# ECONOMICS AND INDUSTRY STANDING COMMITTEE

## INQUIRY INTO 2011 KIMBERLEY ULTRAMARATHON EVENT

TRANSCRIPT OF EVIDENCE TAKEN AT PERTH WEDNESDAY, 2 MAY 2012

#### **Members**

Dr M.D. Nahan (Chairman)
Mr W.J. Johnston (Deputy Chairman)
Mr M.P. Murray
Ms A.R. Mitchell
Mr I.C. Blayney
Mrs M.H. Roberts (Co-opted Member)

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#### Hearing commenced at 9.33 am

### GADAMS, MS MARY KATHLEEN Founder/CEO, RacingThePlanet Events Limited, examined:

**The CHAIRMAN**: Before we commence today, I ask those in the public gallery to refrain from using audio recording devices as they may interfere with Hansard and, also, please turn off your mobile phones.

Thanks, Ms Gadams, for appearing before the committee today. This committee hearing is a proceeding of Parliament and warrants the same respect that proceedings in the house itself demand. Even though you are not required to give evidence on oath any deliberate misleading of the committee may be regarded as contempt of Parliament.

Before we commence there are a number of procedural questions I need you to answer. Have you completed the "Details of Witness" form?

Ms Gadams: Yes, I have.

**The CHAIRMAN**: Do you understand the notes at the bottom of the form?

Ms Gadams: Yes, I do.

**The CHAIRMAN**: Did you receive and read an information for witnesses briefing sheet regarding giving evidence before parliamentary committees?

**Ms Gadams**: Yes, I did.

**The CHAIRMAN**: Do you have any questions relating to your appearance before the committee today?

**Ms Gadams**: No, I do not.

**The CHAIRMAN**: The committee has received your submission—thanks for your contribution. Do you propose any amendments to your submission at this time?

**Ms Gadams**: I would like to answer that question later.

The CHAIRMAN: Okay. You will be given a chance on responding to evidence later on.

Ms Gadams: Okay.

**The CHAIRMAN**: Before we get into questions, do you wish to make a brief opening statement that addresses the terms of reference?

Ms Gadams: Yes, I do.

The CHAIRMAN: Okay, proceed.

Ms Gadams: Mr Chair and committee members, I appear before this committee voluntarily. I was a competitor in the race. I was injured by fire on 2 September. I am here representing RacingThePlanet Events. Like you, I am shocked and upset by the injuries suffered by the competitors in the race. Like you, I am particularly distressed by the injuries of Miss Pitt and Miss Sanderson. We do not take lightly any injury in our footraces. Any witness to a parliamentary committee approaches giving evidence with apprehension. My apprehension is probably greater than most. Two young sportswomen have been seriously injured. It is understandable that they and we find their experience distressing and horrifying. Notwithstanding these tragic outcomes, the facts are that the preparations for the 2011 footrace were careful, conducted over a long period and met government requirements. I am concerned that RacingThePlanet faces a wall of prejudice that

makes communicating some facts very, very difficult. However, the committee must impartially inquire into the conduct of the footrace and make findings based on the evidence that you receive. The conclusions you reach will have far-reaching consequences. I have come to this hearing to give my evidence. I ask that you listen to it with an open mind, draw your own conclusions based on the evidence and not on first prejudices. Several witnesses have said that they want to know the truth. The truth is that there is no convenient villain to make sense of this tragedy. I will summarise first the risk of fire in the Kimberley; second, the very considerable preparations undertaken by RacingThePlanet for the footrace; third, the response during the footrace; fourth, the quality of medical care administered; fifth, the evacuation procedures; and, sixth, the proposed law reforms.

May I start. The following is a direct quote from the current guide to fire in the Kimberley published by FESA. When visitors first see bushfires in the north of Australia, it can come as something of a shock. Fires and smoke seem common, fire trucks are rare and the country is often burnt and black for many kilometres. Bushfires are a natural part of the landscape in the north of Australia. Is there risk from bushfires? In most cases, no—provided you respect the fire and follow basic fire awareness. These fires are usually much less intense than the bushfires of southern Australia. This is because the vegetation types are different and the level of fuel available to burn is lower. Again, that is directly from a FESA brochure. That advice remains unchanged since May 2008. It is consistent with the views given to RacingThePlanet when it prepared for the race, the advice which continues to be given by the government today and with evidence as to the general fire risk in the Kimberley given to this committee. FESA goes on to state that fires can be more dangerous and hotter in late dry season—July to November— when the grass and tree litter is drier. The right question is: was there a risk of dangerous fire on the day of the race?

On 2 September, the day of the race, the fire danger index published by FESA was low to moderate. This is the lowest of the six fire danger levels on the scale used by FESA. No fire ban applied. No specific or general fire risk warning was issued. The committee has heard evidence from two Kimberley local witnesses, including the former shire president, that September was the optimum time to conduct the footrace in the region. RacingThePlanet staff and the course director were aware of smoke and some small spot fires near the course in the days prior to the race. They investigated each of those incidents and in all but one case the fires had been extinguished by the day of the footrace. In that single exception there was a fire of a sort identified by FESA—a low intensity spot fire. And there was a fire barrier—a two-lane road between the fire and the nearby footrace course. That fire was northwest of the Tier Gorge. As the committee knows from the video record, RacingThePlanet warned of fire at the first item at the prerace meeting. FESA's evidence to the committee is that fire which injured competitors on 2 September came from the opposite direction to the observed fire. It came from the south east. FESA does not know the cause of the fire. According to FESA, the fire from the south east meandered with a slow rate of spread throughout the region. That is a direct quote from FESA. The origin of the fire was some 12.5 kilometres away. FESA's reports states that on 2 September after the race was underway, the fire increased in intensity, travelling quickly, and passed through the Tier Gorge from east to west —that is, towards the competitors. Nine of the 41 competitors made their way through the Tier Gorge prior to the race. The difference between those competitors who made it safely through and the injured competitors was only 10 minutes. FESA says that the path and severity of that fire was not predictable. The fire came from a long way away. It spared 36 competitors and it injured five.

RacingThePlanet works very hard to control and minimise risk on its footraces. We are—I am—shocked and saddened that the competitors were injured. If RacingThePlanet knew prior to the race that such a fire would pass through the Tier Gorge with that intensity at that time, of course it would not have conducted the footrace in that location. I believe that this fire could not have been anticipated by RacingThePlanet from the information available at the start of the footrace. The committee heard from local landowners that this fire had a very different quality to the fires which they ordinarily experience. Miss Pitt and Miss Sanderson have testified to a wall of fire. What I saw

was an intense and fast moving fire. It was not the type of fire that anyone expected on 2 September.

