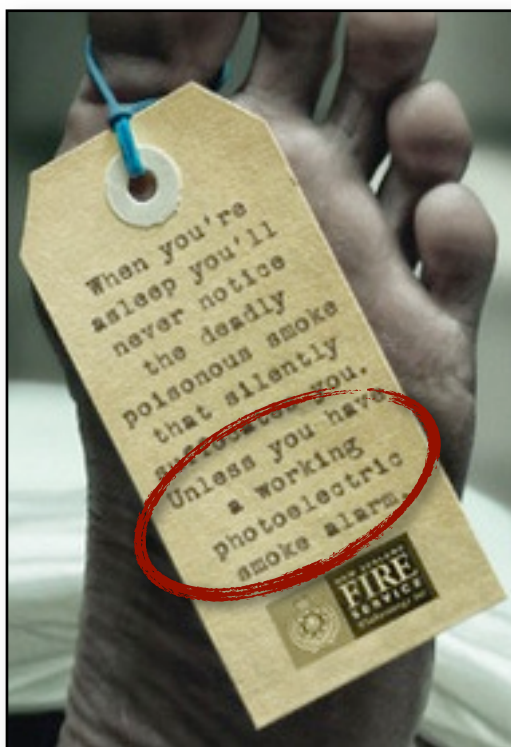


The KEY Report



New Zealand Fire Service
Advertising Campaign
[Breaking News >>>](#)

The KEY Report is a 'living document', it may be updated as new information emerges and is designed to be read after seeing 'Smoke Alarm Recall' at, www.TheWorldFireSafetyFoundation.org All Internet links (underlined blue text) may be accessed via the electronic version of this document. Make sure you have the latest version which is at: www.theKEYreport.org

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(for all Tenants and Home Owners)

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'A Special Duty of Care'

Given the weight of evidence surrounding the efficiency of different smoke alarm types, it is not enough that standards, regulatory, and fire safety organisations recommend photoelectric smoke alarms - they have a duty of care to warn the public of the known, life-threatening limitations of ionization smoke alarms.

Karl Westwell, Co Founder, WFSF, Tauranga, New Zealand August 2009 - see page 15



Karl Westwell

How to use this report

Part One: It's Time To Warn The Public!

For Tenants and Home Owners (Pages 1 ~ 13)



For All Australians and New Zealanders:

Send the 'Home Owners' or 'Tenants' letter (pages 12 and 13)



For All Americans:

For Tenants: Send the 'Tenants' letter - The U.S. Version is [Here](#)

For Home Owners: Join the Class Action Law Suit - [Here](#)



For All Other Countries:

For Tenants: Send the 'Tenants' letter - The International version is [Here](#)

For Home Owners: Find out more about your smoke alarms - [Here](#)

Part Two: The Wheels of Bureaucracy

For Firefighters, Fire Industry Professionals, Coroners, Lawyers,
Government Ministers and Business Leaders (Pages 14 ~ 26)

Send your country specific 'Tenants' or 'Home Owners' letter (as above)
(you may want to ask your Senior Policy Advisor or PA to assist you - see page 25)

The World Fire Safety Foundation - Background

In 1993 Adrian Butler and Karl Westwell founded, built and ran Maximum Security, a multi-national, award-winning, New Zealand-based franchise. In 1997, Maximum Fire & Safety, a division of Maximum Security, was setup to address the fact that most people were inadequately protected from fire because they only had one or two smoke alarms installed in their homes.

Maximum Fire & Safety advised consumers that the New Zealand Standard (NZ4514)* recommended people install smoke alarms in **every** bedroom and in **all** exit paths.

Over 100 Maximum Fire & Safety representatives sold tens of thousands of ionization smoke alarms throughout New Zealand and Australia. However, a growing number of consumers complained that whilst their smoke alarms went off when cooking toast, they failed to activate in real-world, smouldering fires. After considerable research they realised ionization smoke alarms were dangerously defective.

In early 2000 they were inspired to setup the World Fire Safety Foundation after seeing the award-winning Canadian documentary, 'Silent Alarms'. After years of research, Butler & Westwell discovered that scientific evidence held by the Australian Government's CSIRO testing laboratories, provides the proof that ionization smoke alarms should be banned from all homes globally and recalled.

The Foundation's Mission Statement is the name of it's full length documentary film, '[Stop The Children Burning](#)'. For further information on the Foundation's background, listen the recent radio interview, 'It's Time to Warn The Public!', (see page 5) and see Maximum Fire & Safety's 'Franchise Profile' where, in 1997, they stated,

**"It's critical that people have the right type and number of smoke alarms for their homes . . .
Even people who already have smoke alarms do not have maximum protection."**

[More](#)



*Note: Most US States require that smoke alarms be installed in all bedrooms and all exit paths. Australian Standard 1670.6 concurs with NZ4514, "The optimum may be the installation of a smoke alarm in each room of a dwelling . . ." (AS1670.1 - 1997, Appendix B, page 10, clause B4.1)

The KEY Report - Purpose

"It's Time to Warn the Public!"

