



Service Standard 3.1.9 Fire Investigation

Date of Issue 9 November 2009

Version Number 2.0

1. Purpose

- 1.1 This Service Standard updates Service Standard 3.1.9 v1.3.
- 1.2 The purpose of this Service Standard is to identify the role of the Rural Fire Service (RFS) in relation to the investigation of fire cause and specifically:
- (a) appoint personnel as “Authorised Fire Investigators” to enter premises/lands to investigate the origin and cause of fires;
 - (b) gather information on behalf of the Service relating to fire cause;
 - (c) provide this information to agency’s or individuals in accordance with Service reporting arrangements.

2. Policy

- 2.1 All officers of or above the rank of Deputy Captain are responsible for identifying and reporting the cause of fires they attend.
- 2.2 The Commissioner certifies certain members of the RFS, who meet the criteria set out in the Standard Operating Procedures or Operational Procedures, to be an Authorised Fire Investigator (AFI). This function has been delegated by the Commissioner to the Director, Operational Services who will keep a Schedule of Authorised Fire Investigators.
- 2.3 AFIs, for the purpose of investigating the cause or origin of a fire, can enter land in accordance with the provisions of section 33B of the *Rural Fires Act 1997* (the Act) or under the provisions of a ‘Search Warrant’ issued pursuant to section 33C of the Act.
- 2.4 The Commissioner authorises all officers of or above the rank of Deputy Captain to secure the scene of a fire after extinguishment for investigation for research/prevention purposes by the RFS.
- 2.5 An AFI who enters any land or premises must comply with the provisions of the Operational Protocol for Fire Investigation Power of Entry and Search Warrants.
- 2.6 Fire Investigations are to be carried out in accordance with the Fire Scene Investigation Protocol established between the RFS, NSW Police and NSW Fire Brigades, and the Mutual Aid Agreement with the NSW Fire Brigades and similar agreements as adopted by the Service.

- 2.7 All fire investigations must be undertaken in accordance with the Service's Fire Investigation Standard Operating Procedures, Operational Protocols and Fire Investigation Handbook.

3. Links

- [Rural Fires Act 1997](#)
- [Law Enforcement \(Powers and Responsibilities\) Act 2002](#)
- Fire Ground SOP 34 Fire Cause Determination
- Operational Protocols for Fire Investigation (Powers of entry and search warrants)
- Fire Investigation Handbook
- Fire Investigation Operational Protocols Cross-Reference guide

4. Who is responsible for implementing the Service Standard/Policy?

Director, Operational Services

5. Amendments

- Complete review and realigns with
Fire Investigation Handbook, May 2008 November 2009



SOP 3.1.9 - 1

Authorised Fire Investigators

This SOP forms part of Service Standard 3.1.9 Fire Investigation

1. Purpose

This SOP defines the role and responsibilities of an Authorised Fire Investigator (AFI).

2. Procedures

- 2.1 AFI's will be appointed by the Commissioner who has delegated this function to the Director, Operational Services. A Schedule of AFI's will be held by the Director, Operational Services
- 2.2 Members of the Rural Fire Service (RFS) who have been found competent at a Wildfire Investigation Course 2.10 or equivalent and have been mentored and found competent by an AFI through a minimum of two Wildfire Investigations will be considered eligible to be certified as an AFI (Wildfire).
- 2.3 Members of the RFS who have obtained a Statement of Attainment for the subject JST415- Fire Investigation 1 (Structural Fire Investigation) or equivalent and have been mentored and found competent by an AFI through a minimum of one Structural Investigations will be considered eligible to be certified as an AFI (Structural).
- 2.4 AFI performance and conduct is also to be reviewed by the Regional Operations Officer, Fire Investigation (ROOFI) as part of the AFI re-appointment process.
- 2.5 The management of Fire Investigation System (FIS) reports is to be audited annually.
- 2.6 ROOFI's will determine the location and number of AFI's in consultation with their ROMs. The number of AFI's may alter to meet the needs of the RFS based on trend analysis of ignitions. They will be drawn from District/Regional based volunteer and salaried personnel who have the skills, experience, commitment and availability to undertake fire investigation duties to a professional standard.
- 2.7 It is expected that districts will be self sufficient for AFI's with a minimum of one Wildfire and one Structural AFI. These AFI's may be salaried or volunteer depending on local requirements
- 2.8 Applications for Fire Investigation training are assessed on a RFS needs basis. AFI's will be appointed subject to clearance through the Service Membership Unit (SMU).
- 2.9 AFI's will be issued with authority cards which must be carried when undertaking an investigation.