I will now turn to RacingThePlanet's risk management plan. RacingThePlanet had a thorough risk management plan in place for the 2011 footrace. That report had more than 150 pages. RacingThePlanet's written submission contained a detailed overview of its contents. The risk management plan was in existence many months before the Kimberley footrace and was first formulated in January 2011. Prior to every footrace, RacingThePlanet identifies the risks associated with organising the footrace and continually makes adjustments to the risk management plan to take those risks into account.

**Mr W.J. JOHNSTON:** Can I just clarify a comment you just made about your risk management plan?

Ms Gadams: If you don't mind, can I finish my opening statement first?

Mr W.J. JOHNSTON: It does seem to be fairly long. It is quite important -

**Ms Gadams**: Can I please ask—can I please finish this? I have not been able to give our side of the story. I came all the way from Hong Kong. Please.

Mr W.J. JOHNSTON: Sure.

**Ms Gadams**: Thank you. You can ask me all the questions afterwards.

**Mr I.C. BLAYNEY**: I would like to ask how long it is going to take —

**Ms Gadams**: I don't exactly —

**Mr I.C. BLAYNEY**: —because you could take up the whole time.

**Ms Gadams**: No, I am not planning to take up the whole time. Can I please —

**The CHAIRMAN**: How many more pages do you have to read there?

Ms Gadams: Well, they are double spaced. I do not know—about eight or so. Please, can I —

**Mr I.C. BLAYNEY**: How many have you done up until now?

**Ms Gadams**: I have done about four. Please, can I finish it?

**Mr I.C. BLAYNEY**: You are going to take up all the time.

Mrs M.H. ROBERTS: The idea of a hearing like this is that we ask questions and that you provide a submission in advance. If this is what you wanted to present to us, it is our view—or my view—that you should have presented that in writing. We are all capable of reading it in advance and then we could have used the time for questions, because that is what the committee hearing is actually about.

[9.45 am]

**Ms Gadams**: Can I please go on and finish more? **The CHAIRMAN**: I will give you five minutes.

**Ms Gadams**: Okay. Okay.

No government agency ever requested a copy of the risk management plan prior to the footrace. RacingThePlanet would have welcomed the opportunity for government agencies to review and comment on the plan and would have provided a copy of it had it been requested. The evidence of some agencies can be contrasted with what agencies actually did at that time. Each checkpoint captain had a summary of the risk management plan during the footrace and responded quickly and effectively in accordance with the plan. When he or she became aware that the competitors were affected by fire, RacingThePlanet telephoned emergency services at 2.00 pm, which was minutes after it had been told about the possible injured competitors by Mr Croot; second, held competitors

at key checkpoints; third, set up temporary checkpoints at The Barrels between checkpoint 2 and 3; fourth, instructed the pilot of the Heliwork helicopter on the course to fly over Tier Gorge to assess the situation; fifth, when the Heliwork helicopter returned to checkpoint 3 to report the location and apparent condition of injured competitors, a RacingThePlanet doctor was immediately taken by that helicopter to the injured competitors; sixth, directed staff, doctors and volunteers to go to the injured competitors and to provide aid and assistance and to evacuate them; seventh, called in a second helicopter when the helicopter could not land where the injured competitors were located; eighth, evacuated injured competitors to the nearest hospital; and, ninth, cancelled the race. RacingThePlanet did not rely on the government to evacuate the injured competitors. That was the correct choice. Had we waited, help would not have come in time.

Now I will turn to the communications RacingThePlanet had with government agencies and land occupiers before the footrace. As set out in RacingThePlanet's submissions, the relevant landowners and relevant government departments were aware of the 2011 footrace, being DEC in Kununurra; the police in Kununurra; the police in Perth; FESA, through the Kununurra Visitor Centre and WA Health; the Kununurra Hospital; the Shire of Wyndham-East Kimberley; the Kununurra Visitor Centre; WA EventsCorp; and WA Health, which had provided a special event exemption giving formal permits to the three doctors from the US and one from Canada to practise medicine during the 2011 footrace. WA Health notified a number of people in their departmentthe Royal Flying Doctor Service and the manager of the state ambulance service about the 2011 footrace. Some government agencies have complained that although they knew of the footrace, they did not receive the information in the preferred manner. Some complained that the information which they never requested was not provided to them. WA Health told the committee that it was not forwarded any risk assessment or medical planned document to review. WA Health did not ask for those documents. In fact, RacingThePlanet wrote to WA Health on 26 January 2011 and asked: is there any information you would like us to provide or anyone we should inform before this footrace? Is there anything else that we need to do from a medical standpoint in order to stage this race? The only response to that request was a letter from WA Health on 12 April, which recommended that we notify local government, police, WA Health, DEC and the Department of Racing, Gaming and Liquor. RacingThePlanet already had or did notify each of these agencies, except the Department of Racing, Gaming and Liquor, which was not relevant to the footrace. FESA is not on that list.

There is no doubt that FESA was aware of the 2011 footrace well before it started. From 14 February 2011 it had been notified through its role on the WA Health subcommittee. FESA also gave evidence that the Kununurra Visitor Centre at the request of RacingThePlanet notified FESA of the footrace. RacingThePlanet received an email from the Kununurra Visitor Centre on 31 August stating that it had spoken to Tony Stevenson from FESA on 30 August and notified him about the footrace. The suggestion he made was that RacingThePlanet notify the following organisations about the footrace: Kununurra Hospital, St John's Ambulance, the chemist in Kununurra and Heliwork. RacingThePlanet either already had or did notify each of those prior to the footrace. Mr Stevenson asked for a map of the race area. That request was the only government request with which RacingThePlanet did not promptly comply, quite inadvertently. When notified of the emergency situation on the day of the footrace that there was a fire and that people were missing and possibly injured, FESA did not respond to multiple emergency calls from RacingThePlanet starting at 2.02 pm. Mr Stevenson did not give evidence to this committee.