The KEY Report follows up The CAN Report (Feb 2007) which warned Governments and authorities about the defective ionization *type* of smoke alarms installed in hundreds of millions of homes around the world.

Despite [US](#) and [Australian government standards testing](#) being proven to be flawed, the public are not being warned about ionization alarms. The KEY Report will assist you in understanding the issues so you may properly protect *your* family from fire.

Is Your Family Safe?

Send your 'Home Owners' or 'Tenants' letter - TODAY! (pages 12 and 13)

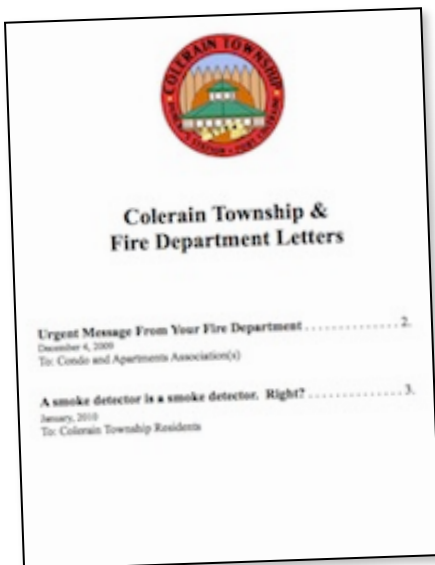


Courtney Stuart's legendary quote featured in '[Smoke Alarm Recall](#)'

Breaking News!

Urgent Message from the Colerain Fire Department

Colerain Ohio Fire Department's letter to Condominium and Apartment Associations
04 December, 2009



The Colerain Letters
Warning the Public!

"Studies have shown that **ionization Smoke Detectors have a failure rate over 55% of the time in smoldering fires**. Studies have also shown a high fatality rate related to smoldering fires which are the most common type fire that occurs in the residences. The majority of smoke detectors that are installed are the ionization smoke detectors, but they did not activate in a timely manner, in some cases 30 minutes after the fire, where Photoelectric smoke detectors activate within seconds compared to minutes."

[More](#)



David Isaac
Standards Australia
FP-002 Committee

"But don't they pass the current fire-code/standard?"

"The average person buys a smoke alarm in the genuine belief, that before their house fills with smoke from a smoldering fire, they will be given sufficient warning to safely escape. Regrettably, this is *absolutely not* what happens if they rely on an ionization smoke alarm."

Mr David Isaac, Standards Australia FP-002 Committee from his report, '[NZ Fire Service - Saving Face or Saving Lives?](#)' 25 May, 2006

[More](#)

"It's Time to Warn the Public!"

Get *the right type* and *the right number* of photoelectric smoke alarms in your home.

"If you tell the public to buy photoelectric smoke alarms because 'they're better', most people will do absolutely nothing - Why should they?

Their smoke alarms go off when they open the oven or cook toast - tragically people think they are safe.

However, the ionization **type** of smoke alarms, installed in hundreds of millions of homes around the world, do not detect smouldering fires, the type of fire that commonly kills, and most people do not have enough smoke alarms in their homes.

It's time to warn the public!"

Adrian Butler & Karl Westwell, Co-Founders, WFSF, Qld, Australia 24 January, 2010



Discover why your home needs the right type **and** number of smoke alarms

[More](#)



[Here](#)

Help Us Warn the Public
Become a Foundation Supporter



www.TheWorldFireSafetyFoundation.org/supporters

World Fire Safety Foundation Films

The Foundation has produced a series of films to spread the message about fire safety in the home.

'Stop the Children Burning' is the sequel to 'Smoke Alarm Recall' and explains why it is so important to have **the right type** and **the right number** of smoke alarms in your home and how homes fires have become so much more dangerous due to the increase in highly toxic, fast burning materials in our homes.

In 'Making Fire Safety Easy', a former full-time firefighter explains all you need to know about smoke alarms, fire extinguishers, fire blankets and evacuation plans.

The series of ten 'Fire Myths' are frequently used by companies to help sell fire safety equipment around the world.

All World Fire Safety Foundation films are at:

www.TheWorldFireSafetyFoundation.org/films



America's First State Fire Marshal to Warn the Public about Ionization Smoke Alarms

"The most important life-safety issue the fire service will face in our lifetime."

"We have five million ionisation smoke detectors in this state that may fail in the time of need."