- 2.10** Any AFI who fails to comply with the service standards or Operational Protocols may have their authority revoked or suspended by the Commissioner. Should this occur, all equipment / identification must be returned to the ROOFI within seven days of revocation.
- 2.11** Whenever possible, two AFIs shall conduct formal investigations. These AFIs may be salaried or volunteer depending on their availability. Where practicable, a salaried AFI should accompany a volunteer AFI when undertaking investigations outside their home district.
- 2.12** Qualifications
- (a)** Applicants for training should hold the appropriate pre-requisite qualifications as per Training SOPs.
 - (b)** In order to maintain AFI authority, AFIs must investigate fires annually with reports reviewed by the ROOFI attaining a suitable level of performance or by participating in a Fire Investigation Workshop or by qualifying at a fire investigation refresher course within three years of their original certification.



SOP 3.1.9 - 2

Activation of Fire Investigators

This SOP forms part of Service Standard 3.1.9 Fire Investigation

1. Purpose

This SOP defines the procedures for the response of Authorised Fire Investigators (AFIs) to an incident.

2. Procedures

- 2.1 The senior officer of the first responding crew is to consider the cause of all fires attended to by the RFS. Should this not be apparent, they should contact their district duty officer for advice.
- 2.2 An investigation will take place:
 - (a) where a fire incident has caused the death of or serious injury to a fire fighter or any member of the public;
 - (b) where the incident is likely to be of significant media or public interest
 - (c) where a fire has caused significant damage to, or the destruction of any fire appliances, property, stock, produce or crop of another party (with the agreement of the land management authority if applicable) or agency that exceeds \$100,000;
 - (d) where a bush fire results in the declaration of a section 44 appointment;
 - (e) where it is apparent that the fire may be one of a series of deliberately lit fires in a particular location;
 - (f) where a person is known or suspected of lighting the fire
 - (g) in a structural fire where the cause is not determined; or
 - (h) in other circumstances on the direction of the Commissioner.
- 2.3 For fires meeting the above criteria, to request a Fire Investigator, the District Duty Officer is to notify State Operations by telephone and complete a Sitrep via ICON selecting the "Yes" against "Investigation Required". The officer should advise in the initial Sitrep comments section whether the District can undertake the investigation or not.
- 2.4 State Operations will then contact the applicable Regional Duty Operations Officer (RDOO) to request an AFI to attend the incident or notify the RDOO of an AFI being allocated.
- 2.5 The responding AFI should contact Fire Services Group (FSG) Police prior to attending the scene to ascertain if they will also investigate the scene. Regardless, the fire should be investigated as soon as possible to ensure evidence is not disturbed.

- 2.6** The Commissioner may also require ROOFIs/State Operations Officer, Fire Investigation (SOOFI) to attend the scene of specific incidents to assist with/conduct the investigation.
- 2.7** Districts will meet the costs associated with local fire investigation tasks within their district. If they are unable to provide their own AFIs they will meet the costs associated with AFIs brought in from adjoining districts or outside the Region unless previously agreed local arrangements are in place. In the case of volunteer AFIs, these costs are not to be met by the volunteer. It will be the responsibility of the allocating ROOFI to ensure that their requirements are met before the volunteer AFI is dispatched to the task.
- 2.8** Fire Investigation costs on behalf of other agencies will be met by those agencies.
- 2.9** Once deployed from their 'home' District, the AFI is responsible to the Incident Controller (IC) or District Manager regarding the conduct of the investigation. Should any issues arise they should be referred to the RDOO or ROOFI for discussion.
- 2.10** The RDOO will update the Fire Investigation Unit (FIU) Status Board by allocating the AFI against the incident request or by detailing the action taken in respect of the investigation.



SOP 3.1.9 - 3

Standard Personal Protective Equipment (PPE) for Fire Investigation

This SOP forms part of Service Standard 3.1.9 Fire Investigation

1. Purpose

This SOP identifies the standard protective equipment to be worn by Authorised Fire Investigators (AFIs).