It has been suggested that RacingThePlanet should have notified the local emergency management committee. RacingThePlanet was not informed of the existence of that committee but most, if not all, of its members were organisations that RacingThePlanet had already notified about the footrace. It is apparent from RacingThePlanet's experience and from the evidence given to the committee that there is a lack of coordination and communication between government agencies. Although many agencies say that they should have been provided with copies of the risk management plan,

they cannot point to any request or requirement to do so. With one exception, none has identified what they would have done with that plan which would have altered the outcome on 2 September. The FESA evidence is that had Tony Stevenson been given a map and a risk management plan, FESA would have recommended that the race be cancelled or run entirely on roads. It does not appear from the evidence that that approach was adopted with other sporting events which took place in the region at or about the same time. For example, FESA appears to have been the supporter of an adventure race one month later called the Lake Argyle Adventure Race, which also included a 40-kilometre mountain bike ride and a 10 kilometre race off-road.

Now I will turn to RacingThePlanet's communications during the footrace. The committee should understand the communication infrastructure that RacingThePlanet put in place. Because RacingThePlanet conducts races in remote locations throughout the world, it owns and uses stateof-the-art mobile phones, satellite phones, broadband global area network phones and radios. RacingThePlanet staff have extensive experience using this equipment. RacingThePlanet had a communications plan under which satellite phones were the primary means of communications. Radio was the short-distance means of communications and Nokia or Blackberry calling and email was designated as a third means, mainly to be used around Kununurra. There is no mobile phone reception outside Kununurra. Having staged the footrace in the Kimberley in 2010, RacingThePlanet had first-hand experience of the difficulties with the communications in the area and came further prepared in 2011. For the 2011 footrace, we had eight satellite phones, of which four were iridium, two were BGAN and two were locally sourced Thorium phones. That is, RacingThePlanet had access to three separate satellite networks. All of those phones were operating on the day of the race. RacingThePlanet had a satellite at every checkpoint on the course, including checkpoint 3. It was with such a phone that the captain at checkpoint 2 made the first emergency call. The risk management plan included a list with contact details of all mobile phones, satellite phones and key local services. A list was provided to all checkpoint captains and volunteers on the course. No satellite phone has the same reliability that city dwellers expect of landlines. Satellite phones require a direct line of sight between the phone and the satellite; any interference will impair call quality. This is not a deficiency of RacingThePlanet's phones; this is the nature of all satellite phones. As Mr Jacoby's written submission makes clear, radios are of limited use because of the vast distances and the need for a line of sight to communicate. A number of people who have given submissions or evidence have been critical of RacingThePlanet's communications. No-one has suggested any viable alternatives. RacingThePlanet sought to implement—and did implement—the most reliable communication methods available. There is no clear or expert evidence to the contrary given to this committee. If the Western Australian government is serious about improving remote location communications, a solution adopted by other governments is to install mobile telephone broadcast towers.

**The CHAIRMAN**: Ms Gadams, I have given you enough time on this. If you would like to summarise very quickly the rest of it and then you can provide that as supplementary information and we will put it on the web. We will read it, of course.

Ms Gadams: I will read from the last page. I would like to table this and make sure it goes on the website. I am sorry, but I actually spent a lot of time working on this and there have been so many mistruths that I want the opportunity to tell our side of the story.

The CHAIRMAN: You will have it.

Ms Gadams: Okay. I have been personally involved in sporting events most of life. In addition to setting up RacingThePlanet, I have competed in more than 60 marathons and ultra-marathons. It is not possible to eliminate all risk from remote footraces. I greatly regret the injuries that occurred in 2011, particularly those that occurred to Miss Pitt and Miss Sanderson. The preparations of RacingThePlanet for the 2011 footrace were careful, conducted over a long period and responded to government requirements. The race was well staffed and carefully conducted. Without the risk

management planning conducted by RacingThePlanet, the helicopters it had engaged, the doctors it provided and the evacuation of injured competitors it coordinated, the consequences of 2 September would have been much worse.

**The CHAIRMAN**: Okay. How many races has RacingThePlanet organised around the world?

Ms Gadams: Thirty-three.

**The CHAIRMAN**: Over how many years?

Ms Gadams: About 10.

**The CHAIRMAN**: And commonly in very isolated and difficult areas where you had to bring in most of your help in terms of risk management and emergency services and whatnot in the Gobi Desert and Antarctica. You are rather self-sufficient in many cases.

**Ms Gadams**: We are, although we also work very, very closely with governments.

**The CHAIRMAN**: You had a race in 2010. It was a different race, but it was in the Kununurra area and in some similar places. You had firsthand knowledge of the area from the previous year of the terrain, of the problems related to it, communications, dehydration and all those issues. You had a practice run for the 2011 race, did you not?

Ms Gadams: Yes.

**The CHAIRMAN**: And you got to know a lot of local people in that process, of course. It was at your performance in 2010 that led to the WA Tourism giving sponsorship to the 2011 100 kilometre race.

**Ms Gadams**: Actually, one of the major reasons we wanted to stage the race in 2011 was because we met so many people that we liked there. We loved the Kimberley. We wanted to find someone locally to organise the 2011 race.

[10.00 am]

The CHAIRMAN: I think I read a lot of your risk management plan. Risk management plans say things on paper but what really counts is how you implement them. You have had experience. When did you contact various potential providers of services—FESA, the shire, the SES, St John Ambulance and the police? As you say in your submission, the best thing is the one single port of call for all the organisations, public and private, that would interact with an event like this. When did you start contacting? Did you ask for a single port of call? Did you discuss it with the shire, who is generally that port of call? Did you do it with sufficient time for them to help you develop an optimal risk management plan and coordinate the services that would flow from it?

**Ms Gadams**: I personally met with the president of the shire in 2010. While working in the Kimberley, I reached out and asked which government agencies we should contact. The people who we were working with had been recommended by Tourism WA.

The CHAIRMAN: Who was that?

Ms Gadams: In 2010 it was Ms Jaye Clifford and Mr John Storey. It is very common for all of us in all of the races that we stage to reach out to people on the ground. They normally come forward and they tell us about any risks. They keep us up-to-date on any changes taking place. For example, we were looking to change the date of our race in Egypt to February. The locals on the ground came back and said, "Well, wait, there are lots of sandstorms in that month. It is probably not a good time." Looking back in 2010, one of the big issues was whether or not our race could start on Anzac Day. I have a trail of emails on this from all the different people that we tried to contact to find out whether there was an issue on Anzac Day. Finally, they said, "We don't think there is an issue but we went ahead and took a super cautious approach to it and actually set up something special for Anzac Day."