State Fire Marshal Roger Johnson after an 'Aquarium Test' and full-scale tests by the Indianapolis Fire Department September, 2007, Indianapolis, Indiana, USA



SFM Roger Johnson
[Warning the public](#)
about ionization alarms

Deadly Delay TV Exposé



Bob Segall - WTHR, Indiana, USA
Award-Winning, Investigative Reporter



UL's 'Seal of Approval' under fire

Indiana's investigative TV series, 'Deadly Delay', exposed the world's largest independent testing agency - Underwriters Laboratories, (UL), flawed testing of ionization smoke alarms.

[More](#)

Ionization smoke alarms were first exposed on Indiana TV in April 2007. Why, almost three years later, is the truth STILL being kept from most Firefighters and the public?

Firefighters, see for yourself how ionization smoke alarm manufacturers and flawed standards have kept the truth hidden from you - and put your lives at needless risk for over thirty years. Examine 'The Evidence' page on the Foundation's website [Here](#):

Have Fire Departments been misled?

Dr Vyto Babrauskas is a former US Government senior fire researcher. He conducted fire research at the US Government's National Institute of Standards and Technology (NIST) for sixteen years. In March 2009, Dr Babrauskas appeared on 'K5 Investigates' questioning NIST's 'seal of approval' for ionization smoke alarms - [More](#)



Dr Vyto Babrauskas
Has NIST's flawed research misled Fire Departments globally?

"Fire is one of the Greatest Serial Killers of all Time"

Barbara Walters, 20/20 '[Smoke Alarm Report](#)', 17 May, 1996

U.S. Fire
Administration



FEMA



For FEMA's daily listing of U.S. Residential Fire Fatalities in the News - [Click Here](#)

Industry Awareness - America

"It is truly alarming ... It is so stunning and so horrifying and it's so hard to believe that it's something that people just don't know."

Courteney Stuart, Senior Editor, 'Alarming' Cover Story, 'The Hook' Magazine, Charlottesville, Virginia, USA. July 2008



'ALARMING' Exposé

Revealing the horrifying truth about ionisation smoke alarms



Steve Berman

Hagens Berman Sobal Shapiro LLP, [Class Action Law Suit](#)

"This could be a major suit that could make millions of Americans safer."

Steve Berman, Senior Partner, HBSS re ionization smoke detector Class Action Law Suit Dec 2007

"Nationally the percentage of people dying when the [ionization] smoke detector works, but works too late, is forty percent."

Deputy Chief Jay Fleming, Boston Fire Department WBX TV, Boston, Massachusetts, USA. Dec 2007



Chief Jay Fleming
[Warning Fire Fighters](#)



Senator John Kerry

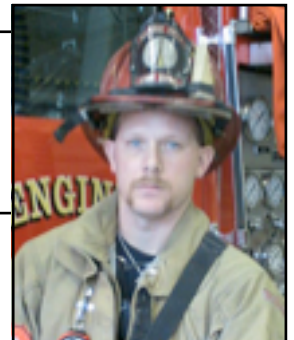
Demanding answers from the CPSC

"Americans are using inadequate and unsafe [ionization] smoke detectors..."

From [his letter](#) to the Consumer Product Safety Commission, Massachusetts, USA. June 2008

"That fire and those kids have really been the driving force behind this."

DC Russ Ashe, after a Mother and four children died in a home with ionization alarms. 'A Burning issue for Fire-fighters', Vermont, USA. Jan 2008



Deputy Chief Russ Ashe
Inspired [New Legislation](#)



Mike Turner

State Regulator

Says ionization smoke alarms should be banned

"We've got outdated [ionization] technology that does not work."

Mike Turner, State Regulator, working on banning ionization smoke alarms through legislation. Tennessee, USA. March 2008

"Using better [photoelectric] smoke alarms will [drastically reduce the loss of life](#) among citizens and firefighters."

Harold A Schaitberger, General President, International Association of FireFighters, USA. Oct 2008



Harold A Schaitberger
General President, IAFF

"It's Time to Warn the Public!"

Industry Awareness - Australia and New Zealand - 1



AFAC Official Position:

Ionization smoke alarms may not operate safely in smouldering fires

June, 2006:

Australian & NZ Fire Brigades Officially Acknowledge Ionization Smoke Alarms are Not Safe in Smouldering Fires

The Australasian Fire and Emergency Service Authorities Council (AFAC) is the peak body for all Fire Brigades in Australia and New Zealand.

After the World Fire Safety Foundation had alerted Australian & New Zealand Fire Brigades to the serious, life-threatening problem with ionization smoke alarms, on the 1st of June, 2006, AFAC released their official position on smoke alarms:

"That ALL residential accommodation be fitted with PHOTOELECTRIC smoke alarms."

AFAC's position exposes the serious life-threatening problem with ionization smoke alarms:

"Ionization smoke alarms may not operate in time to alert occupants early enough to escape from smouldering fires."

