endeavour ... continued improvements in weather monitoring, detection, and mass communication technology, the social and organisational features of integrated warning systems become paramount as key factors in saving lives and reducing damages to property'.¹⁰¹

Many think that evacuation would cause traffic chaos, especially in the Dandenongs and on the Great Ocean Road and that repeated warnings would lead to fatigue and complacency.¹⁰² For these reasons it appears that the government had ruled out compulsory evacuation before the ink was dry on the commission's interim report released on 17 August 2009. In fact, three weeks before this we were told that forced evacuations had been ruled out.¹⁰³ An editorial the day after on 18 August confirmed that the royal commission did not favour compulsory evacuation.¹⁰⁴

Evacuation had been ruled out as too dangerous (or a serious assault on individual freedom), but this did not stop the commission, the government and emergency services from pushing for people to leave early as the best (safest) option. Do we fail to see the contradiction here? Compulsory evacuations are out because they are too dangerous, yet everyone is encouraged to leave early as the safest option!

Stay-or-go – conclusions

The policy rests on questionable conclusions drawn from a survey of deaths in homes and late leavers. Even if it were evidence-based, it would make no difference. Homes cannot be defended against fires like those on Black Saturday. Taking this into account, the royal commission and emergency services now encourage residents to leave early. But people don't leave early and, if they do, there is nowhere for 1.5 million to go for accommodation and food on a few hours' notice. People might need to leave a number of times during a bushfire season,

⁹⁶ H. Rodriguez, *et al*, *Handbook of Disaster Research*, 183.

⁹⁷ K. Kissane, *Worst of Days*, 35.

⁹⁸ Victorian Bushfire Royal Commission, Final Report, Vol. II, Part One, 30.

⁹⁹ H. Rodriguez, *et al*, *Handbook of Disaster Research*, 184.

¹⁰⁰ H. Rodriguez, *et al*, *Handbook of Disaster Research*, 417.

¹⁰¹ H. Rodriguez, *et al*, *Handbook of Disaster Research*, 476-488.

¹⁰² D. Campbell, 'If you're fleeing a bushfire, you don't want traffic chaos ahead', *HS*, 7/1/10, 26-27; see also, Victorian Bushfires Royal Commission, Interim Report, 178-179.

¹⁰³ S. McMahon, 'Premier urges Victorians to clear properties before fires season: Time to slash and burn', *HS*, 25/7/09, 7.

¹⁰⁴ Editorial, 'Go early is safe option', *HS*, 18/8/09, 30.

and each evacuation could last for days. A logistical nightmare. There is no compensation for lost wages, additional costs to residents, nor to businesses. The advantage of the policy is that it looks good on paper, giving the impression that people are safe in high-risk areas, even if their homes aren't. The appeal of the policy rests on spin and pseudo science – fire danger ratings – total fire ban days – FireReady booklets and advice – advertising campaigns and educational programs. The media and emergency services enthusiastically peddle it on the basis that it saves lives. The absence of government support and planning is well hidden beneath a feel-good façade. The official answer to this riddle is that residents should consult their bushfire plan, something I gleaned from the Victorian Government's advertising campaigns since Black Saturday in the *Herald Sun*.

In the first fire season after Black Saturday much of the official advertising was around the new Fire Danger Ratings,¹⁰⁵ especially Code Red.¹⁰⁶ For the next two seasons (Dec 2010 – Feb 2011; Dec 2011 – Feb 2012), which were two and three years after Black Saturday, respectively, the advice had been refined. Locals were to consult their bushfire plans. Back in 16 December 2009, Russell Rees told us the same thing.¹⁰⁷ For the second fire season the slogan was 'Without a plan, you haven't got a hope.', a campaign that ran from 27/10/10 – 24/11/10,¹⁰⁸ and on Australia Day 2011, it became 'Know your trigger to act. And stick to it.'¹⁰⁹

During the 2011/2012 season we were bombarded with more of the same. A new series of advertisements was based on a backdrop of a set photo and wording, with only the catchphrase changing. All told us to check our fire plans in advertisements titled, 'Get the hose out or get the kids to safety?'¹¹⁰; 'Check for warnings or get caught out?'¹¹¹; 'Leaving to safety or leaving too late?'¹¹²; 'Just a grassfire or a deadly inferno?'¹¹³ And on 6 February 2012, a letter from Hans van Hamond, president, Volunteer Fire Brigades Victoria found it disturbing that 'three out of four Victorians do not have a fire plan' and urged every Victorian to make one 'for the protection of their home and family from bushfire.'¹¹⁴

Thus it appears that the State Government and its agencies have reduced the decision to leave to a cliché. And finally, there is absolutely no word on when you ought to return if you do decide to leave.

Bunkers/shelters

¹⁰⁵ Victorian Government, FireReady, 'New Fire Danger Ratings. Look for them, act on them.', *SHS*, 3/1/10, 13.

¹⁰⁶ Victorian Government, FireReady, 'Today is a Code Red Fire Danger Rating for the: Northern Country and North East districts', *HS*, 12/1/10, 16; Victorian Government, FireReady, 'Victoria's regional and coastal areas are great to visit, but make sure you are FireReady', *SHS*, 24/1/10, 21.

¹⁰⁷ G. Mitchell & S. McMahon, 'Heat is on all of us today', *HS*, 16/12/09, 3.

¹⁰⁸ Victorian Government, 'Without a plan, you haven't got a hope', *HS*, 27/10/10, 10; 10/11/10, 10; 24/11/10, 12.

¹⁰⁹ Victorian Government, *HS*, 26/1/11, 20.

¹¹⁰ Victorian Government, FireReady, *HS*, 7/12/11, 17; 14/12/11, 14.

¹¹¹ Victorian Government, FireReady, *HS*, 21/12/11, 19.

¹¹² Victorian Government, FireReady, *HS*, 11/1/12, 14; 25/1/12, 16.

¹¹³ Victorian Government, FireReady, *HS*, 1/2/12, 16.

¹¹⁴ H. van Hamond, Letters, 'Timely reminder on fire plans', *HS*, 6/2/12, 24.

Shelters are a well-established alternative to leaving, where ‘people may take protective shelter inside structures to prevent harm during severe weather’.¹¹⁵

The argument for bunkers on properties was reframed as a question of uniform standards in Australia for their construction. The commission’s Interim Report 2 rushed through its recommendations on uniform standards. Shoddy, charlatan bunker companies became the enemy: ‘Victorians have been urged to check their fire bunkers are not death traps after revelations shonky companies have been preying on bushfire affected communities.’¹¹⁶ The wider discussion of their installation, compulsory or not, was left by the wayside. As for community shelters, these have been recommended by previous bushfire inquiries, set up and finally decommissioned due to the fear of legal liability. There is also the fear that bunkers and shelters are inconsistent with the stay-or-go policy in that they encourage people to stay in unsafe conditions. Essentially, the ‘stay-or-go’ spin is so pervasive that it stifles practical solutions, like bunkers and shelters, that might save lives. The ‘go’ or ‘leave early’ side of the stay-or-go policy is now being pushed, but lacks an essential ingredient, planned evacuation centres to go to. Given the problem, one might think that bunkers and shelters would be an absolute priority. Wrong.

The effectiveness of ‘safely constructed dugouts, or bunkers, to save lives has been repeatedly demonstrated since at least 1926. The need for clearly mandated construction guidelines has been recognised since 1939. And yet when fires struck Victoria in 2009 there were still no national standards for bunkers in Australia. In these fires, as in the past, homemade and makeshift bunkers saved many lives. A few did not.’¹¹⁷ Some prefer safe-rooms in homes rather than separate bunkers. Joan Webster advocates for a refuge room, rather than a bunker.¹¹⁸

It is extraordinary that ‘70 years after the Stretton Royal Commission highlighted the importance of bunkers, there were still no national guidelines – this is ‘shameful’¹¹⁹ and ‘After Ash Wednesday, there was a strong push for refuges, safe locations for people to flee to if their homes were threatened.’¹²⁰

The book *Essential Bushfire Safety Tips* recommends that people go to a large town for refuge because there is usually ‘Indoor, cool shelter ... available in a large store or public building’, ‘Spot fires seldom catch hold within the first few rows of houses of a town’ and ‘Fire is not likely to burn through a town.’¹²¹ This is similar to Brumby’s advice to use common sense and go to a shopping centre. Again it ignores the problem of how that many people can eat, how long they can stay, and where they can sleep.

After the Ash Wednesday fires an inquiry ‘recommended that councils formally set up refuges in which people could shelter if caught in bushfires. Local refuges were initially widely established and signposted and were sometimes as simple as football ovals with cleared land around them, or halls or schools made of combustion-resistant materials. But over the

¹¹⁵ H. Rodriguez, *et al*, *Handbook of Disaster Research*, 183.

¹¹⁶ M. Johnston, ‘Warning of rogue bush bunker builders’, *HS*, 14/10/09, 14.

¹¹⁷ D. Clode, *A Future in Flames*, 231.

¹¹⁸ J. Webster, *Essential Bushfire Safety Tips*, 84-87.

¹¹⁹ D. Clode, *A Future in Flames*, 232.

¹²⁰ D. Clode, *A Future in Flames*, 234.

¹²¹ J. Webster, *Essential Bushfire Tips*, 24.

decades that followed the scheme languished and most refuges were decommissioned. Councils were ... worried about legal liability if anyone was killed or injured in them. Finally, there was concern that nominating places as designated fire refuges was inconsistent with 'stay-or-go' and might encourage people to risk their lives by leaving their homes too late. History was relegated to the history books.'¹²²

As for community shelters, implemented under the banner of Neighbourhood Safer Places, it's a familiar story of 'Fears over liability, responsibility and cost paralys[ing] local councils. It seemed less risky to have no refuge than an unsafe one, and the concept of community refuges slowly and quietly slipped off the table.'¹²³ 'Lack of funding and concerns over liability have seen most community refuges closed by local councils in Victoria. But just because there is no official refuge doesn't mean that people won't seek one in an emergency.'¹²⁴ On 26 June 2009 the paper ran an article titled 'Councils feared liability from bushfire havens: Risk rules out refuges'. Rob Spence, chief executive of the Municipal Association of Victoria, said that councils had asked the State Government to grant them indemnity, but their request had been refused. He also said that a 2005 review found that refuges were inconsistent with 'stay-or-go'.¹²⁵

Despite the liability problem, accusations flew over the lack of action. It was suggested that race tracks, sports ovals could be used.¹²⁶ An editorial 'Real action on bushfires'¹²⁷ supported Brumby's pre-empting of the commission on establishing safer places (that we still don't have). In what must be described as a monumental understatement, it was acknowledged that the government would struggle to set up refuges in all 52 high-risk areas before summer.¹²⁸ There was a sense that communities had been left mislead about the location of their local Neighbourhood Safer Places. It was taken for granted that there were such places,¹²⁹ but as a reader from St Andrews confirmed there weren't any.¹³⁰ Their absence was becoming embarrassing. Places that had been used on Black Saturday couldn't be used because they didn't fit new criteria.¹³¹ Gallipoli Park, where people from Marysville had sheltered and survived failed to meet the new standards.¹³² The Opposition made a formal complaint to Neil Comrie about the Brumby Government's inaction.¹³³ A Montrose resident found it hard to believe that no safe havens had been designated and wanted to know who was responsible.¹³⁴ By December 2009, there were only three new Neighbourhood Safer Places in Victoria.¹³⁵

¹²² K. Kissane, *Worst of Days*, 36-37.

¹²³ D. Clode, *A Future in Flames*, 234.

¹²⁴ D. Clode, *A Future in Flames*, 234; see also Rachel Doyle in N. Ross, 'Councils feared legal liability from bushfire havens: Risk rules out refuges', *HS*, 26/6/09, 23.

¹²⁵ N. Ross, 'Councils feared legal liability from bushfire havens: Risk rules out refuges', *HS*, 26/6/09, 23.

¹²⁶ G. Mitchell, 'Race tracks for safe haven', *HS*, 18/8/09, 10.

¹²⁷ *HS*, 31/8/09, 24.

¹²⁸ M. Johnston, 'In 57 days, a bushfire season potentially worse than last year begins: Race to build refuges', *HS*, 1/9/09, 17.

¹²⁹ M. Johnston & S. McMahon, 'Victorians told to brace for bushfires', *HS*, 29/10/09, 9.

¹³⁰ J. Celentane, Letters, 'People in charge fail own words', *HS*, 11/11/09, 36; see also: S. McMahon, E. Power & M. Johnston, 'Backburns suspended as state swelters in record temperatures: Heatwave sparks fire', *HS*, 11/11/09, 11; J. Morrissey, Hawthorn, Letters, 'Brumby shirking his responsibilities', *HS*, 5/12/09, 85.

¹³¹ 'Leafy mountains spark blaze fears – Dandenongs', *HS*, 14/11/09, 27.

¹³² G. Mitchell, 'Fire safe havens delay', *HS*, 15/12/09, 20.

¹³³ 'Baillieu complaint on blaze havens', *HS*, 3/12/09, 19; S. McMahon, 'Key fire watchdog on holidays over summer', *HS*, 4/12/09, 15.

¹³⁴ S. Wajzman, Montrose, Letters, 'Passing the buck on bushfire safety', *HS*, 5/12/09, 85.

¹³⁵ G. Pilcher & G. Mitchell, 'State on bushfire alert', *HS*, 15/12/09, 2.

Apparently 101 areas had been assessed as suitable by the CFA, with only 3 approved by councils. In an article by Christine Nixon on the last day of December in 2009, she writes ‘At state level we are working hard to implement the findings of the Bushfires Royal Commission by taking action including implementing ... Neighbourhood Safer Places’.¹³⁶ One can only imagine that the ‘hard work’ was of the *Yes Minister* type. Early in January 2010 it was again pointed out that there were ‘giant holes’ in the program.¹³⁷ An unhappy reader said that shires don’t nominate safe havens because of litigation fears.¹³⁸ A FireReady advertisement from the Victorian Government in late February 2010 tells us plainly ‘Neighbourhood Safer Places. Only a last resort.’¹³⁹ This advice must be for those who inhabit a world where spin supersedes fact – where such places actually exist. Further, official advice infers that homes are safer than Neighbourhood Safer Places.¹⁴⁰ Susie O’Brien in a tell-it-like-it-is article says that authorities don’t want us to use safer places and complain if we do.¹⁴¹ The royal commission found it necessary to slam the government for its recalcitrance.¹⁴²

Bunkers/shelters – conclusions

The commission rushed through bunker standards, and did the same for building regulations, rubber-stamping what the government was doing anyway. The new fire-resistant standards would affect all future building or rebuilding and increase costs substantially. The new bunker standards were intended to be compulsory but their installation wasn’t. If saving lives was the aim, the increased costs would have been better spent on bunkers. And the fate of Neighbourhood Safer Places? At the time of writing I can find none in the high-risk areas that burned on Black Saturday. For example, Loch Sport did not have a safer place two years after the fires.¹⁴³ Better for councils to be safe from law suit than in the business of saving lives. Better for the government and the royal commission to look the other way.

Resettlement/buy backs

There is no denying it – people have returned to disaster zones throughout history and nothing has changed. This has been confirmed by disaster research around the globe. This, of course, pre-dates the more recent nature/culture division that I have based much of my argument on. To this I would respond that modern Western ideology has made the problem infinitely worse, because it has given us the means, which no societies before us had dreamed of, to dominate and populate every part of the world.

Disasters have not ‘had much effect on the continuing existence of cities anywhere in the world. Throughout history, many cities have been destroyed. They have been “sacked, shaken, burned, bombed, flooded, starved, irradiated and poisoned”, but in almost every case, phoenix-like, they have been re-established.’¹⁴⁴ Ned Halley notes that ‘Regions prone to disastrous events are now densely populated. Today, more than half of all people live in areas which are

¹³⁶ C. Nixon, ‘Support is the crucial ingredient’, *HS*, 31/12/09, 31.

¹³⁷ B. Bath, Balmoral, Letters, ‘Reconstruction a slow process’, *HS*, 2/1/10, 62.

¹³⁸ T. Hartshorne, Newmerella, Letters, ‘Escape roads risk in themselves’, *HS*, 13/1/10, 30.

¹³⁹ *HS*, 24/2/10, 13.

¹⁴⁰ G. Mitchell, ‘Bushfires advice of no use’, *HS*, 31/3/10, 25.

¹⁴¹ S. O’Brien, ‘Code red no use in bush’, *HS*, 2/2/10, 22-23.

¹⁴² J. Campbell, ‘The four keys for a safer future: Power lines’, *SHS*, 1/8/10, 6-7; Victorian Bushfires Royal Commission, Final Report, Vol. II, Part One, 28-29.

¹⁴³ ‘Vulnerable town still lacks safety’, *HS*, 14/12/10, 22.

¹⁴⁴ H. Rodriguez, *et al*, *Handbook of Disaster Research*, 21.

at constant risk of flooding.’¹⁴⁵ and ‘Whether through optimism or necessity, people often ignore very real dangers. We crowd into huge cities, such as San Francisco and Tokyo, which we know have suffered terrible earthquakes, and will almost certainly be struck again.’¹⁴⁶ On this theme, Robert Coenraads believes that because natural disasters recur over long and ‘irregular time periods, or with random chance and people tend to disregard them when planning their lives. Vesuvius is a volcano that has been continually active for at least 2,000 years – erupting in 1944, 1794, 1764, 1631, and earlier – yet people continually return to live in growing communities around it. Urban and industrial development continues unabated along the earthquake-prone San Andreas Fault in California, which slipped with catastrophic consequences in 1994, 1989, 1971, 1933, 1925, 1906, 1872, and 1857’.¹⁴⁷

Anthony Oliver-Smith tells us ‘Recent research indicates that greater numbers of people are more vulnerable to natural hazards than ever before, due in part to increases in population, but more so to their location in dangerous areas.’¹⁴⁸ Susanna Hoffman observes that it ‘is almost universally the case after a calamity’ that most survivors return to the disaster zone and rebuild, some erecting ‘near-replicas of their former residences’.¹⁴⁹

The urban spread – settlement in bushfire-prone areas

People want to live in dangerous bushfire areas, but expect to be safe – people won’t accept bans on living in dangerous bushfire areas. Do we not notice the contradiction between being desperate to learn lessons, and celebrating the rebuilding?¹⁵⁰ The most valuable lesson we might have learned was not to rebuild.

Australians are settling further and further into the bush: ‘As Australian cities spread their green and leafy garden suburbs out into fire-prone bush, the potential for disaster grew.’¹⁵¹ And ‘As Australia’s fast-growing cities expand further into the surrounding countryside, the danger from bushfires increases.’¹⁵² Danielle Clode also makes mention that ‘every year there are more and more people living in high-risk areas. Per capita, fewer people are dying in bushfires but the total figure remains the same ... As fast as we improve our capacity to fight fires, we seem to increase our vulnerability to them.’¹⁵³ Karen Kissane notes that those moving to our bushland are not well prepared for the risks involved: ‘many Australians now living in or at the edge of forests ... are “tree changers” or “sea changers” who grew up on city bitumen. They are more likely than farmers to live in heavily forested areas because they do not need cleared paddocks for stock or crops. They have moved to the country in search of beauty or serenity but their presence increases the population of people at high risk of fire. After Black Saturday, Country Fire Authority chief Russell Rees said of this social change, “If we choose to live in this way, then who do we blame? ... Fundamentally, our community is choosing to live in a way I can’t, and our people can’t, guarantee their survival. Why do we choose a

¹⁴⁵ N. Halley, *The Best-Ever Book of Disasters*, 4.

¹⁴⁶ N. Halley, *The Best-Ever Book of Disasters*, 4-5.

¹⁴⁷ R. Coenraads, *Natural Disasters and How We Cope*: 12.

¹⁴⁸ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 43.

¹⁴⁹ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 117-118.

¹⁵⁰ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 133.

¹⁵¹ D. Clode, *A Future in Flames*, 91.

¹⁵² N. Halley, *The Best-Ever Book of Disasters*, 18.

¹⁵³ *A Future in Flames*, 6.

system of civilisation that puts itself at so much risk?”¹⁵⁴ Bernard Salt writing in the *Herald Sun* discusses this trend in his ‘Treechange to red alert’.¹⁵⁵

The ghoulishly titled *Best-ever Book of Disasters* speaks of bushfires in Sydney: in ‘1997, Australia’s greatest city faced catastrophe. Fires raging in bushland on three sides of Sydney suddenly swept into the suburbs. Before firefighters could gain control, dozens of houses were destroyed. The flames, whipped up by high winds, lit the night sky over the city as 5,000 emergency workers battled hundreds of separate fires. Only their courage, and a quick weather change, prevented an even worse disaster.’¹⁵⁶ The same book recognises the extreme danger of our bushland: ‘In Australia’s tinder-dry bush, fires are easily started’.¹⁵⁷

The United States experience

Thomas Homer-Dixon thinks the 2003 fires in Southern California were the outcome of ‘a dramatic breakdown of the human/nature system’ and that ‘ill-advised patterns of residential construction...create[d] a nightmare of wrecked homes, devastated landscapes, and collapsing property values. One might think that such an outcome would encourage residents to question the wisdom of living in such a spot. Yet everywhere I looked new telephone poles had been rigged with power lines and lots were being cleared of debris for reconstruction. What defiance! ... the residents ... now knew for sure that they were constructing their buildings in a danger zone. When, I wondered, does defiance become denial?’¹⁵⁸ In the decades before these fires ‘suburban building had expanded into bushlands and forested zones across California ... Many people had built their homes in those attractive edge zones where cities meet nature’.¹⁵⁹

Talking about the Oakland fires in California in 1991, Susanna Hoffman thought that ‘The residents of Oakland themselves dwell in a region of chronic disaster. They were expecting a calamity, only the calamity they anticipated was what they had experienced two years earlier – an earthquake. The area had as well undergone prior firestorms. In 1923, 584 homes in a 72-block area of Berkeley succumbed to a fierce blaze, and in 1970 a less drastic conflagration destroyed 37 Oakland homes within the zone that reburned in 1991. Citizens had also intermittently undergone California’s other two recurring mishaps, flood and mudslide. California is, indeed, so disaster prone, some call its four rotating afflictions – fire, earthquake, flood, and avalanche – the state’s version of annual seasons ... Fire, though prevalent, did not enter their consciousness.’¹⁶⁰

Royal Commission

One promise made immediately after the fires, and universally applauded, was to rebuild communities. Rudd gave cast iron guarantees that communities would be rebuilt no matter the

¹⁵⁴ *Worst of Days*, 30-31.

¹⁵⁵ B. Salt, ‘Treechange to red alert’, *HS*, 10/2/09, 28-29.

¹⁵⁶ N. Halley, *The Best-Ever Book of Disasters*, 18.

¹⁵⁷ N. Halley, *The Best-Ever Book of Disasters*, 18.

¹⁵⁸ *The Upside of Down*, 107-109.

¹⁵⁹ *The Upside of Down*, 107.

¹⁶⁰ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 119.

cost¹⁶¹ and there was anger when progress was so slow.¹⁶² The royal commission was critical of the government's commitment to rebuild communities: 'the need for a rethinking and redesign of settlements and towns that were destroyed by fire on 7 February 2009 ... was lost with the early commitment to rebuilding ... "brick by brick".'¹⁶³ It said that 'to rebuild without any real thought being given to the future management of bushfire risk is to fail to learn from experience. The Commission notes the State's efforts to quickly rebuild homes and communities in order to help people heal and to deal with practical problems such as homelessness. It considers, however, that this has put short-term social welfare considerations above longer term safety of the community.'¹⁶⁴

Fair criticism. The commission recommended that 'The State develop and implement a retreat and resettlement strategy for existing developments in areas of unacceptably high bushfire risk, including a scheme for non-compulsory acquisition by the State of land in these areas.'¹⁶⁵ It was clear that the acquisitions were to apply to all owners in high-risk areas, but that priority should be given to those who were burnt out. Only the latter was ever considered. For a resettlement policy to have any meaning it must be compulsory for everyone, otherwise the original problem remains. Consequently the scheme fell by the wayside. The majority of homes in these areas were not affected on Black Saturday and by the time the commission's report was released many had been rebuilt or were on the way.

The commission did say that there was 'much scope to substantially restrict development in areas thought to pose an unacceptably high bushfire risk by ensuring that strategic policies and the Victoria Planning Provisions give more emphasis to human safety. Where development is approved, risk-mitigation measures and construction standards should be related to the degree of risk.'¹⁶⁶ More fine words, but finding a balance between competing interests is utopian, and thinking that the introduction of a maze of planning and expensive building requirements will bring us closer to protecting our communities from another Black Saturday is naive.

Why do people return to disaster zones?

It is fair enough to wonder why people return to disaster areas world wide. The answer seems to be two-fold. First, there are economic reasons, such as employment and affordable housing. Secondly, and I think, more importantly, is the attachment to place. In the West the idea of home or place is receiving more attention. Authors such as Alain de Botton,¹⁶⁷ Geraldine Brooks,¹⁶⁸ Jeanette Winterton¹⁶⁹ and Will Self¹⁷⁰ have written on the theme. Theirs is a more intellectual idea not necessarily linked to geography, nevertheless, they see important associations with familiar landscapes (built and natural), values, community, family, friends and memories.

¹⁶¹ J. Ferguson, 'PM's tears: Rudd tries to raise a little boy's spirits', *HS*, 16/2/09, 1-2; A. Bolt, 'Premature and politicised day of mourning gave little comfort', *HS*, 25/2/09, 28-29; N. Mitchell, 'Hard decisions on fire comp that compassion can't cover', *HS*, 5/3/09, 30-31.

¹⁶² S. McMahon, '“We're not your political pawns”: Town slams Brumby visit', *HS*, 5/8/10, 2.

¹⁶³ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part One, 249.

¹⁶⁴ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part One, 249.

¹⁶⁵ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part Two, 252.

¹⁶⁶ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part One, 214.

¹⁶⁷ 'The idea of home', *The Independent* <<http://www.independent.co.uk/arts-entertainment/books/features>>

¹⁶⁸ *The Idea of Home: Boyer Lectures*.

¹⁶⁹ 'Leaving home', *The Independent* <<http://www.independent.co.uk/arts-entertainment/books/features>>

¹⁷⁰ 'Homebound', *The Independent* <<http://www.independent.co.uk/arts-entertainment/books/features>>

Miller and Rivera, in *The Sociology of Katrina*, tackle the question. Although their purpose is to explain why natural disasters are so devastating for locals psychologically, their discussion goes a long way to explaining why communities refuse to learn lessons, preferring to rebuild than resettle elsewhere. They point out that ‘communities understand places, and the understanding of a place is built on memories of the past.’¹⁷¹; ‘The physical existence of a place and its landscape allows residents to form attachments with the land and project their values and culture into the future so that following generations may adhere to similar values.’¹⁷² This process occurs over time ‘from place-related personal experiences. When several people experience similar qualities, objects, and problems associated with a locality, those multiple individual place identities coalesce over time to form a common group place identity.’¹⁷³ Given how important the attachment becomes the ‘loss or removal of a community by disaster can be profoundly traumatic.’¹⁷⁴ For example, after Katrina it was taken for granted that neighbourhoods would be rebuilt, it was only a question of what form it would take.¹⁷⁵ Our Prime Minister Kevin Rudd and the Victorian Premier John Brumby did exactly the same thing immediately after Black Saturday, promising to rebuild ‘brick by brick’.

Robert Coenraads sums up attachment in more down-to-earth terms. A resident in a disaster-prone area may well think, “I need food, water, work, and my family. If my ancestors lived and survived here, then so will I. Besides, I don’t know what else to do” ... Bangladesh’s 145 million people risk yearly monsoonal flooding to make their living on the fertile soils of the massive Ganges-Brahmaputra delta.¹⁷⁶ Coenraads also links these factors to the acceptance or denial of risk: ‘the probability of any individual’s home being destroyed is very low. People are prepared to gamble on these odds in order to be able to live and work’.¹⁷⁷

After disasters, especially natural ones, our attachment to place is so strong that the question of communities settling elsewhere has little chance of finding its way to the table for discussion. Michael Powers suggests that those responsible for the recovery effort should ‘convene to consider all the implications of rebuilding ... and whether or not it is advisable to prevent rebuilding and habitation of certain areas ... To date, this discussion has not taken place in any coherent manner.’¹⁷⁸ Charles Perrow sees population concentration in high-risk areas as the problem. Therefore the best way to avoid such bushfire disasters is to ‘shrink the target’, that is, to move people out of high-risk areas and not allow future urban development in them either.¹⁷⁹ In respect to Katrina, ‘the most important failure – most important in the sense of creating great risk for people – was what happened *before* the levees broke.’¹⁸⁰

Resettlement/buy backs – conclusions

¹⁷¹ D.L. Brunnsma, *et al*, *The Sociology of Katrina*, 141.

¹⁷² D.L. Brunnsma, *et al*, *The Sociology of Katrina*, 141.

¹⁷³ D.L. Brunnsma, *et al*, *The Sociology of Katrina*, 142.

¹⁷⁴ D.L. Brunnsma, *et al*, *The Sociology of Katrina*, 155.

¹⁷⁵ D.L. Brunnsma, *et al*, *The Sociology of Katrina*, 167-170.

¹⁷⁶ *Natural Disasters and How We Cope*, 12.

¹⁷⁷ *Natural Disasters and How We Cope*, 12.

¹⁷⁸ C. Hartman & G.D. Squires, *There is No Such Thing as a Natural Disaster*, 31-32.

¹⁷⁹ D.L. Brunnsma, *et al*, *The Sociology of Katrina*, 238.

¹⁸⁰ D.L. Brunnsma, *et al*, *The Sociology of Katrina*, 238.

Because resettlement was never seriously considered, the reasons for its rejection are rarely canvassed. It was argued that some Victorian towns would disappear if calls to resettle people from high fire-risk areas were adopted.¹⁸¹ Since buy backs, as put forward by the commission, were optional for residents, this attracted criticism. RMIT Associate Professor, Michael Buxton, said buy-backs had to be compulsory or it would make the fire risk worse.¹⁸² People were not sure what impact it would have on towns.¹⁸³ One reader could see that buy-backs were a tough political option,¹⁸⁴ and another thought that it would kill her small community.¹⁸⁵ Peter Rolfe, *Herald Sun* journalist, reported that buy backs would cost \$10b and the government was set to reject it. Other relevant factors were the forthcoming state election, the future of towns, and the unacceptable risk created for those who stay.¹⁸⁶

The resettlement option is a footnote to the *Herald Sun* coverage. Such framing affects our quest for solutions. In the aftermath of Black Saturday, the dismissal of resettlement as a solution by the media influenced our thinking. However, the media coverage itself is more likely a reflection of our attachment to place and the nature/culture relationship in the West. There is a temptation to blame the media for diverting attention from real problems. Susanna Hoffman in *Catastrophe and Culture*, takes this line: 'The way the media frame an event strongly ... shape[s] how we, as readers, perceive the world. Frequently frames are unchallenged assumptions ... Rather than the cultural constructions that they are ... appear[ing] to both reporters and news consumers as natural ... They present seamless, seemingly objective accounts ... neither revealing their underlying subjectivity nor showing how complex disaster events really are.'¹⁸⁷

Solving the problem by not allowing people to live in high-risk areas is not acceptable to residents in those areas. It has nothing to do with the cost or logistics, though it would be a mammoth and very difficult task. It has everything to do with our desire to live in the midst of nature's beauty and our attachment to home and place. So strong is our urge to rebuild is that it seems 'natural'. Strategies that would suggest otherwise are summarily dismissed or ignored by all parties, right through from governments, the royal commission, emergency services and to those living in bushfire-prone communities. The response is a reflection of society rather than a conscious meddling and peddling by the *Herald Sun*. Any government that dared resettle people or ban people from living in the bush would not stay in government. Such is democracy.

Summing up

This chapter discussed in detail four strategies (fuel reduction, stay-or-go, bunkers/shelters, resettlement/buy backs) for preventing another Black Saturday. It was argued that, for one reason or another, they would not be acted on or they would be, or have been, implemented in such a way that we are no better prepared.

¹⁸¹ P. Mickelborough, 'Caution on buyback plan as 49,000 homes in risk zone: Towns may go missing', *HS*, 2/8/10, 11.