**The CHAIRMAN**: Specifically, when did you discuss your risk management plan with the shire?

**Ms Gadams**: The risk management plan is an ongoing process. Our risk management plan started in 2003, and it is constantly monitored and changed. If anyone asks to see our risk plan—any government agencies—we gladly hand it over.

The CHAIRMAN: Your role as RacingThePlanet is holding this race there and providing a conduit for the participants. You charge them for that. That is a service. Do you not think it is incumbent upon you to go in there and inform the local groups that you linked with—I mentioned them, and you say you contacted most of these—and give them enough time for feedback on what they are going to do and give them a copy of your race management plan? In other words, you proactively go to the place and say, "We're here. We met you last year. What do you think you should do? Do you have any comments about our risk management plan, about where we are going to do it?" And also inform them—quite clearly, these are bureaucracies and they have to have ticks on things, saying, "We're going to hold the race on this date. Are you aware of it?" Did you proactively go to them? Given that you state quite clearly that you want to call, do you choose one to be your link pin?

**Ms Gadams**: Normally the central agency is actually the police. Normally if you notify the police, they will tell you we should do this, this and this. That is normally how it works.

**The CHAIRMAN**: Did you go to the police and ask them?

Ms Gadams: We sent them a full email explaining that the race was taking place. I do not view ourselves as any different from tourists there. We expect, as guests of the government, that we are going there as tourists and it is going to be —

**The CHAIRMAN**: You are running a commercial event that is bringing a large number of people there and it is naturally risky, more so than tourists experience generally. You have a commercial event. You stated you wanted a one port call. Did you, with enough time, sit down with the Shire of Wyndham-East Kimberley, FESA, the police, both in Perth and Kununurra, and DEC to give feedback on your risk management strategy?

**Ms Gadams**: One thing that I can say is that it has been our experience in other races that we let people know that the race is taking place. They proactively come to us and tell us about any risks. For example, in Chile, believe it or not, in the driest desert of the world, they had flash floods about two weeks prior to a race. They proactively said, "We would like to get the Army to go and check it out. There might have been some of this fenced off area where they had landmines that had moved.

**The CHAIRMAN**: That is my point. You go to these areas and they have issues, often unpredictable—here fire, there floods. Maybe somebody in Chile came to you, took you aside and said, "Listen, you have to understand the local conditions." That is your role—to make sure that that is done.

Ms Gadams: We had been working with WA Health for about six months. We had been back and forth on different emails. I was on all those email chains. They had copied all of these different government agencies on this. I had assumed that everyone was aware that the race was taking place. When you are working also with WA tourism, the police know, we had about 11 agencies that we had contacted that knew the race was taking place. Not a single person asked us for our risk management plan.

**The CHAIRMAN**: Did they know with sufficient time to have impact into the decision?

**Ms Gadams**: I have emails from back in February when people were meeting, and our race was mentioned at those meetings.

**Mr W.J. JOHNSTON**: Are you saying that because you were dealing with Tourism WA so extensively, you had an understanding that Tourism WA would be ensuring that agencies other than Tourism knew about what was occurring?

Ms Gadams: Sorry; I did not understand that question.

**Mr W.J. JOHNSTON**: The principal agency that you are dealing with over this period of time is Tourism WA. They are talking to you about contractual obligations about your event. Is that right? You have to answer, otherwise it will not be recorded. You were nodding but you were not saying yes. You were negotiating with them about contractual arrangements for the race?

**Ms Gadams**: Yes, over a couple of months prior to the race taking place.

**Mr W.J. JOHNSTON**: Part of that contract is that you have a risk management plan?

Ms Gadams: Yes.

Mr W.J. JOHNSTON: What was your expectation of the result of that negotiation with tourism?

Ms Gadams: The truth is that we did not expect to get the WA tourism sponsorship. We were planning on staging the race on our own. It was our hope, as I said, that we could get a local group to manage this. We were trying to help to bring a lot of people from Asia to the Kimberley region. I was also helping to try to bring more media to the Kimberley. We were not even focused on WA tourism and their contract.

**The CHAIRMAN**: Who did you think was your major link with the local government or apparatus? You stated earlier, generally the police. Did you think it was going to be the police who were going to provide you links and advice, and did they?

**Ms Gadams**: We notified everyone that we knew of to let them know that the race was taking place. There were only three kilometres of the whole course that was not drivable. It was not a really super far out race; it was in a very heavily populated tourist area.

**The CHAIRMAN**: Just going back to Tourism WA, in your 2010 Kimberley race you had a number of problems with dehydration. Also in your 2010 Gobi Desert race, you had a fatality. Did Tourism WA know about these two instances in your deliberations and discussions with you, and should they have?

**Mrs M.H. ROBERTS**: I thought you were going to give me the call.

The CHAIRMAN: I am following up on the Tourism WA issues.

Ms Gadams: I would first say that dehydration is extremely common in all races. In fact, it was a relatively hot day for the recent Boston marathon. They had hundreds of cases of it. It probably happens in every single race. In our races it typically happens on the first day because people are travelling, they have been on long flights so it is very, very common. While we were scouting for the Kimberley 2010 race we did training videos to alert people to drink from streams. We purposely staged the race by streams. If someone is dehydrated, it is mainly because they have not drunk enough water. That is not something that we have caused.

**The CHAIRMAN**: Back to Tourism WA, did you talk to them about the incidences in your other races? When they were doing due diligence and having discussions with you, it was a partnership they were entering into. You held a race in 2010. An issue of dehydration came up. You liaised very much with the Department of Health over an extensive period of time.

Ms Gadams: Correct.

**The CHAIRMAN**: Did you discuss that? Should the department of tourism have known about those issues?

**Ms Gadams**: With WA tourism, we were personally focused on staging the race so we were helping WA tourism do the media show. As I said, that is quite a common problem in every race. It is not that we feel that we have to mention that to every person.

Mrs M.H. ROBERTS: In your evidence you said you contacted all the relevant agencies. As part of that, in your statement this morning you said that Mr Tony Stevenson of FESA was contacted on

30 August, which was only two days before the event. You then said that the only request you had not replied to promptly was his request for a detailed map of the race. Why would you think that notifying Mr Stevenson just two days before the event was adequate? What is the explanation for not providing the major responder like FESA with a map well before the race, why did that not occur and why did you not do it of your own initiative?