AFAC's official 'Position on Smoke Alarms in Residential Accommodation' June 2006, page 3, clause 3.0 (emphasis added)

Jan, 2009:

Fire Protection Association Australia Officially Acknowledges the Greatest Risk to Life or Injury Occurs from Smouldering Fires

The Fire Protection Association Australia (FPAA) is Australia's major technical and educational fire safety organisation. Their Fact Sheet, 'Smoke Alarms - Ionisation or Photoelectric?' states:

"The type of fires in residences that are most likely to occur while occupants are sleeping are smouldering fires. The greatest risk to life or injury occurs when occupants are sleeping."

"Most ionization alarms take longer to respond to smouldering fires and depending on the material may not alarm until the fire bursts into flames."



FPAA Official Position:

Ionization smoke alarms may not operate safely in smouldering fires

'A Special Duty of Care'

The ABCB (including all 15 board members), AFAC, BRANZ, the NZ Consumers Institute, CPSC, CSIRO, the Dept of Building & Housing (NZ), FEMA/US Fire Administration, FPAA, IAFC, IAFF, NFPA, NIST, Safety Council (NZ), Standards Australia, Standards NZ, UL, executive management at Australian and New Zealand Fire Brigades, some smoke alarm manufacturers/distributors and others, have been made fully aware that ionization smoke alarms do not activate in life-threatening smouldering fires since being sent [The CAN Report](#), by registered mail, in February 2007*.

Do these organisations have a Duty of Care to warn the public about the known and scientifically proven defects inherent in ionization smoke alarms? See 'A Special Duty of Care' on page 15 of this report.

*All 88 'CAN Report' recipient's details are listed on pages 14 ~16 of the report which is available at: www.TheCANreport.org

"It's Time to Warn the Public!"

Industry Awareness - Australia and New Zealand - 2



David Calvert
CEO, NZ Safety Council

"The New Zealand Safety Council's position is that ionization smoke alarms should be banned from sale in New Zealand."

stated by David Calvert, NZSC's CEO in the Safety Council's [Report warning about ionization alarms](#)

"Ionization alarms are dangerous because they lull people into a false sense of security when cooking toast, but often fail to activate in smouldering fires."

stated by David Isaac in the film, '[Smoke Alarm Recall](#)'



David Isaac
Standards Australia committee member



Standards Australia
Closing the Deadly Loophole in Australia's Smoke Alarm Standard

Closing the 'deadly loophole' in Australia's flawed smoke alarm Standard (AS3786)

Acknowledgement of the [deadly loophole](#) in Australia's Smoke Alarm Standard

"It turns out that the vast majority of us have the wrong type of smoke alarms fitted in our homes."

Tracy Grimshaw, when the Foundation's Aquarium Test and [AFAC's Official Position](#) were made public on National TV. June 2006



Tracy Grimshaw
Warning about the ionization smoke alarms in our homes

"Fire-Fighters haven't been Told the Truth!"



Peter Cannon, President, VFFA
Warning volunteer fire-fighters about defective ionization smoke alarms

"Fire-fighters haven't been told the truth. Watch '[Smoke Alarm Recall](#)' and see the facts about ionization alarms for yourself."

Peter Cannon, President, [Volunteer Fire Fighters Assn.](#) Parkes, NSW, Australia. August 2008



[VFFA Magazine - Oct 2009](#)
exposes ionization alarms

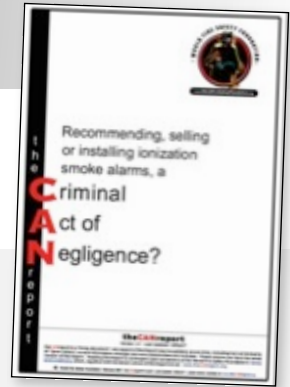
"It's Time to Warn the Public - AND our Fire Fighters!"

The Solution - STILL Blocked in Australia!

In 2006, Standards Australia corrected Australia's flawed Smoke Alarm Standard. So why, in 2009, is the [Australian Building Codes Board](#) *still* continuing to block implementation of the corrected standard?

A Criminal Act of Negligence?

In February 2007 the World Fire Safety Foundation distributed 'The CAN Report' ('Recommending, Selling or Installing Ionization Smoke Alarms, a **Criminal Act of Negligence?**') by registered mail, to all Australian Building Codes Board Members. The CAN Report explains the legal and scientific case against ionization alarms.



The CAN Report
[Here](#)

The report supported Standard Australia's second attempt to have the ABCB adopt the corrected Australian smoke alarm standard (AS3786) which mandate photoelectric smoke alarms in all Australian homes.