¹⁸² P. Mickelborough, 'Caution on buyback plan as 49,000 homes in risk zone: Towns may go missing', *HS*, 2/8/10, 11.

¹⁸³ Henry, Hot Topic, 'Consult fire victims', *HS*, 2/8/10, 22.

¹⁸⁴ Beth, Malvern, Hot Topic, 'Consult fire victims', *HS*, 2/8/10, 22.

¹⁸⁵ Belinda, Hot Topic, 'Consult fire victims', *HS*, 2/8/10, 22.

¹⁸⁶ P. Rolfe, 'Buyback plan looks too costly', *SHS*, 8/8/10, 8.

¹⁸⁷ S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 146.

Despite our desperation to learn lessons from history, we don't or won't. In no particular order, the reasons are: unresolvable conflict about clearing and burning off endangering eco-systems; relying on a stay-or-go policy that is fundamentally flawed; in respect to bunkers and shelters, a combination of individual rights and legal liability; and, in the case of resettlement and buy backs, no commitment from anyone. Overall, people want to live in the bush and won't be denied. Governments have failed to act on bushfire solutions for over a century because they are too costly, impractical, or would not be accepted by communities. Implementation would be electoral suicide. Peter Rolfe, in an opinion piece, mused that a government would not be re-elected if it did nothing, but would not be re-elected if it took real action.¹⁸⁸ To be seen to be doing something is therefore preferable to actually doing anything. However, hidden behind this the inaction, flawed policies and rights are things much deeper and disturbing.

The tensions, contradictions and failure to find satisfactory solutions, I think, are an outward expression of a largely culturally constructed problem related to our relationship with nature. The practical effect of this is to promote solutions that don't work, such as stay-or-go, and ignore or reject effective options, such as refuges and resettlement. Our beliefs are embedded in our economic and political systems, philosophy, and exacerbated by the advances in science and technology, all of which have evolved in a haphazard fashion outside our control – yet, paradoxically, bolster our belief that we are the masters. The progresses in science and technology themselves may be loosely described as rational, but their rise, their role and their justification in society are anything but. Jean Chesneaux speaks of the universal environmental crisis caused by technological progress fuelled by a global capitalist system.¹⁸⁹ In particular, 'The state, for its part, continues to navigate by sight between demanding economic priorities and the manifest requirements of ecology.'¹⁹⁰

We continue to populate high-risk areas because we can – our technology gives us the means. We build urban communities in these areas in the belief that nature is our subordinate. If nature occasionally reverses its role, all we have to do is tinker with our human systems. We will not make drastic changes to our lifestyles to accommodate or counter nature's insolence. An independent royal commission cannot show us the way. It too is bound by, and is part of, the same cultural framework and will deliver the same answers. And this is precisely why the best option, which is not to live in high-risk areas, is the least acceptable to us. It doesn't mean things can't or won't change in the future – but it would take more than another set of recommendations from yet another inquiry to bring about such a fundamental change to our world view.

The recommendations of the royal commission are a curious mix taken from the strategies discussed in this chapter, as well as some thrown in to fix emergency services for good measure. Presumably the idea is that by taking a bit from each, we can reduce the ferocity and destruction of future fires. But many are unconvinced that, like all inquiries before it, anything significant has been achieved. The royal commission reached out for a compromise between rampant liberal individualism and an overly welfarist intervention, by adopting the rhetoric of

¹⁸⁸ P. Rolfe, 'Buyback plan looks too costly', *SHS*, 8/8/10, 8.

¹⁸⁹ *Brave Modern World: The Prospects for Survival*, 133.

¹⁹⁰ *Brave Modern World: The Prospects for Survival*, 134; for examples of environmental problems, see R. Izard & J. Perkins, *Covering Disaster*, 16, 86, 88, 89, 92; and for examples of economic problems, 89.

partnerships between residents, communities, councils, emergency services and government.¹⁹¹ Good for spin, but leaving us in pretty much in the same place we were before Black Saturday.

It's a cop out to blame the media for our failure to take action. Gregory Button makes this mistake in *Catastrophe & Culture*, complaining that 'the media and our popular culture undermines alternative ... explanation and precludes us from analysing disasters in a way that would allow us to fully unpack the politically powerful world of social relations in which all disasters are grounded. The media's tendency to rely on official accounts and experts reinforces the cultural divisions between professional and lay knowledge ... and keep[s] us from inquiring why victims are vulnerable in the first place. When the "why", or causes, of disaster events are limited to the notion of "motives" (while culturally reproducing the notion of individualism) ... [obscuring] the possibility of examining the political-economic system.'¹⁹²

Thus far, although we have barely mentioned scapegoating, we have, in fact, identified the very conditions under which it flourishes. In Chapter 1 we set out a six-stage process, the first four of which are the preconditions. These preconditions have been established in Chapters 2, 3 and 4. Stage 1 – the crisis, Black Saturday (Chapter 2); Stage 2 – agreement that there is a problem that must be fixed (Chapter 3); Stage 3 – a search for causes and solutions Chapters 3 & 4); Stage 4 – the solutions are complex and apparently unresolvable (Chapter 4). Our inability to resolve the bushfire problem, to learn lessons, is unacceptable to us. However, as irrational as it may be, we take an easier, far less satisfactory course of action, one that will resolve nothing in the long run. That is, when a rational response alludes us, we look for someone to blame – a scapegoat. The following chapters look at this primitive ritual and how it took hold in the *Herald Sun* coverage

I would like to finish this chapter with a rather lengthy quote from Christine Nixon's memoir that gives her opinion on what the real issues were, the role of the commission and its work. I do this because Nixon has been so ridiculed, despised and marginalised that her insights have been completely ignored by the media –

One of the most interesting, and overlooked, submission to the royal commission was from respected veteran policy analyst Tony Cutcliffe, whose thoughtful, detailed, 100-page paper, '30 Years in the Making', argued that the fire behaviour on Black Saturday was neither 'natural' nor inevitable, but the product of a wide range of influences and decisions over decades: the massive growth of the public forest estate; the absence of sufficient funding to manage and conserve it; the promulgation of the notion through agencies like the CFA that we can fight fires and be secure in the bush; the growth of the urban/forest interface; fragmentation of decision-making over fire and forests; state government inertia over the looming fire threat; political encouragement of the "schism" between environmental groups and rural landholders; and the influence of ongoing drought and climate change in making for extreme fire behaviour. Every one of these issues would appear, on their merits, to have been worthy of close attention in the royal commission. It is a tragedy that many of them were not, ultimately, given the scrutiny they deserved, and that even where these questions were prodded during the inquiry, they were rarely shared with the wider community through the media.'¹⁹³

¹⁹¹ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part Two, 352-356.

¹⁹² In S.M. Hoffman & A. Oliver-Smith, *Catastrophe & Culture*, 157-158.

¹⁹³ C. Nixon, *Fair Cop*, 316-317.

5. THE SCAPEGOATING PROCESS

In this chapter we begin to link the themes of the previous chapters to aspects of the scapegoating process and to the community's response to the 2009 fires generally. As well as linking the preceding framework, I pre-empt the next chapter, which examines the targeting of Christine Nixon, by drawing comparisons as they arise between the scapegoating process and her actions on Black Saturday and after. Other lesser targets are also mentioned. First, however, we look briefly at blame and then the scapegoating process at some length.

Understanding the selection and targeting of scapegoats ought rightly to begin with blame, since scapegoating belongs to this broader category. Blame itself is part of the even broader concept of moral responsibility, which triggers judgments on the value of some forms of human behaviour in a given society. Blame is intimately tied to concepts such as cause, free will and punishment. It is also defined in terms of its opposite, praise. Thus, 'When a person performs or fails to perform a morally significant action, we often think that a particular kind of response is warranted. Praise and blame are perhaps the most obvious forms this reaction might take.'¹ Blame is a reaction to acts that are seen as violations of what is regarded as virtuous. Blameworthy acts can cause physical harm to people or property or a more social harm such as a breach of trust in government, law or other institutions. Further, 'Blame is the act of censuring, holding responsible, making negative statements about an individual or group that their action or actions are socially or morally irresponsible, the opposite of praise. When someone is morally responsible for doing something right, we may say that his or her action is praiseworthy.'²

According to Stawson, our expressions of praise and blame derive from feelings of 'resentment, indignation, hurt ... anger, gratitude, reciprocal love, and forgiveness.'³ These were the very emotions people felt in the aftermath of Black Saturday. As much as this book focuses on blame, it would be unfair and misleading to neglect the tremendous community spirit and the praise lavished on the police, firefighters, soldiers and a whole range of volunteers. Heroes were anointed aplenty. We had 'Black Saturday heroes', 'firefighting heroes', 'true heroes', 'unsung heroes', and 'silent heroes'. Elvis the water-bombing helicopter became a 'folk hero'⁴ and when Sam the koala died she was our 'gum-tree hero'.⁵ The royal commission made special mention of our CFA volunteers.⁶

Free will means that a person has a degree of control over his or her decisions or actions. It also envisages limited circumstances under which a person will be excused for blameworthy behaviour. Thus a person 'can be responsible for an action ... only ... if performed ... freely, where acting freely entails the ability to have done otherwise at the time of action'.⁷ On 7

¹ Stanford Encyclopedia of Philosophy, *Moral Responsibility*, Spring 2010 edn
<<http://www.seop.leeds.ac.uk/archives/spr2010/>>

² Wikipedia, *Blame*, <<http://en.wikipedia.org/wiki/Blame>>

³ Stanford Encyclopedia of Philosophy, *Moral Responsibility*, Spring 2010 edn
<<http://www.seop.leeds.ac.uk/archives/spr2010/>>

⁴ T. Cutcliffe, 'Victims are not criminals', *HS*, 20/5/09, 31.

⁵ Jenny, Packenham, Letters, 'Gum-tree home for a hero', *HS*, 7/8/09, 36.

⁶ Victorian Bushfire Royal Commission, Final Report, Vol II. Part One, 137-139.

⁷ Stanford Encyclopedia of Philosophy, *Moral Responsibility*, Spring 2010 edn
<<http://www.seop.leeds.ac.uk/archives/spr2010/>>

February 2009, Christine Nixon's ability to decide freely whether to go for a pub meal with friends (exercise free will), was an important factor in her scapegoating. Not only must a blameworthy individual have a choice but there must be a causal link between the choice and the harm done though, in the case of scapegoating, this commonsense requirement is dispensed with.

Sometimes a person's 'behaviour is excused because of the presence of some factor that has undermined his/her control.'⁸ If an outcome is predetermined or fated a person involved should 'not be morally responsible'.⁹ That the 2009 fires were outside anyone's control was one of the arguments used in Nixon's defence. On 12 April 2010, a reader said that 'If Christine Nixon had stayed at her post, would that have stopped the out-of-control fires?'¹⁰ The allocation of blame is therefore part of the philosophical debate on free will versus determinism.

Assigning blame is associated with the belief that wrongdoers should pay a price for their actions. They should be punished in some way (retribution) or compensate those they have harmed (restitution), or both. Similarly, the cornerstone of tort law is that liability for damages rests on whether actions have caused harm. In the case of public officials punishment often takes the form of being pressured to resign, stood down, or sacked. Many demanded punishment in the form of Nixon's resignation or sacking, and restitution in the form of a proportion of sales of her memoirs to go to survivors.

Western culture, as noted in earlier chapters, explains failure and assigns blame in terms of human actions. The complexity of modern hierarchies and the reverence paid to specialisation and expertise have, paradoxically, encouraged 'cultures of blame, and scapegoating rather than evaluation, learning and accountability, and improving future response.'¹¹ On a psychological level, 'Blaming is ... a way of devaluing others. The end result is that the blamer feels superior. Others are seen as less worthwhile making the blamer "perfect". Off-loading blame puts another person down by emphasising his or her flaws.'¹² and for those seeking to blame 'usually one person is enough'.¹³ That person after Black Saturday was Nixon. And Baillieu, Kennett, Davies, editorials, opinion writers and readers were eager attackers.

⁸ Stanford Encyclopedia of Philosophy, *Moral Responsibility*, Spring 2010 edn
<<http://www.seop.leeds.ac.uk/archives/spr2010/>>

⁹ Stanford Encyclopedia of Philosophy, *Moral Responsibility*, Spring 2010 edn
<<http://www.seop.leeds.ac.uk/archives/spr2010/>>

¹⁰ R. Dodd, Mt Gambier, Text Talk, *HS*, 12/4/10, 23.

¹¹ M. Blumenfield & R.J. Ursano, *Intervention and Resilience after Mass Trauma*, 9.

¹² Wikipedia, *Blame*, <<http://en.wikipedia.org/wiki/Blame>>

¹³ R. Brenner, 'Is it Blame or Is It Accountability?', *Point Lookout*, 21/12/2005
<<http://www.chacocanyon.com/pointlookout/051221.shtml>>

Scapegoating

Scapegoating has been described as –

a hostile social-psychological discrediting routine by which people move blame and responsibility away from themselves and towards a target person or group. It is also a practice by which angry feelings and feelings of hostility may be projected, via inappropriate accusation, towards others. The target feels wrongly persecuted and receives misplaced vilification, blame and criticism; he is likely to suffer rejection from those who the perpetrator seeks to influence. Scapegoating has a wide range of focus: from “approved” enemies of very large groups of people down to the scapegoating of individuals by other individuals. Distortion is always a feature.¹⁴

Witch hunt is a related concept which ‘has acquired usage referring to the act of seeking and persecuting any perceived enemy, particularly when the search is conducted using extreme measures and with little regard to actual guilt or innocence.’¹⁵ It is estimated that 100,000 people over the ages have been killed as witches.¹⁶

Scapegoating is thought to be hardwired into the human species¹⁷, and is one of Jung’s archetypes¹⁸ and Freud’s defence mechanisms. It is probably an ‘expression of a very deep human need.’¹⁹ a ‘need to feel secure in a world that can be chaotic, uncertain, and unpredictable [and] has compelled human consciousness to attempt to shape, control, or manage life and death.’²⁰

Communities in crisis often seek and find scapegoats,²¹ so one would expect that ‘scapegoating is common’²² after natural disasters ‘when prevailing institutions are weakened, authority fails, and leadership gives way to desperation.’²³ Not only do ‘Perceptions of risk and insecurity ... facilitate blaming and scapegoating, but ... [add] to a deepening punitive culture.’²⁴ Conversely, ‘Scapegoats are not necessary ... during times of peace and tranquillity.’²⁵ The selection of a scapegoat, however, is a strong indicator that the ‘real problem has not been resolved ... [and] the system ... is doomed to experience the same chaos, or worse ... all over again.’²⁶ Indeed, bushfire catastrophes have occurred time and time again in Australia’s history and it was argued in Chapter 4 that, despite another royal commission, nothing seems to have changed.

¹⁴ ‘Scapegoating Research & Remedies’, *The Scapegoat Society* <<http://www.scapegoat.demon.co.uk/>>

¹⁵ Wikipedia, *Witch-hunt*, <<http://en.wikipedia.org/wiki/Witch-hunt>>

¹⁶ Wikipedia, *Witch-hunt*, <<http://en.wikipedia.org/wiki/Witch-hunt>>; T. Douglas, *Scapegoats: Transferring Blame*, 41.

¹⁷ C. Wilcox, *Scapegoat: Targeted for Blame*, 1.

¹⁸ See, S.B. Perera, *The Scapegoat Complex*.

¹⁹ T. Douglas, *Scapegoats: Transferring Blame*, 31.

²⁰ C. Wilcox, *Scapegoat: Targeted for Blame*, 2.

²¹ C. Wilcox, *Scapegoat: Targeted for Blame*, 3.

²² H. Rodriguez, *et al*, *Handbook of Disaster Research*, 23.

²³ C. Wilcox, *Scapegoat: Targeted for Blame*, 154.

²⁴ M. Welch, *Scapegoats of September 11th*, 39.

²⁵ C. Wilcox, *Scapegoat: Targeted for Blame*, 155.

²⁶ C. Wilcox, *Scapegoat: Targeted for Blame*, 164.

Complexity in large organisations – modern societies

As is clear from the *Herald Sun* coverage and a reading of the royal commission report, ‘The whole process can become very confusing ... Thus the difference between the initial individual accused and the individual onto whom the blame is deflected may well be one of degree’.²⁷ One of the difficulties in finding a suitable person to blame for Black Saturday is the ‘obscurity of the link between the individuals and incidents. In most large organisations, responsibility for catastrophe may be extremely difficult to decide for the simple reason that although single, powerful individuals may be seen as the focal point of a decision that seems to have been the root cause of the event, many others will have been responsible’.²⁸

In modern societies there is ‘no simple overriding code of conduct or belief, no...behaviour that is endorsed by all. Indeed, so complex is modern society and so internally fragmented with so many interests often at odds with one another ... that ... scapegoating ha[s] flourished’.²⁹ The conditions are ripe for those who wield power to expel their scapegoat.³⁰ In our complex, hierarchical, specialised society, it is very difficult to hold a particular person or group responsible – maybe impossible. So much for the benefits of an advanced industrial society. The table below shows the extent of the blaming, listing who was blamed and for what in the *Herald Sun*.

Blame Chart

BLAMED	REASON
GREENS	opposition to fuel reduction
GOVT (Brumby)	failure to address climate change · mismanagement of adequate fuel reduction · being in league with the Greens · failure to implement the recommendations of previous bushfire inquiries · for making laws preventing fuel reduction that councils must enforce failure to implement community safe places failure to introduce standards for bunkers failure to address powerline problem failure to manage emergency services (failure to sack Rees and Nixon) failure to introduce an early warning system failure to accept all Royal Commission recommendations lack of leadership
DSE	opposing fuel reduction/not reducing fuel loads
COUNCILS	opposing fuel reduction (being in league with the Greens) rebuilding delays (red tape) failure to introduce community safe places
ARSONISTS	starting the fires – causing death and destruction
ROYAL COMM	being a waste of time and money being a whitewash not addressing fuel reduction earlier
NIXON	lack of leadership failure to issue warnings
REES	lack of leadership

²⁷ T. Douglas, *Scapegoats: Transferring Blame*, 154.

²⁸ T. Douglas, *Scapegoats: Transferring Blame*, 154.

²⁹ T. Douglas, *Scapegoats: Transferring Blame*, 191.

³⁰ T. Douglas, *Scapegoats: Transferring Blame*, 159.

	failure to issue warnings
WALLER	lack of leadership failure to issue warnings
CAMERON	being irrelevant
VICTIMS	failing to adequately prepare – failing to leave early – for living in dangerous areas
POWER COs	starting the fires – causing death and destruction

Types of scapegoating

There are two main scapegoating processes, conscious/rational and unconscious/irrational. The conscious/rational (or deliberate) variety is typical of targeted public scapegoating and is of particular interest to us. The public version ‘can be described as a diversionary process where the sole purpose is to deflect blame past the actual people responsible for problems and have it placed on others.’³¹ Officials use it to obscure the real problem. It sees them ‘hiding behind a flurry of blaming and diverting attention [which] is an extremely clever ploy for evading responsibility because, unlike straight-forward denial or buck-passing, it appears to be constructive in its apparent search for causes.’³² The appointment of a royal commission into the 2009 bushfires was seen by some as a clever blame-avoiding, blame-shifting ploy by Brumby and his government. The commission was easily marketed as a constructive attempt to get to the root causes. The *Herald Sun* took this line and could be accused of being remarkably gullible, overtaken with optimism, or simply taking an opportunity to boost circulation and bond with a crucial information source.

There has been a substantial increase in the deliberate form which ‘has become very much a pattern of social behaviour and ... it is clearly being employed as an objective strategy designed specifically not just to ensure survival ... but actually to maintain the status quo.’³³

The unconscious/irrational type arises ‘from a discharge of tensions generated by both known and unknown factors in social situations and the whole process becomes one that may operate well below the level of the conscious understanding of its perpetrators and masked by them with what appears to be extremely logical rationalisations.’³⁴ The method by which the tension or distress is discharged is ‘seemingly dependent on opportunity.’³⁵ There is no doubt that the fires brought forth tensions in the form of shock, grief, distress and anger and that, for many, these were unloaded onto Nixon on an unconscious level. The unloading or transfer was rationalised on the basis of her poor leadership, her pub meal with friends, her appointment at the hairdresser’s and meeting with her biographer. All were true, but had no bearing on the course of the fires or their destruction. There can be a combination of conscious/rational and unconscious/irrational.³⁶

Blame must disproportionate

For scapegoating to occur the blame must be unjust or out of all proportion. A ‘scapegoat ... is made to artificially bear the blame for the failures, mistakes, and shortcomings of others ...

³¹ T. Douglas, *Scapegoats: Transferring Blame*, 66.

³² T. Douglas, *Scapegoats: Transferring Blame*, 67.

³³ T. Douglas, *Scapegoats: Transferring Blame*, 107.

³⁴ T. Douglas, *Scapegoats: Transferring Blame*, 108.

³⁵ T. Douglas, *Scapegoats: Transferring Blame*, 110.

³⁶ T. Douglas, *Scapegoats: Transferring Blame*, 110-111.

The key to defining and labelling an act of scapegoating is ... whether the victim ... [is] being made to bear the blame for the sins of others.³⁷ There must 'be clear evidence that the allegations of responsibility and of causation are untrue, or at least partially so ... [because] any rational and real involvement ... is sufficient to dismiss an accusation of scapegoating.'³⁸ It is not necessary that a scapegoat be entirely 'innocent of causing the events, behaviour or situations for which he or she is being blamed'.³⁹ On any dispassionate analysis, the blaming of Nixon was out of all proportion to the alleged wrongdoing.

Causes tend to be ignored

Our rational, scientific society drives us to link causes to behaviour and sometimes we have a propensity to jump to conclusions before all the facts are in.⁴⁰ However, the record shows that rather than jump in, we are often unable to distinguish between relevant and irrelevant causal events: 'The distinction between cause and its subsequent effect – which are directly related though sometimes complex – and events which are in no real sense related, is frequently very confusing and presupposes a whole series of connections between apparently unrelated events which have a different order of existence or belief to that which one would consider "normal".'⁴¹ In respect to Nixon, her actions were put under the microscope for a period from about 5pm to midnight on 7 February. The problem was framed as one of leadership, leading to her whereabouts earlier in the day before she was on duty being scrutinised.

Despite all the calls that we had to learn from Black Saturday and a royal commission established to ensure that we did, there is a paradoxical need during crises 'to simplify the issues' to make it easier to understand the social chaos.⁴² We 'want clear-cut, monocausal explanations of events ... Therefore, finding a scapegoat is often the easiest solution'.⁴³ Where we are unable or unwilling to come to grips with the actual causes there begins a 'search for someone or something to blame'.⁴⁴ An explanation must be found: 'It is as if individuals, groups and communities cannot tolerate or live with events that are apparently inexplicable. Thus, when such events occur no relief, no cleansing can take place until some acceptable explanation has been found.'⁴⁵ It is disturbing that laying blame on someone can 'evade any self-examination and soul searching that might discover the real causes of the loss'.⁴⁶ One wonders how it can become 'more important to find a suitable victim than to discover the actual causes of the difficulty'.⁴⁷

As in the case of Black Saturday, 'the real problems ... may be known but are commonly accepted as insoluble'.⁴⁸ When this occurs a scapegoat produces 'a semblance of coping with

³⁷ C. Wilcox, *Scapegoat: Targeted for Blame*, 148.

³⁸ T. Douglas, *Scapegoats: Transferring Blame*, 55.

³⁹ T. Douglas, *Scapegoats: Transferring Blame*, 55.

⁴⁰ T. Douglas, *Scapegoats: Transferring Blame*, 128.

⁴¹ T. Douglas, *Scapegoats: Transferring Blame*, 198.

⁴² C. Wilcox, *Scapegoat: Targeted for Blame*, 38.

⁴³ M. Welch, *Scapegoats of September 11th*, 45.

⁴⁴ T. Douglas, *Scapegoats: Transferring Blame*, 39.

⁴⁵ T. Douglas, *Scapegoats: Transferring Blame*, 41.

⁴⁶ T. Douglas, *Scapegoats: Transferring Blame*, 62.

⁴⁷ T. Douglas, *Scapegoats: Transferring Blame*, 123.

⁴⁸ T. Douglas, *Scapegoats: Transferring Blame*, 193.

the problems, and this frequently secures a transient reprieve because others believe that the problems have been dealt with.’⁴⁹ According to Lisa Ryan, a reader from Lilydale –

Politician deserve brunt of the blame

First the CFA and Russell Rees, then the DSE stood up and took a few hits ... now it's Christine Nixon's turn. But who is really to blame?

The Government, for not allowing backburning and not putting in underground power lines and communication systems; local councils for not allowing backburning or people to clear their land.

Too much focus is being put on people who are not responsible and probably prevented further loss of lives.

Why is the commission wasting so much time focusing on the individual rather than holding our shires, politicians, their parties and government responsible?⁵⁰

And Dr Ray Cleary in a letter wrote –

Fourteen months after the Black Saturday bushfires, parts of the media are still scratching for someone to blame, and have chosen an unlikely target in Victorian Bushfire Reconstruction and Recovery Authority chair Christine Nixon.

In calling for Ms Nixon's scalp, they are diverting attention from the real procedural and communication shortcomings discovered during Black Saturday ...⁵¹

This is the point we reached at the end of Chapter 4. To recap, the major causes of the fires were said to be a lack of fuel reduction, the failure of the 'stay-or-go' policy, the lack of bunkers/shelters, and the settlement of large numbers of people in bushfire-prone areas. If any or all of these were the 'cause' of the 2009 fires, these cannot, in all fairness, be linked to Christine Nixon. The major responsibility for fuel reduction rests with the DSE, stay-or-go appears to have been developed by the fire services and others. Councils and the government are responsible for bunkers and community shelters. Where people are allowed to settle is probably a decision for councils and the government. None of these questions are for a police chief, or for her role as Deputy Coordinator in Chief of Emergency Management. This is one of the strongest indicators that Nixon was a scapegoat.

We are virtually programmed to blame individuals or organisations when things go wrong and Black Saturday saw this in the extreme. Pinpointing someone or something to blame isn't always easy. Let's take fuel reduction. Roger Franklin has blamed councils for opposing fuel reduction,⁵² but they said that it wasn't their fault – all they were doing was applying the law as it stood – it was really the government's fault. But if councils weren't responsible, what

⁴⁹ T. Douglas, *Scapegoats: Transferring Blame*, 193.

⁵⁰ *HS*, 9/4/10, 30.

⁵¹ Letters, 'Nixon the right choice', *HS*, 16/4/10, 36.

⁵² R. Franklin, *Inferno*, 109-110.

about the DSE? The royal commission waded through Victoria's legislation and found that s.16 of the Emergency Management Act 1986 (Vic), put the secretary of the DSE in charge of the lion's share of fuel reduction.⁵³ But no-one was interested in who was in charge of the DSE; the police chief's dinner was far more important. So should the DSE be brought to account or was it really its master, the government or Brumby's fault? Others put it down to the insidious infiltration of greenie propaganda. Is there any need to distinguish between the government and Brumby? And parliament, the supposed cornerstone of our freedom and government accountability, plays no role.

As for other issues. The royal commission struggled to unravel just who was responsible for clearing around Victoria's roads – it seemed that it was shared between VicRoads, councils and the DSE – but no-one could be sure what this meant in terms of 'bushfire risk reduction'.⁵⁴ We blamed arsonists and power lines for starting the fires – we blamed the royal commission for being too expensive, a waste of time and for being a whitewash – we blamed councils for not providing community shelters, and they in turn blamed the government for not covering their legal liability – we blamed emergency services officials and Brumby for an appalling lack of leadership. We set up an appeal fund to help victims and complained bitterly that the money was distributed too slowly.⁵⁵ We complained when Centrelink made emergency payments to victims if they were undeserving.⁵⁶ When we found out that many people were uninsured or underinsured, a debate raged over who was more deserving of assistance. According to Norrie Ross, there was 'a danger that the royal commission, instead of finding ways of preventing a similar disaster happening in the future, degenerates into a blame game between government authorities, local councils, utility companies and emergency services.'⁵⁷ It is even difficult to follow the trail of responsibility within a single organisation, such as the CFA and the DSE.⁵⁸

Although the government was blamed for many failures, it emerged relatively unscathed. In the end, led by some extraordinary attacks during examination by counsel for the commission, emergency services chiefs became the targets, and eventually most of the pent up anger came down on Nixon's neck.

Themes of government failure

In the wake of Katrina survivors blamed government officials, a 'pattern ... [which] results in loss of trust in traditional institutions. For example, in the aftermath of Katrina, various government agencies, such as FEMA, local and state governments, and the US Army Corps of Engineers, were blamed for inadequate responses to the disaster. In addition, 16 months after Katrina, insurance companies, politicians, police, agency subcontractors, contractors, neighbours, relatives, and others involved in initial reconstruction activities are regularly blamed for causing secondary disasters for survivors. This recurring "blame game" was

⁵³ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part One, 288.

⁵⁴ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part One, 306.

⁵⁵ J. Ferguson & W. Flower, 'The rebuilding', *HS*, 5/5/09, 4; W. Flower, 'Burning anger at holdups', *HS*, 5/5/09, 5.

⁵⁶ B. Packham & M. Buttler, 'Compo Greed', *HS*, 9/7/09, 1-2; Editorial, 'Fire bonus needs audit', *HS*, 9/7/09, 32; B. Packham & M. Buttler, 'Disgust at "bludgers" in fire rort', *HS*, 10/7/09, 25.

⁵⁷ N. Ross, 'A landscape of sticks and stones and broken homes', *HS*, 28/3/09, 88-89.

⁵⁸ See the Victorian Bushfires Royal Commission, Final Report, Vol. II, Part Two, 361 & 362, respectively, for their organisational charts.

manifested in political elections, the reorganisation of the New Orleans levee board, and many intraparish conflicts that still linger in Katrina's wake.⁵⁹

There has been an apparent increase in blaming over the past 30 years – a belief that our problems are the fault of someone else – blaming the government or other decision-making people or bodies, is the first option.⁶⁰ Social problems are put down to 'mismanagement or inadequate care'.⁶¹

Emergency services and the media

The promotion of emergency services as highly specialised, well-organised responders hides the truth that they 'have less control ... than they would like to admit ... Emergency management might likewise be a reactive name for a profession that should give more attention to a reduction of both the quantity and quality of disasters ... the term emergency management seems to suggest that we can only react after a disaster rather than take steps to reduce our vulnerability before the event occurs.'⁶² Rather than holding on to and relying on a reactive emergency services, a more promising approach would be to reduce vulnerabilities.⁶³ According to Charles Perrow our bushfire vulnerabilities are twofold⁶⁴ –

- the concentration of energy – in the case of bushfires (trees, shrubs, debris)
- the concentration of populations (people living high-risk areas)

Australian National University crisis management expert Professor Paul 't Hart told the Victorian Bushfires Royal Commission that 'We need to develop a more realistic assessment of what can and cannot be expected from governments and emergency services'.⁶⁵ Emergency services are our "Our permanently failing organisations" and will be forever locked in to failure unless we look at reducing vulnerabilities rather than just increasing our protection and recovery attempts.⁶⁶ Unrealistic expectations from response services encourages 'post-emergency witch hunts'.⁶⁷ A major contributor to the destruction caused by Katrina was 'the failure to maintain critical public services, including the infrastructure ... officials long knew the protective levees surrounding the city were inadequate, leaving it vulnerable to precisely the type of disaster that occurred'.⁶⁸ 'Public services are generally viewed as expenses that need to be minimized rather than essential investments'.⁶⁹

The media plays down 'the role of human causes such as dam construction, poor farming practices, pollution, underlying poverty and lack of resources'.⁷⁰ And again, 'it may be that

⁵⁹ D. L. Brunisma, *et al*, *The Sociology of Katrina*, 13.

⁶⁰ T. Douglas, *Scapegoats: Transferring Blame*, 83.

⁶¹ T. Douglas, *Scapegoats: Transferring Blame*, 83-84.

⁶² H. Rodriguez, *et al*, *Handbook of Disaster Research*, 169.

⁶³ H. Rodriguez, *et al*, *Handbook of Disaster Research*, 523-527.

⁶⁴ H. Rodriguez, *et al*, *Handbook of Disaster Research*, 523.

⁶⁵ Quoted in C. Nixon, *Fair Cop*, 339.

