

Inquest into the death of Lee Edward Parker

Lee Edward Parker died on 19 August 2016 at the Lake Atkinson Waterfront Park in an on-site bus that had been converted into a dwelling. Mr Parker died from smoke inhalation and the effects of fire. The coroner was unable to determine the source and origin of the fire but commented that human intervention, either intentional or accidental, appears the most likely.

Deputy State Coroner John Lock delivered his findings of inquest on 20 February 2020.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported.

The departments named in this response will provide implementation updates until the recommendation is delivered. Further information relating to the implementation of recommendations can be obtained from the responsible minister named in the response.

Recommendation 1

The issue of mandatory installation of smoke alarms in new and existing moveable dwellings — including on-site and park vans — be considered, consistent with the current legislation in place in New South Wales.

Response and action: implementation of the recommendation is complete.

Responsible agency: Queensland Fire and Emergency Services.

On 21 September 2020 the Minister for Fire and Emergency Services and Minister for Aboriginal and Torres Strait Islander Partnerships responded:

Queensland Fire and Emergency Services is developing options for consideration.

On 16 March 2021 the Minister for Police and Corrective Services and Minister for Fire and Emergency Services responded:

Queensland Fire and Emergency Services commenced a review of this matter which will consider the applicability of the New South Wales legislation for the Queensland context.

On 11 October 2021 the Minister for Police and Corrective Services and Minister for Fire and Emergency Services responded:

Queensland Fire and Emergency Services is undertaking a review of this matter which will consider the applicability of the New South Wales legislation in the Queensland context.

On 21 April 2022 the Minister for Police and Corrective Services and Minister for Fire and Emergency Services responded:

Queensland Fire and Emergency Services is continuing the review of this matter in line with the coroner's recommendation.

On 15 December 2022 the Minister for Police and Corrective Services and Minister for Fire and Emergency Services responded:

QFES is continuing the review of this matter in line with the coroner's recommendation.

On 15 May 2023 the Minister for Police and Corrective Services and Minister for Fire and Emergency Services responded:

QFES is continuing the review of this matter in line with the coroner's recommendation.

On 14 November 2023 the Minister for Police and Corrective Services and Minister for Fire and Emergency Services responded:

A cross-agency working group has been established and is considering options for improving fire safety in moveable and alternative dwellings where people sleep. The first meeting of the working group was held on 4 September 2023. The work of the group will inform potential amendments to legislation.

The cross-agency working group will consider and develop options for improving fire safety in moveable and alternative dwellings where people sleep.

On 2 April 2024 the Minister for Fire and Disaster Recovery and Minister for Corrective Services responded:

On 7 March 2024, the Minister for Fire and Disaster Recovery and Minister for Corrective Services, introduced the *Disaster Management and Other Legislation Amendment Bill 2024* into the Queensland Parliament.

The Bill relevantly amends the *Fire and Emergency Services Act 1990*, the *Fire and Emergency Services Regulation 2011* (FES Regulation) and the *State Penalties Enforcement Regulation 2014* (SPE Regulation), to provide requirements for smoke alarms in caravans and motorised caravans. The requirement to install a working, photoelectric smoke alarm will apply to newly registered caravans and motorised caravans, those for which the registration is transferring and, from 1 January 2027, all remaining registered caravans and motorised caravans in Queensland. Amendments to the FES Regulation will provide for requirements for the positioning of smoke alarms and the requirements for the alarm, including that they comply with the relevant Australian Standard (AS 3786-2014). Failure to comply with the provision will be an offence with a maximum penalty of five penalty units. The Bill amends the SPE Regulation to include the new offence as a prescribed infringement notice offence.

The Bill captures caravans and motorised caravans being used on road. Therefore, it does not fully discharge the Coroner's recommendation, which envisaged more wide-ranging consideration of mandating smoke alarms in all new and existing moveable dwellings.

The *Disaster Management and Other Legislation Amendment Bill 2024* has been referred to the Community Safety and Legal Affairs Committee, which is due to table its report on 19 April 2024. Once the committee's report has been tabled, the Government has three months to respond to the report's recommendations (if any).

The cross-agency working group considering options for improving fire safety in moveable and alternative dwellings where people sleep will meet by the middle of 2024, with the intent of progressing a report recommending whether community safety would benefit from further reforms, including additional regulation in this area.

On 16 September 2024 the Minister for Fire and Disaster Recovery and Minister for Corrective Services responded:

Legislative amendments commenced on 1 July 2024 that renamed the *Fire and Emergency Services Act 1990* as the *Fire Services Act 1990* (FS Act) and the *Fire and Emergency Services Regulation 2011* (FES Regulation) as the *Fire Services Regulation 2011* (FS Regulation). The amendments included changes to the FS Act, FS Regulation and the *State Penalties Enforcement Regulation 2014* (SPE Regulation) to introduce requirements for smoke alarms in caravans and motorised caravans

(otherwise known as motorhomes). From 1 July 2024, the requirement to install a working, photoelectric smoke alarm applies to newly registered caravans and motorised caravans and to those for which the registration is transferring (for example, following a sale). From 1 January 2027, the requirement will apply to all remaining registered caravans and motorised caravans in Queensland. Amendments to the FES Regulation provide for requirements for the positioning of the smoke alarms and the requirements for the alarm, including that they comply with the relevant Australian Standard (AS 3786-2014). Failure to comply with these requirements is an offence with a maximum penalty of five penalty units. The SPE Regulation includes the new offence as a prescribed infringement notice offence.

These reforms will capture all caravans and motorised caravans that are registered for use on roads. Work to consider the full scope of the Coroner's recommendation, which envisaged wide-ranging consideration of mandating smoke alarms in all new and existing moveable dwellings, has also been undertaken by the Queensland Fire Department (QFD) and through a cross-agency working group (CAWG).

QFD has completed its consideration of mandating the installation of smoke alarms in new and existing moveable dwellings, including on site and park vans, consistent with current legislation in place in New South Wales. The current legislation in place in New South Wales captures these dwellings by broadly requiring smoke alarms in places where people sleep. This is one of a number of options for reform addressed in "Smoke Alarms in Improvised Dwellings and Marginal Housing: Report on options for reform" (the Report) developed by QFD in conjunction with the CAWG. Other options include more targeted legislative reforms in identified gap areas (including addressing any gaps in coverage for on-site and park vans in caravan parks) and an educative rather than a regulatory response. The Report, which was endorsed by the CAWG on 27 June 2024 and approved by the Commissioner, QFD on 20 August 2024 will be the subject of stakeholder consultation before being provided to Government for consideration.