In March 2007, despite 'The CAN Report' and Standard Australia's second 'Product Impact Assessment' providing the ABCB with overwhelming scientific evidence and legal precedence, the ABCB wrote to the Foundation (see the ABCB quote below) stating the problem was "**not clear to the Board.**" **Consider the following:**

- FACT:** New legislation in [Vermont](#) and [Massachusetts](#) mandates photoelectric alarms in all new homes.
- FACT:** After extensive scientific research the [official position](#) of all Australian and New Zealand Fire Brigades is "That **ALL** residential accomodation be fitted with **PHOTOELECTRIC** smoke alarms."
- FACT:** The International Association of FireFighters (292,000 members) [official position](#) states photoelectric alarms, "... will drastically reduce the loss of life among citizens and fire fighters ..."
- FACT:** U.S. Federal court judges recently declared an ionization smoke detector as "**defectively designed**" and its failure to be "[a legal cause of deaths](#)" (Hackert v First Alert Inc. 03/2008). Standards Australia has amended/corrected the Australian Smoke Alarm Standard (AS3786).
- FACT:** Standards Australia Ltd has [closed the deadly loophole](#) in Australia's Smoke Alarm Standard (AS3786). As at May 2009, the ABCB is still refusing to adopt this critical amendment into the Building Code of Australia which continues to put lives at needless risk.
- FACT:** The Australian Government's [own CSIRO scientific test data](#) shows ionization smoke alarms fail to activate until "**dangerously high**" and "**totally unacceptable**" levels of smoke.

In April 2004 the ABCB mandated photoelectric technology in all sleeping areas and exit paths in all buildings to which the commercial installation standard, AS1670.1 applies. However, despite [overwhelming evidence](#), the ABCB continues, without just cause, and without accountability (see 'Open Letters' on pages 23 and 24), to neglect to do the same for our homes.



Graham Huxley
Chairman, ABCB

... What the ABCB had to say:

"It is not clear to the Board from the evidence available that ionization detectors do not achieve the level of performance required for warning occupants in the event of a fire."
ABCB's response to the Foundation's 'CAN Report' by ABCB Chairman of the Board, Mr Graham Huxley, March 2007

... What the Foundation said in response:

"Why does the ABCB deem itself more competent in these matters than the expert FP-002 technical committee of Standards Australia Limited?"
(quoted from 'The ABCB Open Letter' on page 23)



Karl Westwell
CEO Co-Founder, WFSF

"If you put people on notice that there's a problem, and they ignore it - now they're liable ..."

Dean Dennis, 'Father's For Fire Safety', Ohio, USA Sept 2009 (page 16)





ALL Home Owners and Tenants

Discover the Truth . . .

Why aren't we being Warned about our Dangerously Defective Ionization Smoke Alarms?

Dear Home Owners and Tenants,

In 1980 the International Association of Fire Chiefs (IAFC) [report](#) warned that the '**ionization**' type of smoke alarms that are now installed in hundreds of millions of homes around the world were defective and recommended to *only* promote '**photoelectric**' smoke alarms. Tens of thousands of people have been needlessly killed or injured because the IAFC's message went unheeded.

In the Foundation's film, '[Smoke Alarm Recall](#)', you will discover that whilst the **ionization** type of smoke alarm found in most homes may activate when you are cooking toast, tragically they do not detect the type of fire that most commonly kills - smouldering fires.

In 2005 the Queensland Fire & Rescue Service (QFRS) requested the World Fire Safety Foundation raise the smoke alarm issue with the team of technical experts (known as 'FP-002') who oversee Australia's Smoke Alarm Standard (AS3786). We advised FP-002 that we believed a [deadly loophole](#) in the Standard was allowing **ionization** smoke alarms to be 'certified as safe' *when they are not!*

FP-002 investigated the issue and has formally acknowledged the flawed standard by rewriting and publishing a corrected draft Standard in August 2008. Tragically, those that have kept the truth buried from the global public for decades are working overtime to keep the truth hidden from the public.

The Australasian Fire and Emergency Services Authorities Council (AFAC) is the peak representative body of all New Zealand and Australian Fire Brigades. On June 1st 2006, AFAC released an [official position statement](#). Clause 3.0 states,

"Whilst they may false alarm when cooking toast and activate with the test button, ionization smoke alarms do not safely detect smouldering fires, the type of fire that commonly kills."



"That all residential accommodation be fitted with photoelectric smoke alarms."

Whether the smoke alarms in your home are new or old, battery or hard-wired, chances are they are the dangerously defective **ionization**

type. Scientific evidence shows that if these '**ionization**' alarms are 'working' (i.e. fitted with a working battery) the fact is **they DO NOT WORK**, i.e. Whilst they may false alarm when cooking toast and activate when you press the test button, they do not safely detect smouldering fires, the type of fire that most commonly kills.