⁶⁶ H. Rodriguez, *et al*, *Handbook of Disaster Research*, 525.

⁶⁷ C. Nixon, *Fair Cop*, 340.

⁶⁸ C. Hartman & G.D. Squires, *There is No Such Thing as a Natural Disaster*, 5.

⁶⁹ C. Hartman & G.D. Squires, *There is No Such Thing as a Natural Disaster*, 5.

⁷⁰ S. Cottle, *Global Crisis Reporting*, 47.

we've overconcentrated on how people, groups, and organisations respond to hazards. We need more attention on what creates the conditions that lead to calamity in the first place ... population concentration [is] a major contributor that puts us at risk of extreme events, even as we live longer – and better – in rich, modern societies.'⁷¹

No surprise then that the *Herald Sun* focused on emergency services, thrusting them into the spotlight and making them prime candidates for blame. What distinguishes The *Herald Sun*'s search for blame is that it is so narrow. It zooms in on Black Saturday from about 5pm – 12 midnight on 7 February 2009. This, in turn, goes a long way to explaining why high ranking emergency services personnel were targets and, disappointingly, for the royal commission as well. Authors of disaster books were quick to pick up the theme. *The Australian Book of Disasters* in its reference to Black Saturday says that the royal commission's 'brief was to probe all aspects of the firefighting strategy ... and how ... fire services, police and emergency services and governments performed in the crisis.'⁷² The royal commission 'was scathing in its criticism of some fire services and emergency services management.'⁷³ and 'The then Police Commissioner Nixon was criticised for her decision to visit her hairdresser and have a meal in a hotel.'⁷⁴ As an after thought the book mentions 'Also under fire were CFA chief Russell Rees and Ewan Waller, Chief Fire Officer of the Department of Sustainability and Environment. Both ... could have been expected to have done more'.⁷⁵

The royal commission, when it came to blame allocation also focussed on the emergency services chiefs, but field staff and volunteers were praised. Bob Cameron, the Minister for Police and Emergency Services, was the only politician to face the royal commission and his actions were held to be appropriate.⁷⁶ Although the commission looked in some detail at prevention strategies such as fuel reduction, in its final report it was critical, but not overly so of those responsible. When investigating the activities and role of the DSE, the commission referred to Mr Greg Wilson, (current) Secretary of the DSE, Mr Peter Harris, former Secretary and Mr Liam Fogerty, Assistant Chief Officer, Land and Fire Division. Mr Wilson was unable to explain the basis of the DSE fuel reduction targets, nor the current targets.⁷⁷ The commission had this to say on Wilson's testimony: 'from the person responsible for ensuring sufficient, work for the prevention and suppression of fire on the public land estate highlights the lack of direction in Victoria on this vital matter.'⁷⁸ and at page 295 the report said that Wilson 'was currently unable to provide a figure' on the cost of prescribed burning. The commission concluded that it was –

inexplicable that, despite recommendations since 2003 to report the costs associated with prescribed burning, DSE (or its former entity) is unable to provide this vital information. If the current cost is not recorded and reported, it is difficult to understand how future funding, resources and increases in prescribed burning can be properly assessed and allocated. There is also the important question of public accountability – not just of the efforts and resources applied, but also of the goal set by government and reflected in its annual budgetary allocations.⁷⁹

⁷¹ D.L. Brunnsma, *et al*, *The Sociology of Katrina*, 237-238.

⁷² 188.

⁷³ L. Writer, *The Australian Book of Disasters*, 189.

⁷⁴ L. Writer, *The Australian Book of Disasters*, 189.

⁷⁵ L. Writer, *The Australian Book of Disasters*, 189.

⁷⁶ Victorian Bushfires Royal Commission, Final Report, Vol II. Part One, 85.

⁷⁷ Victorian Bushfires Royal Commission, Final Report, Vol II. Part Two, 293.

⁷⁸ Victorian Bushfires Royal Commission, Final Report, Vol II. Part Two, 293.

⁷⁹ Victorian Bushfires Royal Commission, Final Report, Vol II. Part Two, 295.

Discussing ‘stay-or-go’ the Interim Report referred to evidence given by the Emergency Services Commissioner, Mr Bruce Esplin, and Mr Alan Rhodes, Manager, Community Safety Research and Evaluation for the CFA. These architects and pushers of the policy were not criticised, their role being to explain its background and implementation. They were not blamed for the incoherent, poorly formulated policy that saw no reason to provide warnings to residents on Black Saturday.

In its final report the commission singled out Russell Rees and Ewan Waller –

The Commission concludes that CFA Chief Officer Mr Rees and DSE Chief Fire Officer Mr Waller should have done more in relation to warnings, supporting incident management teams and statewide planning. To the extent that they relied on their subordinates to perform these tasks, this reliance was ineffective. Responsibility for the failure of the chain of command must rest at the top.⁸⁰

Christine Nixon was criticised for her leadership and the evidence she gave at the hearings –

... Ms Nixon took a “hands-off” approach to her responsibilities of State Coordinator of the State Emergency Response Plan and Chief Commissioner of Police.⁸¹

The Commission considers that Ms Nixon’s approach to emergency coordination and the manner in which she purported to execute her statutory responsibilities left much to be desired.⁸²

The Commission also expresses dismay at Ms Nixon’s approach to giving evidence before it. Her written statement ... and her oral testimony ... were in a number of respects inaccurate and incomplete.⁸³

Although the royal commission singled out Rees, Waller and Nixon, only Rees and Waller were linked directly to failures that caused deaths on the day, a fact ignored by the *Herald Sun* because it had already found Nixon guilty and was hell-bent on punishing her. The above discussion explains why the prospective scapegoats were narrowed down to high-ranking emergency services officials. Of the politicians, Cameron and Brumby took some flack, but others who might have been expected to come under serious attack such as Jennings and the head of the DSE were not touched – even though the two were in charge of fuel reduction in Victoria.

Scapegoating – why?

The reasons for scapegoating were introduced briefly earlier in the chapter. Two broad types were identified. The first was a deliberate form whereby blame is transferred or diverted from one person or organisation to another. Thus ‘The modern public scapegoater pursues a rational cause to deflect imminent punishment, opprobrium, personality assassination onto others.’⁸⁴ The second is an unconscious or irrational form, the gist of which is to relieve psychic discomfort one feels by blaming someone. It ‘serves as a psychological relief for a group of people.’⁸⁵ The psychic discomfort takes many forms. Scapegoating ‘allows for the cathartic

⁸⁰ Victorian Bushfires Royal Commission, Final Report, Vol II. Part One, 81.

⁸¹ Victorian Bushfires Royal Commission, Final Report, Vol II. Part One, 83.

⁸² Victorian Bushfires Royal Commission, Final Report, Vol II. Part One, 84.

⁸³ Victorian Bushfires Royal Commission, Final Report, Vol II. Part One, 84.

⁸⁴ T. Douglas, *Scapegoats; Transferring Blame*, 201.

⁸⁵ Wikipedia, *Scapegoating*, <<http://en.wikipedia.org/wiki/Scapegoating>>

ventilation of frustration by displacing aggression onto a suitable target.’⁸⁶ Frustration has been said to include ‘aggression, anger, anxiety, guilt, tension’⁸⁷ and general hostility.⁸⁸

However, ‘people ... do not necessarily become scapegoats until and unless the society becomes frustrated by its inability to cope with some major crisis – that is, until the level of aggression becomes intolerable and has to be discharged. Then those who were disliked but tolerated become victims of that aggression and are usually blamed for the crisis.’⁸⁹ The reason for choosing the scapegoat in the first place may ‘have had some basis in fact but in its fully developed state can often be seen as a kind of deflection, a distraction from the reality and from any consideration of the actual causes of the distress.’⁹⁰ This primitive mechanism has a ‘salvation effect [which] ... cuts to the core of the human experience. In essence ... the question of how anxiety is dispelled’.⁹¹

In psychological terms the process is one where ‘projection or displacement are utilised in focussing feelings of aggression, hostility, frustration, etc., upon another individual or group; the amount of blame being unwarranted.’⁹² After a crisis there is a ‘strong desire to seek out those culpable in order to vent anger, resentment and hurt upon them and to evade any self-examination and soul searching that might discover the real causes of loss.’⁹³

Those scapegoated tend to be pariahs and serve to free communities from debilitating tensions by becoming the focus of aggression. The morality of the practice is questionable except in the utilitarian sense of the greatest good for the greatest number.⁹⁴ The scapegoat also gives ‘us with the flattering illusion that we are superior’.⁹⁵

Scapegoaters

Scapegoating ‘is a coping device used by those too weak to cope with reality and by marginal leaders unable to take control.’⁹⁶ So ‘when the system and the system’s leadership are threatened, instead of admitting culpability, the burden of blame is shifted to another, thus, the system and its leadership can be redeemed and the problem put off – at least temporarily.’⁹⁷ which means that in times of crisis, governments are often scapegoaters.⁹⁸ This was the case after Black Saturday. Conscious scapegoaters do not have uniform motivations,⁹⁹ and will often wait until they have adequate knowledge of the victim.¹⁰⁰ This could explain why the *Herald Sun* and a host of others had to wait until the second round of royal commission

⁸⁶ M. Welch, *Scapegoats of September 11th*, 40.

⁸⁷ T. Douglas, *Scapegoats: Transferring Blame*, 112-115.

⁸⁸ T. Douglas, *Scapegoats: Transferring Blame*, 111-112.

⁸⁹ T. Douglas, *Scapegoats: Transferring Blame*, 130.

⁹⁰ T. Douglas, *Scapegoats: Transferring Blame*, 39.

⁹¹ C. Wilcox, *Scapegoat: Targeted for Blame*, 45.

⁹² T. Douglas, *Scapegoats: Transferring Blame*, 111-112; Wikipedia, *Scapegoating*, <<http://en.wikipedia.org/wiki/Scapegoating>>

⁹³ T. Douglas, *Scapegoats: Transferring Blame*, 62.

⁹⁴ T. Douglas, *Scapegoats: Transferring Blame*, 122.

⁹⁵ T. Douglas, *Scapegoats: Transferring Blame*, 85.

⁹⁶ C. Wilcox, *Scapegoat: Targeted for Blame*, 158.

⁹⁷ C. Wilcox, *Scapegoat: Targeted for Blame*, 158.

⁹⁸ T. Douglas, *Scapegoats: Transferring Blame*, 66.

⁹⁹ T. Douglas, *Scapegoats: Transferring Blame*, 111.

¹⁰⁰ T. Douglas, *Scapegoats: Transferring Blame*, 131.

hearings in April 2010 to gather the ammunition they needed to crucify Nixon. The prime public scapegoaters in the traditional sense were Premier John Brumby and Jeff Kennett, former Liberal Premier of Victoria, because they were transferring blame from themselves onto Nixon. However, there were others who ought to be recognised as scapegoaters, but who do not fit the traditional definition. These are individuals and groups that deliberately blame someone, not to transfer blame from themselves, but for their own purposes, a process that will be discussed in more detail in Chapter 7. In respect to Christine Nixon, they were a varied but prominent bunch – Ted Baillieu, Opposition Leader; Greg Davies, Secretary of the Police Association; Steve Fielding, independent senator; Jack Rush and Rachel Doyle, both counsel for the royal commission. The most devout scapegoater of this type was the *Herald Sun* itself, and the overwhelming evidence for this is the subject of the next chapter. However, I would not describe any of these as weak, more accurately as parties with their own agendas taking advantage of a once-in-a-lifetime opportunity to attack adversaries.

Scapegoaters are very likely to deny that they are scapegoating.¹⁰¹ This is particularly so for those who are deliberate and calculating because the very foundation of this heinous form is that it passes itself off as rational and reasonable.

Scapegoats

Tom Douglas was right when he said that ‘Although the choice of scapegoat may seem to be irrational, it is never random, there being a connection between the victim and the scapegoaters’.¹⁰²

Difference

Current scapegoating is concerned with the characteristics of victims and their personalities. Prejudice, opinion, tradition exercise enormous influence in shaping response patterns to perceived threat or frustration and influence the choice of those who will be blamed.¹⁰³ Those who are isolated, powerful, disliked or not respected are frequently targeted.¹⁰⁴ Nixon fits the bill – she had been criticised for her ‘soft policing’ policies, and was subject to an ongoing public campaign against her by the Police Association. No-one doubted that she was a powerful, well-known (bordering on celebrity status) woman.

People are far more likely to be a scapegoat when they are ‘are dealing with areas of public life in which, disaster strikes’.¹⁰⁵ In times like these, public outrage and great frustration is generated – exposure ... is made a great deal more likely by the activities of investigative media people.¹⁰⁶ In respect to Nixon, it was a combination of the media and the royal commission that fed and exacerbated the public outrage. It is not uncommon for a scapegoat to be selected on the basis of being different – age, sex, religion, class, race, etc’.¹⁰⁷ The importance of pre-existing dislike cannot be underestimated.¹⁰⁸ Nixon’s differences and pre-

¹⁰¹ ‘Scapegoating Research & Remedies’, *The Scapegoat Society* <<http://www.scapegoat.demon.co.uk/>>

¹⁰² T. Douglas, *Scapegoats: Transferring Blame*, 133.

¹⁰³ T. Douglas, *Scapegoats: Transferring Blame*, 55.

¹⁰⁴ T. Douglas, *Scapegoats: Transferring Blame*, 99.

¹⁰⁵ T. Douglas, *Scapegoats: Transferring Blame*, 58.

¹⁰⁶ T. Douglas, *Scapegoats: Transferring Blame*, 58.

¹⁰⁷ T. Douglas, *Scapegoats: Transferring Blame*, 145.

¹⁰⁸ T. Douglas, *Scapegoats: Transferring Blame*, 129-130.

existing dislike were factors in her scapegoating, but were not as important as some of her supporters would have us believe.

In times of crisis – factors – public life

In general, scapegoats are ‘accused of having some moral failure that contributes to a social problem. Therefore, it is widely believed that scapegoats deserve blame and punishment.’¹⁰⁹ In times of crisis there is often public clamour for scapegoats from the ranks of the elite to be held responsible¹¹⁰ – all that really matters is that the victims can be made to appear guilty, carry the blame and, of course, be unable to vindicate themselves.¹¹¹ Nixon’s actions were viewed as a heinous moral failure that obscured and superseded any causal connection between her and the bushfires. Any attempt to explain her actions or apologise was met with more derision.

Those in public life ‘are more likely to be exposed by the nature of the matters with which they deal. Politicians ... are ... blamed for events that occurred within their area of responsibility which may or may not have been brought about by their actions.’¹¹² Victims ‘may ... be very powerful – for instance, when a group puts its leader into the scapegoat role. The reason ... is that the group feels that the powerful person has led the group into difficulties and should have known better’.¹¹³ Victorians could have crucified Brumby, Cameron or Jennings for the fires, but we left it to the royal commission and it let them off.

Even where victims are powerful they may still be ‘selected on the basis of vulnerability, a low probability of retaliation’¹¹⁴ and have ‘little chance of evading, deflecting or resisting becoming a victim.’¹¹⁵ The victim should be ‘dispensable...at no great cost to the persecutors.’¹¹⁶ Nevertheless, the scapegoat should be someone who the community would accept as being responsible, preferably a part of the management structure.¹¹⁷ The ‘best scapegoats participate in the process by at least being a little bit guilty. Besides, if the scapegoat ever turned out to be entirely innocent, the persecutors would become the guilty ones’.¹¹⁸ Here is Nixon to a tee. Not long after Black Saturday she took up the post of head of the new authority to oversee the reconstruction. The authority was always intended to be short-lived along with her tenure. She was a high-ranking emergency services official on the day and was now in another high-profile position and definitely vulnerable and dispensable.

By selecting someone powerful instead of someone weaker, ‘group members can relieve their frustration by blaming someone for the misfortunes of the group and at the same time bolster their own self-esteem in that they were strong enough to tackle fairly formidable members of their own group.’¹¹⁹ There is often an expectation that the victim will resign.¹²⁰ There was a

¹⁰⁹ M. Welch, *Scapegoats of September 11th*, 39.

¹¹⁰ T. Douglas, *Scapegoats: Transferring Blame*, 60.

¹¹¹ T. Douglas, *Scapegoats: Transferring Blame*, 60.

¹¹² T. Douglas, *Scapegoats: Transferring Blame*, 64.

¹¹³ T. Douglas, *Scapegoats: Transferring Blame*, 138.

¹¹⁴ C. Wilcox, *Scapegoat: Targeted for Blame*, 3.

¹¹⁵ T. Douglas, *Scapegoats: Transferring Blame*, 131.

¹¹⁶ C. Wilcox, *Scapegoat: Targeted for Blame*, 71.

¹¹⁷ T. Douglas, *Scapegoats: Transferring Blame*, 97.

¹¹⁸ C. Wilcox, *Scapegoat: Targeted for Blame*, 71.

¹¹⁹ T. Douglas, *Scapegoats: Transferring Blame*, 139.

¹²⁰ T. Douglas, *Scapegoats: Transferring Blame*, 94.

consensus after Black Saturday that emergency services field or operational staff would not be blamed individually, nor would other support people, volunteers included. Instead of blame, heroes were drawn from this group. Thus firefighters and police were off limits, which is entirely consistent with the observation that 'it is politically expedient not to criticise the police or other professions.'¹²¹

Effect on scapegoats

From the victim's point of view, 'One moment [he/she] is a part of the system, being one of their numbers. The next moment, the victim symbolises something apart from the system, something to be cursed and removed. The victim occupies an ambiguous position between the parties of good and evil ... caught in the crossfire of accusation and defense.'¹²² 'Someone already unpopular is' likely to be blamed.¹²³ The victim 'experiences exclusion, ostracism or even expulsion.'¹²⁴ Tom Douglas speaks of this in his classic work on scapegoating: 'However, with disgrace, humiliation, dismissal and exile, which are the more usual forms of modern practice in public life, it can be said that the process of scapegoating has retained a considerable amount of its ability to destroy its victim'.¹²⁵

And this is how Christine Nixon felt when she wrote in her memoir that the controversy, 'consumed my life, and threatened to consume my reputation, all I had worked for.'¹²⁶ and 'The questioning of my management capability was particularly confronting, given my decades-long efforts to build and refine my skills and ethos, and the success these efforts had achieved.'¹²⁷ Any defence of her actions, reasonable or not, always led to a flurry of derision, worsening an already inflamed situation. And generally, supporters fared no better. Any defence of her actions, or her apologies only made things worse, serving as further ammunition

As the issued grew ever more heated, I tried to restore some perspective, provide some explanation, but it only seemed to serve to put me in a deeper hole. "I had to eat", I told Neil Mitchell on 3 AW. This was an honest, unadorned response to the question of why I went out for a meal, but it did not go down well, which only supports the argument for leaders to employ spin and duck answers to direct questions, or suffer the consequences. Days later, Mitchell would write a comment piece arguing five reasons why I should stand down as the head of VBRRA under the headline, "Hungry Nixon must go"¹²⁸

I tried to explain myself through a letter to the *Herald Sun* that was published under the headline, "Sorry, I could have done things differently", implying a callousness that was a million miles from my feelings at the time, I wrote that I understood some of my decisions on the day would have upset some people, and for that I sought to apologise. "In hindsight, would I have done some things differently on that day? Yes, I would have."¹²⁹

To be honest, I remember reading her letter of apology and thinking that she obviously didn't believe she had done anything wrong, but considering all the flak she had better make one. As

¹²¹ T. Douglas, *Scapegoats: Transferring Blame*, 64.

¹²² C. Wilcox, *Scapegoat: Targeted for Blame*, 163.

¹²³ M. Welch, *Scapegoats of September 11th*, 39.

¹²⁴ 'Scapegoating Research & Remedies', *The Scapegoat Society* <<http://www.scapegoat.demon.co.uk/>>

¹²⁵ T. Douglas, *Scapegoats: Transferring Blame*, 95.

¹²⁶ C. Nixon, *Fair Cop*, 337-338.

¹²⁷ C. Nixon, *Fair Cop*, 338.

¹²⁸ C. Nixon, *Fair Cop*, 326.

¹²⁹ C. Nixon, *Fair Cop*, 326-327.

for doing this differently, there was no indication what that might mean, inviting comments like –

Nixon says in hindsight she would have done things differently – what, steak instead of fish?¹³⁰

The Royal Commission

There was much rhetoric that the commission was not about blame.¹³¹ Nixon has obviously given this some thought since her demise –

Allan Myers QC wound up the response of the state ... Criticising individuals would not help build better processes to protect people in the next catastrophe. “There is something rather odd about picking out individuals and blaming them ... something extraordinarily primitive about it. If someone was hurt or something went wrong, you have to find someone to blame. It may be an instinctive human reaction, but it is not one that finds any place in the Royal Commission”.¹³²

As it turned out, this meant the lower and middle ranks of emergency services, volunteers and victims weren’t subjected to blame and somehow this generosity of spirit spread to politicians. The inquiry wasn’t to be punitive because the aim was to learn lessons and prevent another fire catastrophe. The philosophy was applied to the DSE chiefs, but less so to the fire chiefs and certainly not to Nixon. Personalities became more important than prevention strategies. Leadership on the day became the major issue, despite a determined unwillingness to examine what crisis leadership might look like. There were comparisons with captains leaving the bridge, generals deserting troops, and the psychological effect on firefighters and victims. It was inferred that had those in charge done things differently, Victorians might have been better off – see Sally Morrell¹³³ and the editorial, ‘D-day for Nixon’.¹³⁴ However, even the most hardened critics were not convinced.

The royal commission itself engaged in the blame game when Jack Rush famously accused Brumby and his Government of going ‘on a frolic of its own’,¹³⁵ and undermining the work of the Commission.¹³⁶ Rush’s bravado was well reported by the *Herald Sun*. This was just the opportunity for the *Herald Sun* and some of its opinion writers to step in and savage the

¹³⁰ D. Huxley, Spotswood, 50/50, *HS*, 9/4/10, 30.

¹³¹ N. Ross, ‘Forget blame game on fires’, *HS*, 4/7/09, 20; Gembrook, Letters, ‘Don’t blame the CFA volunteers’, *HS*, 4/7/09, 29; J. Ferguson, ‘Fear as fireys come and go’, *HS*, 21/7/09, 4; Editorial, ‘His test is yet to come’, *HS*, 19/8/09, 34; G. Mitchell, ‘Fire chiefs warned of more to come’, *HS*, 1/10/09, 31.

¹³² C. Nixon, *Fair Cop*, 337.

¹³³ ‘Flaming hell it’s not about the gender’, *HS*, 12/4/10, 25.

¹³⁴ ‘D-day for Nixon’, *HS*, 14/4/10, 34.

¹³⁵ N. Ross, ‘Refuges “frolic” denied’, *HS*, 7/7/09, 13.

¹³⁶ N. Ross, ‘Refuges “frolic” denied’, *HS*, 7/7/09, 13; G. Mitchell, ‘Safety plan on table’, *HS*, 15/7/09, 4.

commission. Andrew Bolt, as is his way, accused the commission of acting as if it were elected to govern,¹³⁷ and he wondered why the government should hold back on bushfire reforms while the commission sat on its hands deliberating. Did the commission care more about its inquiry and its status than the safety of Victorians? Neil Mitchell strongly supported Brumby.¹³⁸

Of course pre-empting was always going to happen to some extent. There had to be a balance between having a brutally independent inquiry that would take 18 months and the imperative to do something before the approaching bushfire season. An editorial on 31 August 2009 sided with Brumby –

Mr Brumby ... was criticised for jumping the gun on the commission's findings in promising, long before the ink was dry, to explore better warning systems and safer places in which communities could take refuge.

This newspaper believes he has acted appropriately, bearing in mind the nearness of summer and the tragedy of Black Saturday, in which 173 people died.¹³⁹

It is ironic that Brumby's 'frolic' to set up Neighbourhood Safer Places has seen not one set up in high-risk areas three years after the fires.

Sadly, the most notable achievement of the royal commission will be its role in the scapegoating process. Because the commission was a legitimate, objective, fact-finding body, when it began to mercilessly pull Nixon apart at its hearings, the media could hardly believe its luck. It had been desperately wanting and waiting for this moment. The *Herald Sun* could now launch an attack and safely deflect any charge that it was engaged in scapegoating. The support that the *Herald Sun* had given the commission was rewarded handsomely. Any criticism of the commission was forgotten, as was any animosity surrounding Rush's attack on Brumby.

There was a view, canvassed earlier by readers, that a royal commission is a device for transferring blame or hiding from it. In the case of Black Saturday, whether deliberate or not, blame was transferred successfully from the government to high-ranking officials. It may have been a risky strategy, as discussed by Jill Singer,¹⁴⁰ but it worked because it masqueraded as a heart-felt, genuine search for causes and solutions. Nixon herself wondered 'if the same energy for blame and scapegoating and revisionist history had been applied to evaluating and instructing the community about the reality of living in a fiery future? Imagine if those themes had been taken up by the media? Image the educative value to the broader public about how to prepare for and survive a catastrophic event?'¹⁴¹

Use of 'scapegoat' in the coverage of Black Saturday

Despite the above analysis, it does not, in my opinion, explain the use of scapegoat by journalists, editors, readers and the main players. Granted, displacement and the deliberate

¹³⁷ 'Memo to the commission: don't Rush to condemn', *HS*, 10/7/09, 38-39.

¹³⁸ 'Prepare for bushfire hell', *HS*, 6/8/09, 34-35.

¹³⁹ 'Real action on bushfire', *HS*, 31/8/09, 24.

¹⁴⁰ 'Inquiry is a risky business', *HS*, 23/4/09, 35.

¹⁴¹ C. Nixon, *Fair Cop*, 343.

forms are still axiomatic, but from the reporting and other sources, another variation ought to be recognised. This would be based on blame allocation, rather than transference.

When the *Herald Sun* is said to scapegoat Nixon, it is not the deliberate deflection of blame from the paper itself, nor is it a displacement. It is more seen as a public service, a blaming done on behalf of the public. There is no doubt some displacement, in the sense that the community is angry and frustrated and calling for someone to be blamed. That said, the *Herald Sun* was deliberately gunning for Nixon. The meaning of ‘scapegoat’ and ‘witch hunt’ converge in the coverage. A good example of this where Andrew Bolt in one of his opinion pieces uses ‘scapegoat’ in the first paragraph and switches to ‘witch hunt’ in the second.¹⁴² If there is a difference between the two terms it is one of emphasis, ‘scapegoat’ focusing on the person unfairly blamed, and ‘witch hunt’ emphasising unfair measures taken to allocate blame. Michael Welch in *Scapegoats of September 11th*, revises the definition to reflect its more contemporary meaning: ‘Eventually, in the mid-twentieth century, psychologists and sociologists adopted the term in reference to those who are unfairly blamed for a social problem’.¹⁴³ This definition is more consistent with the usage in the newspaper coverage, which rests on the following criteria –

- the causal link between the scapegoats behaviour and the harm done is not there or it is tenuous – see Chapter 4
- the solutions are too difficult – not acceptable – see Chapter 4
- because of the complexity of modern society, its bureaucracy, specialisation, functional overlap and hierarchies, it is almost impossible to allocate blame to any one person or group – see Chapter 5
- the blame is disproportionately allocated to the scapegoat (there will be others who appear much more blameworthy) – see Chapter 6
- the scapegoating (based on personal characteristics and minor issues) diverts attention from real problems and/or those more responsible – the diversion may be deliberate or not – see Chapters 5, 6 & 7

This reworking of the definition has the effect of including as scapegoaters those who deliberately contribute to the blaming of someone, not to transfer blame from themselves, but for their own purposes.

Underlying this scheme is Western culture, its supposed rationality and its contempt for nature. Its hierarchies, expertise, science and technology militate against a rational blame allocation. These societal factors, together with an apparent hardwired psychological need to blame someone for wrongdoing, are the scapegoating recipe.

I would hope that the social and psychological explanations for scapegoating have been adequately outlined. In particular its link to crisis situations and why labelling an event a ‘natural disaster’ probably increases the urge to blame those less responsible. We have reached

¹⁴² ‘We must punish poor leadership’, *HS*, 16/4/10, 35.

¹⁴³ 37.

a point where there is little doubt that emergency services chiefs would be targeted. The next chapter examines the coverage of the contenders and shows why Christine Nixon had the dubious honour of becoming Black Saturday's scapegoat.

DRAFT

6. TARGETING NIXON

The purpose of this chapter is to show that the *Herald Sun* coverage of Christine Nixon was unfair and completely disproportionate to her wrongdoing. We begin with an outline of the media coverage of disasters and the myth of impartial, objective reporting. We then look at the main contenders for blame and examine the case against Nixon and how it was packaged. This is followed by an analysis of the reporting and reporting strategies as applied to Nixon, her supporters, critics, polls, and headlines. The chapter ends with a discussion of professional standards, media bias and their relevance to the Nixon coverage.

Media coverage

In *Compassion Fatigue*, Susan Moeller writes that ‘The media and broadcast alike, enthusiastically report on natural disasters’.¹ These ‘Crises are the stuff of myth and movies; they send a journalist’s heart racing – and they also send everyone to the TV or newspaper to find out what is happening.’² The media, however, prefers to tell us that when disaster strikes we rely on journalists for important information.³ The truth is that the reporting can make matters worse, contributing to ongoing fear, anger and frustration.⁴ Nonetheless the media assumes that its overall coverage is beneficial, and this was unsurprisingly confirmed in *Black Saturday: In Media in the Spotlight*, a book summarising research done by journalist academics in the wake of Black Saturday.

The media are prone to concentrate on the emotional, personal and human aspects of a story, and never more so than in times of crisis. The result is that context, background and analysis are sidelined.⁵ The *Herald Sun*’s scapegoating campaign launched against Nixon in April 2010 is testament to this. Nonetheless, journalists and media organisations appeal to ‘notions of both independence and accountability ... [and] try to convince audiences of their trustworthiness and credibility.’⁶ They seek to ‘distinguish themselves from other information sources by emphasising their commitment to fairness and balance.’⁷ principles which we are assured are enshrined in their professional codes of conduct.⁸ In practice, news reports are often based on binary oppositions which are the enemy of balanced reporting, reducing complex issues to predetermined stereotypes.⁹ Such reporting prefers to construct simplistic causes and solutions.¹⁰ In the case of Black Saturday, Christine Nixon has said that important questions concerning living in the bush and forest management ‘were rarely shared with the wider community through the media.’¹¹ From the moment the campaign against Nixon began she was portrayed as unforgivably ‘bad’, tainting all her actions on Black Saturday and everything she did before or after that fateful day.

¹ 13.

² S.D. Moeller, *Compassion Fatigue*, 13,

³ R. Izard & J. Perkins, *Covering Disaster*, 108.

⁴ R. Izard & J. Perkins, *Covering Disaster*, 108.

⁵ B. Franklin, *Pulling Newspapers Apart*, 148.

⁶ D.A. Berkowitz, *Cultural Meanings of the News*, 57-58.

⁷ D.A. Berkowitz, *Cultural Meanings of the News*, 58.

⁸ D.A. Berkowitz, *Cultural Meanings of the News*, 286.

⁹ D.A. Berkowitz, *Cultural Meanings of the News*, 293.

¹⁰ S.D. Moeller, *Compassion Fatigue*, 105.

¹¹ C. Nixon, *Fair Cop*, 316-317.