My other questions go to your statement this morning where you talked at length about your communication systems and your emergency management plan. If your communication systems were appropriate, as you have stated today, and your emergency management plan was adequate, why did it take RacingThePlanet two to three hours to get a doctor to the site where your competitors were injured?

**Ms Gadams**: Okay. So your first question?

Mrs M.H. ROBERTS: The first question is about 30 August with FESA and why you did not contact FESA prior to 30 August.

Ms Gadams: Our race was actually staged on private land, except a little section at the end. We were told by multiple people that FESA would not want to be involved in something on private land.

**The CHAIRMAN**: Who told you that?

**Ms Gadams**: Numerous people located in the area.

**The CHAIRMAN**: Their name is the Fire and Emergency Services Authority.

**Ms Gadams**: The truth is, for someone coming in, it is not clear what FESA stands for. Normally, I would think that "F" was for "federal".

**The CHAIRMAN**: That is my point. When you come into an area that is different, you would find out the lay of the land and find out what the institution is that is going to provide those services for you. The department of tourism introduced you to two people. You used both of them in the first 2010 race. Who was your man on the ground?

**Mrs M.H. ROBERTS**: Mr Chairman, my questions have not been answered.

**The CHAIRMAN**: I know. Did John Storey provide you that advice?

**Ms Gadams**: John Storey, out of his love for the Kimberley and his friendship, helped us in the area. As I said, we were looking to find someone to manage it locally.

**The CHAIRMAN**: I go back to Michelle's second question that relates to that. If your communication was so good, why were people left out there for three and a half hours and could not communicate?

**Ms Gadams**: I do not know if any of you have used satellite phones much.

**Mrs M.H. ROBERTS**: Mr Chairman, I still have not had my first question answered, which is: why was the map not actually provided when it was asked for and why did you not provide a map well in advance?

[10.15 am]

**Ms Gadams**: Actually, my colleague tried to phone Tony Stevenson and did not get through. I am not sure why he never got a map, but the map was certainly given to police.

**Mrs M.H. ROBERTS**: When was it given to the police?

Ms Gadams: I would have to look and answer that. I do not have the whole list of when it was given.

**Mrs M.H. ROBERTS**: I am just wondering whether it was given within days before the race or whether it was given months before the race.

**Ms Gadams**: Normally we would start working, giving the information out roughly about a month before the race.

**The CHAIRMAN**: Could you get back to us on when you provided the map to the police?

Ms Gadams: Okay.

**The CHAIRMAN**: That is a question on notice.

Mrs M.H. ROBERTS: My other question was about the communications systems and your emergency management plan.

Ms Gadams: So satellite phones—okay, you have two satellite phones. For these satellite phones to work, for one to call the other, both have to be positioned up, reaching a satellite. You have a much less chance of actually reaching the other satellite when you are calling satellite to satellite other than if you are calling satellite to a landline. So anyone who uses satellites extensively understands that satellites, there are limitations with them. We would much rather be actually in an area where there was mobile phone coverage, because satellites are not that easy to use, but they were the absolute best that we could possibly get.

**Ms A.R. MITCHELL**: Ms Gadams, could I then ask: were your checkpoints positioned so that they would be in the best position for your satellite phones to work?

**Ms Gadams**: Yes, it is mainly to the sky, so you actually have to go kind of like this and like this, and you have to try several times. The truth is, because we had so many satellite phones in place—actually when we needed to use the satellite phones, the satellite phones worked. As soon as we knew there was danger with the fire, our medical doctor at checkpoint 2 called using her satellite phone. And actually multiple calls were actually made to the 000 number between 2.00 and 2.30.

The CHAIRMAN: Did you have any communications along the track—that is, between checkpoints?

Ms Gadams: No, except if someone goes out—so we also had two-way radios there. If one of our doctors or someone had to go out in the field, they would bring a radio with them so then they could radio back to the checkpoint.

Mrs M.H. ROBERTS: Mr Chairman, just on those multiple calls, can I find out whether or not those multiple calls said that there were people who were burnt and injured or whether those calls were to say that people might be lost.

**Ms Gadams**: I will get that for you, but I believe that the calls did mention "fire" and "missing".

Mrs M.H. ROBERTS: So the calls, from what I understand from other evidence given, there seems to be an impression that there were fires in the general area and there were people missing. What appears to be missing out of the communications that you say occurred between 2.00 and 2.30 was that there was actually anyone injured.

**Ms Gadams**: We do not actually have the actual call details, which we would like to get actually to see exactly what was mentioned. I know that our medical director first called at 2.02 pm to let people know to please send an ambulance. An ambulance came around 4.45.

**Mr W.J. JOHNSTON**: Can I just clarify, too, in respect of this emergency management plan, risk management plan? As you say, it was a thorough plan and it contemplated fires; is that right?

**Ms Gadams**: Our risk management plan is very much a work in progress. As we find out —

**Mr W.J. JOHNSTON**: But it is thorough and contemplated fires?

Ms Gadams: — about any new risk, we are constantly adding to it.

**Mr W.J. JOHNSTON**: Is that a yes or no? Was it thorough? And did it contemplate fires? Yes, yes; no, no; yes, no? It is a simple question.

**Ms Gadams**: It is actually not, because some of the risk —

Mr W.J. JOHNSTON: Was it thorough?

**Ms Gadams**: Yes, because some of risk —

**Mr W.J. JOHNSTON**: Okay. Did it contemplate fires?

Ms Gadams: The risk management plan is not only a written but it is also verbal, because —

Mr W.J. JOHNSTON: Did it contemplate fires?

Ms Gadams: Yes, we verbally discussed it.

**Mr W.J. JOHNSTON**: Okay, so if it contemplated fires, why were there no burn aids available to the doctors when they went to treat the two injured women? Why was there no capacity to treat the burns when the doctor got to the two women? If it was so thorough and contemplated fires, why was that very simple process not available?

The CHAIRMAN: Excuse me. You have to make application for counsel.

Counsel for Ms Gadams: And I am seeking to make that application.

Mr W.J. JOHNSTON: I would like some questions answered.

The CHAIRMAN: Excuse me; wait a minute. You have to make application beforehand.

**Counsel for Ms Gadams**: Would you, Mr Chairman, permit me to sit here with the witness who is my counsel client.

Mr W.J. JOHNSTON: I just want the question answered.

**Counsel for Ms Gadams**: It is precisely to answer the gentleman's question.

**The CHAIRMAN**: Do you have any problem?

Mrs M.H. ROBERTS: I do not have an issue.