Complete the 'Home Owners Letter' on page 12 or the 'Tenants Letter' on page 13, and find out the truth about the smoke alarms in your home. Help bring an end to thirty years of needless deaths, send your 'Home Owners' or Tenants' letter - because . . .

Evil Persists When Good People Do Nothing.

Thank you.

Sincerely
The World Fire Safety Foundation

Adrian Butler
Chairman, former full-time firefighter

AUSTRALIA

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F +1 519 451 0513
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M +64 (0) 27 544 9644
E kw@TheWFSF.org

UNITED STATES

PO Box 196
Citrus Heights
CA 95611-0196
USA
P +1 916 721 7700
E rp@TheWFSF.org

Home Owners Letter

(Australia/NZ only)



Instructions

1. **Print** out this letter (or the 'Tenants' letter on page 13 if you are renting).
2. **Insert** details 1 ~ 5.
3. **Send** letter to your Manufacturer/Supplier.

AUSTRALIA

23 Ocean Grove
Currumbin, QLD 4223
AUSTRALIA
P +61 (0) 409 782 166
E ab@TheWFSF.org

CANADA

Emergency Mgmt Office
Fanshaw College, Ontario
CANADA N5Y 5R6
P +1 519 452 4430 ext 2948
F +1 519 451 0513
E sc@TheWFSF.org

NEW ZEALAND

10 Herald Way
Tauranga 3112
NEW ZEALAND
P 0800 149 521 (in NZ)
M +64 (0) 27 544 9644
E kw@TheWFSF.org

UNITED STATES

PO Box 196
Citrus Heights
CA 95611-0196
USA
P +1 916 721 7700
E rp@TheWFSF.org

1

Date: _____

2

Home Owners name and postal address

3

Ionization smoke alarm manufacturer/supplier's name and address (usually printed on the back of the smoke alarm)

4

Ionization smoke alarm/s make and model number/s (usually printed on the back of the smoke alarm)

5

Dear _____
(Manufacturers/Suppliers Name)

Re: Alleged Scientific Misconduct - Ionization Smoke Alarms

The World Fire Safety Foundation is a global organisation, dedicated to saving lives by exposing the truth about the **ionization** type of smoke alarms installed in most homes around the world and promoting the safe and affordable alternatives. The Foundation is non profit - it does not sell smoke alarms or any other products.

The Foundation is requesting the following information on behalf of the home owner listed above about the ionization smoke alarms currently installed in their property.

Recent, independent, US scientific testing has shown that 'Scientific Misconduct' (i.e. fraudulent scientific testing) has allegedly been committed by standards testing organisations which have allowed ionization smoke alarms to be certified as "safe" when in fact they are not (See the film, 'UL Testing Questioned' [Here](#)).

The document, 'Recommending, Selling or Installing Ionization Smoke Alarms, A Criminal Act of Negligence?' on 'The Evidence' page of our website, contains information about several law suits where deaths have occurred resulting from ionization smoke alarms failing to sound a timely warning. **In Mercer v BRK (May, 1998), the defendants, BRK, the world's largest smoke alarm manufacturer, were fined compensatory and punitive damages - despite the fact their ionization smoke alarms were compliant with the current smoke alarm standard.**

In February 2006 it was discovered that the testing of ionization smoke alarms in accordance with Australia's smoke alarm standard, AS3786, is flawed. Standards Australia Ltd has corrected AS3786. However, the amended standard is still before the Australian Building Codes Board (ABCB). When it is finally adopted by the ABCB into the Building Code of Australia it will effectively mandate photoelectric smoke alarms in Australian homes and apartments.

The Foundation believes that the ionization smoke alarm/s listed above may be dangerously defective and not 'fit for purpose'. It is a requirement of the smoke alarm sensitivity testing standard, AS2362.17 (referenced from clause 3.2 of AS3786), that the testing authority (eg. SSL/CSIRO) must record the level of smoke at which smoke alarms activate during the sensitivity testing (i.e. light obscuration per metre) and advise the smoke alarm manufacturer accordingly. **Please disclose, in writing, within 14 days to my above address, the level of smoke (i.e. light obscuration per metre) at which the ionization smoke alarm/s listed above activated under clauses 7 (e) and (f) of AS2362.17.**

Thank you.

Sincerely
The World Fire Safety Foundation

Adrian Butler
Chairman, former full-time firefighter

'TheHomeOwnerLetters14June09.pdf' - The latest version at: www.TheWorldFireSafetyFoundation.org



1

Date: ____ / ____ / ____

2

(Landlord or Real Estate Agent's name and postal address)

3

(Location of rental property fitted with ionization smoke alarm/s)

4

Dear _____
(Landlord)

The World Fire Safety Foundation is an Australian based, global organisation dedicated to saving lives by exposing the dangerously defective ionization type of smoke alarms installed in most homes and apartments around the world and promoting the safe and affordable alternatives. The Foundation is non profit - it does not sell smoke alarms or any other products.