2. Procedures

- 2.1 AFIs are to wear PPE whilst conducting fire investigations in the field. In particular they are to wear overalls, helmet, boots and gloves when investigating scenes. Should conditions dictate they should enhance their protection using goggles, smoke respirators, and in the case of structural fires, disposable overalls etc.
- 2.2 At the completion of Structural Fire Investigations, it is recommended that PPE is stowed in an air-tight receptacle and laundered, independently of other clothing. If it is considered that PPE is subject to exposure of post fire remnant fumes/material, a replacement issue should be sought.
- 2.3 In times of low-light or roadside operation, AFIs must wear reflective tabards. Additionally, they are to conform to the Safe working on Roads SOP.
- 2.4 If an AFI considers conditions to be unsafe to conduct an investigation, the investigation is to be postponed / cancelled.
- 2.5 Wildfire investigation standard:
 - (a) blue Proban treated Fire Investigation overall*;
 - (b) blue RFS issue helmet marked with 'FI';
 - (c) gloves;
 - (d) RFS issue firefighting boots;
 - (e) smoke goggles;
 - (f) disposable smoke respirator;
 - (g) water bottle and belt; and
 - (h) fire investigation tabard.
- 2.6 Structural investigation standard:
 - (a) blue Proban treated Fire Investigation overall*;
 - (b) blue RFS issue helmet marked with 'FI';
 - (c) structural helmet;

- (d) gloves;
- (e) RFS issue structural firefighting boots/gumboots;
- (f) smoke goggles;
- (g) Sundstrom Respirator (P3 filter, SR 510, ABEK 1 filter);
- (h) access to disposable coveralls;
- (i) fire Investigation tabard;
- (j) access to Positive Pressure Filtered Respirator (structural use only);
and
- (k) access to CO2 detector (structural use only).

*wearing of non-reflective banded issued single-piece overall in low light conditions must be in company with the reflective vest.

- 2.7** Replacement of PPE is on condemnation witnessed by the members' supervisor.
- 2.8** Whilst representing the FIU, AFIs (salaried and volunteer) are to wear their RFS rank where appropriate.
- 2.9** AFIs (volunteers who are not ranked) must wear their 'Rural Fire Service' epaulettes.
- 2.10** AFIs who regularly undertake fire investigation tasks, particularly out of their district, are to be issued with a second set of PPE clothing to ensure that OH&S and RFS image are met.
- 2.11** Should a member of the RFS no longer be authorised as an AFI, they are to return all issued items of equipment to their ROOFI within seven days.



SOP 3.1.9 - 4

Disclosure of Fire Investigation Information

This SOP forms part of Service Standard 3.1.9 Fire Investigation

1. Purpose

This SOP provides procedures for Authorised Fire Investigators (AFIs) when requested to supply information to external sources such as insurance/investigation companies or persons involved in the incident.

2. Procedures

- 2.1 FIS reports may contain sensitive information and should be referred to in confidence.
- 2.2 District Managers may access summary fire cause information via the FIU Status Board in ICON. The release of this information by the District Manager is subject to the processes below.
- 2.3 Any request for information from 'non-agency' clients (excluding Police) must be channelled via the Freedom of Information (FOI) process.
- 2.4 FOI requests will be referred to the relevant AFI who will ascertain if NSW Police (or other Agency) investigations are ongoing or subject to a Coronial Inquiry. In these circumstances the requesting party is to be advised that the matter is under investigation by Police, information can not be released and that further enquiries should be referred to them.
- 2.5 If Police enquiries are completed and the matter is 'closed', the release of the full FIS report is subject to the RFS Freedom of Information arrangements.
- 2.6 Media enquiries must be directed to the RFS Media Unit in the first instance in accordance with the RFS SS 1.1.6 *Media Relations*.



SOP 3.1.9 - 5

Attendance at Court

This SOP forms part of Service Standard 3.1.9 Fire Investigation

1. Purpose

This SOP details the process to be followed if any fire investigation personnel are requested to attend Court.