**The CHAIRMAN**: Generally you have to apply for counsel, but we will accept it. You understand you cannot answer on her behalf.

**Counsel for Ms Gadams**: I accept that entirely, Mr Chairman.

**Ms Gadams**: I would like to read what our doctor had when she actually arrived at the accident site. Dr Julie Brahm was the first doctor on site.

Mr W.J. JOHNSTON: The only doctor on site.

**Ms Gadams**: Pardon?

**Mr W.J. JOHNSTON**: The doctor there. There was only one doctor with the two injured women.

Ms Gadams: Then a second doctor came, actually. Dr Brandee Waite went there later. Dr Julie Brahm was the first doctor on site. She jumped from the helicopter to the ledge where Ms Pitt and Ms Sanderson were located. Dr Brahm is a Canadian qualified medical doctor who was granted a formal permit to practise medicine during the 2011 foot race.

Mr W.J. JOHNSTON: Yes, so what —

**Ms Gadams**: So I am going to go over and explain everything that she did.

**Mr W.J. JOHNSTON**: No, I do not want that. I want the answer to the question I have asked. The question I have asked is very, very narrow. I asked a very simple question. It is extraordinary that you cannot answer. I asked: why was there no available burn aid to treat the two women? Why were there no adequate facilities to treat the two women, given you have thought about fires and had a thorough and comprehensive plan?

Ms Gadams: Let me explain. Dr Brahm did not cool the wounds given at the time at which she arrived on the scene. Cooling wounds initially when the tissue was hot may have been of some benefit. However, by the time Dr Brahm arrived it would not have made a difference to the recovery of Ms Pitt or Ms Sanderson. Evacuating Ms Pitt and Ms Sanderson was as quickly as possible —

**Mr W.J. JOHNSTON**: That is not the question I have asked. Ms Gadams, I would like you to answer the question. The question is not to the answer you have given. I asked why was it not available, not why it was not used. Why was it not there?

**The CHAIRMAN**: What did the doctor have on the site to address burns, besides water?

Ms Gadams: Dr Brahm, she did not dress the wounds primarily because the lack of —

**Mr W.J. JOHNSTON**: That is not the question I have asked. You are not answering the question. You understand you need to treat this with respect. I have asked a simple question: why was nothing available? I am not a doctor. I cannot tell you the answer to the question.

**Ms Gadams**: Let me just explain how our medical team works.

**Mr W.J. JOHNSTON**: No, that is not what I have asked. Ms Gadams, I am just asking you a question, and I do expect you to answer. The answer I need is: why was there nothing available?

Ms Gadams: I did not say that there was nothing available.

**Mr W.J. JOHNSTON**: I am putting it to you that there was nothing available.

**Ms Gadams**: Okay, I am not saying that there was not. She used everything that she thought was appropriate to use.

**The CHAIRMAN**: So the medical doctor—as the member said, burns was an issue—jumped out of the helicopter. Obviously getting the helicopter she had time—she did not hike up there—to bring medical equipment with her.

**Ms Gadams**: Yes. All of our medical doctors will have a medical bag, and our chief medical doctor has more than everyone else.

**The CHAIRMAN**: She saw that there was a fire; she knew the risk. She knew at that time getting out of the helicopter there was burn issue, potentially.

**Ms Gadams**: I do not believe that she knew that at that time, that there were burn issues, but I cannot say for sure.

**The CHAIRMAN**: It would have been obvious. She jumped out. What did she have in her bag to address burn issues?

**Ms Gadams**: I do not know specifically what Dr Brahm had, but I know that Dr Brahm did exactly what she thought that someone should do for two burn victims.

**Mr W.J. JOHNSTON**: What analgesic was applied by the doctor? Answer the question, not a different question. Because we know the answer; the answer is nothing.

**Ms Gadams**: No, I have got it here. RacingThePlanet's medical director had the following pain medications available on the course.

**Mr W.J. JOHNSTON**: That is again not what I asked. What I asked was what was given, not what was available.

Ms Gadams: I am going to read that off. She had aspirin.

Mr W.J. JOHNSTON: No, I want to know what was given.

**Counsel for Ms Gadams**: If I may —

Mr W.J. JOHNSTON: No, you cannot talk.

The CHAIRMAN: You can advise.

Ms Gadams: She gave pain relief medication orally to Ms Sanderson and Ms Pitt.

**Mr W.J. JOHNSTON**: So she did not inject morphine. That is a common treatment for people with severe injuries.

Ms Gadams: RacingThePlanet and its doctors do not have controlled analgesic drugs such as fentanyl, ketamine or morphine on site during a foot race. Those are controlled drugs under Western Australia law. To do so would require risk management processes in relation to safe storage and administration, which would not be practical given the remote environments where the foot race was conducted.

**Mr W.J. JOHNSTON**: That is a very good answer for this inquiry. We are pleased with that. I want to follow up with another question, which was that you said that you had engaged the helo to do the evacuation. When did you engage the helicopter that did the evacuation?

**Ms Gadams**: I worked extensively —

Mr W.J. JOHNSTON: Just answer the question.

The CHAIRMAN: Let her answer. You have not given enough chance to answer.

**Ms Gadams**: I worked with Heliwork the previous year. We had actually airlifted things into a certain campsite, so we knew that there was going to be a helicopter on site, and we gave them a call several days before the race just to confirm that they would be the first point of call if there was an emergency.

**The CHAIRMAN**: Which helicopter? The filming helicopter?

Ms Gadams: Yes, the filming; correct.

Mr W.J. JOHNSTON: But that was engaged by you, was it?

Ms Gadams: Yes, it was.

**Mr W.J. JOHNSTON**: No, it was not. It was engaged by your filming company.

Ms Gadams: The contract was made between Beyond TV and Tourism WA. If I wanted to, the contract could have been made through RacingThePlanet and us.

**Mr W.J. JOHNSTON**: The Heliwork helicopter that did the evacuation. That was not the media helicopter, was it?

**Ms Gadams**: They called in a second helicopter.

Mr W.J. JOHNSTON: Who called it in?

**Ms Gadams**: I know myself when I was on ground, I also made a call, but I understand that our management team did and so did the helicopter pilot; multiple people.