The Foundation is providing the following information in relation to the smoke alarms - which your tenant believes to be the ionization type - installed in your rental property listed above.

U.S. Federal court judges have recently declared ionization smoke alarms to be "defectively designed" and their failure to be "a legal cause of deaths" ([Hackert v BRK, March 2008](#)). It is alleged that for over thirty years, the failure of ionization smoke alarms to sound a timely warning has led to tens of thousands of needless deaths and injuries around the world.

Recent, independent fire-fighter and scientific testing has shown that 'Scientific Misconduct' has allegedly been committed which has allowed ionization smoke alarms to be 'certified as safe' when empirical scientific evidence shows they are not. (see the film, 'UL Testing Questioned' [Here](#)).

Once a landlord is informed of the known, documented defects of ionization smoke alarms, i.e. that they are 'not fit for purpose', at law, 'prior knowledge' exists together with a 'duty of care' to replace them. Legal precedence has established that failure to do so may render a landlord liable to civil and/or criminal actions for events including but not limited to death, injury, trauma or loss of property resulting from a fire where an ionization smoke alarm fails to sound a timely warning.

The document, 'Recommending, Selling or Installing Ionization Smoke Alarms, A Criminal Act of Negligence?' on '[The Evidence](#)' page of the Foundations website, references several law suits. In *Mercer v BRK* (May, 1998), Bradley Mercer died and his brother was badly burnt when their ionization smoke alarm failed to sound a timely warning. **The defendant, BRK, the world's largest smoke alarm manufacturer, was fined compensatory and punitive damages - despite the fact their ionization smoke alarms were compliant with the current smoke alarm standard.**

Should landlords be compensated because they were not warned of their ionization smoke alarms known defects? Examine the Class Action law suit against several of the world's largest ionization smoke alarm manufacturers at: www.hbsslaw.com/SmokeDetectors.

Landlords are required at law to provide a safe environment for their tenants. Your tenants' lives are at needless risk. See the film, 'Smoke Alarm Recall' at: www.TheWorldFireSafetyFoundation.org.

The World Fire Safety Foundation is providing this information to help protect:

- **your investment property**, from potential damage and consequent loss of income,
- **your tenants**, from needless death, injury and loss of their personal property from fire, and
- **you, the landlord**, against potential, but very easily avoidable, civil and criminal actions.

Sincerely

The World Fire Safety Foundation

Adrian Butler

Chairman, former full-time firefighter

Instructions

1. Print out this letter (or the 'Home Owners' letter on page 12 if you own your home).
2. Insert details 1 ~ 4.
3. Send letter to your Landlord or Real Estate Agent.

AUSTRALIA

23 Ocean Grove
Currumbin, QLD 4223
AUSTRALIA
P +61 (0) 409 782 166
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CANADA

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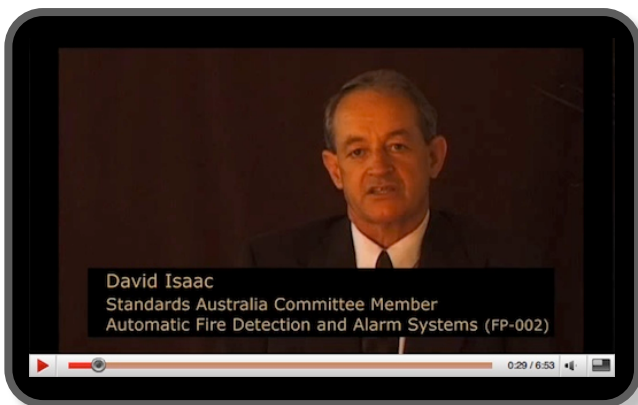
Part 2: The Wheels of Bureaucracy

For: Firefighters, Fire Industry Professionals, Coroners, Lawyers,
Government Ministers and Business Leaders

The following pages provide insight into the issues related to warning fire fighters and the public about ionization smoke alarms. Tragically the truth has been hidden for over thirty years. However, it appears that the most viable, ethical and workable solution is to, **Warn the Public!**

‘An Interview with David Isaac’

(Recorded NSW, Australia June 2006)



‘An Interview with David Isaac’ - V2.1, 16 June, 2006

“I believe that once the public fully understands that they are not adequately protected under the current regulations, and that proper protection is available, they will act to save the lives of their families.

Whilst our Australian Standards committees are working on this issue, the wheels of bureaucracy turn slowly.”