The media eulogises its objectivity and then boasts that its campaigns for change are effective. Objective reporting and campaigning are hardly reconcilable. Maybe that's the way of the world is – full of contradictions. But if this is the way it is, we must accept that –

The media are no longer simply relays, useful intermediaries, but intrusive actors proud of their status ... “Communication” is no longer a mere connection capable of widening exchange between members of a community; it has been promoted to a category in itself, almost a being endowed with reason, whose performances are lauded and whose failings are scrutinized.¹²

The media never admits that some of its stories are shaped by its relationship with institutions, government and business.¹³ In the case of Black Saturday this includes the police, fire fighters, government, politicians, the police association and the royal commission. One of the few to criticise the media, particularly the *Herald Sun*, was Christine Nixon. Most of what she has said has, of course, been ridiculed as sour grapes in the face of her incompetence. But she makes valid points about impartiality and objectivity that have been too easily dismissed. According to her –

A concerted media strategy was taking shape to find scapegoats for Black Saturday, and I was being thrust into the firing line by people who had never supported my philosophy and actions, and who now saw their moment'¹⁴ The *Herald Sun* 'cast itself as moral arbiter. Such a culture can have little regard for fairness, or nuance, and a lot to do with selling newspapers and, sometimes, with pursuing its own agendas. In the wake of the royal commission, I was informed by sources in government that the *Herald Sun*, had told them unequivocally that they would see me brought down, the attacks would continue until I quit or was sacked. By now, the paper was heavily invested in demonising me to its audience, and so my pursuit also became a matter of editorial ego. The prize would be my scalp.¹⁵

As a reader, I was easily convinced that Nixon had committed a dastardly deed and deserved all she got. Yet I nonetheless had an uneasy feeling that she had very little to do with the disaster. A closer examination in Chapter 4 concluded that she had nothing to do with the prevention strategies over the years, nor the philosophy behind the response on the day. I pride myself as fair-minded and thus felt an obligation to reflect on my feelings of simmering outrage. The public's emotions were turned on Nixon via an orchestrated campaign to exploit the opportunity for newspaper sales.

Nixon became part of folklore when things went wrong. Gus Curtis of Essendon wrote –

Where was Christine Nixon when the volcano erupted in Iceland?¹⁶

And Dave from Barnawartha –

We need a royal commission into the floods – can Christine or Russell be reinstated so we can have someone to blame?¹⁷

¹² J. Chesneaux, *Brave Modern World*, 78-79.

¹³ B. Franklin, *Pulling Newspapers Apart*, 149.

¹⁴ C. Nixon, *Fair Cop*, 318-319.

¹⁵ C. Nixon, *Fair Cop*, 324.

¹⁶ 50/50, *HS*, 20/4/10, 26.

¹⁷ Text Talk, *HS*, 10/9/10, 37.

Her actions made it into disaster books –

The then Police Commissioner Nixon was criticised for her decision to visit her hairdresser and have a meal in a hotel on Black Saturday. “Ms Nixon’s approach to emergency co-ordination was inadequate”, noted the report. “Ms Nixon herself acknowledged that leaving the integrated Emergency Co-ordination Centre and going home at about 6 p.m. on February 7 was an error of judgment.”¹⁸

Telling the story – myths – oppositions

The reporting is replete with characterisations of people, groups, organisations as good or bad, as heroes, villains, or saviours. These features of story telling are a reflection of society generally and can be traced right back to antiquity.¹⁹ Organisations such as the Salvation Army, The Red Cross and churches were roundly praised. Firefighters, police and victims were the heroes. The villains were the looters and arsonists.

The Bushfires Royal Commission would answer our prayers for solutions. Premier John Brumby was anointed our saviour. Emergency services chiefs were cast as poor leaders and became targets for blame. For some journalists, Bolt and Howe in particular, the leadership issue threatened to take over as the number one problem. Apparently, Brumby, Cameron and Nixon should have been at the helm all day, an impossibility given the lack of space at the control centre²⁰ and that key operational staff had already been left behind.²¹ Anyone who opposed fuel reduction was derided, especially the Greens. And some, like the power companies, slipped under the radar because their assets, power lines, were cast as the wrongdoers by journalists.

Once the roles had been decided, those who didn’t accept them were seen to be ill-informed, counter attacked, marginalised or ignored. Any criticism of our heroes was little reported and the royal commission was an investigator beyond reproach. Supporting villains was not on. It was dangerous to openly oppose fuel reduction for fear of public reprisals. There were times when characterisations clashed, causing a conflict in the reporting style. Examples of this in the Black Saturday coverage were when a CFA captain was accused of lighting the Murrindindi Mill fire (hero/firefighter vs villain/arsonist), when Mick Gatto wanted to help by fundraising and donating his services to victims and communities (villain/criminal vs generous donator/good), and hero Peter Thorneycroft’s fall to crime (hero/survivor hero vs villain/criminal). However, the most highly constructed good versus evil story was that of Christine Nixon. The roles cast for others were highly influential. Brumby was the saviour, firefighting staff and police officers were heroes, a status which shielded them from significant blame. Failures relating to the response on the day made for good, emotional story telling; failures involving long-term planning were boring, unexciting, too complex – they were not good stories. The Nixon coverage brought forth anger and frustration, emotions that could be exploited. The paper aimed to isolate her, exclude her, denigrate her, and rally others to do the same. She was time and time again cast as the villain, someone who had performed so

¹⁸ L. Writer, *The Australian Book of Disasters*, 189.

¹⁹ J. Campbell, *The Hero with a Thousand Faces*.

²⁰ K. Kissane, *Worst of Days*, 110-111.

²¹ K. Kissane, *Worst of Days*, 110-111.

poorly that no amount of ostracism could ever be enough. For such a pariah there could be no biased reporting. That's just the way it was. We now turn to the paper's coverage.

The ignitors

Those responsible for igniting the fires on Black Saturday were arsonists and power companies. Arsonists, predictably, were the initial focus but this quickly wore off. Power companies avoided criticism throughout. Of the nine major fires the royal commission found that five (Kilmore East: 119 deaths; Horsham, Coleraine, Pomboineit-Weerite, Beechworth-Mudgegonga: 2 deaths) were caused by power assets, and four most likely by arson (Delburn, Churchill: 11 deaths; Murrindindi: 40 deaths; Bendigo: 1 death).²² Since then, however, it seems that the Murrindindi fire might have been caused by power line failure rather than arson.²³ This would change the ignition figures to six caused by power asset failure and three by arson.

In terms of lives lost, using the commission's figures, power companies would be responsible for 121 deaths, and arson for 52. If the Murrindindi Mill fire was caused by power failure, power companies would then be responsible for 161 deaths, and arsonists, 12. Power lines or arsonists started all the bushfires that resulted in deaths.

Arsonists

The man who started the Churchill fires that killed 11 people was found guilty in April 2012. Two teenagers accused of lighting the Bendigo fire were found to have impaired mental capacity and unfit to stand trial.²⁴ In California an arsonist who killed five firefighters in Esperanza in 2006 was sentenced to death in 2009.²⁵ Also in California, in 2007, fires claimed 14 lives and 'An arsonist suspected of starting one of the blazes was shot dead by authorities as he fled the scene.'²⁶ However, there is a danger that in blaming arsonists we can lose sight of the bigger picture. Take Larry Writer in his book *The Australian Book of Disasters*. He devotes an entire chapter to the Black Saturday bushfires and focuses on arsonists. He claims that 'police confirmed that the Murrindindi Mill fire had been lit by arsonists',²⁷ which was not true at the time, and the person suspected was never charged. Taking further advantage of the Murrindindi Mill fire suspect, who was a CFA captain, Writer goes on to say 'Shockingly, many arsonists were employed firefighters.'²⁸ and 'Investigations were ... made into the causes of the fires and were able to confirm, repeatedly, that the answer was, as at Murrindindi, often arson.'²⁹

As a community, it is abhorrent to us that the safety of over a million Victorians in bushfire-prone areas is in the hands of a few deviants. After an initial venting of anger directed at arsonists, it was time to blame emergency services or the poor long-term planning that led to the conditions where arsonists can threaten, injure or kill innocent people.

²² Victorian Bushfires Royal Commission, Final Report, Vol I, 226.

²³ M. Bachelard & C. Houston, 'Police ignored Black Saturday evidence', *The Age*, 3/7/11, 1 & 8.

²⁴ Paul Anderson, 'Teenagers unit for trial', *HS*, 9/8/11, 20.

²⁵ D. Clode, *A Future in Flames*, 101.

²⁶ D. Colde, *A Future in Flames*, 101.

²⁷ L. Writer, *The Australian Book of Disasters*, 185.

²⁸ L. Writer, *The Australian Book of Disasters*, 188.

²⁹ L. Writer, *The Australian Book of Disasters*, 188.

Tom Douglas in *Scapegoats: Transferring Blame* discusses the case of a nurse who killed four children and injured nine others in 1991 at the Grantham and Kesteven Hospital in the UK.³⁰ The nurse was found guilty, but what was important was the apportionment of blame between the nurse, who actually committed the offence, and those at the hospital who ought to have prevented it. An inquiry was conducted which prided itself in not stooping to scapegoating,³¹ but was accused of doing so nevertheless. The nurse was viewed as wicked³² and grossly disturbed,³³ a less suitable candidate for blame than the hospital management and its staff for failing to prevent the slaughter. When blame fell on those who worked on the actual wards and not on management, there were allegations that those lesser responsible had been sacrificed. This has strong parallels with Black Saturday and our own royal commission, where the commission denied it was scapegoating but, more importantly, did not hold arsonists responsible. The commission blamed high level emergency services officials, leaving the politicians who ought to have been ultimately responsible in the clear.

The royal commission in its final report instead of blaming arsonists, preferred to acknowledge the problem and look to preventative strategies –

Deliberate fire-setters constitute only a small proportion of the population, yet their actions can cause enormous damage to individuals, communities and the environment ... The evidence before the Commission suggests that there is a great deal of preventative activity under way at the local, state and national levels. There remains, however, considerable scope for improving the evidence base associated with deliberate fire-setting and arson in order to facilitate policy and program development.³⁴

Power companies

It was well-known that power line failures cause bushfires. Back in 1970 they were the cause of the Laguna fire in California that killed eight people.³⁵ Roger Franklin says that ‘Electrical lines are among the flames greatest allies’.³⁶ Danielle Clode gives us insight into the power line risk: ‘power-line fires tend to occur closer to populated areas. House loss, fatalities and injuries tend to be much higher’.³⁷ These fires were ‘a clear example of a high-impact fire cause that could be reduced through improved management ... Instead, many people seem to feel that the standards of power-line maintenance and management are declining. Self-regulation and privatisation in the electricity sector may, arguably, make good economic sense but it seems very unlikely to produce the improvements in safety we need.’³⁸ The royal commission concurred: ‘Victoria has a history of electricity assets causing bushfires. In 1969 and 1977 the failure of electricity assets – including the clashing of conductors, conductors contacting trees, and inefficient fuses – caused major bushfires. This history was repeated on 7 February 2009’.³⁹

³⁰ T. Douglas, *Scapegoats: Transferring Blame*, 58-60.

³¹ T. Douglas, *Scapegoats: Transferring Blame*, 58.

³² T. Douglas, *Scapegoats: Transferring Blame*, 59.

³³ T. Douglas, *Scapegoats: Transferring Blame*, 60.

³⁴ Victorian Bushfires Royal Commission, Final Report, Vol II, Part One, 188.

³⁵ D. Clode, *A Future in Flames*, 101.

³⁶ R. Franklin, *Inferno*, 62.

³⁷ D. Clode, *A Future in Flames*, 124.

³⁸ D. Clode, *A Future in Flames*, 125.

³⁹ Victorian Bushfires Royal Commission, Final Report, Vol II, Part One, 148.

Was the *Herald Sun* interested in this bleak history or that power companies were the cause of the worst fires on Black Saturday? No way. The paper was at pains not to blame the companies and, more importantly, it chose to campaign on behalf of all Victorians to oppose price rises. The paper reluctantly acknowledged the deadly role played by power companies on Black Saturday when it reported on law suits. Journalists in almost all cases failed to directly link the claims with the fact that the companies were responsible for starting bushfires that killed at least 121 people.

Instead, journalists gave the impression that the power lines had minds of their own. The reporting highlighted the instrument (power lines), conveniently masking the agent (power companies).⁴⁰ Although willing to link power lines to the fires, journalists could not bring themselves to associate them with the death toll. Power lines featured in headlines as early as September 2009 –

Power lines started fire⁴¹

and in articles, journalists would write –

Fallen power lines have been blamed for igniting the fire⁴²

Fallen lines started the deadliest blaze on Black Saturday⁴³

Early in 2010 –

Power lines to blame ...⁴⁴

and in March Peter Rolfe said, ‘Last year’s deadly Kinglake blaze is believed to have been started by faulty powerlines.’⁴⁵ The commission in its final report recommended that ‘Dangerous power lines gradually be replaced with underground and aerial bundled cable’.⁴⁶ It was recognised that the cost would be prohibitive, but necessary to avert another disaster.⁴⁷ Brumby indicated that burying powerlines was unlikely because of the high costs being ‘passed on to consumers through higher electricity prices.’⁴⁸ In a back-flip, Ted Baillieu, who had promised to implement all of the commission’s recommendations whilst in opposition, set up a Powerline Bushfire Safety Taskforce to investigate the matter further when he became premier.⁴⁹ The only time the companies were called to account was in court for loss to victims, not for making their networks safer. If it were not for the legal actions, the companies might have slipped forever under the reporting radar.

⁴⁰ J.E. Richardson, *Analysing Newspapers*, 197-202.

⁴¹ G. Mitchell, *HS*, 18/9/09, 38.

⁴² G. Mitchell, ‘Investigator admits Black Saturday communication meltdown: fire warnings review’, *HS*, 18/11/09, 25.

⁴³ G. Mitchell & S. McMahon, ‘Power firm admits lines can’t be guaranteed safe: Sparks may fly’, *HS*, 19/11/09, 21.

⁴⁴ G. Mitchell, ‘Power lines to blame, but lay off individuals’, *HS*, 2/2/10, 17.

⁴⁵ P. Rolfe, ‘“Bury wires to curb fires”’, *SHS*, 7/3/10, 13.

⁴⁶ N. Ross, ‘Key findings’, *SHS*, 1/8/10, 2.

⁴⁷ J. Campbell, ‘The four keys for a safer future: Power lines’, *SHS*, 1/8/10, 6-7.

⁴⁸ S. McMahon, ‘Volunteers turned away: CFA has no cash for suits’, *HS*, 10/8/10, 23.

⁴⁹ ‘Bushfire review delay’, *HS*, 3/2/11, 13.

The *Herald Sun* was caught in a bind: it supported the burying of power lines, but could not accept price rises as part of the solution. There were vague references to lines being buried, but by whom was left open. Is this where privatisation leaves us? Businesses reap the profits in the good times, but when things go wrong no-one is sure who will bear the cost. As a society we can't afford for these companies to fail because we've entrusted them with our essential services. It's a socialist philosophy protecting private enterprise. Not that when the government was running the network via the SEC were things vastly different, according to a previous inquiry chaired by Sir Esler Barber in 1977.⁵⁰ However, after this inquiry maintenance systems improved, only to decline under privatisation. Power companies diverted attention from improving the maintenance of their assets, which would have been a sensible low-cost solution to the bushfire problem, to the extremely high-cost one of burying lines. The royal commission saw the importance of appropriate, regular maintenance: 'Improving the efficacy of inspection regimes is crucial to mitigating the bushfire risk created by the failure of electricity assets',⁵¹ but did not favour leaving power companies in charge of reducing bushfire risk because of their profit motive: 'It is not satisfactory that the distribution businesses can decide that a specific level of bushfire risk is "acceptable" and rely on the benefit of improved processes and technology to maintain that risk level (instead of reducing it) in order to decrease their operating costs or increase their profits.'⁵²

If the people of Victoria are obliged to pay for the neglect of the electricity network, it may as well be borne by Victorians generally and run for their benefit by the Government. In the end the paper saved its outrage for increased electricity charges and the roll out of 'smart meters'. An editorial on 3 December 2010 sympathised with fire victims facing higher charges describing this as a 'cruel twist of fate ... because power companies [were] passing on the cost of replacing poles and wires destroyed in the fires.'⁵³ In an eye-catching two-page headline 'Power jolt for bushfire victims' on the same day highlighted the effect on victims and all Victorians.⁵⁴ Since I stopped indexing cuttings on Black Saturday at the end of March 2011, I have nonetheless added to the collection. It is more apparent than ever that holding power companies accountable for the fires is far less a priority to the *Herald Sun* than price rises and smart meters. Its front page headlines were clear evidence of this –

Sneaky power jolt⁵⁵

We're stuck with them⁵⁶

Pull the plug⁵⁷

and on 15 December 2011 there was a poll to see how confident people were in the smart meters⁵⁸ and then another headline –

⁵⁰ Public Record Office Victoria, 'Electricity Industry and Bushfires 1969 to 1994', *Wikipedia* <http://wiki.prov.vic.gov.au/index.php/Electricity_Industry_and_Bushfires_1969_to_1994>

⁵¹ Victorian Bushfires Royal Commission, Final Report, Vol II, Part One, 159.

⁵² Victorian Bushfires Royal Commission, Final Report, Vol II, Part One, 161.

⁵³ 'Fire victims feel the hurt', *HS*, 3/12/10, 46.

⁵⁴ *HS*, 3/12/10, 6-7.

⁵⁵ *HS*, 1/11/11.

⁵⁶ *HS*, 14/12/11.

⁵⁷ *HS*, 15/12/11.

⁵⁸ *HS*, 65.

Power giants win right to slug you again: Stop the pain⁵⁹

In early February 2012 –

Battlers hit hardest by power rises⁶⁰

The fact that the power company assets were the cause of the major Black Saturday fires didn't make it to the front page. Ever.

Emergency services and others

Owing to the complex bureaucratic arrangements shared between several government departments and agencies for prevention and response strategies for bushfires, there were many contenders for blame. The following is a list of people and organisations that could have been blamed for Black Saturday but weren't (Nixon, Rees, Cameron, Brumby, Waller and Esplin are discussed separately below).

Emergency services personnel

Greg Wilson was appointed head (secretary) of the DSE on 31 August 2009, about six months after Black Saturday. His predecessor, Peter Harris, was its head from November 2006 until August 2009, and was therefore in charge in the lead up to, during, and for the immediate aftermath of the fires. Neither of these men was mentioned in the context of being ultimately responsible for their chief fire officer, Ewan Waller, a subordinate left to fend for himself.

The CFA is a statutory authority with a government-appointed board that reports to the Minister for Police and Emergency Services⁶¹ and on Black Saturday, that minister was Bob Cameron. The CEO at the time, Neil Bibby, was mentioned in a mere three News articles, the first in respect to a possible fall in volunteer numbers after the fires⁶² and the second commenting on CFA captain Ron Philpott being suspected of arson.⁶³ The final reference was on 2 July 2009, when it was reported that he had quit.⁶⁴ No questions asked, no investigation, no speculation. The chairman of the CFA, Kerry Murphy, was reported to have 'expressed deep regret at the lack of warnings in some areas.'⁶⁵ He spoke of the loss of experienced members following Black Saturday,⁶⁶ backed CFA captain Ron Philpott in the absence of charges being laid,⁶⁷ and he was confident that the CFA would perform well in the coming summer.⁶⁸ And that was the last we heard of him. Murphy had been free to express regret at the lack of warnings without being blamed and he was never connected to the flawed stay-or-go policy that rendered warnings unnecessary.

⁵⁹ *HS*, 20/1/12, 1.

⁶⁰ *HS*, 3/2/12, 4-5.

⁶¹ Victorian Bushfires Royal Commission, Final Report, Vol II, Part Two. 360.

⁶² J. Ferguson, 'Volunteer fireys fear union push', *HS*, 20/4/09, 11.

⁶³ G. Wilkinson, 'I didn't start the fire', *HS*, 6/5/09, 10-11.

⁶⁴ J. Ferguson, 'Chief of CFA to stay in job', *HS*, 2/7/09, 3.

⁶⁵ J. Ferguson, 'CFA angst over Chief's treatment', *HS*, 10/7/09, 11.

⁶⁶ J. Ferguson, 'Fear as fireys come and go', *HS*, 21/7/09, 4.

⁶⁷ J. Ferguson & M. Dunn, 'CFA Captain has chief's blessing', *HS*, 22/7/09, 2.

⁶⁸ N. Mitchell, 'Prepare for bushfire hell', *HS*, 6/8/09, 34-35.

The coverage apportioned blame, especially from readers, to the DSE for failing to reduce fuel levels, and to councils for not allowing locals to clear their properties. Gavin Jennings, the Minister for Environment and Climate Change, was ultimately responsible for the operation of the DSE's fuel reduction operations and for the performance of its fire chief Ewan Waller. Richard Wynne was Minister for Local Government and Minister for Housing. The only reference to him was in his role as Housing Minister, when he was quoted as saying, 'It's important that thousands of men, women and children have a temporary roof over their heads in the first instance.'⁶⁹ He could have been questioned on the more important questions of urban planning, community shelters and private bunkers. So much for ministers being held accountable by the press.

Did the paper criticise Jennings in the context of his fuel reduction or fire responsibilities? No. When it came to the failure to meet fuel reduction targets the paper blamed the Brumby Government, the DSE, councils and the Greens. The *Herald Sun*, however, found time to report that Jennings had announced an increase in backburning funding, boasted that the Government had exceeded its burn-off target in the past year,⁷⁰ that the DSE was applying for a trademark for Sam the koala,⁷¹ and that the government had leased an Elvis for the coming fire season.⁷² The paper was eager to tell us that Jennings had overruled a planned \$10,000 celebration by DSE staff to mark the end of the royal commission hearings.⁷³ It was left to a reader from Hawthorn to point out that 'As Environment Minister (Gavin Jennings) has presided over a regime of green-groveling neglect of fuel-reduction burning'⁷⁴. Thus his only involvement with firefighting issues was to big note himself by announcing the leasing of aircraft. The newspaper did not print one word on Jennings' position on the stay-or-go policy or the lack of warnings on Black Saturday. As for the lack of fuel reduction in Victoria, he was seen as the solution rather than one of those responsible for the problem in the first place.

The responsibility for fuel reduction on public land in legislative terms rests with the head of the DSE,⁷⁵ and in the lead up to and on and Black Saturday, this was a Peter Harris. Greg Wilson took over at the end of August after the fires. In the final report of the commission the only reference to Harris is a quote from something he had written in the context of fuel reduction policy,⁷⁶ whilst Wilson was faced some hard questions and came in for some harsh criticism. The report said 'Mr Wilson was unable to comment on the basis behind the [DSE's prescribed burning] target of 4-6 percent' and he was not sure what the current corporate plan provided for.⁷⁷ His answers highlighted 'the lack of direction in Victoria on this vital matter.'⁷⁸ Yet the paper did not bother to report on Mr Wilson's evidence at the hearings. Eddie McGuire commented that 'The vegetation and burn-off issues came before the commission during the

⁶⁹ 'Fears for education expert', *HS*, 11/2/09, 9.

⁷⁰ G. Mitchell, 'It's too little, too late', *HS*, 8/7/09, 24.

⁷¹ M. McNaught, 'Sam to become people's koala', *HS*, 10/9/09, 2.

⁷² A. Langmaid, 'Elvis on song to battle the bushfire threat', *HS*, 24/1/09, 22.

⁷³ S. McMahon, 'Bushfire inquiry bash canned', *HS*, 29/5/10, 7.

⁷⁴ J. Morrissey, Hawthorn, Letters, 'Brumby, ministers share fires blame', *Herald Sun*, Friday, May 28, 2010, 34.

⁷⁵ s.16, *Emergency Services Act 1986* (Vic).

⁷⁶ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part Two, 292.

⁷⁷ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part Two, 293.

⁷⁸ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part Two, 293.

week, but who would know? I know Nixon had dinner at a pub, but I haven't seen much debate over what will save or kill in the future. Madness.'⁷⁹

The only reference to Wilson in the entire *Herald Sun* coverage was by Andrew Bolt, the only journalist who seemed to grasp the idea that having appropriate long-term prevention strategies was more important than blaming the hapless emergency services chiefs who had to deal with the catastrophic results of neglect.⁸⁰ No journalist mentioned the former head of the DSE, Peter Harris. Despite Wilson and predecessor Harris' statutory responsibility to ensure adequate prescribed burning, Bolt concluded that the fault was really with the Government because of its inadequate funding and the penetration of the greens' anti-fuel reduction philosophy.

High level emergency services officials and their political masters

A major indicator of scapegoating is that the targeting and allegations have little to do with the problem at hand. The heat on Christine Nixon came about because she left the IECC at 6pm and did not return. She did have contact until around midnight by text or phone calls. Bob Cameron, Minister for Police and Emergency Services, did not arrive til about 8pm, Premier John Brumby did not come in at all, Russell Rees, CFA Chief Fire Officer and Ewan Waller, DSE Chief Fire Officer, were there most of the day, and Bruce Esplin, Emergency Services Commissioner, is said to have arrived early on 7 February and left about 1am the next morning. Below are summaries of what the main players were accused of. Although much has been made of Nixon's whereabouts on the day, I will not go into detail except to say that her decision to leave the control centre and go out for a meal with friends rather than stay at work was the cause of her troubles.

Nixon's actions on Black Saturday were used as conclusive evidence that she was no leader. She –

- had a haircut & met with her biographer, before commencing work
- delegated her responsibility
- left IECC at 6pm
- went out for dinner (details of venue & location)
- did not speak to Brumby
- left Asst Commissioner Fontana to brief Cameron
- did not consider declaring a state of disaster
- did not check warnings given – assumed fire authorities had done so
- was not contacted by Brumby
- was out of contact for 3 critical hours (she received no fire updates & did not monitor situation)
- was irrelevant to command
- was not told of the death toll as it grew
- had contact with Deputy Commissioner Walshe
- there was uncertainty whether she was rostered to work that day
- did not have the necessary skills in emergency management
- did not take notes on the day (or for that matter during her time as police chief)

Other criticism related to the accuracy of her evidence and the cost of her legal representation at the royal commission. There were calls for her to donate part of the proceeds from her

⁷⁹ 'Public lashings don't solve the real problems', *SHS*, 18/4/10, 84-85.

⁸⁰ 'Burning off a life saver', *HS*, 6/8/10, 40-41.

forthcoming biography to charity,⁸¹ as well as a newspaper poll on the issue.⁸² There were persistent calls for her to resign or be sacked as head of VBRRA. She was accused of excessive expenditure at VBRRA, and the timing of her resignation. Her public apology was ridiculed, even though she was the first to do so. She was canned for giving a talk on leadership, pilloried for her appointment as a Foster's director until she resigned, and described as a 'fire pariah' when she was appointed as an Australia Day Ambassador. The hotel where she dined on Black Saturday became a tainted venue and there was a rehash that her appointment as police chief was based on her politics and gender.

The truth is that all the above had little or no relevance to the goal of preventing another Black Saturday. It became ever so important what she did that day. One could praise her for being so active on one of the hottest days ever in Victoria. In Chapter 4, the main prevention issues were identified and no-one accused Nixon of being responsible for any of them. A feature of the coverage was that Nixon had no public supporters from the police or emergency services. The police union seized the opportunity to kick her, unlike Rees, who had strong support from the United Firefighters Union. Her main institutional supporters were former Labor premier Joan Kirner, who based her defence on gender grounds. Others were Ben Hubbard, the chief executive of VBRRA, Lord Mayor Robert Doyle, Prime Minister Kevin Rudd, and Federal Labor Minister Bill Shorten. Federal Labor and a former Labor Premier of Victoria were her main political supporters who came out publicly. Labor in Victoria, apart from Brumby, was ominously silent.

Brumby was much criticised. He was the rebuilder of communities, but held responsible for the red tape slowing the process down. He was praised for establishing a royal commission, while being criticised early on for it not being open. He was praised for supporting the new emphasis on leaving early in the stay-or-go policy, and criticised for not knowing where people ought to go. He was simultaneously applauded for fast-tracking the introduction of a telephone warning system, and blasted for failing to introduce it earlier. He was lauded for introducing new laws allowing property owners to clear around their homes and for increasing backburning targets on public land, and slammed for failing to take these measures earlier.

When there was dissatisfaction with the performance of the Murrindindi Shire Council Brumby was asked to sack it and appoint an administrator. He moved to boost funds for emergency services, while failing to do so in previous years. He was pressured to sack Nixon, Rees and Waller, while being accused of being weak and not doing it sooner. He was thanked for funding packages for tourism. When DHS were accused of charging excessive rents for caravans, he ordered a review of the rent policy. He was accused of giving in to the greens over fuel reduction, for exploiting victims for photo opportunities, bungling the cost estimations for burying power lines and rejecting the commission's buy back proposal. Yet none of the criticism stuck to 'teflon' John as opinion writer Miranda Devine put it.⁸³

No-one considered that Nixon had failed Victorians in respect to stay-or-go, fuel reduction, bunkers, neighbourhood safer places, or resettlement/buy backs, whereas Brumby had everything to do with them. If Victoria was underprepared for Black Saturday, Brumby was indeed a prime candidate for blame. This did not occur. We needed someone to turn to – a

⁸¹ M. Johnston, 'Victims want Nixon to donate from book', *HS*, 26/4/10, 15.

⁸² Voteline, 'Should Christine Nixon donate cash from her memoirs to bushfire victims?', *HS*, 27/4/10, 27.

⁸³ 'Brumby escapes fire heat', *HS*, 25/11/10, 39.

saviour – and that was John Brumby. Two factors dictated this: one, he did not face the royal commission; and two, by allowing Rees, Waller and Nixon to take the heat – these three became the scapegoat contenders. In a master stroke he gave all the Black Saturday chiefs his full support as they stood condemned.

Rees was the first person targeted. But there was a sneaking suspicion that he was a scapegoat.⁸⁴ He had strong support from Brumby, the deputy chairwoman of the CFA and Peter Marshall, Secretary of the United Firefighters Union. Rees also had support from within the CFA, from Emergency Services Commissioner, Bruce Esplin, and readers. Former superintendent Murray Adams said publicly that Rees was being made a scapegoat, and Julian Burnside, QC, claimed at a commission hearing that Rees was a sacrificial lamb.⁸⁵ Like Nixon, Rees was accused of a number of failures on Black Saturday –

- not being aware of an accurate fire prediction map
- lack of appropriate warnings to some towns
- failing to become actively involved in operational issues
- lack of leadership

He was said to be wrong when he described the fires as unprecedented and criticised for the CFA advice on defending homes. It was also said that he should not have been reappointed after the fires. He was criticised for being on holidays in NSW when the final report of the royal commission was released, and referred to as a ‘fire pariah’ when he was given a risk management role with the Municipal Association of Victoria.

Cameron had little support for his role on Black Saturday and was criticised for –

- not being at IECC during the day
- arriving at the IECC about 8pm
- failing to take a leadership role
- saying he did not need to be at the IECC because co-ordination was a function, not a location
- being such a dill that his absence was probably to everyone’s advantage
- not considering declaring a state of disaster
- being at his Bendigo home during the day
- doing nothing and taking responsibility for nothing
- not having been sacked the week after Black Saturday
- being carried by the Brumby government
- being Brumby’s most incompetent minister and being protected
- leaving Victoria in the hands of incompetent political appointees

In the months following Black Saturday, Cameron made flippant remarks about a CFA website failure and was variously labelled the state’s worst Police Minister, ‘sideshow Bob’, ‘Bob the bungler’ and ‘the invisible minister’. Despite the fact that he was Coordinator in Chief of Emergency Management, the Minister for Police and Emergency Services and that the CFA board reported directly to him, he avoided substantial blame.

Esplin, the Emergency Services Commissioner, whatever that entails, was treated as an expert in the field by the royal commission. He has been described as ‘one of the intellectual

⁸⁴ J. Ferguson, ‘Chief of CFA to stay in job’, *HS*, 2/7/09, 3; Editorial, ‘Feeling the heat’, *HS*, 2/7/09, 32; Carolyn, Werribee, Text Talk, *HS*, 19/8/09, 33; L. Houlihan, ‘Police “failed to warn”’, *SHS*, 4/10/09, 17.

⁸⁵ N. Ross & S. McMahon, ‘Minister fronts fire probe’, *HS*, 6/5/10, 10.

architects' of the stay-or-go policy,⁸⁶ yet his responsibility was limited to explaining its operation. His office issued situation reports at 8am and 5pm on February 8, the day after Black Saturday, to the effect that everyone in Marysville was safe.⁸⁷

As was the case for Cameron, Waller was criticised for his performance on Black Saturday for –

- not assuming leadership
- poor management of fires
- having a dream run compared with Rees
- failing to issue adequate warnings
- failing to prepare a statewide plan
- being obsessed with co-ordination rather than command
- failing to map fires
- failing to support incident management teams
- not being sacked after the fires
- no signs of professionalism
- lack of long-term, short-term preparation and anticipation and on the day

Argument structure – Nixon

The *Herald Sun* was in the privileged position of being able to dictate the reporting. Its framing of the Nixon issue justified the reporting bias and the reporting bias, in turn, reinforced the framing. In casting the debate in black and white terms, it was able to get around the causation issue by inferring one between Nixon's actions and the death toll. In the preceding 12 months the paper had been unable to find a suitable candidate for blame amongst the exceedingly complex bureaucratic hierarchy, which included the premier, government ministers, emergency services and their chiefs, the CFA board and its executives and a host of others. Overnight, it became crystal clear that Nixon's role on the day as Deputy Coordinator in Chief of Emergency Management was the one operationally responsible for all the emergency services failures on Black Saturday. An example of the scapegoating process at its most lethal.