**Mr W.J. JOHNSTON**: At what time did RacingThePlanet request Heliwork to send a helicopter out to rescue?

**Ms Gadams**: The Heliwork—I will have to get that exact time.

**Mr W.J. JOHNSTON**: In fact it never happened, did it?

Ms Gadams: Yes, it did.

**Mr W.J. JOHNSTON**: No, there was never a call to Heliwork to get the helicopter to come and rescue people. That is the evidence that has been given to the inquiry already by the pilot.

**Ms Gadams**: That is not true.

**Mr W.J. JOHNSTON**: That is exactly the evidence that was given.

**Ms Gadams**: The Heliwork helicopter was at checkpoint 3. Our management team called to checkpoint 3, and they spoke to the pilot. They put our satellite phone to the pilot and said, "Could you please fly over Tier Gorge and check because we are worried."

Mrs M.H. ROBERTS: Where you are confusing the committee and people listening, I think, is that you keep referring to the Heliwork helicopter, and of course there were two Heliwork helicopters. One was the one that rescued the girls and the other was the one doing the filming. When you say the Heliwork helicopter was at checkpoint three, you are referring to the filming helicopter. Can I just ask for clarity here when you are referring to the Heliwork helicopter; if you could talk about the Beyond Action one and then the rescue one or something of that nature, because it is getting quite confused.

**Ms Gadams**: The Beyond Action helicopter was also the one that we had designated as the first responder in the case of any emergency. That was also our helicopter.

**Mrs M.H. ROBERTS**: But, Mr Chairman, that helicopter was not capable of evacuating the girls. That is why the other helicopter had to be called in, the one that was not on standby and that was not prearranged by RacingThePlanet.

[10.30 am]

**Ms** Gadams: That helicopter, once it was apparent—whether it was the skill or the pilot or whatever reason why—that he could not land, then we called for a second one.

**The CHAIRMAN**: Can I take this down a different route? Who in the RacingThePlanet management team had the authority to cancel the race on the day?

Ms Gadams: Actually every checkpoint captain did.

**The CHAIRMAN**: Were there guidelines for decision trees as to when to cancel it?

Ms Gadams: Yes.

**The CHAIRMAN**: What was your decision tree in respect of fire?

**Ms Gadams**: So any time there is any danger out on the course, our checkpoint managers are trained to hold people at checkpoints. That is the most important thing that you can do.

**The CHAIRMAN**: At approximately 10.30 am the media helicopter pilot delivered a message to checkpoint 2 that there was a fire coming and would be at that checkpoint in about two hours. This was before competitors arrived at checkpoint 2. Ms Hanninen was at checkpoint 2 at this time and Mr Garcia arrived not long after. Why did they not make the decision to hold the competitors at checkpoint 2 until the direction of the fire and its danger to the course could be established?

**Ms Gadams**: There was no message of a serious fire at that point.

The CHAIRMAN: That is not the evidence we have. There was the helicopter pilot; indeed, I believe Mr Storey who was working with you in his gyro had gone over the Tier Gorge and had been monitoring the fire that eventually came up Tier Gorge for some time—days. It did pick up as you described it. He saw it picking up and he informed the people, and the media helicopter also informed your people at that time. In your evidence you stated that they thought it was coming from the Gibb River Road—that fire. There was some confusion about the direction of the fire. But my question was: irrespective of the direction, you had evidence that a fire was going to come through. The message was that there was a—this is from Carlos Garcia: when I arrived at checkpoint 2 I received a message from the media helicopter. The message was that there is a fire coming towards us and it may be at checkpoint 2 within two hours. Okay? If you had a decision tree and there was some uncertainty and this was Carlos Garcia who was there, why did you not keep people at checkpoint 2 until you found out where, the direction and the extent of danger of that fire, given that you were sending them up a gorge? Between checkpoint 2 and 3 was a gorge and one of the most inaccessible places in your whole race.

Ms Gadams: I also actually passed by that checkpoint after that time. The message that came to Carlos through our medical director through the media assistant from the pilot was not a message of urgency. The message was passed to Carlos and Carlos thought that he was talking about, as I mentioned before, that spot fire. So, Carlos went to check on that spot fire. There was a big range of, you know, mountains, hills, so there would not have been any way that checkpoint 2 could have seen into the Tier Gorge.

The CHAIRMAN: When you were running through the Tier Gorge—we have seen pictures from one of the competitors, they saw smoke. You must have been in that vicinity. You were coming down the gorge, up the hill, down in the gorge, in the valley, there was smoke—right? For two reasons, smoke is dangerous in itself because of inhalation and also where there is smoke there is fire often. You were there. You are the boss. Did you think about cancelling the race, getting other competitors, at least around you, and say, "Listen, uh-oh, we're running into smoke and we're running into one of the most inaccessible areas in the whole race." This is the decision tree. Who is making it? You could, and it is the call at the time that counts. Did you think about calling the race when you saw the smoke after checkpoint 2 through the gorge?

**Ms Gadams**: It must have been 30 or 45 minutes before I even saw smoke. Actually, I did not see the smoke. I heard someone yell and it was Rod Rutherford, so I stopped because I was actually wearing an iPod. It was literally probably five or 10 minutes after I saw the smoke that the fire came through.

**The CHAIRMAN**: We have pictures that before you descended significantly, you could see smoke.

**Ms Gadams**: I did not see the smoke.

The CHAIRMAN: Were you running by yourself?

Ms Gadams: Yes.

**Ms A.R. MITCHELL**: Can I just confirm what time did the race get called off and how was that communicated to the volunteers and the race organisers?

Ms Gadams: The race, there is never—the race it is about the checkpoint captains knowing and holding people at each checkpoint. You cannot simply just say the race is cancelled because you have people between two checkpoints, they have to follow the markers; only if there is danger, you know, would you try to collect people. So, as soon as our management team knew there was any risk of danger, they stopped people. They actually set up a temporary checkpoint at the Barrels.

**The CHAIRMAN**: You knew when you were running through there you are running, you could twist your ankle, you could fall down a cliff—all sorts of risks. Did you go to Heliwork and talk to them about a winch, a stretcher, back-up equipment? Imagine someone hurt their back; how you are going to get them out?

Ms Gadams: We had used almost this same section in the 2010 race and we had someone actually fall and cut his head open, so we actually purposely made the course so there really were not any areas where you could trip and have any type of a head injury, any type of a back injury. I had gone to Heliwork in 2010 to actually assess their medical evacuation capabilities, and we did not believe on this course there was anywhere where there could have been any sort of spinal injuries.