2. Procedures

- 2.1 AFIs are to advise their manager, who will in turn advise their ROOFI and the SOOFI upon receiving a request to provide evidence at a coronial, civil or criminal court hearing. Legal advice and representation for AFIs shall be referred by the relevant ROOFI to the SOOFI for approval by the relevant Director.
- 2.2 If applicable, this information should then be passed on to the ROM and District Manager of the location in which the fire occurred.
- 2.3 The ROOFI is to liaise with the SOOFI regarding the impending court action to ensure that appropriate assistance and advice is provided.
- 2.4 AFIs should consult with any legal officer representing the RFS or NSW Police Prosecutors prior to the day of the hearing at court to ensure that they are fully briefed on the evidence to be presented.
- 2.5 AFIs should ensure that all evidence and statements are referred to their ROOFI who in turn will advise the SOOFI who will see that the relevant Director is aware of proceedings prior to their attendance at court.
- 2.6 They should also provide copies of statements to their ROOFI for review.
- 2.7 In giving evidence, AFIs are to focus on providing information relating only to the origin and cause. It is important (particularly in Coronial matters) that the Sergeant assisting the Coroner and legal counsel for the RFS is aware of the AFIs role. AFIs are not drawn into providing evidence in judgment of operational decisions or actions.
- 2.8 Refer to the 'Guide to Your Attendance at Court' (Fire Investigation Handbook or Operational Protocol).
- 2.9 Any costs not payable via the Court associated with the AFIs attendance, are to be met by the District in which the fire occurred.



SOP 3.1.9 - 6

Handling of Exhibits

This SOP forms part of Service Standard 3.1.9 Fire Investigation

1. Purpose

This SOP covers the procedures to be followed if Authorised Fire Investigators (AFIs) are required to take material evidence from the Fireground.

2. Procedures

- 2.1 The actions of AFIs must be undertaken in accordance with the *Law Enforcement (Powers and Responsibilities) Act 2002*.
- 2.2 It is not the role of the AFI to take custody of Exhibits or suspect items relating to the cause of the fire found in or near the area of origin.
- 2.3 Should an AFI find an item suspected of being associated with the cause of a fire, NSW Police should be immediately notified and requested to take the item into their custody.
- 2.4 The AFI should record the circumstances surrounding the finding of the object, its position and description and to photograph it as found in situ without moving it. Unless absolutely necessary the evidence should not be touched or moved.
- 2.5 If using a digital camera to depict the scene, images must be saved in accordance with the Photograph Image Management Guidelines (Fire Investigation Handbook).
- 2.6 If it is likely that the evidence may be damaged or lost due to the activities of firefighting or other circumstances, NSW Police are to be immediately notified and advice sought on its protection. NSW Police may suggest removing the item from the scene and taking it directly to the nearest police officer. In these circumstances it is to be stored in a receptacle. An Item Chain of Custody Record (Form FI-7) must be completed to accompany the item. This record needs to be referred to in the FIS report.



SOP 3.1.9 - 7

Fire Investigation Focus Group

This SOP forms part of Service Standard 3.1.9 Fire Investigation

1. Purpose

This SOP outlines the role and makeup of the RFS' Fire Investigation Focus Group (FIFG).

2. Procedures

- 2.1 The purpose of the FIFG is to provide feedback and advice on fire investigation policy and procedural issues across the RFS. It is the representative body for Fire Investigation matters to the Commissioner.
- 2.2 The FIFG shall be made up of a selected number of key officers to assist the Manager Fire Investigation in the determination of Policy and to address issues affecting the State wide application of the Fire Investigation Process.
- 2.3 The make up of the FIFG will be in accordance with the Fire Investigation Handbook OR Operational Protocols.



SOP 3.1.9 - 8

Breaches of the Rural Fires Act 1997

This SOP forms part of Service Standard 3.1.9 Fire Investigation

1. Purpose

This SOP outlines the procedures to be followed should a breach of the *Rural Fires Act 1997* (the Act), the Rural Fire Regulation 2008 (the Regulation) and the Service Standards be detected at a fire scene.

2. Procedures

- 2.1 Should it be considered that a breach of the Act and the Regulation or the Service Standards has occurred relating to fire cause, the AFI should advise their ROOFI or RDOO as soon as possible.
- 2.2 Facts surrounding the incident should be referred to their ROOFI for follow up action and advice. Information relating to breaches of the Act or suggested legal actions are to be noted on the FIS report by the AFI and will be followed up via the FIS data base by the ROOFI.
- 2.3 Suspected incendiary fires must be reported to Police by the District Manager. Copies of FIS reports are to be supplied to Police in these instances by the AFI once the report has been "Reviewed".