The *Herald Sun* made it difficult to mount a defence to its accusations. For defenders, it was like being caught in a trap and having to fight your way out. If we accepted the premises, as the *Herald Sun* insisted, we had to agree with its Nixon line – that is, her leadership performance was so appalling that she must resign or be sacked. The bias was so pervasive it affected the reporting of all major categories, especially its headlines. The royal commission may have started the inquisition, but the *Herald Sun* took full advantage and set the agenda.⁸⁸ The saga was similar to an unfolding crime story,⁸⁹ featuring a repugnant offence, a trial (by media), and calls for retribution. The nature of the royal commission hearings made for a slow moving melodrama that eventually provided the newspaper with the opportunity to draw its claws.⁹⁰

The basis of the case against Nixon was that she left work when Victoria was facing its worst ever natural disaster and went out to dinner with friends. The symbolism of 'dinner' is powerful. When the media in the US wanted to convey that government officials in

⁸⁶ R. Manne, *Making Trouble*, 150.

⁸⁷ N. Ross, 'Bushfire emergency calls diverted to dole office: DIAL 000 FOR FIASCO', *HS*, 14/5/09, 1&10.

⁸⁸ B. Franklin, *Pulling Newspapers Apart*, 167-168 – Table 13.2.

⁸⁹ B. Franklin, *Pulling Newspapers Apart*, 147, 149-150.

⁹⁰ B. Franklin, *Pulling Newspapers Apart*, 147.

Washington didn't care about the plight of the people in New Orleans in the wake of Katrina, they accused them of being 'more concerned about their dinner reservations than about the thousands who had no dinner.'⁹¹ When there was trouble with the CFA website in December 2009, one of its senior website managers was accused of 'lunching at an up-market city centre restaurant when the system crashed,' and that CFA chief executive Mick Bourke was 'seeking more information about why a senior IT manager was away from the office on such a high-fire-risk day.'⁹² Dining out has strong connotations of not caring, not taking leadership seriously, being more interested in oneself than one's job, and having no compassion for others in crisis. The argument would normally lack credibility had it not been for the feelings of frustration, anger and the need for someone to blame that followed Black Saturday. According to John Silvester of *The Age* 'Nixon's pub meal was dumb – but not a sackable offence.'⁹³ It was no accident that the 'dinner' and activities with similar connotations, such as having a hair cut and meeting with one's biographer, were repeated over and over in the reporting. It could only have been a deliberate strategy, given that the use of language is a journalist's bread and butter.⁹⁴

Nixon suffered some of that frustration and anger directly, especially after the page one headline 'Told Victorians could die in the fires, Christine Nixon ... Went out for dinner'. Nixon says 'The following days and weeks I was under siege, at the centre of a maelstrom of sometimes vicious commentary from one side, and equally passionate statements in my defence on the other.'⁹⁵ However, in the *Herald Sun* the passionate defences were few and far between.

In her memoir, Nixon tries unconvincingly to defend her dinner outing –

as to the matter of my meal that night, he [Kennan] argued it probably would have taken a similar amount of time to prepare, eat and clean up a dinner at home. Going to the hotel was of no significance.⁹⁶

Her explanation side-steps the issue of leaving her post. Most could agree that in terms of time taken, it made no difference whether she was at home for a meal or at a restaurant. What she fails to take into account is that she went off to enjoy herself and didn't return to work. The relevant time period for the assessment of the leadership issue according to the newspaper were the hours between about 6pm and midnight. Of course, Nixon was not there. To the *Herald Sun* it was absolutely crucial that she be present at the control centre. Considering the importance the paper came to place on presence, strangely it didn't pay any attention to the Code Red days that followed Black Saturday and find out where the police chief was or, for that matter, any other emergency services chiefs. When it was revealed that before Nixon came to work that fateful day she had a haircut and met with her biographer, this served as confirmation that she was only interested in herself. It didn't matter that this took place before work.

⁹¹ R. Izard & J. Perkins, *Covering Disaster*, 15.

⁹² S. McMahon, 'CFA pushed to act on website failure: Doubts on fire alerts', *HS*, 18/12/09, 22.

⁹³ C. Nixon, *Fair Cop*, 328.

⁹⁴ B. Franklin, *Pulling Newspapers Apart*, 178-179.

⁹⁵ C. Nixon, *Fair Cop*, 325.

⁹⁶ C. Nixon, *Fair Cop*, 337.

The packaging of the issue deflected attention from those who did not leave their posts, some of whose failings were far greater. Did Rees and Waller simply forget to warn residents that a killer fire was approaching? It is beyond belief that these fire chiefs needed Nixon to remind them. The *Herald Sun* framing ensures that the chiefs responsible for the failures to warn, which were directly related to deaths, were seen as less culpable than Nixon. Moreover, long-term management failure became irrelevant. As weak as this reasoning is, if one controls the reporting and can manipulate a traumatised public, it is possible to peddle such nonsense.⁹⁷

The paper had no respect for balanced reporting in its editorials, news articles, cartoons, or its opinion pieces. Readers, however, were given significantly more leeway to support Nixon. Notwithstanding, the packaging of the issue was tailor-made for journalists to seek and print emotive, sensational comments from those who would criticise her, such as Jeff Kennett who said ‘She put herself first all day and then washed it down with a very good meal at the end.’⁹⁸ Her defenders needed to break through the newspaper-imposed logic, and take the focus away from the obsession with the ‘dinner’ and redirect it to the ‘real issues’, or to mounting a defence of her ‘leadership’ on the day. The ‘real issues’ defence can be divided into two types, one of which focused on long-term strategies such as fuel reduction, arson, stay-or-go, and the other, her recovery role. The ‘leadership’ defences claimed that her detractors were wrong or unfair. The arguments varied: that her management on the day was sound, involving good delegation practice, combined with trusting those with expertise to do their jobs; that the attacks were based on her being a woman; that everyone made mistakes on the day; that her presence would not have made a difference; and that the target ought to have been Brumby, Cameron, Rees or Waller.

Those who said that her leadership was appalling were convinced that Nixon was not being made a scapegoat – she was suffering the normal consequences that anyone who had performed so poorly would face and needed to be punished. Neil Mitchell said she had ‘brought this on herself’.⁹⁹ It was inconceivable that Nixon could continue as chair of VBBRA. Nixon’s defenders were equally convinced that she was a scapegoat because her leadership on the day was irrelevant to preventing another Black Saturday and irrelevant to her current role as bushfire recovery chief. Her leadership on the day was appropriate or, at least, no worse than any of the other main players.

Nixon herself accuses the paper of hijacking and manipulating the survivors’ grief and anger ‘to sell news or to satisfy murky, Byzantine agendas. The exploitation of their distress was, to my mind, blatantly and breathtakingly cruel.’¹⁰⁰ However true this may be, when it came to the attacks on Nixon I would argue that survivors were used, as were readers, to provide the appearance of a balance between critics and defenders – the paper’s concession to objective reporting. The paper viciously launched counter-strikes against some of Nixon’s defenders, especially those who dared defend her leadership or accused her critics of gender bias. Former premier of Victoria, Joan Kirner, found herself on the receiving end.

The paper avoided any expert comment on leadership throughout the coverage, preferring to rely on the opinions of its writers Bolt, Kennett and Howe. On other topics there was a deluge.

⁹⁷ R. Izard & J. Perkins, *Covering Disaster*, 47.

⁹⁸ S. McMahon, ‘Liberals want “blot on landscape” erased’, *HS*, 17/4/10, 5.

⁹⁹ N. Mitchell, ‘Hungry Nixon must go’, *HS*, 8/4/10, 32.

¹⁰⁰ C. Nixon, *Fair Cop*, 316-317.

To name a few, there were bushfire experts, psychologists, meteorologists, urban planners, bunker and building engineers, early warning systems providers, environmentalists, insurers, wildlife carers, power line engineers, and profilers to tell us what an arsonist might look like. There is not the slightest attempt to discuss leadership seriously.

In her memoir, Nixon went to great lengths to defend her management/leadership skills, some of which is reproduced below. Referring to the Queensland flood in January 2011 and cyclone Yasi in February 2011, and the Christchurch earthquake in February 2011, Nixon comments on the presence of their police chiefs –

Intriguingly, also, in both the Queensland and Christchurch emergencies, police involvement was left to the respective deputy commissioners and superintendents responsible for emergency management. The chiefs were busy getting on with their tasks, but virtually invisible in the media – as in my view they ought to be – and no-one appeared to find this in the least remarkable.¹⁰¹

Nixon remains incapable, even with the benefit of considerable hindsight, to explain or defend herself. She doesn't seem to grasp the nature of the criticism of her leadership. The above quote does not help her. On Black Saturday she was by no means busy getting on with more important work related tasks.

And on her management –

The questioning of my management capability was particularly confronting, given my decades-long efforts to build and refine my skills and ethos, and the success these efforts had achieved. And so I found some reassurance and comfort in evidence presented at the royal commission by two independent and internationally regarded experts that the models and structures that underpinned my disaster planning and my actions that day were rigorous and appropriate. This was evidence that barely rated a mention in the media, other than by Karen Kissane in *The Age*, but which preoccupied the commission hearings at some length.¹⁰²

On a comparison to the military commander –

People often have quite a mistaken view of military protocols for dealing with emergencies, imagining that they rest on highly centralised command-and-control regimes, and that such a system is the superior model for dealing with a catastrophic event. This was the rationale often enlisted to criticise my actions on that day, particularly by more reactionary male voices, who like to summon up the image of the heroic commander striding in, instantly appraising the crisis, and seizing and putting out the fires. But in fact their imaginings betray how little they actually know of military systems and emergency management systems beyond the “boys’ own” rendering they might have recalled from old books.¹⁰³

In fact, as Professor Herman B. Leonard, and expert in leadership and crisis management from Harvard University’s John F. Kennedy School of Government ... informed the commission effective modern military fighting forces decentralise power, giving authority and discretion to act to forces on the ground, with central headquarters providing support, resources and guidance, “but very few direct commands to the field units.”¹⁰⁴

In both a lengthy written submission and in response to questions from the commission, Leonard, together with Australian National University crisis management expert Professor Paul ‘t Hart, argued

¹⁰¹ C. Nixon, *Fair Cop*, 313.

¹⁰² C. Nixon, *Fair Cop*, 338.

¹⁰³ C. Nixon, *Fair Cop*, 338-339.

¹⁰⁴ C. Nixon, *Fair Cop*, 339.

that the kind of decentralised police structure in place on Black Saturday, which trained and authorised leaders on the ground to respond to events around them, reflected the best model for emergency response.¹⁰⁵

Nixon's long-term management may have been excellent, but the paper was not one bit interested. The newspaper had confined the assessment of her leadership to a few hours on Black Saturday. Nixon's defence of herself is not directed at the crux of the leadership issue as constructed by the *Herald Sun*, which was, should a chief be seen to be leading in a time of crisis? The coverage did not suggest that she should have been out fighting fires. Nixon's swipe at the boys' myth of the heroic commander does nothing to shed light on whether a modern day commander should be present in times of crisis.

Treatment of supporters and critics

Critics were given a dream run to provide the damning comment the *Herald Sun* was looking for. The paper featured three high profile detractors who relished the chance to sink the boots in. They were former premier Jeff Kennett, Police Association Secretary Greg Davies, and state Liberal Opposition Leader Ted Baillieu. In general the Liberals were against Nixon's appointment as police chief, and Ted Baillieu in an election year had extra incentive to attack. The Police Association had long been at loggerheads with Nixon, more recently over her unsuccessful campaign to have Paul Mullett, former secretary of the Police Association, charged with perverting the course of justice and perjury. Greg Davies supplied some of the more colourful quotes on Nixon's leadership –

It's unthinkable that the victims now have to look at the very person who was supposed to have their hand on the tiller but had their hand on the cutlery.¹⁰⁶

There seems to be no end to Ms Nixon's talents. Apparently she can turn her hand to anything. The Government makes these appointments and there's nothing we can do or say that influences them.¹⁰⁷

As pointed out above it was much more difficult to defend Nixon. Brumby, for example, said that many mistakes were made on the day and the most important task was rebuilding communities.¹⁰⁸

Black Saturday survivors were treated respectfully. The journalists obviously had lists of survivors to contact and roughly balanced the views for and against. Brumby was Nixon's main supporter and the paper liked to include him for balance, with the journalists writing –

Mr Brumby has backed Ms Nixon to stay as head of the Bushfire Reconstruction and Recovery Authority.¹⁰⁹

Premier John Brumby yesterday publicly supported embattled bushfire reconstruction chief Christine Nixon.¹¹⁰

¹⁰⁵ C. Nixon, *Fair Cop*, 339.

¹⁰⁶ Quote, *HS*, 8/4/10, 5.

¹⁰⁷ N. Mawby, 'Top jobs for fire pariahs', *HS*, 15/10/10, 39.

¹⁰⁸ S. McMahon, 'Nixon: It's not all about me', *HS*, 19/4/10, 2.

¹⁰⁹ M. Johnston, B. Packham & L. van den Berg, 'She should have stayed at work', *HS*, 8/4/10, 4-5.

¹¹⁰ M. Papadakis & E. Whinnett, 'Brumby backs chief: And CFA Chief Rees recalled', *SHS*, 2/5/10, 15.

Premier John Brumby has been strident in his defence of Ms Nixon, amid serious questions about her role on the day of the fire, when she went out to dinner, had a haircut and discussed her autobiography.¹¹¹

There were many other references concerning Brumby's continued support.¹¹² The constant references to Brumby inferred that he was her only supporter and that this was a big mistake. The paper had established a discourse that was critical of Nixon. Those who dared defend her, along with Nixon herself, were constructed as 'abnormal', incapable of understanding the enormity of her actions. High-profile critics on the other hand were not introduced as serial critics, nor was there any speculation that they might change their mind. Kennett, Baillieu and Davies were presented as expert commentators, so their motives were never questioned.

Herald Sun Opinion writers

To its credit the newspaper declared in an editorial that it was a Nixon critic, 'Ms Nixon has critics, including the *Herald Sun*, who think she should resign.'¹¹³ But the admission cannot excuse the complete absence of balanced reporting from any of its journalists, including its opinion writers. Around 190 journalists were involved in the coverage, which produced 1791 news articles, 103 editorials and 98 opinion pieces. Not one of these comes close to passing for analysis. Not one could see fit to offer any justification for Nixon's actions or find any positives from a long and, arguably, distinguished career.

Opinion writers in the following table were Nixon critics, though it should be noted that Jeff Kennett and Miranda Devine were not opinion writers until after the main bushfire coverage.

Nixon critics
<p>Andrew Bolt – 'Chief copped out', 9/4/10, 32-33; 'Facts went up in flames, 16/4/10, 34-35; 'We must punish poor leadership', 16/4/10, 35; 'Our leaders deserted us', 30/4/10, 32-33; 'Burning off a life saver', 6/8/10, 40-41; 'Bligh's performance overturns Nixon defence', 5/2/11, 17.</p> <p>Miranda Devine – 'Brumby escapes fire heat', 25/11/10, 39.</p> <p>Alan Howe – 'Looking for our leaders', 19/4/10, 24-25; 'No leaders to be seen', 22/11/10, 26-27.</p> <p>Jeff Kennett – 'Disaster to test leaders', 4/2/11, 30-31.</p>

¹¹¹ J. Ferguson, 'Nixon may yet be told to go', *HS*, 14/5/10, 18.

¹¹² See also: 'But Premier John Brumby last night stood by Ms Nixon' in 'Missing in action for three hours', 15/4/10, 2; 'Despite the explosive revelations about her actions on Black Saturday, Premier John Brumby said unless new evidence came to light, Ms Nixon has his support.' in 'Nixon's job may roll over', 16/4/10, 23; 'Premier John Brumby's support for Christine Nixon was wavering last night' in 'It gets worse', 17/4/10, 1; 'But the *Herald Sun* reveals that privately Premier John Brumby's support for the former police chief commissioner is wavering.' in 'She fiddled while we burned', 17/4/10, 4-5; 'But ... Premier John Brumby stood by Ms Nixon.' in 'Liberals want "blot on landscape" erased', 17/4/10, 5; 'Mr Brumby remains publicly supportive of Ms Nixon' in 'Nixon: It's not all about me', 19/4/10, 2; 'Premier John Brumby yesterday publicly supported embattled bushfire reconstruction chief Christine Nixon.' in 'Brumby backs chief', 2/5/10, 15; 'Premier John Brumby has been strident in his defence of Ms Nixon' in 'Nixon may yet be told to go', 14/5/10, 18; 'Ms Nixon's role as head of bushfire recovery is becoming untenable, despite the protests of Premier John Brumby.' in 'Bumpy ride all round', 26/5/10, 2; 'Premier John Brumby said he had full confidence in Ms Nixon' in 'Nixon says: I did not lie', 26/5/10, 2; 'The premier's position remains unchanged. Christine has the Government's support.' in 'Nixon hints at giving up fire recovery role', 9/7/10, 18.

¹¹³ Editorial, 'D-day for Nixon', *HS*, 14/4/10, 34.

Neil Mitchell – ‘Hungry Nixon must go’, 8/4/10, 32; ‘Nixon is just the latest example of an absence of accountability’, 15/4/10, 31-32.

Sally Morrell – ‘Flaming hell, it’s not about the gender’, 12/4/10, 25.

To my mind it is remarkable that the only article to provide anywhere near a balanced view was contributed by Marysville bushfire survivor, Ashraf Doos.¹¹⁴ I also note that the following opinion writers wrote about Black Saturday, but did not criticise Nixon –

Opinion writers who did not criticise Nixon

Sally Bennett Ed Gannon Terry McCrann Eddie McGuire Laurie Oakes Susie O’Brien Robyn Riley Bernard Salt Jill Singer

Eddie McGuire was the only journalist in the table to mention Nixon in an article and not criticise her. The others did not refer to her at all and one can only hope that this was a result of their refusal to join the witch-hunt.

Statistical analysis

A feature of the *Herald Sun* reporting was the repetition of statements that were true, but intended to engender a belief in, or acceptance of, a causal connection between Nixon’s actions and the death toll and destruction. Advertisers use the technique to make connections between things that have little or no connection. For example the link between Coke and having a good time, the association between buying a certain car and success.

More recent theory has explained this phenomenon in terms of the way the brain functions. In the *Believing Brain* this has been called the *illusion-of-truth effect*. It has been found that ‘you are more likely to believe that a statement is true if you have heard it before – whether or not it is actually true.’¹¹⁵ The effect ‘highlights the potential danger for people who are repeatedly exposed to ... slogans.’¹¹⁶ and even ‘A simple pairing of concepts can be enough to induce an unconscious association and, eventually, the sense that there is something familiar and true about the pairing.’¹¹⁷ In *Incognito* this is said to be the basis of every advertisement we’ve ever seen that pairs a product with attractive, cheery, and sexually charged people.¹¹⁸ Unfortunately, we seem to have little ability to distinguish true patterns from false ones.¹¹⁹ In *Future Babble* the belief that comes from such bombardment is called *illusory correlation*,

¹¹⁴ ‘Let down by the whole system’, *HS*, 8/4/10, 33.

¹¹⁵ D. Eagleman, *Incognito*, 65.

¹¹⁶ D. Eagleman, *Incognito*, 65.

¹¹⁷ D. Eagleman, *Incognito*, 65.

¹¹⁸ 65.

¹¹⁹ M. Shermer, *The Believing Brain*, 60.

which is ‘the perception of a causal relationship between two sets of variables where none exists, or the overestimation of a connection between two variables.’¹²⁰ Further, we have a tendency to look for an intentional agent who causes events.¹²¹

This is precisely the basis of the unrelenting *Herald Sun* campaign to discredit Nixon and have her removed from VBRRRA. To support my claim that Nixon was a scapegoat, it must be established that she was blamed disproportionately. Thus, my aim is to show the extent to which she was targeted, whilst at the same time avoiding unnecessary detail in the presentation of tables, facts and figures. To begin, the table below gives the total mentions for each major contender, by category for the entire period, 8 February 2009 – 31 March 2011.

Category	Number of items appearing in					
	Brumby	Cameron	Esplin	Nixon	Rees	Waller
News	217	40	32	132	82	29
Voteline	3	0	0	10	0	0
Cartoons	0	0	0	8	2	0
Editorials	20	3	2	13	5	2
Opinion	26	9	3	22	12	1
Adverts	0	0	0	0	0	0
Readers	77	11	0	150	15	2
Totals	343	63	37	335	116	34

From the above table it is clear that some of the prime candidates do not feature. One would expect Premier Brumby to be referred to frequently because of his public role in touring fire-affected areas, attending mourning services, supporting fundraising activities and being in charge of the response to the royal commission’s recommendations. But to see Nixon, a police chief, receive the same level of attention is unexpected, inviting further inquiry. Esplin and Waller get the least attention. Rees and Cameron fall in between, with Rees receiving about twice as much coverage as Cameron.

¹²⁰ 83.

¹²¹ D. Gardner, *Future Babble*, 87.

To examine the figures more closely, we look at the following table that gives a month by month breakdown.

Number of items per month		BRUMBY	CAMERON	ESPLIN	NIXON	REES	WALLER
2009	May	4	1	6	11	4	2
	Jun	2	1	0	2	6	1
	Jul	19	0	2	5	10	0
	Aug	41	3	0	3	24	6
	Sept	9	3	1	1	2	0
	Oct	12	5	2	2	7	0
	Nov	13	3	0	2	5	2
	Dec	9	8	0	9	4	1
2010	Jan	14	2	3	5	6	3
	Feb	4	0	0	2	2	1
	Mar	0	0	0	0	0	0
	Apr	46	20	3	177	12	2
	May	11	6	2	41	13	5
	Jun	1	0	0	1	0	0
	Jul	15	2	1	19	2	2

	Aug	33	4	0	15	6	7
	Sept	1	0	0	1	1	0
	Oct	2	1	0	3	2	1
	Nov	4	1	0	2	1	0
	Dec	0	0	0	0	0	1
2011	Jan	2	0	0	1	1	0
	Feb	2	0	0	5	0	0
	Mar	1	0	0	0	1	0
TOTALS		245	60	20	307	109	34

The first three months of the coverage have been excluded because at that time the focus was on the death toll, destruction, shock and the mourning of those lost. The peak months for all the main players coincided with royal commission hearings and reports. In disregarding the first few months in 2009 (before the first commission hearings), it reorders the players' figures somewhat and gives a more accurate picture of the blaming. The order from most to least mentioned then becomes – Nixon 307, Brumby 245, Rees 109, Cameron 60, Waller 34, and Esplin 20.

Whilst it is true that blame for the lack of fuel reduction, lack of warnings to communities, and for arson commenced within days of the fires, none of this translated into the scapegoating of individuals. The coverage of Rees peaked after the interim report was released in August 2009. Brumby peaked at the same time, and again in April 2010, when Nixon was being questioned by the royal commission, after which interest in the premier dropped off considerably.

A massive 71% of the coverage (April 09 to March 11) of Nixon occurred in April and May 2010. In April 2010 alone, she was mentioned in a staggering 177 items, amounting to 58% of her coverage, almost four times higher than Brumby, who also peaked that month. This was directly related to her grilling at the royal commission. Her appearance at the inquiry led to a frenzy of journalistic activity.

To drive home just how fixated the paper was on Nixon, the following table tracks her coverage in the months of April, May and August 2010 by category, and compares it to the totals relating to Black Saturday in these months. Percentages are also provided.

Total items/ Category	April 2010	May 2010	Aug 2010
NEWS			
- Nixon totals	39	15	9
- Total all items	48	29	69
- Nixon Percentages	81.3%	51.8%	13%

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VOTELINE			
- Nixon totals	8	2	0
- Total all items	8	2	0
- Nixon Percentages	100%	100%	n/a
CARTOONS			
- Nixon totals	5	1	0
- Total all items	5	1	0
- Nixon Percentages	100%	100%	n/a
EDITORIALS			
- Nixon totals	4	2	2
- Total all items	4	2	3
- Nixon Percentages	100%	100%	66.7%
OPINION			
- Nixon totals	12	0	1
- Total all items	12	0	3
- Nixon Percentages	100%	100%	33%
READERS			
- Nixon totals	109	21	3
- Total all items	112	34	56
- Nixon Percentages	97.3%	61.8%	5.4%
TOTAL ALL CATEGORIES			
- Nixon totals	177	41	15
- Total all items	189	68	132
- Nixon Percentages	93.7%	60.3%	11.4%

table opposite illustrates a number of Generally it shows that the obsession Nixon peaks in April 2010, with 94% of articles referring to her. That is, out of a of 189 items that month, she is mentioned of them. The total items fall dramatically next month, but her percentage stays high 60%.

the final report of the royal commission released, one would have expected another peak. This did not occur. Although the total number of items in August 2010 increased significantly from May total, the percentage referring to dropped dramatically. I think the reason this is clear. The *Herald Sun* was thirsty absolute caning of Nixon by the royal commission, but it never eventuated. The did make several attempts to sensationalise the criticism. But, try as it not even the *Herald Sun* could find a way intensify or continue the campaign – it run its course.

The polls run by newspapers are a good indicator of how involved readers are and a key to readership and circulations figures. A few days after the fires on 10 February 2009, when the paper asked readers ‘Should any arsonist found responsible for the weekend’s fires be charged with murder?’, it is not surprising that this question received the highest number of votes for any Black Saturday poll, totalling 14,509. We had to wait for over a year for another poll to come close to matching that level of interest. At the height of the Nixon coverage in April 2010, a question put was ‘Should Premier John Brumby sack Christine Nixon from the Bushfire Recovery and Reconstruction Authority?’. This received the second highest votes, with 12,317. The next highest voting was 7561 (about 40% less than the interest in Nixon’s sacking), concerning the controversy about the distribution of money to insured and uninsured victims. Soon after, the interest in Nixon faltered, and stopped altogether after the poll near the end of May 2010. The table below lists all the polls on Nixon and others with high responses.

All polls referring to Nixon and four polls (not including Nixon) with the highest number of votes				
Date (result)	Question	Votes		
		Yes	No	Total
10.2.09	Should any arsonist found responsible for the weekend’s fires be charged with murder?	14277	232	14509
11.2.09	Should volunteer firefighters receive financial remuneration?	4815	650	5465
17.2.09	Should community fire bunkers be built in every fire-prone town?	2677	291	2968
6.3.09	Should uninsured bushfire affected home owners be eligible for charity payouts?	999	6562	7561
8.4.10	Should she stay on as bushfire recovery chief?	248	666	914
9.4.10	Should Christine Nixon be sacked if she won’t resign?	1342	614	1956
16.4.10	Should Premier John Brumby sack Christine Nixon from the Bushfire Recovery and Reconstruction Authority?	8667	3650	12317
27.4.10	Should Christine Nixon donate cash from her memoirs to bushfire victims?	159	111	270
26.5.10	Is the latest bushfires royal commission development the final straw for Christine Nixon?	1953	411	2364

Cartoons

Nixon and Rees were the only ones who found their way into cartoons. Before Nixon's fall from grace in April 2010, she was the subject of two rather positive depictions, one about her changeover from police chief to bushfire recovery chief,¹²² the other concerning the red tape she was trying to cut through to help fire victims.¹²³ In little over a week, between 8 April and 16 April 2010, Nixon was the derided five times. On 8 April she is shown calmly eating out while firefighters risk their lives fighting the infernos¹²⁴; the next day, she is in front of a fire apology meter, with an arrow pointing to 'extremely sorry'¹²⁵; on 12 April, there is a drawing with a ship's captain and Nixon dining. A sailor comes to the door, and the caption reads, 'This better be important, can't you see I'm having dinner!'¹²⁶; on 15 April, Nixon is reading the menu for dinner on Black Saturday – the caption reads, 'It clearly states that in a high alert bushfire situation you should either stay and defend or leave early ... so I left early',¹²⁷ a clever play on the stay-or-go policy; and finally, on 19 April, there are two drawings, the first shows Nixon getting a haircut on Black Saturday, the second shows the haircut she got from the royal commission, her head in her arm – the caption reads 'that's a no. 1',¹²⁸ a nice analogy between the controversial haircut and her treatment at the royal commission hearings.

Eight months before all this, the royal commission's interim report was released on 17 August and the next day Rees was the subject. It too was a play on the stay-or-go policy, in terms of whether Rees should stay in his job or go.¹²⁹

Association via constant repetition

Constant repetition is a propaganda technique leading to less objectivity, less rationality and increases the chance of readers inferring a causal relationship. The statistics tell their own story. There is mind-numbing repetition of Nixon's alleged failures which can only be evidence of a newspaper-wide strategy to discredit her. No other scapegoat contender comes close to such treatment. The first table deals with Nixon separately because of the paper's preoccupation with the dinner, haircut, biographer, and leaving post early failures, and her evidence at the royal commission. There are a staggering 98 references to the first cluster of failures. Of note is that in all but one instance where the death toll or damage is mentioned, it follows a reference to dinner, haircut, biographer, leaving post failures. The 23 references to her salary, payment, expenses or positions are unusual and strong indicators that the attack on her had become personal.

The following tables track negative references to the main players. The first table below looks solely at Nixon, the second compares the totals with the other main players.

¹²² M. Knight, 2/3/09, 21.

¹²³ M. Knight, 18/5/09, 25.

¹²⁴ M. Knight, 8/4/10, 31,

¹²⁵ Roy, 9/4/10, 30.

¹²⁶ Roy, 12/4/10, 22.

¹²⁷ M. Knight, 15/4/10, 31.

¹²⁸ M. Knight, 19/4/10, 23.

¹²⁹ M. Knight, 18/8/09, 28.

Nixon – linking and repetition

Category (no of items)	Nixon – number of times referred to in items				
	Dinner Haircut Biographer Left post	Linked to Deaths – Damage	Salary Payment Expenses Work	VBRRA – Resignation - ought to quit - timing Should be Sacked	Misleading evidence at royal comm.
News (63)	52	22	13	29	16
Voteline (10)	0	0	2	8	2
Cartoons (5)	4	0	0	0	0
Editorials (10)	6	3	1	8	3
Opinion (13)	11	4	1	4	5
Readers (49)	25	5	6	28	0
Totals (150)	98	34	23	77	26

All main players – linking and repetition

Person	Number of times referred to in items		
	Linked to Deaths – Damage	Salary Payment Expenses Work	Resignation - ought to quit - timing Should be Sacked
Brumby	2	0	0
Cameron	1	0	0
Esplin	0	0	0
Nixon	34	23	77
Rees	6	1	1
Waller	1	0	1

The above tables show that Nixon was not just disproportionately mentioned, she was overwhelmingly linked to the deaths, her financial payments were dredged up, and the calls for her resignation or sacking were unrelenting. Highlighting her payments was personal, petty and belittling, and calls for her resignation or sacking were evidence of how vindictive the campaign had become.

The following are examples of the linking between alleged failures and the death toll in the table above. Brumby was linked on only two occasions, both by opinion writers. On 19 April 2010, Alan Howe wrote, ‘Our premier should have lain prostrate ... and admitted with shame that, as leader, he and the people his government appointed to protect Victorians, had failed in that task and, that as a result, 173 ... were dead.’¹³⁰ Brumby had advised people to ‘stay at home ... People were listening. More than 100 people stayed at home and died there. Brumby was at home on his farm.’¹³¹ Miranda Devine thought that it was ‘extraordinary that John Brumby and his Government seem to have avoided any fall out from the Black Saturday bushfires ... Yet it was Labor that buckled to green demands that saw the disastrous neglect

¹³⁰ A. Howe, ‘Looking for our leaders’, *HS*, 19/4/10, 24-25.