**The CHAIRMAN**: And you organised so that you could get them out of even that gorge? Did you think about trying to extract —

**Ms Gadams**: Yes, helicopter. So, we have also a spreadsheet and it actually lists all of the different GPS points at each checkpoint and we actually rate whether there is mobile phone coverage, you know, what the satellite phone coverage is like and we also list in there exactly how we would get a person out on each section of the course. Remember, the course, 97 kilometres were on drivable track.

**The CHAIRMAN**: You state in point 37 of your submission that all RacingThePlanet staff, volunteers, medical team and course directors for the 2011 race were fluent in English.

Ms Gadams: Yes.

**The CHAIRMAN**: We had evidence repeatedly at the Barrels—and this was a crucial time—the ambulance, John Storey, I believe, came to that and the person that you had there could not communicate in English.

Ms Gadams: As you probably know, RacingThePlanet is a very global organisation. We have many people from China, France, Spain, all these different countries, taking part in the races. It is because from a safety element that we also want to make sure that we have Mandarin speakers, we have Spanish speakers, so we actually actively seek people who are fluent in English but also speak a second language. I think according to the numerous hearing testimony that no-one said that there was any problem with the level of English on the race.

**The CHAIRMAN**: We got evidence from a number of parties that at a crucial point—the Barrels—giving evidence to the ambulance and the police that they could not speak to your key point person.

**Ms Gadams**: I do not agree with that. We had all fluent English speakers.

**Mr M.P. MURRAY**: There is some talk about that you could have earned through sponsorship up to \$100 000 in this event. That seems to have been declined. Could you tell us what the criteria was to get that \$100 000 and then what the criteria was not to pay that \$100 000 in sponsorship?

**Ms Gadams**: Okay. Actually, I mean, the truth is before the race we were not focused on that \$100 000 because we were not even sure if there was going to be a WA tourism sponsorship —

**Mr M.P. MURRAY**: That is fine, but just the criteria to be able to accept that.

Ms Gadams: I would have to say that I would have to go back in and look at the contract for that. I am actually not quite sure. But I can say that two days after the race, I mean, we were like everyone else; we were horrified by what had happened with the fire. So, we sent an email to WA tourism and said, "In light of everything that's happened, we cannot take any money from you", turned it down and said, "Put it towards the education of fire risk in the Kimberley."

The CHAIRMAN: A couple of things in respect of that question. First, part of the contract was that you would have to have over 40 people to get \$20 000. There was a clear view prior to the race that you were going to get 100 participants; you had 41, I believe. So, a couple of questions. How many freebie people came who did not pay out of that 41? Were they experienced people in terms of participating in ultra-marathons? Were they ready to go? Importantly, were you scrounging for people to get enough people to meet that deadline and get adequate filming and did that detract from your preparation and carriage of the event?

Ms Gadams: We made a call early in the year that our target or the—you know, we were going to look to have 30 to 40 people in this race, because although we had been there previously, it was the first time that we had a 100-kilometre race in this area. It is extremely common; in fact, I think every race we staged since 2003 we typically give between five and seven free entries. In fact, I do not know of a race out there that does not give a certain number of free entries. In fact, we have it in a lot of the contracts of our local organisers that they need to find some local people for us so we can actually give them free entry, so it is completely common.

**The CHAIRMAN**: Turia Pitt was pulled in right at the last minute.

**Ms Gadams**: She would have been. Okay, some of the criteria we look for local people, we look for friends who have done favours for us in the past who have helped us, and we also look for people if we are trying to make the field more diverse. So, there is a number of criteria and we do this in a —

**The CHAIRMAN**: How many people out of that 41 were not paying?

**Ms Gadams**: It would have been—so, a typical race is five or six, a typical race.

**Mrs M.H. ROBERTS**: This race was the question, was it not?

The CHAIRMAN: Pardon me?

Mrs M.H. ROBERTS: Did you not ask this race?

The CHAIRMAN: Yes, this race.

Mrs M.H. ROBERTS: Surely that can be answered.

The CHAIRMAN: Could you find out and provide evidence of how many people paid and how

many people participated without paying?

Ms Gadams: I could get that for you, sure.

**The CHAIRMAN**: And why were you running?

**Ms Gadams**: Why was I running?

**The CHAIRMAN**: You are the boss. If I were running a business and I was providing a service, I would not be partaking of the service; I would be running it.

Ms Gadams: I was not actually managing the race. I have taken part in other races. I have taken part in our Atacama Crossing race. In fact, it is a standard policy, we try to get one person in the management team to do one of the races every year so they can see the other side of it, because we have a very deep management team and we do not need every single person in that management team at every race. Personally, when we set up the course back in February, we actually said, "We're going to make this an easy course" and I said, "Great. I am signing up for it". So, I was doing it because, number one, it was a relatively easy course mostly on four-by-four tracks and I also love the Kimberley.

**Mr M.P. MURRAY**: Tourism WA was one of your major contracts for that. Do you see them as your principal contractor? You came in to run an event with sponsorship coming through from Tourism WA: do you see them as one of the principals that you had to satisfy in the running of your race?

**Ms Gadams**: We have a model such that we do not actually have to have any outside sponsors to run our races. Our races are all set up the same way. We have the same risk management plan modified for the local area for each race.

Mrs M.H. ROBERTS: Mr Chairman, I would like to ask Ms Gadams: what responsibility, if any, does RacingThePlanet take for the injuries to Kate Sanderson, Turia Pitt, Michael Hull and Martin Van Der Merwe? What have you done to assist them since the race? Do you intend to do anything to assist them in the future?

Ms Gadams: RacingThePlanet does not know who is liable for these injuries and is not putting any blame on anyone. After this terrible accident happened, our medical director was the first one who was in touch with the families. As we all know, it has been a very, very long process for everyone. There has never been a time when I have had an email or call or anything from any member in the family where I said that I would not meet. I remain open to meet with any of the families.

**Mrs M.H. ROBERTS**: So that is all you intend to do in the future to assist them?

**Ms Gadams**: I mean, no-one has come to us to ask us for anything, and if someone comes to ask us, you know, I am willing to meet at any time.

**Mrs M.H. ROBERTS**: Quite clearly, they are thousands and thousands of dollars out of pocket, so I think any assistance you could give would be gratefully received.

**The CHAIRMAN**: Could the people in the audience depart? We are going to go in camera now.

[The committee took evidence in camera]