¹³¹ A. Howe, ‘Looking for our leaders’, *HS*, 19/4/10, 24-25.

of fuel reduction ... This neglect increased the scale and ferocity of the fires, which killed 173.’¹³²

A report on the royal commission hearing said that ‘Police Minister Bob Cameron has denied the state’s emergency services were leaderless when most of the 173 deaths occurred on Black Saturday.’ Waller linked himself to the deaths in his apology, which appeared on 5 August 2010. The report said ‘Department of Sustainability and Environment chief fire officer Ewan Waller said he felt responsible for the 173 deaths that occurred on February 7 last year, but had never considered resigning.’¹³³

A year before, Rees had already been targeted as a result of facing the royal commission. On 2 July 2009, ‘Mr Rees has been pursued vigorously by Mr Rush, and some believe he has been made a scapegoat for the disaster, which killed 173 people.’¹³⁴ the next day, ‘CFA chief officer Russell Rees came under heavy criticism yesterday for failing to ensure towns where 173 people died on Black Saturday received early fire warnings.’¹³⁵ and again on 4 July, ‘Mr Rees has been heavily criticised for failing to ensure the public was warned of approaching firestorms that killed 173 people.’ After the commission’s final report the link was made in his apology, reported in August 2010,¹³⁶ regurgitated when he was appointed to a risk management role by the Municipal Association of Victoria in October 2010,¹³⁷ and by Alan Howe on 14 March 2011, in the context of the Japanese response to their tsunami in March 2011, where he found it necessary to drag in Rees, ‘After the fires, having failed his state, and with 173 Victorians dead, he [Rees], reiterated that the conditions had been unprecedented. That’s not right either.’¹³⁸

But it was Nixon who came in for the greatest flogging of all, by far. There were 98 references to her perceived failures, and a constant association between these failings and the death toll, on no less than 34 occasions. Below are some examples from News, Editorial and Opinion categories, with the failures and toll highlighted –

News

The then police commissioner was criticised fiercely for...**dining at a pub**, having a **haircut** and working with her **biographer** ... on the day the **fatal fires swept though the state, killing 173 people** ...¹³⁹

... as ... co-ordinator of the emergency response to the ... **fires that claimed 173 lives** ... She had her **hair cut** in the morning ... spent part of the afternoon meeting with her **biographer** and then left **for home about 6pm** ... and ... had **dinner at a pub with friends** ...¹⁴⁰

¹³² ‘Brumby escapes fire heat’, *HS*, 25/11/10, 39.

¹³³ AAP, ‘Last fire chief “sorry” but not quitting’, *HS*, 5/8/10, 15.

¹³⁴ J. Ferguson, ‘Chief of CFA to stay in job’, *HS*, 2/9/09, 3.

¹³⁵ N. Ross, ‘Warnings the job of CFA chief – QC’, *HS*, 3/7/09, 26.

¹³⁶ S. McMahon, ‘Fire boss apologises for Black Saturday: “Truly sorry” for bushfire failure, says Rees’, *HS*, 18/8/10, 16.

¹³⁷ N. Mawby, ‘Top jobs for fire pariahs’, *HS*, 15/10/10, 39.

¹³⁸ ‘Lessons in Japanese’, *HS*, 14/3/11, 20-21.

¹³⁹ E. Whinnett, ‘Top cop book twist’, *SHS*, 25/4/10, 3.

¹⁴⁰ S. Lillebuen, ‘Nixon was expected in, says deputy’, *HS*, 29/4/10, 12.

... Ms Nixon has been heavily criticised for not ... revealing ... she had gone out for a **pub meal**, had her **hair cut** and worked on her **memoirs** on Black Saturday, **when 173 Victorians died**.¹⁴¹

The former chief commissioner ... is facing a savaging ... for her decision to **leave her post** on Black Saturday, when she went to a **pub for a meal** ... She also had a **haircut** and met her **biographer** the day of **Australia's worst natural disaster, which killed 173 people**.¹⁴²

Christine Nixon's position became untenable the moment she admitted **leaving her post** as **173 Victorians died** on Black Saturday.¹⁴³

Now she must surely pray history remembers her as the nation's first female police chief and not the **leader who went to dinner as 173 people burnt to death in the nation's worst natural disaster**.¹⁴⁴

The hotel where former chief commissioner of police Christine Nixon notoriously **dined** as **173 people perished** on Black Saturday has been chosen as a venue for a memorial dinner.¹⁴⁵

Editorials

More than a year after the **fires that caused the deaths of 173 people** and injured hundreds of others, Ms Nixon has no honourable course but to resign ... She chose to go to **dinner with friends** at the Metropolitan Hotel in North Melbourne and did not return.¹⁴⁶

Opinion

So as Kinglake burned, she went to **dinner**. And by the time she pushed away her plate, Marysville was in ashes, too, and most of Black Saturday's **173 victims were dead**.¹⁴⁷

Many of the taxpayers, and their children, who funded her wages, **were suffering unimaginable deaths** as the cutlery clattered at North Melbourne's **Metropolitan Hotel**.¹⁴⁸

Nixon had her **hair cut**, spoke to her **biographer** and **casually went to dinner** as **Victorians died in vast numbers**.¹⁴⁹

The coverage, overall, did not link Brumby to the deaths. Three main devices were used in the reporting to distance him: (1) it would cast him as the solution or saviour,¹⁵⁰ (2) it would comment on another aspect of his work,¹⁵¹ or (3) it would allow another to take the heat for

¹⁴¹ M. Papadakis & E. Whinnett, 'Brumby backs chief: And CFA Chief Rees recalled', *SHS*, 2/5/10, 15; P. Mickelborough & J. Ferguson, 'Nixon lied', *HS*, 25/5/10, 1.

¹⁴² E. Whinnett, S. Hewitt & L. Houlihan, 'Chief walks into new firestorm: Victims in mixed reaction', *SHS*, 18/7/10, 6-7.

¹⁴³ 'What you said', *SHS*, 18/7/10, 7.

¹⁴⁴ P. Mickelborough, 'Sour taste to stellar career', *SHS*, 18/7/10, 84-85.

¹⁴⁵ P. Mickelborough, 'Black Saturday dinner for police in "bad taste"', 25/1/11, 3.

¹⁴⁶ Editorial, 'Failure can't be forgiven', *HS*, 8/4/10, 32.

¹⁴⁷ A. Bolt, 'Chief Nixon copped out', *HS*, 9/4/10, 32-33.

¹⁴⁸ A. Howe, 'Looking for our leaders', *HS*, 19/4/10, 24-25.

¹⁴⁹ A. Howe, 'No leaders to be seen', *HS*, 22/11/10, 26-27.

¹⁵⁰ M. Johnston, 'Nixon will stay on', *HS*, 15/7/10, 4; Editorial, 'Bring MPs back', *HS*, 21/7/10, 34; Editorial, 'Safety first', *HS*, 2/8/10, 24.

¹⁵¹ S. McMahon, 'Fire boss apologises for Black Saturday: "Truly sorry" for bushfire failures, says Rees', *HS*, 18/8/10, 16.

the deaths, as he stood apart untarnished, often supporting them.¹⁵² Some reports combined these devices.¹⁵³

When changes were made to the panel that decided how the appeal funds would be spent, we were reassured that, our saviour, Brumby, had ‘said the fund would continue to play a crucial role in rebuilding after a natural disaster that cost 173 lives.’¹⁵⁴ When the final report of the royal commission was released, an editorial maintained that is so important that ‘Premier John Brumby needs to think about recalling Parliament for a special sitting to consider the bushfires royal commission’s report into the state’s worst natural disaster.’¹⁵⁵ In another editorial, after Brumby had apologised for the failings of emergency services, Brumby was again cast in the most favourable light. He was promising us that ‘We must action on the findings of the ... commission. We must make our state ... safer.’ And he was linked in a positive fashion to the toll, ‘There can be no better way to honour the memory of the 173 people who perished on the blackest day in our history.’¹⁵⁶ The editorial could just as easily have reminded us that on Black Saturday, Brumby was relaxing at home on his farm while the state burned and Victorians died.

On 18 August 2010, when Rees was accused of coming out of hiding to apologise for his failures, a journalist wrote that ‘Mr Rees said his thoughts remained with the 173 people who died, and their families.’ But in the same report it was said that Brumby was ‘expected to rule out burying power lines, a new fire tax on households, evacuation policies, fuel reduction and buying out high-risk properties.’¹⁵⁷ Again, Brumby was not linked to the deaths, only to his role of responding to the royal commission’s recommendations, and there was no hint that he may have been responsible for the lack of fuel reduction or the flawed stay-or-go policy.

And when it came to Nixon, Brumby was her supporter and, at the same time, the person who ought to sack her for her failings. It was never suggested that he might be supporting Nixon to successfully deflect blame from himself and his government. Rather, he was the solution – he was the ‘go to’ man to have her removed. The paper, willing Brumby ally or not, directed its considerable power and resources to blaming Nixon. The evidence for this is in print for all to see. Either way, it couldn’t have been better for Brumby. By refusing to connect Brumby with the deaths, the newspaper cast him in the much more positive role of saviour. The following selections from the coverage are instructive –

News – role: supporter

... Ms Nixon said it was never her intention to mislead the commission, which is investigating the deaths of 173 Victorians and the destruction of 2000 homes.

¹⁵² Editorial, ‘Failure can’t be forgiven’, *HS*, 8/4/10, 32; G. Mitchell & S. McMahon, ‘Missing in action for three hours: Nixon back in the hot seat’, *HS*, 15/4/10, 2.

¹⁵³ A. Bolt, ‘Chief Nixon copped out’, *HS*, 9/4/10, 32-33; Editorial, ‘Nixon must be dismissed’, *HS*, 15/4/10, 32; Editorial, ‘Brumby must act now’, *HS*, 17/4/10, 5; M. Papadakis & E. Whinnett, ‘Brumby backs chief: And CFA Chief Rees recalled’, *SHS*, 2/5/10, 15; S. McMahon & N. Ross, ‘Stay or go policy failure blamed for fire deaths: 85 lives could have been saved’, *HS*, 3/8/10, 4; M. Johnston, ‘Brumby blasted for dismissing flame zone property buybacks: Fire risk will be greater’, *HS*, 21/8/10, 4.

¹⁵⁴ M. Johnston, ‘Nixon will stay on’, *HS*, 15/7/10, 4.

¹⁵⁵ Editorial, ‘Bring MPs back’, *HS*, 21/7/10, 34.

¹⁵⁶ Editorial, ‘Safety first’, *HS*, 2/8/10, 24.

¹⁵⁷ S. McMahon, ‘Fire boss apologises for Black Saturday: “Truly sorry” for bushfire failures, says Rees’, *HS*, 18/8/10, 16.

But Premier John Brumby last night stood by Ms Nixon. ‘Christine has admitted she made mistakes on Black Saturday. She has corrected the record on her evidence.’¹⁵⁸

Editorial – *role: supporter (but faltering)*

More than a year after the fires that caused the deaths of 173 people and injured hundreds of others, Ms Nixon has no honourable course but to resign immediately as chairwoman of the Victorian Bushfire Reconstruction and Recovery Authority.

Premier John Brumby ... is already distancing himself from her mistakes.¹⁵⁹

News – *role: supporter & saviour (announcing funding)*

Former Victorian Police chief commissioner Ms Nixon has been heavily criticised for not immediately revealing to the royal commission she had gone out for a pub meal, had her hair cut and worked on her memoirs on Black Saturday, when 173 Victorians died.

‘She’s done a great job, I believe, as chair of the authority,’ Mr Brumby said. ‘She’s put her heart and soul into the rebuilding effort.’

Mr Brumby also announced a \$1.9 million upgrade of Marysville’s Gallipoli Park.¹⁶⁰

Editorial – *role: power to sack*

Yes, Christine Nixon, the chief commissioner who left her post as people were dying during the Black Saturday bushfires, is also a victim of the events of that day.

Go she must, in spite of the good work she has done since. Premier John Brumby must sack her forthwith.¹⁶¹

Editorial – *role: power to sack*

In telling us she spent the morning of the Black Saturday fires at the hairdressers and the early afternoon working on her memoirs, former chief commissioner Christine Nixon has added another chapter to a saga of misplaced priorities and gross dereliction of duty.

This was the day the Premier had forecast could be as bad as Ash Wednesday.

Enough is enough; what comes next should be an announcement by Premier John Brumby that he has finally cut Ms Nixon loose from any further duties to the citizens of Victoria.¹⁶²

Opinion – *role: power to sack*

So as Kinglake burned, she went to dinner. And by the time she pushed away her plate, Marysville was in ashes, too, and most of Black Saturday’s 173 victims were dead.

... why hasn’t the Premier dumped her as head of the Bushfire Reconstruction Authority, saying such a failure of leadership could not go unsanctioned?¹⁶³

¹⁵⁸ G. Mitchell & S. McMahon, ‘Missing in action for three hours: Nixon back in the hot seat’, *HS*, 15/4/10, 2.

¹⁵⁹ ‘Failure can’t be forgiven’, *HS*, 8/4/10, 32.

¹⁶⁰ M. Papadakis & E. Whinnett, ‘Brumby backs chief: And CFA Chief Rees recalled’, *SHS*, 2/5/10, 15.

¹⁶¹ ‘Nixon must be dismissed’, *HS*, 15/4/10, 32.

¹⁶² ‘Brumby must act now’, *HS*, 17/4/10, 5.

¹⁶³ A. Bolt, ‘Chief Nixon copped out’, *HS*, 9/4/10, 32-33.

Headline analysis

Headlines are an important part of a newspaper coverage, being the first thing that readers see.¹⁶⁴ The following count refers to all headlines where the person's name is mentioned (first, surname or both), or referred by a title or by a pronoun.

All headlines – 121 (total)					
Person	Category				
	News	Editorial	Opinion	Readers	Total
Christine Nixon	49	3	4	19	75
Russell Rees	12	0	0	2	14
John Brumby	18	1	2	7	28
Bob Cameron	4	0	0	2	6
Ewan Waller	1	0	0	0	1
Bruce Esplin	0	0	0	0	0

Note: The number of all headlines is 121, but since some headlines mention more than one person, the number of headlines by person is 124.

The table above tells us that Nixon was referred to much more often than the others. She had 60% of all references, whilst the rest share the other 40%. Nixon is mentioned three times as often as Brumby, and five times more than Rees. Esplin and Waller are the forgotten players. Cameron, our Police and Emergency Services Minister, may well have earned the title of the 'invisible' minister, with a mere six mentions. The next table looks at the way these people are referred to in the headlines, in the form of a pronoun, first name, surname, both names, or by a reference to their position (eg police or fire chief, minister, premier) –

Person	All headlines – referred to in headline by - 121 (total)					
	Head-Lines	Pro-noun	First name	Sur-Name	Both Names	Title
Christine Nixon	75	15	4	57 (11)	3 (2)	8
Russell Rees	14	0	0	6	0	10 (1)
John Brumby	28	1	0	25 (1)	0	3
Bob Cameron	6	0	0	1	0	6
Ewan Waller	1	0	0	0	0	1
Bruce Esplin	0	0	0	0	0	0

¹⁶⁴ B. Franklin, *Pulling Newspapers Apart*, 197-209.

Note: The number in brackets on the right of a number indicates the number of possessive occurrences of name or title, and is included in the total on the left.

The reason for such a break up is that being referred to by a pronoun is the most personal, followed by one's first name, both names, surname and then a title. What we see is that Nixon, apart from one use of a pronoun to Brumby, is referred to 15 times. She is the only one referred to by her first name. In contrast, Cameron is almost always referred to by his title. In other words, when he does appear in a headline, it is done in the most official, distant means available in writing. Contrast this with Nixon. The attack on her is highly personal, indicating a lack of respect, a lesser standing, unnecessary familiarity and, to sum up, a way of putting her down.

Front page headlines are another indicator of the all-out focus on Nixon. The following table gives the statistics on those who appeared in page-one headlines.

People & Topics	No of Page one headlines mentioned in
Philpott (accused of arson)	1
Power companies	0
Brumby	1
Cameron	0
Esplin	0
Nixon	5
Rees	0
Waller	0

All the page one features are people focussed. One relates to CFA fire captain, Ron Philpott, who was suspected of lighting the Murrindindi Mill fire, but later cleared. Premier John Brumby made page one only once when he warned people that the following day might be as bad as Black Saturday. And then there was Nixon, with five, all negative, as one would expect from the analysis so far.

The headlines are now examined in terms of their subject matter, a good indicator of the roles assigned by the paper to the players.

The page one headlines for Nixon were –

Told Victorians could die in the fires, Christine Nixon ... Went out for dinner (7/4/10)

I let you down (8/4/10)

10 reasons why we say Nixon must be sacked (15/4/10)

Nixon lied (25/5/10)

Bushfire chief hides behind federal election: Nixon quits (18/7/10)

The themes of the Nixon headlines were leaving work early to go out to dinner with friends, her apology (first), her evidence at the royal commission (her failure to mention dinner, haircut, biographer), the need for her to be sacked, and the timing of her resignation when it finally came. The only page one headline for Brumby was –

On edge: Brumby warns: It's going to be a terrible day (HS, 2/3/09)

which came three weeks after Black Saturday, when bushfires threatened again. Brumby was our saviour, our caring, responsive leader who desperately wanted to prevent further death and

destruction. Ron Philpott was thrust onto page one defending himself against accusations that he lit the Murrindindi fire that wiped out Marysville –

Marysville bushfire suspect hits out: I'm not an arsonist (*HS*, 6/5/09)

Other headlines were –

I didn't start fire (6/5/09, 10-11)

CFA will be hurt if I am charged (6/5/09, 7)

I'll take a lie detector test (7/5/09, 9)

CFA clears Marysville arson suspect for return to duty: I'll be a firey till the day I die (16/11/09, 3)

Ron Philpott was headline material because he was either a despicable arsonist made worse because he was a CFA captain, or he was a falsely accused firefighting hero, deserving of our complete sympathy. Interestingly, when it came to the use of pronouns in headlines, he and Nixon had much in common – both had to defend themselves against allegations. Her actions were apparently no better than an arsonist.

If it wasn't for the fact that the power companies were being sued for causing the major Black Saturday fires they may not have made the headlines at all. Even then, the companies were referred to generically as a 'power utility', 'power company', or 'power firm(s)'. When it came to assigning blame it was 'Power lines started fire', 'Power lines to blame ...' The favoured solution was to put power lines underground, without any mention of who might pay. This is in complete contrast to the coverage of arsonists. We would never think of blaming the instrument, that is, the match, the petrol, or the lighter, instead of the person responsible.

Nixon: misleading relationship between headline and content of article

After Nixon had fronted the royal commission in April 2010, she invariably attracted negative headlines irrespective of the content of articles. Below are six examples –

Headline: *Survivor reeling after dinner disaster*¹⁶⁵

The use of 'dinner' in the headline is important because, at the time, it was code for Nixon's poor leadership. In the article two survivors are critical of Nixon, whereas two support her. One of her supporters makes the point that the lack of leadership from Rees was more of a concern. The headline could have highlighted Rees or his leadership failures, or the survivors who supported Nixon.

Headline: *Liberals want 'blot on landscape' erased*¹⁶⁶

In this article Jeff Kennett, a former Liberal Premier, and Greg Davies, Police Association Secretary, are calling for Nixon's resignation. However, Rudd (Prime Minister), Brumby (Premier), and Steve Gibbons, a Federal Victorian backbencher, all support Nixon. Ross Buchanan, a survivor, also strongly supports Nixon. The paper

¹⁶⁵ A. Magee & E. Barry, *HS*, 8/4/10, 5.

¹⁶⁶ S. McMahon, *HS*, 17/4/10, 5.

prefers to put Kennett's colourful call for Nixon's sacking in the headline, a former premier who had presided over a regime of fuel reduction neglect.

Headline: *Nixon lied*

On 25 May 2010, the *Herald Sun* leaked documents from the royal commission's lawyers indicating that Nixon deliberately misled the commission. She was criticised for not immediately revealing she had gone out for a meal, had a haircut and worked on her memoirs on Black Saturday, when 173 people died. The next day we find out that the leaked documents also criticised Rees and Waller. But the impression the day before was that the leak only referred to Nixon, a case of very selective reporting (ironically a case of the *Herald Sun* not immediately revealing the full facts!).

Headline: *Nixon says: I did not lie*¹⁶⁷

The next day, on 26 May 2010, under the above headline on page 2, it is clear that the leaked documents also recommended a finding that Rees, Waller and some others failed to ensure timely public warnings. Again, however, the headline emphasis stays on Nixon, because the onus is now on her to defend herself, irrespective of the greater failings of others.

Headline: *It's about survivors as much as Nixon*¹⁶⁸

Although the article mentions Rees, Rush, Kennan (Nixon's lawyers), Burnside (Rees' lawyer), Rush (counsel for commission), and Myers (counsel for state government), the headline selects Nixon, to give the impression that she is the selfish one. An impression in keeping with the connotations of her leaving her post for 'dinner'.

Headline: *Chief walks into new firestorm: Victims in mixed reaction*¹⁶⁹

The article is about Nixon's resignation announcement, exactly the result the paper had been campaigning for. Yet, not satisfied with its victory, the paper took the opportunity to regurgitate its view of her performance. The headline gives the impression that survivors were somewhat equally divided over her resignation, despite reporting that she received a standing ovation from 200 bushfire survivors the evening before. The paper mentions two Nixon supporters by name and two critics, as if this is evidence of a 'mixed reaction'. Once again it is another opportunity to criticise the timing of her resignation, mention the pub meal, the haircut, the biographer, her salary, her leadership, and bring up the paper's role in her resignation as a Foster's director.

Apologies/resignations

By now, as Andrew Bolt might have said, even a 'moron' couldn't fail to miss the reporting trend: if Nixon was involved the coverage would be more personal and more critical. So too when one examines the apologies and resignations. As for apologies, Nixon was the first to

¹⁶⁷ P. Michelborough, E. Doherty & J. Ferguson, *HS*, 26/5/10, 2.

¹⁶⁸ J. Ferguson, *HS*, 28/5/10, 5.

¹⁶⁹ E. Whinnett, S. Hewitt & L. Houlihan, *SHS*, 18/7/10, 6-7.

do so, followed by Brumby, Waller and Rees. There are no reported apologies from Cameron or Esplin. As for resignations, Rees was first, followed by Nixon. Esplin announced his resignation in November 2010, but this was not reported. Neither Brumby nor Cameron resigned – they lost office in the November 2010, when Labor lost the state election.

When Nixon's first apology was reported it was front page news –

I let you down¹⁷⁰

More headlines followed that day on pages 4 and 5 –

Sorry, I could have done things differently¹⁷¹

She should have stayed at work¹⁷²

Her second apology was reported under, 'Nixon sorry ... again',¹⁷³ which she issued after the commission's final report. Rees' apology appeared on page 16 under –

Fire boss apologises for Black Saturday: 'Truly sorry' for bushfire failures, says Rees¹⁷⁴

As for Brumby, his apology was thrown in under an announcement of a huge fire prevention package –

35b for fire preventions¹⁷⁵

and again in an editorial applauding his determination to prevent another Black Saturday –

Safety first¹⁷⁶

The only headline to refer to Waller in the entire coverage, but not by name, was –

Last fire chief "sorry" but not quitting¹⁷⁷

Rees was the first to resign, which was reported on 24 April 2010 under –

Chief falls on sword¹⁷⁸

Timing could not be better¹⁷⁹

¹⁷⁰ *HS*, 8/4/10.

¹⁷¹ C. Nixon, 4.

¹⁷² M. Johnston, B. Packham & L. van den Berg, *HS*, 8/4/10, 4-5.

¹⁷³ P. Rolfe, *SHS*, 1/8/10, 4-5.

¹⁷⁴ S. McMahon, *HS*, 18/8/10, 16.

¹⁷⁵ S. McMahon & N. Ross, *HS*, 2/8/10, 16.

¹⁷⁶ Editorial, *HS*, 2/8/10, 24.

¹⁷⁷ AAP, *HS*, 5/8/10, 15.

¹⁷⁸ M. Johnston & H. Ife, *HS*, 24/4/10, 15.

¹⁷⁹ J. Ferguson, *HS*, 24/4/10, 15.

Fire exit welcome¹⁸⁰

It was big news but not the type that makes the front page. We had to wait for Nixon's resignation for that –

Bushfire chief hides behind federal election: Nixon quits (on page one)¹⁸¹

Chief walks into new firestorm: Victims in mixed reaction¹⁸²

She's gone¹⁸³

The references were harsh, especially 'She's gone', which was unnecessarily personal, delivering the paper's 'good riddance' sentiment. The *Herald Sun* had no time for the view expressed by a reader at the time, 'Surely she has been persecuted enough'.¹⁸⁴ For the paper it was quite the opposite – no persecution could ever be enough.

I could keep presenting evidence for the scapegoating of Nixon based on photos, their frequency and size, the amount of words devoted to her, the size of the headlines, the number of full or double-page spreads. However, there is no need, my point is made.

The *Herald Sun* coverage and professional standards

The question is now, not whether Nixon was scapegoated, but whether the relentless targeting of a person in this way is within the media's codes of professional practice. The coverage of Nixon did not go unnoticed, as Roger Franklin noted 'Whatever Rees' pains might have been leading up to his resignation, they were mild by the yardstick of Christine Nixon's agonies, which played out over a pair of excruciating appearances in April 2010. Up until Black Saturday, Nixon had been one of those rare public figures who seemed always able to deflect the toughest questions.'¹⁸⁵

Professional standards are set by newspapers and media organisations. The standards applying on Black Saturday to the *Herald Sun* were issued in March 2006 by News Limited in its Professional Conduct Policy. The document was revised in 2011 and retitled, Editorial Code of Conduct: Professional Conduct Policy. The sections relevant to bias, of most interest to us, were unchanged in the new version. In 1976 the Australian Press Council was established and, according to its website, it 'is responsible for promoting good standards of media practice, community access to information of public interest, and freedom of expression through the media. The Council is the principal body responsible for handling complaints about Australian newspapers, magazines and associated digital outlets'.¹⁸⁶ The *Herald Sun* is a member and therefore subject to its guidance and rulings.

Under the Code of Conduct bias is dealt with indirectly under Accuracy, which has eight guidelines in point form, two of which are relevant –

¹⁸⁰ M.J. Gamble, Belmont, Letters, *SHS*, 25/4/10, 89.

¹⁸¹ E. Whinnett, *SHS*, 18/7/10, 1.

¹⁸² E. Whinnett, S. Hewitt & L. Houlihan, *SHS*, 18/7/10, 6-7.

¹⁸³ *SHS*, 18/7/10, 77.

¹⁸⁴ S. Wade, Woodend, Letters, 'Focus on real culprits, not Nixon', *HS*, 20/7/10, 25.

¹⁸⁵ *Inferno*, 243.

¹⁸⁶ Australian Press Council, *What we do* <<http://www.presscouncil.org.au/who-are-we>>

- 1.1 Facts must be reported impartially, accurately and with integrity.
- 1.3 Try always to tell all sides of the story in any kind of dispute.

These are obviously directed at individual articles written by journalists, rather than addressing systemic bias over time. Nevertheless, perhaps the issue is addressed by the Australian Press Council. It has adopted A Charter for a Free Press in Australia and its preamble gives us hope

—

Freedom of opinion and expression is an inalienable right of free people. Australia is committed to The Universal Declaration of Human Rights. Article 19 of the Declaration provides: 'Everyone has the right of freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

In a truly democratic society open debate, discussion, criticism and dissent are central to the process of generating informed and considered choices. These processes are crucial to the formation of values and priorities and help in assessing and finding solutions to social, economic and political problems.

A free press is a symbol of a free people. The people of Australia have a right to freedom of information and access to differing opinions and declare that the following principles are basic to an unfettered flow of news and views both within Australia and across the nation's borders.¹⁸⁷

And then we have 'principles', some of which are —

Freedom of the press means the right of people to be informed by the press on matters of public interest so that they may exercise their rights and duties as citizens.

The press shall not be subject to government licence and government authorities and should not interfere with the content of news or restrict access to any news source.

The press has a responsibility to the public to commit itself to self-regulation which provides a mechanism for dealing with concerns of members of the public and the maintenance of the ethical standards and journalistic professionalism of the press ...

It is the responsibility of the press to protect the people's right to know and to contest encroachments upon that right by governments, groups or individuals ...¹⁸⁸

These broad statements would cover bias of the kind identified in the Nixon coverage. However, we then have general statements of principle in specific areas, the most relevant being 'Accurate, fair and balanced reporting', upon which the Press Council issues numbered guidelines. The Council issued 'Bias accusations' (no. 15, 1977) over 30 years ago which, according to its website, is still current. The following are extracts —

- a newspaper which claims to provide a general news service has full freedom of editorial comment, but is has a public duty to provide fair news reports of matters of public controversy; and

¹⁸⁷ Australian Press Council, *A Charter for a Free Press in Australia: Preamble*
<<http://www.presscouncil.org.au/charter-of-press-freedom/>>

¹⁸⁸ Australian Press Council, *A Charter for a Free Press in Australia: Preamble*
<<http://www.presscouncil.org.au/charter-of-press-freedom/>>

- a newspaper has a right to take sides on any issue, but it does not have the right to resort to distortion or dishonesty to advocate a cause.

These principles do not exclude a newspaper from being partisan, although they exclude it from presenting a false picture. Within these bounds there is wide scope for the exercise of legitimate editorial judgment.

To police the exercise of this wide discretion is an impossible task for a supervisory body to undertake. Even to attempt it would require a constant supervision of the performance of a paper. This would be beyond the capacity or intentions of the Press Council. Fairness in relation to the kind and amount of publicity that should be given by a paper to a particular point of view is not a matter that can be measured by column-centimetres or by other objective criterion. While the Press Council may be called on to deal with blatant and specific act of unfairness in reporting, it believes that attempts to dictate in the field of legitimate editorial discretion would be inimical to the freedom of the press which the Council exists to uphold.

The Council commends to all editors of general newspapers the scrupulous fairness which has long been an ideal of their calling; but the responsibility of applying it must rest upon them. It is all the heavier because the detailed requirements of fairness, in the present context, cannot be laid down in any formula.¹⁸⁹

The above clarification means that systematic bias is a matter for individual newspapers. The Press Council does not see this as its role because it would be ‘an impossible task for a supervisory body to undertake’ and beyond the Council’s ‘intentions’. Apparently, the task is impossible because of its enormity, the difficulty of deciding when a paper had abused its discretion, and to do so would be outside the Council’s aims. All three reasons are irrelevant. By its own admission, continuing oversight is not one of its responsibilities and no-one is asking it to. Deciding whether a journalist has erred is reviewable but, disappointingly, editorial bias is far too difficult. Both types are clearly reviewable. However, the Council’s restrictive practices were reiterated in December 1991 in a more recent guideline (no. 143) ‘Selection of newsworthy stories’ –

... it would be improper for the Council to seek to substitute its views for that of the editor. The Council would only intervene on evidence that the discretion was improperly exercised, for example for political or commercial advantage. The Council cannot of course presume impropriety; it is for those who allege this to show its existence ...

... The Council strongly supports the freedom of newspapers as entities to determine the selection of news, provided this is bona fide and in accordance with principles.

Where a community group is aggrieved by the exercise of that freedom in ... series of cases, the Council would expect that the newspaper would treat ... [these] seriously and promptly any complaint properly made.¹⁹⁰

Here we go again. Why would anyone, let alone the Press Council, say that it cannot presume impropriety and that it is for those who make an allegation to prove it. No-one is suggesting findings should have no basis in fact. What the Council is really saying is that it has no intention of reviewing higher-level editorial decision making. A brief survey of its adjudications from June 2005 to April 2011 on its website confirms this. Of course the *Herald Sun* shows no inclination to self regulate. I can find no articles where the paper examines its

¹⁸⁹ Australian Press Council, *Guideline No. 15: Bias accusations* (November 1977)

<<http://www.presscouncil.org.au/document-search/guideline-no-15>>

¹⁹⁰ Australian Press Council, *Guideline No. 143: Selection of newsworthy stories* (December 1991)

<<http://presscouncil.org.au/document-search/guideline-no-143>>

own coverage, let alone for bias. So much for the Press Council's policy.¹⁹¹ In July 2011, Margaret Simons, writing for *Crikey*, had a stoush with the Herald and Weekly Times over the availability of its Professional Code of Conduct, an issue that has since been resolved in favour of improved public access to the document.¹⁹² Simons had evidence to show that the group's employees were largely unaware of the Code, but her view was that it was 'an excellent document in itself'.¹⁹³ It may provide excellent guidance to individual journalists but, as argued above, it is of no use in combating paper-wide bias, a problem Bob Brown and the Greens were keen to place in the spotlight when they successfully pushed for the recent media inquiry.

The paper's attitude to those who would question its judgment is pure arrogance. If it does enter into debate or justification, it is superficial, diversionary or defensive. Its leaking of submissions made by counsel assisting the royal commission is a typical example. Nixon, the State Government, and the royal commissioners were reportedly unhappy with the *Herald Sun*. Journalist John Ferguson in the paper's defence wrote –

... To argue that healthy debate about the commission is harming some survivors is disingenuous for several reasons. Most importantly, the survivors are best served by an unfettered debate. Ms Nixon had every opportunity to defend herself in full against allegations she deliberately misled the inquiry.

She chose to limit her defence to a five-paragraph statement yesterday. Ms Nixon's role as head of bushfire recovery is becoming untenable, despite the protests of Premier John Brumby. He took a swipe at the *Herald Sun* for publishing the draft submission, which was scathing of Nixon. That's his right. But he should remember that politicians who argue for less debate can't have it both ways.

When next he wants to strike at the Opposition over the bushfires, he will be reminded of his stance on Ms Nixon. Openness good; selective debate bad.¹⁹⁴

Breathtaking logic isn't it. Leaking submissions is said to be in the best interests of survivors and for healthy debate. To be against the paper's decision is to be against survivors and open debate. Those who would criticise the paper's actions are 'bad' and there is even a threat of retaliation against Brumby. This is the typical black and white discourse Richardson speaks of, which effectively suppresses any other standpoint.¹⁹⁵ One either supports the *Herald Sun*'s position or one is evil. More instructive are the arguments, a loose use of the word, used by opinion writers to convince us that a media inquiry was unnecessary.

Here is what Jeff Kennett had to say –

... The world is facing the threat of another potential financial meltdown ... People are worried about how they are going to cope with rising costs. Voters are scared about the impact of the proposed carbon tax ...

¹⁹¹ However, in *The Sunday Age* there was a feature on media bias in the reporting of climate change 'Majority report: why consensus is all the rage', 11/9/2011, 4, by Michael Bachelard.

¹⁹² M. Simons, 'Simons: mastering a code of conduct means pushing it hard', *Crikey*, 26/7/11
<<http://www.crikey.com.au/2011/07/26simons-mastering-a-code-of-conduct-means>>

¹⁹³ M. Simons, 'Simons: mastering a code of conduct means pushing it hard', *Crikey*, 26/7/11
<<http://www.crikey.com.au/2011/07/26simons-mastering-a-code-of-conduct-means>>

¹⁹⁴ 'Bumpy ride all round', *HS*, 26/5/10, 2.

¹⁹⁵ *Analysing Newspapers*, 179.

But the Government's response is yet another inquiry, this time into the media. Why? Because it does not like some of the things being said about the Government ...

Yes, I know the media can at times be vitriolic, it can be biased, it can run campaigns – as this paper did ...

... and we have another issue which will divert Government attention away from vital issues the public want addressed ...

On Wednesday I watched Greens leader Bob Brown on *Lateline*, trying to justify this new media inquiry. It was a pathetic demonstration of leadership, let alone an explanation that this inquiry was anything but a witch-hunt, in order to have the media conform to his or the Greens' concept of good reporting.

... This new inquiry, which has no genuine basis...is driven by an increasingly shrill group ...¹⁹⁶

Normally an inquiry will examine an alleged problem, evaluate the effectiveness of current oversight mechanisms and, if necessary, recommend reforms. Kennett dismisses any suggestion that there is a problem. But he did demonstrate a keen eye for a witch-hunt, explaining that the inquiry was a government strategy to divert attention from its considerable failings by attacking an innocent media. When it came to Nixon, though, he was unable to discern even a hint of a witch-hunt.

And here is one of Bolt's takes on the inquiry –

Why on earth are we talking about yet more rules to punish journalists and even Tweeters? When did Australians get so terrified by mere words?

... here's one thing that the Greens leader Bob Brown is already considering for this media inquiry that he first demanded: a witch-hunt against the News Ltd newspapers which don't pay him enough respect.¹⁹⁷

Bolt at least tells us why an inquiry is not needed. He avoids any discussion of existing problems, but assures us there is more than adequate supervision of the media. He cites defamation laws, laws on racial discrimination and religious vilification, laws against bugging phones and breaching confidences, codes of conduct, the Equal Opportunity Commission, the Australian Communications and Media Authority, and the Press Council. He avoids discussing whether these mechanisms are adequate. However, when the shoe was on the other foot, and he was sinking the boots into Nixon, did he ever consider that the existing checks and balances were sufficient to deal with her misdemeanour? No. But they must have been so grossly inadequate that we needed the *Herald Sun* to intervene on our behalf. Is there a double standard at play here? He also makes the point that –

You may reply that good journalists have nothing to fear from a stronger complaints body, but defending yourself from even the craziest complaints takes time and money. Often the process is the punishment ...¹⁹⁸

Does Bolt give any thought to the fact that unrelenting negative exposure in the *Herald Sun* might be a severe punishment? And what about the paper's campaigns for resignations and

¹⁹⁶ 'PM, Greens wrong on media', *HS*, 16/9/11, 35.

¹⁹⁷ 'Media inquiry spawned by a thin-skinned government', *HS*, 17/9/11, 22-23.

¹⁹⁸ 'Media inquiry spawned by a thin-skinned government', *HS*, 17/9/11, 22-23.

sackings? The paper feels free to punish others while it stands above reproach. Bolt sees nothing wrong with demanding Nixon's resignation or sacking, despite her being a *Herald Sun* scapegoat. However, if journalists are required to defend themselves against bias allegations, this is apparently a crazy waste of time and an unnecessary punishment. Bolt, like Kennett, has a keen eye for scapegoating if he thinks he or his colleagues are being targeted.

An editorial in September 2011 –

Like an illusionist playing another trick, the Government launches an inquiry to distract Australian voters from issues that actually mean something to their lives ...

Ms Gillard's problems are entirely political and of her own making as she kowtows to the Greens. She casts about for scapegoats and tries to blame the media for her many misfortunes.¹⁹⁹

The above editorial confirms that although the paper was blind to its scapegoating of Nixon, it was keenly sensitive to the process when its interests were at stake. After Bolt was found to have breached the Racial Discrimination Act, he wrote –

Never has a free press and free speech been so under attack in this country, now from politicians who shame our traditions.²⁰⁰

He also took a swipe at the Left for failing to come out publicly and defend a free press and free speech. Chris Berg in *The Age* had already discussed this failure some days before in his article, 'Liberty gets the chop: Why has the left fallen silent now that freedom of speech is truly under attack?'²⁰¹ Bolt had fronted the Federal Court in September accused of racial vilification. When Justice Bromberg found against him, the front page of the *Herald Sun* ran the headline, 'This is a sad day for free speech',²⁰² and wanted a review of the Act.²⁰³ The same day the editorial was 'Free speech is vital to society',²⁰⁴ and Bolt's column 'Silencing me impedes unity'.²⁰⁵ Then back to the media inquiry with Paul Toohey, 'Conroy's media inquiry aligns us more to Fiji than true democracy'.²⁰⁶ The next day the Bolt decision was packaged as an attempt to silence unpopular opinions²⁰⁷ and an attack on the freedom of the press.²⁰⁸

On 5 October 2011, Bolt's column told of his treatment after the Federal Court decision.²⁰⁹ In November Bolt was back slagging the media inquiry, 'Free media under threat as Brown's campaign moves up another notch',²¹⁰ and the Greens were in the gun. Then we had Neil Mitchell, 'Bob Brown's media view a real threat', who said 'This silly Green-powered media inquiry begins in Melbourne this morning, and indications from those running it is that they

¹⁹⁹ 'Inquiry just a smokescreen', *HS*, 14/9/11, 30.

²⁰⁰ 'Free speech under threat', *HS*, 14/9/11, 30-31.

²⁰¹ 11/9/11, 21.

²⁰² 29/9/11.

²⁰³ S. Drill, 'A curb on free speech', *HS*, 29/9/11, 7.

²⁰⁴ 29/9/11, 36.

²⁰⁵ 29/9/11, 36-37.

²⁰⁶ 29/9/11, 36-37.

²⁰⁷ Editorial, 'Clark wanted to silence him', *HS*, 30/9/11, 40.

²⁰⁸ M. Devine, 'Bolt case has ominous echo', *HS*, 30/9/11, 40-41.

²⁰⁹ 'Monster of the media', *HS*, 32-33.

²¹⁰ 5/11/11, 18-19.

really don't get it ...'²¹¹ Two days later we have Miranda Devine, 'Telling it like it is' under the 'Puppet master in media witch-hunt'²¹² and the same day 'Hands off the media'.²¹³ And here are some more headlines –

Government caving in to the Greens (Kennett, 11/11/11, p. 37)

Media's conduct is fine (17/11/11, p. 21)

Government on the nose with voters, says New Ltd chief: Inquiry a knee-jerk reaction to bad polls (Vanda Carson, 18/11/11, p. 8)

Challenge to a free media (Editorial, 3/3/12, p. 80)

Flows in Brown's media smear (Justin Quill, Media Law, 8/3/12, p. 30-31)

Threat of news police (5/3/12, p. 13)

My aim here is not to make judgments on whether the newspaper's stance was right or wrong on the media inquiry. However, I would like to make a few points on the paper's lack of objectivity; the amount of space it was prepared to devote to defending itself; and finally, its heightened sensitivity to spotting a witch-hunt or scapegoating when it thought it was the target. On objectivity, the paper could not admit to any justification for the media inquiry. The paper felt it necessary to remind us time and time again that a free press was necessary for a true democracy. It was quick to point to the ulterior motives of those who supported the inquiry: there were the Greens, who wanted to silence their critics and critics of global warming; and the Government, who wanted to divert attention away from its appalling performance, and who gave in to the Greens for the sake of retaining power.

On 9 January 2012, Alan Howe, defended the *Herald Sun*'s reporting –

... a newspaper that genuinely serves, and occasionally leads, its community must have a resourceful grasp of the issues that affect us all.

Having edited newspapers in this town for many years, and having always edited the letters pages of them, I reckon I have a reasonable grasp of what matters to the community in which we live.

Firey debates come and go ... More recently, we've had dramatic and serious arguments about our preparedness for bushfires ...²¹⁴

Howe invites us to trust his experience. He knows which issues genuinely affect the community and encourages debate. I'm not so sure. The *Herald Sun*, especially Howe, actively diverted attention from the real bushfire issues, preferring to scapegoat Nixon. The tactics employed by the paper to scoff at the media inquiry and to criticise the Federal Court's decision on Bolt, only strengthen my resolve that there is a need for the review of systematic bias, especially vindictive, unrelenting scapegoating. The paper was indignant when it thought it was a target, but could see nothing wrong with its outrageous campaign against Nixon. The paper's actions have nothing in common with impartial reporting and everything to do with vested interests. Kathy Stewart of Kinglake, writing for *The Age* –

²¹¹ 8/11/11, 27.

²¹² 10/11/11, 13.

²¹³ Aleks Devic, 10/11/11, 23.

²¹⁴ 'Time for the whole story', *HS*, 20.

... the systemic failures, the faulty processes and the flawed procedures – being buried in a mudslide of blame ... Scapegoats are convenient; when things in our lives go wrong, there seems to be an overwhelming need to apportion blame ... We don't have to look to our own failures.

I am disillusioned because the hounds baying so loudly for [Christine Nixon's] blood make only thinly veiled attempts to disguise their political agendas. I had hoped that on this occasion we would dispense with the politics and work together with good will to ensure that we learn sufficiently from this tragedy by evaluating our responses and by implementing systems for the future.²¹⁵

The task of the next chapter is to look at why Nixon became the scapegoat for Black Saturday, who the scapegoaters were, their motivations and the role of the *Herald Sun*.

²¹⁵ Quoted in C. Nixon, *Fair Cop*, 344-345.

7. NIXON AND THE SCAPEGOATERS

So far we have looked at the social conditions that influence scapegoating, briefly discussed why some individuals are preferred targets, and shown comprehensively that Nixon was a scapegoat. This chapter examines two themes in need of further development. The first is why Nixon was chosen, and second, who the scapegoaters were, what their motives were and what role the *Herald Sun* played in all this. The media is both communication medium and player. Scapegoaters are an understudied phenomenon in the literature, particularly in respect to the role of the media. Too many have assumed the media is neutral, a medium or a commentator, and not a co-ordinator of the process for its own ends.

Nixon's infamy is a result of a complex interaction of factors. Generally, the psychological impact of the fires on the community, the royal commission's blaming of high ranking emergency services personnel, pre-existing tension between Nixon and certain powerful groups, a state election and the overwhelming need to blame someone, eventually conspired against Nixon, leaving her isolated and exposed to an unrelenting, co-ordinated attack by the *Herald Sun*. Tabloids focus on the individual and the personal aspects of stories irrespective of the complex social issues involved. They favour 'resonance with the audience'¹ over objectivity and rely 'on a storytelling style that focuses on personal narratives about individuals rather than on elite sources'.²

In Nixon the paper had the opportunity to construct a simple, easily understood story. Nixon's failure, although it had nothing to do with the fires before, during or after, was perfect: she left work when Victoria was about to face its worst natural disaster and went to the pub for dinner with friends. Her decision to do so was completely within her control, unlike most of the chaos on Black Saturday. And worse, while she dined Victorians burned to death, ideal for exploiting the irrational, unconscious aspects of scapegoating. The story was packaged in such a way that you either agreed that Nixon's actions were despicable or you sanctioned her desertion and her appalling leadership. Clearly, only fools would defend her. The paper allowed no other viewpoint because it had a stranglehold on the terms of the debate. Nixon's downfall is testament to the pervasiveness of the packaging and the conscious and unconscious forces at play –

Every nanna and schoolboy had an opinion. "You shouldn't have gone to the pub", a young man spat at me on the Collins Street tram one day. The other passengers shouted him down, admonishing him as he bailed hurriedly off the tram.'³

'Perhaps many of the people caught up in furious engagement in this argument on one side or the other – across talkback airwaves, over the dinner table, in newspaper columns, in debates with their neighbours – didn't quite grasp why they felt so powerfully about it, but the issue seemed to dig right into our most intimate understanding of power, of authority, of government, of the safety systems we rely on, and of how we perceived gender. People'[s] visceral responses were all about personal politics, experience, and how they viewed the world. For many people, there are no grey areas in these matters. Perhaps this is why this flashpoint became so consuming, so electric.'⁴

¹ D.A. Berkowitz, *Cultural Meanings of the News*, 103.

² D.A. Berkowitz, *Cultural Meanings of the News*, 104.

³ C. Nixon, *Fair Cop*, 328-329.

⁴ C. Nixon, *Fair Cop*, 328.

Nixon could see the relationship between her scapegoating, newspaper sales, the world-wide decline in readership⁵ and the exploitation of victims –

Policy analysis ... does not make for snappy, hard-sell headlines. Anger, distress and conflict, on the other hand, guarantee what journalists and their editors call “good copy”, or “good vision” – headlines that sell newspapers ... This would stir up another kind of storm, one that like a bushfire can create its own weather, a self-perpetuating, violent maelstrom ... But I would often wonder...how much...grief and anger was hijacked and manipulated to sell news ... The exploitation of ... distress was, to my mind, blatantly and breathtakingly cruel.⁶

That the newspaper could set itself up as our moral guardian is arrogantly presumptuous, more so given its profit motives. Nixon agrees, saying that the paper –

cast itself as moral arbiter. Such a culture can have little regard for fairness, or nuance, and a lot to do with selling newspapers and, sometimes, with pursuing its own agendas.⁷

Eddie McGuire had the good grace to admit that, ‘The media’s job is to make money by selling newspapers or gaining ratings.’⁸ However, his comment fails to draw the critical connection between readership and advertising revenue, which is the major source of income for a newspaper like the *Herald Sun*.⁹ According to Guthrie, former editor-in-chief of the *Herald Sun*, one thing you quickly learn ‘is that audience is more important than journalism’.¹⁰ As for the incestuous relationship between a newspaper and its major advertisers and business partners, Guthrie recognises that ‘Corporate partnerships like that between the *Herald Sun* and the AFL are now a fact of life in newspapers. It’s time for a little transparency. Papers should consider flagging stories involving their partners or, at least, publishing a full list of their deals. Readers could then better make judgements of their own.’¹¹

The newspaper is prisoner to an age-old pattern where short-term rewards or solutions are favoured over longer term planning.¹² This sits nicely with exploiting Nixon to achieve short-term sales gains over the more serious longer-term issues. Even before the royal commission was underway, there was an understanding that our heroes were not to be criticised. This meant that the tradition of not blaming firefighters, police and other volunteers was honoured, whilst narrowing the potential pool of scapegoats considerably.¹³

Nixon

Drawing from the discussion of scapegoating in Chapter 5, we can identify six factors in the selection of a public scapegoat. The person: is well-known or has celebrity status; is disliked, which includes enemies; is subject to an official inquiry; is a credible high-ranking official (in

⁵ R. Izard & J. Perkins, *Covering Disaster*, 10, 14, 43, 45,

⁶ C. Nixon, *Fair Cop*, 316-317.

⁷ C. Nixon, *Fair Cop*, 324.

⁸ ‘Public lashings don’t solve the real problems’, *SHS*, 18/4/10, 84-85.

⁹ K. Windschuttle, *The Media*, 3-10.

¹⁰ B. Guthrie, *Man Bites Murdoch*, 7.

¹¹ B. Guthrie, *Man Bites Murdoch*, 253.

¹² D. Eagleman, *Incognito*, 115-118.

¹³ R. Brenner, ‘Is it Blame or Is It Accountability?’, *Point Lookout*, 21/12/2005

<<http://www.chacocanyon.com/pointlookout/051221.shtml>>

this case, in emergency services); is easily disposed of; has personal characteristics that can be the subject of discrimination, including such factors as gender, race and appearance.

Celebrities are integral to modern media coverage.¹⁴ Keith Windschuttle writes that ‘Celebrities dominate the news. The actions, decisions and life-long styles of the famous, the powerful and the prominent are reported everyday ... the prominence with which people are reported depends on how they rank in occupational status. Thus the news reflects the social hierarchy.’¹⁵ He notes that ordinary people can be thrust into the limelight, giving the examples of Hollywood actors and entertainers, like the Beatles. Thus ordinary folk have the opportunity to become celebrities or to bask in the glory of an association with them.¹⁶ He sees this in a positive light, even if it is a tad superficial. What is not acknowledged, but follows directly, is that celebrities are much more likely to become the targets of a scandal, a blame game or, in our case, a scapegoating. Stories are so much easier to tell and sell if everyone is familiar with the main character, and better still if the person is controversial.

Nixon fits the profile. She was powerful and gathered favour with those of a similar ilk, something she had done from her very early days in the police force. She was friends with Janet Calvert-Jones, sister of Rupert Murdoch, who was chair of the Herald and Weekly Times for 20 years. Nixon was not a naïve newcomer to the world of power and influence, who had inadvertently stumbled into a lions’ den. With her status came a certain notoriety, dislike, and formidable adversaries, forces that Nixon was aware of but may have underestimated. She has said –

I was deeply suspicious by this time that much of the fury being whipped up around me was contrived, fuelled by individuals with agendas utterly unrelated to events on Black Saturday, but determined to capitalise on them. I will never be able to prove this, but certain events along the way persuaded me this was not paranoia.¹⁷

By now I was very angry. I told the media what I strongly suspected, that much of what was at play here was being prodded and fuelled by my enemies. And I wondered at how much gender was an issue. “As a woman, I have always been judged more harshly than some others, but I’ve endured that ... The royal commission will determine whether or not I made a mistake.”¹⁸

To many, such as Bolt, she was a political appointee, chosen on the basis of her gender and her soft policing policies. In her defence, Nixon had this to say –

Andrew Bolt was, unsurprisingly, apoplectic at the notion that the commentary against me was fuelled by misogyny, that I was being treated so harshly because I was a woman – though his was a strangely constructed, self-defeating argument. I was hired for my politics and my gender, he thumped, “and on Black Saturday it showed ... disastrously”. He did a fine job in articulating the grievances of the men who most abhorred all I stood for in policing:

“She came vowing not to Uphold the Right, as is the police motto, but to ‘keep the peace’, she said. To negotiate, ‘to be non-deferential, anti-authoritarian and collegiate’ ... we got a feminized and demoralized force that too often surrenders the streets to mobs. One that excused away the rise in violent

¹⁴ Allan, S., *Journalism: critical issues*; S.E. Bird, *Enquiring Minds*, 151-161, 163-172; A. Biressi & H. Nunn, *The Tabloid Culture Reader*, 141-190; M. Conboy, *The Language of the News* :34-36, 129-130, 209; K. Windschuttle, *The Media*, 281-285.

¹⁵ K. Windschuttle, *The Media*, 281.

¹⁶ K. Windschuttle, *The Media*, 284.

¹⁷ C. Nixon, *Fair Cop*, 330.

¹⁸ C. Nixon, *Fair Cop*, 334.

crime; failed to stop a gangland war until 27 people were killed: lowered physical tests to shoehorn in more and weaker women; and let the force dress like Sloppy Joe, undeserving of respect.”¹⁹

The Police Association had long been at loggerheads with Nixon, more recently for her unsuccessful campaign to have Paul Mullett²⁰ charged with perverting the course of justice and perjury. She had managed to upset high-ranking personnel, including Assistant Commissioner Noel Ashby and media chief Stephen Linnell, who told us all about it in *Don't Tell the Chief*. She moved against corruption in the Drug Squad and the Armed Robbery Squad. She was attacked for being too weak, yet seemed to be the only police chief willing to make a stand against corruption and take on the powerful Police Association. Endemic corruption and giving in to the Association were, in fact, weaknesses of previous commissioners and their political masters. The corruption in the NSW police force, covered up by the male hierarchy, was a good example of the negative effects of male culture, and duly exposed by the Wood Royal Commission.

There is a history of the *Herald Sun* only being interested in her perceived failures. There was the Qantas Affair in 2008, where she accepted free tickets for an inaugural flight of its A30 airbus to Los Angeles, described as a ‘gold class junket’. There was the leaking of 20,000 confidential files from LEAP (Law Enforcement Assistance Program), a system introduced in 1993, long before Nixon’s arrival in 2001. The underlying message seems to be that anyone who dared question and tackle police culture or corruption, especially a woman, would suffer the consequences. Nixon now believes that ‘A concerted media strategy was taking shape to find scapegoats for Black Saturday, and I was being thrust into the firing line by people who had never supported my philosophy and actions, and who now saw their moment.’²¹

No-one, not even Nixon, could amass enough support, political or otherwise, to push ahead with a reform program that would be endorsed and supported by entrenched power bases. Otherwise, Nixon would have been portrayed as a saviour, a courageous reformer, who had the guts to make the hard decisions. Instead she was an incompetent who went on holidays when she was needed at work, exercised poor judgment and whose leadership had undermined the effectiveness and morale of the force. Remarkably, then, if it were not for her appearance at the royal commission she would have escaped her worst public humiliation. In truth, before Black Saturday there existed a culture of ridicule and blame, ideal launching conditions for the attack that was to come.

And so it came to pass that in April 2010, a year after the royal commission began, that Nixon fronted for questioning. A year earlier Rees had done the same thing and found himself under enormous pressure, but the media and the public strongly suspected that he was being set up as a scapegoat. For a successful scapegoating there has to be a general belief that the blame is rational and justified. Nixon became the next target. What the commission uncovered, with the help of the *Herald Sun*, were the ground-breaking revelations that on Black Saturday, Nixon had a haircut, met with her biographer and left work early for a pub meal with friends. These revelations set the scene for the ultimate blame game and were a gift for the government. The paper had been confident from the beginning that the commission would provide us with the answers to our bushfires problems. It may not have provided answers but it brought forth

¹⁹ C. Nixon, *Fair Cop*, 328.

²⁰ Former Secretary of the Police Association.

²¹ C. Nixon, *Fair Cop*, 318-319.

a worthy culprit. Apart from some minor wrongdoing, such as her formal responsibilities on the day and some delegation issues,²² any meaningful assessment of her actions was set aside.

The in-charge argument is shallow. It runs that because she was the deputy chief co-ordinator on the day, she was ultimately responsible for all emergency services operations. But if hierarchy is the true basis, then why not blame Cameron, who was the chief co-ordinator, or his boss, Brumby. Too much time was spent blaming those in emergency services who had to deal with the consequences of the more serious failures of others, notably, Gavin Jennings, the environment minister, and Richard Wynne, minister for local government.²³

Nixon certainly thought so in her memoir, particularly her so-called failure to consider declaring a state of disaster –

The preoccupation with the failure to declare a state of disaster was also bemusing. Victoria in its history has never declared a state of disaster, which says that the state is unable to function – and which was clearly not the case in this instance. It also means the suspension of civil liberties. Frankly, it would have been an irrelevant process that would have had no meaningful effect on the emergency effort on the ground and brought no extra resources or capacities.²⁴

I agree that the criticism had little substance. The *Herald Sun* was outraged because she had dared to criticise the commission and defend herself. The paper attacked her on page one, saying she had ‘launched an extraordinary attack on the Black Saturday royal commission’²⁵ and an editorial the same day accused her of lashing ‘out in what must be regarded as an attempt to shift blame for the inadequacies she displayed on the day’.²⁶ No-one wanted to hear Nixon’s side of the story or of her suffering: ‘My character, my professionalism, my reputation were under assault. It has been commented to me often in the aftermath, by people experienced with the inquisitorial method of inquiry, that the royal commission looked like it lost control of the counsel assisting, allowing them to follow lines of questioning that had little relevance to the aims of the inquiry. The commission by this stage seemed to be more a search for the guilty than for the truth.’²⁷ Nixon also criticised the relationship between the commission and the press. After her appearance at the commission on 14 April 2010, ‘The next day’s headlines were merciless, with “Ten reasons why we say Nixon must be sacked”, blasted the front page of the *Herald Sun*.’²⁸ And then there was the leaking of counsel submissions, resulting in ‘another damaging page-one headline, “Nixon Lied”: Royal Commission to be told it was deliberately misled’.²⁹ Nixon was disappointed ‘about the way the media and the royal commission structure were allowed to feed off each other. A royal commission process can become the worst kind of kangaroo court if it is not managed properly, and it is all about playing to the audience. It becomes a public flogging. It doesn’t say much about us as an evolved community if that sort of method is still considered appropriate.’³⁰

²² C. Nixon, *Fair Cop*, 320.

²³ Victorian Bushfires Royal Commission, Final Report, Vol. II, Part One, 78-84.

²⁴ C. Nixon, *Fair Cop*, 320.

²⁵ P. Murphy, ‘Blame game’, *HS*, 28/7/11, 1 & 4.

²⁶ ‘Nixon gives her version’, *HS*, 28/7/11, 32.

²⁷ C. Nixon, *Fair Cop*, 334.

²⁸ C. Nixon, *Fair Cop*, 334.

²⁹ C. Nixon, *Fair Cop*, 336.

³⁰ C. Nixon, *Fair Cop*, 343.

The final report of the commission was more critical of Rees and Waller than Nixon. But by then it was too late – Nixon had already been tried, found guilty and crucified. In terms of the firefighting effort Rees and Waller were criticised for their own failures and the failures of their services. On the other hand the performance of the police on the day was viewed as exemplary. Nixon receives no credit for those under her command – no connection is drawn between their performance and her leadership. However, she became responsible for the shambles of the firefighting effort, especially for its most senior officers. The royal commission handed Nixon to us during the hearings, and these turned out to be far more important than the final report when it came to blame allocation.

Public scapegoating seeks a high-ranking official to give the process credibility. A police chief who was also in charge of disaster response was ideal. Further, according to the literature, it is even better if the person is easily disposed of without adverse consequences. Months before Black Saturday, in November 2008, Nixon had announced her resignation from the police force to take effect from March the following year. She probably would have disappeared from the public landscape, except that she was put in charge of the bushfire recovery effort. Although her appointment was applauded at the time,³¹ the job was always intended to be short-term and she was easily disposed of. In April 2010, when she was grilled by Rachel Doyle, counsel for the commission, she was head of VBRRA. It was all too easy, in retrospect, to construe her appointment as a reward for her poor performance on Black Saturday.

In her memoirs Nixon argues that she was targeted because she was a woman. There are three stands to this. First, her weight and shape; second, her apology; and third her leadership. In respect to her weight and shape, Nixon says:

There was a lot of play, directly and inferred, on the idea of a large woman eating, leading to a “fattist” commentary, for want of a better term, as well as a feminist one. The Australian located in its files a picture of me in uniform eating cake, which it published on the front page, although it was almost two years old. Such images fuelled the outraged commentary. How could I eat? Did I have dessert? It was as if the event occurred within an echo chamber, all the words uttered and shouted into it coming back louder, again and again.³²

I think this line of argument clutches at straws. The eating commentary is more appropriately put down to her pub meal, than her physique. She then attempts, within a feminist framework, to explain why her apology was ridiculed. She relies heavily on Moira Rayner, a formerly of the Human Rights and Equal Opportunity Commission, and Victorian Commissioner for Equal Opportunity. Rayner had said that Nixon’s admission that she ‘could have done better’ was a big mistake, because ‘no man would have said this’.³³ I don’t know what words a man might have used, but men do apologise. It was more likely that her apology gave the impression she was not sorry at all. In any case, the damage had already been done well before the ill-fated apology, and must be seen in the context of the vicious campaign against her. The claws had already been drawn.

The leadership question boils down to this: If a male leader had done the same thing, would he have been targeted in the same way? Again she calls on Rayner –

³¹ Editorial, ‘Ms Nixon, we need you now’, *Herald Sun*, Wednesday, February 11, 2009, p. 32; Andrew Bolt, ‘Firestorms destroy towns yet kindness roars from embers’, *Herald Sun*, Wednesday, February 11, 2009, 32-33.

³² C. Nixon, *Fair Cop*, 326.

³³ C. Nixon, *Fair Cop*, 327.

No firestorm of blame would be raging in Victorian papers or in Canberra, nor would Christine Nixon herself be scorched by it, were she not a woman, a decent woman, a strong woman, a prominent woman and an ethically sound woman of an age and with the experience to possess a raging integrity of her own and, by her very being, to offer ruthless men a soft target ... Our attitudes to strong women are grievously at fault.³⁴

The *Herald Sun* was outraged that it could be accused of discrimination, arguing that Nixon's actions were objectively appalling and that a man would have been treated exactly the same. The paper whilst making the more general claim that it would never target anyone in such a way, felt free to tell us all that Nixon had been appointed because she was a woman. Nixon easily spotted the contradiction here –

Andrew Bolt was, unsurprisingly, apoplectic at the notion that the commentary against me was fuelled by misogyny, that I was being treated so harshly because I was a woman – thus his was a strangely constructed, self-defeating argument³⁵

It's true that Bolt's reasoning was poor, but one could criticise Nixon on the same basis. She wanted us to believe she was appointed on her merits, but that the campaign against her was gender based. As interesting as this might be it leads us nowhere. To make a judgment on the targeting, it would be more useful to see whether women generally are discriminated against in employment, in particular, as leaders. Australian author Geraldine Brooks in her 2011 Boyer Lecture gives the example of Kanis Karpinski's demotion and disgrace and her being the only senior scapegoat, when 'her male superiors, who were far more deeply implicated, continued to prosper in their careers.'³⁶ Nixon's memoirs are in large part the story of her personal struggles against discrimination in the police force. A comprehensive survey by the Queen Mary University of London published in May 2010 on women working in unions confirms that differences in leadership style are problematic. Women are more democratic, inclusive and less authoritarian or dictatorial.³⁷ The report concluded that women had been trying to change the male union culture, but were finding it difficult since they needed to win support from the men who were already there.³⁸ This is very similar to Nixon, who was disliked by the powerful male-dominated police hierarchy, some of which was out to destroy her. And worse, the *Herald Sun* was one of its allies and campaigned to convince us that she was a political appointee and soft on crime. She was attacked over minor issues, such as the Qantas Affair. She was blamed for the LEAP fiasco, confrontations with the Police Association and resistance to her initiatives to rid the force of corruption.

The paper's editorials, and opinion writers Sally Morrell and Andrew Bolt, argued strongly that gender was irrelevant, a view that can only be taken seriously if we take the Black Saturday attack away from its historical context. The way the leadership issue was packaged you either agreed that she had no leadership skills or you were an ill-informed fool who thought that going to dinner during a natural disaster was the done thing. This was not a climate within which one could present a reasoned defence, debate or analysis. However, in saying this, I do not think that the attack was based solely on gender. If it were, it wouldn't have taken until

³⁴ C. Nixon, *Fair Cop*, 327.

³⁵ C. Nixon, *Fair Cop*, 327.

³⁶ B. Brooks, *The Idea of Home*, 80.

³⁷ G. Kirton, *et al*, 'Women and Union Leadership in the UK and USA: First Findings From a Cross-National Research Project', *Queen Mary University of London*, 31.

³⁸ G. Kirton, *et al*, 'Women and Union Leadership in the UK and USA: First Findings From a Cross-National Research Project', *Queen Mary University of London*, 50.

14 months after the fires for the scapegoating to begin. During that 14-month period no-one gave her a second thought. What I am saying is that gender was an ingredient, though an important one at that. But to introduce a feminist defence at the height of the *Herald Sun* attack was unlikely to convince many. As one would expect, Joan Kirner's defence of Nixon was savaged.³⁹ Nixon herself acknowledges contributing factors such as the forthcoming state election and her relationship with the Police Association.

The scapegoaters

The scapegoaters include the groups and individuals discussed above who disliked her. These players, in the main, were not intentional scapegoaters. Their views were sought and woven into the fabric of the case against Nixon. Of course, all players were willing participants with their own agendas. The Police Association took the opportunity to attack the former chief based on their long-standing animosity. Ted Baillieu saw an opportunity to paint Brumby as a weak leader in the lead up to the forthcoming state election. Jeff Kennett's attacks can be attributed to his long-term association with the Liberals, his desire to join the paper as an opinion writer, and to divert attention from his own poor record as Premier. The royal commission handed us a scapegoat by giving its counsel free reign to engage in petty, irrelevant questioning that the media seized upon. Brumby is a scapegoater, whether it be intentional or not, because he stood by while Nixon was devoured, all of which took the focus away from him and his government.

I argue that the *Herald Sun* was the mastermind or co-ordinator of the scapegoating, not because it was diverting or transferring blame from itself, but rather that it was targeting her for its own purposes, mostly financial. Guthrie in his book *Man Bites Murdoch* put forward another more traditional scapegoating explanation for the paper's actions, which is discussed below. Lastly, there was the skilful management of readers' views by the paper.

Because of Nixon's long-standing battle with the Police Association it was eager to sink the boots in. Greg Davies, its secretary, was only quoted in the Black Saturday coverage when criticism was sought. Roger Franklin in *Inferno* wrote that, 'The Police Association, the rank-and-file police union, maintained a sustained and often vitriolic campaign to see her replaced. It came to nought.'⁴⁰ Nixon did not like the idea that she 'was likened to Nero by the Police Association: "the very person who was supposed to have their hand on the tiller, but had their hand on the cutlery".'⁴¹ The Association's role in the scapegoating was not to divert blame from itself, nor to relieve its frustrations from the fires. It was simply one of the *Herald Sun*'s partners in the campaign.

The state election in November 2010 was influential. As Eddie McGuire has said, it is the task of the opposition to find fault with the government no matter what the circumstances and this is worse in an election year.⁴² Ted Baillieu, the then Opposition Leader, took the view that the

³⁹ Geraldine Mitchell, 'Ex-premiers' Nixon row', *Herald Sun*, Saturday, April 10, 2010, 7; Anthony Dowsley, 'Who booked dinner, Christine?', *Herald Sun*, Monday, April 12, 2010, 8; Sally Morrell, 'Flaming hell, it's not about the gender', *Herald Sun*, Monday, April 12, 2010, 25; Editorial, 'Nixon must be dismissed', *Herald Sun*, Thursday, April 15, 2010, 32; Neil Mitchell, 'Nixon is just the latest example of an absence of accountability', *Herald Sun*, Thursday, April 15, 2010, 31-32.

⁴⁰ 244.

⁴¹ C. Nixon, *Fair Cop*, 325-326.

⁴² 'Public lashings don't solve the real problems', *SHS*, 18/4/10, 84-85.

best way to attack the government was to portray Nixon as totally incompetent. The Liberals had been against her appointment in the first place and now, given Brumby's reluctance to sack her, were able to paint Brumby as weak and indecisive. Brumby was no leader. Nixon recalls that, 'Ted Baillieu demanded my resignation from VBRRA, proclaiming that I had lost the faith of that constituency ... it's important to remember that this was all occurring in the lead-up to a state election, with the Liberals determined to topple the Labor government that had appointed me.'⁴³ Performing a similar function to the Police Association, Baillieu and the Liberals, neither of which were traditional scapegoaters in that they were not transferring blame from themselves, were the *Herald Sun's* high-profile Nixon critics.

Jeff Kennett is probably the most interesting and complex of the scapegoaters. He was a former premier and one of his motives could have been to divert attention from his own leadership, especially in regard to his government's poor record on backburning. If this was the strategy it was remarkably effective. He was Premier between 1992 and 1999 when, according to opinion writers Bolt⁴⁴ and Howe,⁴⁵ there were a number of crucial fire reports not acted on. Being a Liberal he would have been keen to attack Nixon and Labor in an election year. There may have been the additional incentive that comes from wanting to become an opinion writer. Whatever his motivations his vitriol was unrivalled. He wanted her sacked and described her as a blot on the landscape that had to be removed.⁴⁶ When Joan Kirner claimed Nixon was targeted because she was a woman, Kennett was incensed and counter-attacked.⁴⁷ He led a campaign to have Nixon removed from the Foster's board, claimed credit when she resigned,⁴⁸ and then denied that this had anything to do with Black Saturday. Are we really that gullible? It took a reader from fire-damaged St Andrews to point out that it was 'A real shame that Jeff Kennett ha[d] been wheeled out'.⁴⁹ But the *Herald Sun* would stop at nothing to gather high-profile, headline-fetching Nixon detractors.

It may seem disingenuous to call the royal commission a scapegoater but, unwittingly, the very inquiry that was meant to avoid such behaviour became integral to it. The commission functioned to divert attention from the government by confining its questioning to only one minister, Bob Cameron, on very narrow issues concerning emergency services. By choosing not to question Jennings, Minister for the Environment, ultimately responsible for Victoria's backburning program, and Brumby concerning critical policy and funding arrangements, it meant that those most culpable were not held to account. The commission's final report did not unduly blame individuals, but during its hearings over-zealous counsel handed the media a few lesser culprits.⁵⁰ Eddie McGuire, rightly, was concerned that the commission had been 'sidetracked by personality politics.'⁵¹

Brumby's role in all this is not well understood. His decision to hold a royal commission was applauded by the *Herald Sun*. We needed someone, a saviour, to lead us out of the wilderness, to deal with the pain, anger, frustration and uncertainty that Black Saturday wrought. We

⁴³ C. Nixon, *Fair Cop*, 325-326.

⁴⁴ 'Gaping black hole in fire report', *HS*, 19/8/09, 34-35; 'Burning off a life saver', *HS*, 6/8/10, 40-41.

⁴⁵ 'Lessons in Japanese', *HS*, 14/3/11, 20-21.

⁴⁶ S. McMahon, 'Liberals want "blot on landscape" erased', *HS*, 17/4/10, 5.

⁴⁷ G. Mitchell, 'Ex-premiers' Nixon row', *HS*, 10/4/10, 7.

⁴⁸ S. McMahon, 'How Jeff Kennett forced Christine Nixon to quit', *HS*, 21/8/10, 1-2.

⁴⁹ H. Kenney, St Andrews, Letters, 'Take care on fire comments', *HS*, 14/4/10, 36.

⁵⁰ Andrew Bolt, 'Burning off a life saver', *Herald Sun*, Friday, August 6, 2010, pp. 40-41.

⁵¹ 'Public lashings won't solve the real problems', *SHS*, 18/4/10, 84-85.

desperately needed a figure to head the mourning and the rebuilding of communities. His public support of emergency services chiefs, including Nixon, was seen by some as noble. Eddie McGuire was one of them, 'In an election year, rightly or wrongly, Premier John Brumby showed some real strength during the week.' ... 'It would have been very easy to jettison Nixon. Instead he has stood with – so far.'⁵² Nixon appreciated Brumby's support: 'Premier Brumby said I had committed an "error of judgment" but supported me nonetheless, and that support would not waver over the difficult months to come.'⁵³ Many, however, saw his support as one of his few failings.

Because there was no focus on the failure of prevention strategies prior to Black Saturday in the *Herald Sun* Brumby came off rather well. He could be relied on to increase fuel reduction in Victoria, to revise the stay-or-go policy, to ensure new standards for bunkers, and to sack Nixon. The Greens, councils and the DSE took most of the blame for the lack of fuel reduction, which conveniently kept the spotlight away from the government. The diversion or transference of blame from the government to subordinate individuals and agencies succeeded because it was never called to account by the royal commission. And while these minor players took the fall, Brumby gave them his full support. This would appear to be a master scapegoating ploy, but little understood by Nixon –

... it's important to remember that this was all occurring in the lead-up to a state election, with the Liberals determined to topple the Labor government that had appointed me. I know that there were people advising members of government that I was a liability to them and that they should distance themselves or neutralise me. Alternatively, they could use me to deflect blame or responsibility for the fires. To their credit, the Labor leadership did not choose to go down this path.'⁵⁴

Nixon in her book did not consider the possibility that she was used to deflect blame from the government, especially by Brumby, which shows a certain naivety when it came to reflecting on her predicament. Readers, however, were not so easily tricked.⁵⁵ Bruce Guthrie, a former editor-in-chief of the *Herald Sun*, had his own take on the motivations of the newspaper. In his book *Man Bites Murdoch*, he put forward the theory that the paper was trying to protect itself from an unfair dismissal case he was running against it. Guthrie says that one of the reasons he was sacked was because of his coverage of what became known as the Qantas Affair, in August 2008. Nixon had accepted free tickets for herself and her husband. Guthrie had accused her of acting highly inappropriately in accepting the gift. The chair of the Herald and Weekly Times, owner of the *Herald Sun*, was Janet Calvert-Jones, sister of Rupert Murdoch. She was a friend of Nixon and was apparently furious over the treatment of Nixon. Not long after Guthrie was dismissed.

Guthrie maintains that the *Herald Sun*, in order to undermine his claim that he was dismissed for attacking Nixon, deliberating went hard on her for her role on Black Saturday while the case was being heard in court. If true, Guthrie's suspicions would mean that in scapegoating Nixon for the fires, the *Herald Sun* was attempting to deflect blame from itself.

Interestingly, in the days leading up to trial, the *Herald Sun* had gone after Nixon with an almost maniacal zeal. Day after day they called for her scalp after the revelation she had gone off to dinner at a

⁵² 'Public lashings won't solve the real problems', *SHS*, 18/4/10, 84-85.

⁵³ C. Nixon, *Fair Cop*, 326.

⁵⁴ C. Nixon, *Fair Cop*, 325-326.

⁵⁵ M. Melkert, Broadbeach, 50/50, *HS*, 9/4/10, 30; D. Arscott, Bendigo, Letters, 'The buck didn't stop with Nixon', *HS*, 12/4/10, 22; D. Fuller, Thornbury, Letters, 'Bad government the root cause', *HS*, 21/4/10, 22.

pub at the height of the Black Saturday bushfires. While there was certainly an argument to be made that the former chief commissioner ... should pay with her job, there was little justification for the paper's bloodlust. Their page one was looking more and more like a daily wanted poster.⁵⁶

My suspicions were further fuelled by an anonymous tip...just days before the trial. It suggested that attacks on Nixon were being deliberately amplified to blunt any suggestions at trial that she was given preferential treatment in the lead-up to my sacking. I declined to buy into it.⁵⁷

Guthrie thought that the attacks on Nixon were over-the-top, but was unrepentant when it came to his handling of the Qantas coverage. In any case, his theory is unconvincing. It is more likely just another factor in the scapegoating saga. Nixon pointed out that –

Guthrie claimed that he had been rolled in part because of ... my infamous Qantas trip to LA. Guthrie had been dumped two weeks after the story ran. So it was perhaps ironic that while Guthrie was in court claiming that attacking me had been a factor in his dismissal, the *Herald Sun* was demonstrating almost daily that it had no qualms whatsoever about taking a hard line against me. Nonetheless, Guthrie ultimately won his claim.⁵⁸

Readers were the ultimate justification for paper's blood-lust. The bottom line is that more readers mean more advertising revenue. The *Herald Sun* made the most of its opportunity to manipulate public emotions after the fires and presented us with a scapegoat whose wrongdoing was minor but effectively exploited. Readers who believed that Nixon got what she deserved were scapegoaters at an unconscious level. Others who attacked her for a host of other reasons were more likely to be scapegoaters of the deliberate, conscious variety.

The *Herald Sun* – co-ordinator in chief of the campaign

Essential to any successful campaign is that there is no general perception that a scapegoating is underway. After Black Saturday the conditions were favourable. We had a natural disaster the likes of which we had not seen before, a rampant death toll, a poor response by emergency services, combined with a strong desire to allocate blame. However, the public psyche needed to be aroused for the process to begin. There was an election coming up and the Liberals who sought power had always thought she was a poor choice of police chief. Many disliked her and she had enemies within the police force. The *Herald Sun* took the opportunity to seek out Nixon's detractors and present them as impartial commentators who, when they denounced her, were telling it like it was. They were certainly not presented as long-time detractors who had other agendas. It is no coincidence that time after time the paper sought comments from Kennett, Baillieu and Davies to give credence to their attack. The packaging of the case against Nixon was tightly controlled. Either you understood the enormity of Nixon's failure or you were an ill-informed, misguided supporter – there was no middle ground, no room for reasoned debate. Nixon, commenting on the paper's motivations –

In the wake of the royal commission, I was informed by sources in government that the *Herald Sun*, had told them unequivocally that they would see me brought down, the attacks would continue until I quit or was sacked. By now, the paper was heavily invested in demonising me to its audience, and so my pursuit also became a matter of editorial ego. The prize would be my scalp.⁵⁹

⁵⁶ *Man Bites Murdoch*, 290.

⁵⁷ *Man Bites Murdoch*, 290-291.

⁵⁸ C. Nixon, *Fair Cop*, 324.

⁵⁹ C. Nixon, *Fair Cop*, 324.

The paper's frenzy kept the attention away from the more important issues and the failures of Brumby and his government. Paradoxically, this made Brumby the most successful scapegoater. Whether by accident or design the *Herald Sun* and the royal commission had combined to transfer blame to Brumby's underlings, all without the slightest suspicion that he was a scapegoater. One might say that as he lost the election in November 2010 the ploy didn't work. Not so, because in the lead up to the election Black Saturday was never an issue, further proof that blame had been successfully transferred.

DRAFT

8. SUMMING UP

Overview

For me the putting together of this book about the prevention of another Black Saturday and the accompanying blame game has been a long, soul-searching journey. It has looked at the history of Western societies, its thinking, its willingness to blame when things go wrong, and the rise of reason, science and technology. If I thought there were easy answers I was mistaken. What I have had to conclude is that the problems of Black Saturday are related to our refusal to act on well-known strategies.

The seeds that began my quest were threefold: one was that if Black Saturday was a natural disaster then why did we want to blame someone; and two, why did we think we could prevent another one. Natural disasters I thought were events outside human control, so what was the point? My third concern was the blaming of Christine Nixon, whose actions in retrospect appeared reprehensible yet trivial, but which attracted unparalleled ridicule, scorn and derision.

The first task as I saw it was to uncover what made us think that we could prevent or at least mitigate the effects of a similar natural disaster in the future. One thing I discovered was that bushfires were not typical natural disasters in that they can be triggered by human action and are more preventable in terms of long-term strategies. They are also highly unpredictable in where and when they will strike, providing limited opportunities for media involvement, coverage and political grandstanding during the early stages of an impending tragedy. There is a theme that runs through Western thought that goes largely unnoticed. We find it in philosophy, economics, politics, science and technology, and is a major factor in mental illness and is increasingly prominent in modern theories of the brain. It is our need for control, over people, over nature, and over our circumstances. It has been associated with the rejection of a God who causes catastrophic events. In essence, these disparate areas take it for granted that humans are the only rational thinkers in the universe and are therefore the intellectual centre of it. Nature is at our disposal and to be used as we see fit. Many believe that this has led to the mindless exploitation of the environment. An ideology has emerged in which we see ourselves as superior to nature and that we control or ought to have control over it. It is an ideology that worships reason, science and technology and combines these with a rampant materialism and an imperialist capitalist economy. The effects of bushfires – deaths, property damage and economic loss – are entirely unacceptable because they threaten our rightful place in the universe. We have an unshakeable belief that social problems and their solutions are to be found in human institutions. This, in a nutshell, is why natural disasters are viewed as controllable and therefore entirely preventable.

The effects of Black Saturday on individuals and communities have to be seen in the context of our belief that we are pretty much immune in Australia from the rampages of nature. We are truly shocked, shaken to our core when disaster strikes. Events like this should never happen and most certainly should not be allowed to happen again. We must learn and put in place appropriate strategies that will prevent loss of life, property damage or, preferably, both. Unfortunately our track record is dismal. Black Saturday was merely the most recent in a history of 150 years of catastrophic fires. However, this time there was a renewed determination. The problem was that when it came down to the details we were not really sure

what was not to happen again (loss of lives, destruction of property, extreme fires), nor what prevention strategies were appropriate. To make sure we got answers, we appointed a royal commission that would leave no stone unturned.

We seemed not to understand that no matter how independent these commissions may be they are not divorced from the society in which they operate, being subject to the same constraints and thinking. What I found was that our ideology affects what we will accept as solutions. We start from the position that people must be able to live in high-risk areas, so it is only a matter of finding out how to protect them. We are blind to the fact that it might be too dangerous to live in such areas because this would involve an admission that we lack control over our circumstances. No, the solutions must involve changing human behaviour or employing sophisticated technology. It didn't matter that the preferred solutions were riddled with contradiction and nonsense. The solutions after Black Saturday have become an exercise in spin by the government and its agencies, who were out to convince us that all would be well despite overwhelming evidence to the contrary. Chapter 4 gives a good account of the problems involved. The strategy pushed by the royal commission, the government and its agencies, and by a zealous *Herald Sun*, was a revamped stay-or-go policy.

Chapter 5 examined blame and scapegoating. Our society is anxious to attribute praise and blame during a crisis. We anoint heroes and stigmatise villains to make us feel better, a behaviour which is said to be hard-wired into our brains. Our rush to find heroes has left us red-faced where those selected turned out to be criminals¹ or wife-bashers.² As for blame, paradoxically, it can make us feel superior. One of the legacies of our so-called rational society is that it has produced a specialised, fragmented bureaucracy with multiple hierarchies, which have formal legal and operational responsibility, but little control over high-level policy or funding decisions. Because expertise is scattered across government agencies, so too is operational responsibility for key fire-prevention strategies. The consequence is that no individual or organisation can be held responsible with any certainty for anything that matters. On one hand our ideology insists that humans are responsible for events, but on the other it makes it almost impossible to track down who these individuals or groups are, so problems aren't fixed and the incompetent aren't punished. Where there is a perception that there will be, or there has been, no satisfactory resolution, the chances of a scapegoating are increased significantly. A critical feature of blame is that there should be a causal connection between the event and those blamed, a link that is dispensed with when blaming becomes scapegoating.

Thus although cause and blame should go hand-in-hand they become disconnected, making it far easier to blame than to find solutions. And because it is so difficult to find those responsible, scapegoating is rife, a consequence of our social structure, so to speak. Scapegoating is said to be of two types. The first is the unconscious, irrational or innate need in us to blame, irrespective of the culpability of the target; the other is a conscious, rational strategy employed by those who are likely to be blamed, or are being blamed, to transfer that blame elsewhere. In Chapter 5, I recognise a third type that includes those whose blaming is deliberate but does not deflect blame from themselves, but is done for their own ends. The *Herald Sun* is a fine example of this type, where it sees its role as one of public service, a

¹ A. Rule, 'Hero's bitter fall', *HS*, 14/3/12, 1&6; A Rule, 'From saviour to villain', *HS*, 16/3/12, 19.

² A. Devic, 'Wife beater is no hero', *HS*, 7/6/12, 10; M Tankard Reist, 'Bravery awards not for cowards', *SHS*, 17/6/12, 76.

blaming done on behalf of us all under the pretext that it is engaged in a determined, well-intentioned search for answers.

Christine Nixon was a scapegoat for many of the ills on Black Saturday, a lynching that was by no means confined to the *Herald Sun* coverage. However, the paper's coverage was chosen as the raw material for the media analysis and is therefore singled out. Although the editorials, opinion writers and journalists were adamant that Nixon was not a scapegoat, Chapter 6 argues that she undoubtedly was. The following people were more appropriate contenders for blame: arsonists, power companies, Russell Rees (Chief Fire Officer, CFA), Bob Cameron (Minister for Police & Emergency Services), Ewan Waller (Chief Fire Officer, DSE), Bruce Esplin (Emergency Services Commissioner), Greg Wilson (Secretary, DSE), Neil Bibby (CEO, CFA), Kerry Murphy (Chairman, CFA), Gavin Jennings (Minister for the Environment & Climate Change), Richard Wynne (Minister for Local Government & Housing), and John Brumby (Premier of Victoria).

The paper follows a world-wide trend in overlooking those with responsibility for long-term planning strategies, no matter how culpable, and focuses on leaders in charge of the immediate response. Long-term aspects are considered too boring and not newsworthy. Immediate, short-term, emotional angles are favoured. Blaming emergency services sits well with control ideology at its most simplistic: if there's a fire it should be put out or contained without loss of life or property. It also leaves high-level policy makers in the clear who ought to have been taking responsibility for failed strategies such as 'stay-or-go'.

The field of contenders for *Herald Sun* blame was easily narrowed to three main players: Christine Nixon, Russell Rees and Ewan Waller. Esplin, an apparent target, was treated as if he were an independent expert by the commission, rather than an architect and strong advocate of the failed stay or go policy. Their political superiors Cameron and Brumby were let off by the royal commission, directly in the case of Cameron, and indirectly in the case of Brumby, because he was not called to account. The commission served to filter out those potentially responsible and because of the relationship between it and the *Herald Sun*, the newspaper followed suit.

The analysis of the reporting shows conclusively that Nixon was scapegoated. This was demonstrated by examining the structure of the reasoning used to blame Nixon and relating it to any causal responsibility for long-term strategies or the failed response on the day. It looked at the way critics and supporters were treated, the number of mentions in newspaper items, the significance of polls and cartoons, the constant association of Nixon with the death toll, fixations on irrelevancies such as her salary and the campaign to have her resign or sacked. There was a headline analysis, including the number of pronoun references to the main contenders, and a discussion of the way apologies and resignations were reported. All the evidence suggests that there was a co-ordinated, planned campaign to make Christine Nixon the scapegoat for Black Saturday, a campaign that continued well after she resigned and was characterised by ongoing criticism and harassment.

Because the scapegoating had all the hallmarks of a vicious, unnecessary campaign, it prompted me to examine the professional standards that apply to newspaper reporting, followed by an examination of the *Herald Sun's* response to proposals for increased accountability. It turns out that there is precious little oversight of systematic targeting of the type Nixon suffered. The paper's own standards don't cover such abuse and review by the

Press Council is limited to isolated instances, leaving co-ordinated, systematic bias for individual newspapers to address. Of particular note is the *Herald Sun*'s defence of its freedom to report as it sees fit. The paper was quick to tell us that the role of the press was to protect democracy, our rights and freedoms. The profit imperatives of media organisations and the relationship between the press, its owners, its advertisers and other revenue sources were downplayed as if they were of little importance. We even had journalist Alan Howe inviting us to trust his experience to reflect community attitudes and encourage robust debate. This was quite the opposite of what he and his newspaper did for the all important quest for answers in the aftermath of Black Saturday. If only the paper had encouraged debate on the relevant issues instead of devoting its resources to hounding, harassing and crucifying Nixon. Remarkably, the only time the paper had a keen sense of the injustices of scapegoating was when it thought that it was a target.

The book finishes by looking at why Nixon became the scapegoat, who the scapegoaters were and their motivations. In Chapter 5 it was found that the scapegoating that accompanies social disasters selects targets who are well-known, disliked or have powerful enemies; better still if they are credible high-ranking officials, easily disposed of and have characteristics that can be discriminated against such as gender.

Some were traditional scapegoaters, a group that included many readers, in that they were unconsciously displacing their anger and frustration over Black Saturday onto someone else. There are those who did not fit the traditional categories, such as the police force, the Police Association, the Liberal Opposition, the royal commission, and the *Herald Sun* itself. All of these individuals and groups took advantage of the situation to suit their own agendas. Many in the police force didn't want a woman in charge who had reform in mind: there was Stephen Linnell, the disaffected media chief for the police, and the Police Association, which had long been at loggerheads with Nixon. The Opposition was keener than ever in an election year to find fault with the government and Premier Brumby; the royal commission was instrumental in the scapegoating by attacking Nixon, whilst leaving culpable politicians unscathed; and then there was the *Herald Sun* that had long disapproved of Nixon and her policing policies and politics. The paper exploited Nixon's appalling leadership to a traumatised public, and gave plenty of airtime to her critics. None of these groups were traditional scapegoaters because although they attacked Nixon deliberately, they were not transferring blame from themselves.

The most successful individual scapegoaters were Premier John Brumby and former premier Jeff Kennett. These two, by their actions or inaction, were transferring blame from themselves, or at least diverting it or allowing it to pass to others. Kennett was a former Liberal premier who would, in any case, have wanted to help the Liberals in an election year. However, he had extra incentive to attack and discredit Nixon: he was in charge of Victoria when reports highlighted long-term planning deficiencies and recommendations for increased fuel reduction were ignored. Premier Brumby, whilst being anointed a saviour by the *Herald Sun* and escaping the wrath of the royal commission was able to publicly support his emergency services chiefs as they stood condemned. All this took the focus away from failure at the governmental level.

Concluding remarks

There are some things the book has achieved. I think it has made inroads into explaining the progression from a catastrophic natural event, such as Black Saturday, to the need for and

punishment of a scapegoat. In doing so it has examined all of the major strategies to prevent or limit the effects of a future inferno. We have rejected the resettlement option outright, favoured a revamped stay-or-go policy that remains fundamentally flawed, and half-heartedly adopted a fuel reduction strategy recommended by the royal commission that appears useless. The installation of bunkers in homes was sidetracked into issue of national standards and forgotten, yet it was one of the best ways to save lives. There seems to be no satisfactory explanation for this. The (re)introduction of community refuges languishes in a legal liability no-go zone, even though they have a track record of saving lives. The most notable community refuge on Black Saturday was Gallipoli Park in Marysville, which ironically does not meet the post Black Saturday guidelines and can no longer be used. Higher penalties and improved detection strategies have little chance of deterring arsonists, and burying power lines is extremely expensive, unnecessary and would have a limited effect on preventing future fires. Proper maintenance of lines is all that is required, a solution ignored for reasons that are not clear. Perhaps the most ineffective strategy but the easiest to implement, was the introduction of new building regulations tied inexplicably to a once off assessment of ever-changing flame zone ratings. Bureaucrats, builders and certain suppliers were the only beneficiaries. The regulations were just another hurdle for survivors struggling to rebuild.

The strategy favoured by the government, emergency services, the royal commission and the *Herald Sun*, was a revamp of the stay-or-go policy with its new emphasis on leaving early. It was this very policy that deemed that no warnings to the public were necessary on Black Saturday and the situation is no clearer now. The policy, in theory, saves lives, but in practice we know quite well that it doesn't. The policy rests on spin, not substance, and is unlikely to have any significant effect on the saving lives or property. Overall, we are no better off now than we were before Black Saturday. The truth is, however, that the answers have been with us for over a century. Our failure to act, by default, means that that we will endure high death tolls in bushfires again, most likely twice every hundred years or so; and there will be more blame games and we will have to deal with the carnage each and every time.

Whilst writing this book I have been asked two main questions, one concerning who ought to have been blamed if Christine Nixon was a scapegoat, and the other was what action should be taken to prevent such fires. My initial response had been to avoid the issue by claiming that my aim was to promote further discussion and debate. This, however, was increasingly seen as a cop out on my behalf and over time I have mostly come to agree. There is nothing new in my suggestions, merely a shift in emphasis. Briefly, the best solution is not to live in high-risk areas, but if we will not accept this, as I don't, we need to look at options that don't offend our lifestyles but keep us safe. We need to look at what people actually do, not what we would like them to. I think, like the royal commission, the *Herald Sun* and many others that saving lives should be the top priority, but not at the expense of denuding our bushland. The fundamental flaws in the stay-or-go policy should be addressed – not sugar-coated. There are two major problems with the policy, the first being its failure to account for people who decide to defend their homes but want to leave when it is considered 'late', that is, when a fire is actually threatening. The second failing is that there is nowhere safe to go, so there is an urgent need for home bunkers, community shelters and evacuation centres, combined with better warning systems. There ought to be a more targeted fuel reduction program that is co-ordinated between councils, the DSE and VicRoads and any other relevant agencies. Proper maintenance of power lines and other such assets should be a priority and enforced.

I now turn to the question of who was to blame for the loss of lives and property on Black Saturday. In some sense it is the fault of the people who settle in such areas. However, in a society where we employ and pay vast sums of money to experts and fund specialist agencies to advise us and prevent such tragedies, we ought to expect and demand better outcomes. As emphasised earlier, technical expertise and responsibility are scattered across government agencies and government ministers. It seems that responsibility for funding is held by those who are not formally accountable, that is, by Cabinet and the Premier. Those held legally responsible for the operational aspects, usually via legislation, are lower in the chain. Fuel reduction, for example, appears to be the operational responsibility of councils and the DSE, yet their failures are passed on to the government, a body that is, in practice, accountable to no-one – except at election time. It does not help that governments change their stripes from time-to-time, in Victoria alternating between the Labor and Liberal parties. I do not believe that funding problems were behind the poor long-term planning or the emergency services response on Black Saturday. Funding shortages do not explain the lack of fuel reduction, nor the failure of any other strategy that might have been effective. The failures reflect disagreements over the strategies themselves, flawed reasoning and unrealistic expectations. Those responsible for promoting an incoherent stay-or-go policy and overseeing an ad hoc, inadequate fuel reduction regime have a lot to answer for. Setting fire to vast areas of our wilderness where no-one lives is pointless, and there is still unnecessary regulation that makes it near impossible for property owners to clear their own land or adjacent vegetation. In summary, there are just so many problems involved in blaming: successive governments that have ignored prevention strategies; an impenetrable hierarchy that deflects responsibility; and a democracy that renders governments indecisive. These factors and a host of others ensure that attempts to allocate blame are futile and that we would be better off doing something constructive, like fixing the problems.

The Herald Sun

The role of the *Herald Sun* is disappointing. Whilst it may well be that our society encourages scapegoating and that in some cases it might be inevitable, there are still choices to be made. The paper is in the privileged of being able to push its own views, favour certain approaches, ridicule others and construct a discourse on its own terms. The orchestration of a vindictive, exploitive, opportunistic campaign against Christine Nixon was an abuse of its power. The existing mechanisms for overseeing systematic targeting or bias are woefully inadequate and, worse, this state of affairs is defended without remorse or apology. The paper's support of the revised stay-or-go policy was ill-advised. But the biggest crime of all is that our worst natural disaster was reduced to a trivial leadership issue by a paper professing to safeguard our democratic freedoms and purporting to encourage debate on key issues affecting the community. There is no evidence of meaningful debate or analysis. We should be affronted. Throughout its coverage the paper implored us all to learn from the past and act to resolve the bushfire problem. The *Herald Sun* should have heeded its own advice. The final result was that the paper devoted too much of its resources to pursuing Christine Nixon for its own short-term gain. It proved once again that it cannot be trusted to act in the public interest.

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