Watch the film [Here](#)

‘Smoke Alarm Recall’

The Case for Banning and Recalling Ionization Smoke Alarms

ONE OF THE GREATEST FRAUDS OF ALL TIME EXPOSED

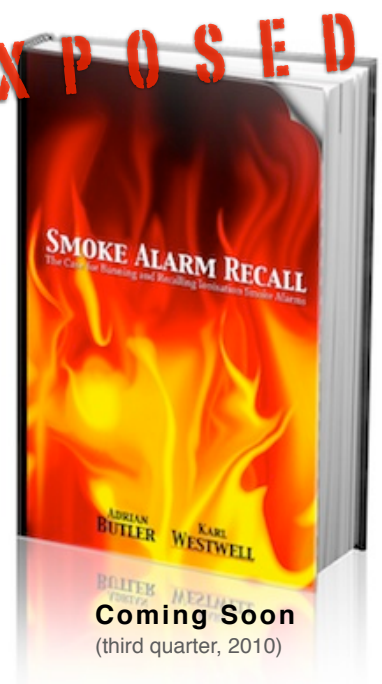
Discover how . . .

- ✓ U.S. Firefighters were deceived by manufacturers into promoting their ionisation ‘product of combustion’ detectors by (falsely) claiming these magical new devices would activate before there was any heat, and before there was any smoke.
- ✓ the fire industry kept the truth from Firefighters and the global public for over thirty years, despite decades of warnings from campaigners, while Firefighters and children kept burning.
- ✓ American icons, N.I.S.T. and U.L.’s alleged ‘Scientific Misconduct’ (i.e. flawed testing of ionization alarms) has led to tens of thousands of needless deaths and injuries globally.
- ✓ the C.P.S.C. in America has been aware of the problem since 1995 but remained silent.
- ✓ the I.A.F.C.’s 1980 ‘Smoke Alarm Report’ warned about ionization alarms, (due to the unacceptable false alarms rate) and said “No” to combination ionization/photoelectric alarms.
- ✓ the ‘You Have Two Types of Fire, So You Need Two Types of Smoke Alarms’ mantra is a myth designed by manufacturers to keep the truth about ionization technology buried.
- ✓ Australian government scientific testing proves ionization alarms should never have been allowed to be sold to the global public and should be immediately banned and recalled.

Submissions

‘Smoke Alarm Recall’ will be published in the first quarter 2010.

If you have any material you wish to submit to the authors for consideration, complete the submission form [Here](#)



“A Special Duty of Care”

The people and organisations that regulate, legislate, manufacture, and promote fire safety products have a special social contract with implicit responsibilities towards others in society and as such they are required to adhere to a standard of reasonable care because their acts could cause harm to others; and none more so than the standards, regulatory, and fire safety organisations.

These organisations have a special duty of care - for it is they to whom the public looks to as their protectors, and as such; their moral responsibility is greater than that of the manufacturers and promoters. The standards, regulatory, and fire safety organisations have a greater responsibility to perform their decision-making and industry supervisory functions in such a way as to take all reasonable steps to prevent future harm.

Given the weight of evidence surrounding the efficiency of different smoke alarm types, it is not enough that standards, regulatory, and fire safety organisations recommend photoelectric smoke alarms - they have a duty of care to warn the public of the known, life-threatening limitations of ionization smoke alarms.

In fact, it can reasonably be argued that for some organisations, such as those that regulate and enforce the installation of smoke alarms in homes, that failing to warn the public about ionization smoke alarms, is more than just a failure to act with a reasonable Duty of Care - it could be deemed a **Criminal Act of Negligence** (see [The CAN Report](#)). The failure to act has far-reaching implications not just for the organisation as a whole, but also for the individuals within an organisation.

If you work for such an organisation, you need to be aware that your failure to act may 'pierce the corporate veil' and see you held personally liable. Abrogating your personal responsibilities in these matters could see you charged with criminal offences, some of which carry custodial sentences.

For these reasons, we implore you to carefully examine this KEY Report, [The CAN Report](#), and review the evidence on our website for yourself - www.TheWorldFireSafetyFoundation.org.

Karl Westwell, CEO, Co-Founder
The World Fire Safety Foundation
Tauranga, New Zealand
August, 2009



Note:

At the time of writing this article, the only organisations I am aware of that are actively exercising their Duty of Care to warn the public about ionization smoke alarms, are the New Zealand Safety Council and the International Association of Fire Fighters. Information about Australian Fire Brigades Duty of Care, including but not limited to the QFRS is [Here >>>](#)



Jim Hacker
Hacker & Murphy LLP, NY, USA

“Every single family in America, if they have a smoke detector, in their house, they’re affected by this. The proof showed that sometimes the ionisation detectors wouldn’t even go off at all, and yet they continue to manufacture them, continue to sell them, continue to stand by them.”

Jim Hacker, Hacker & Murphy LLP re Hackert v First Alert Inc& BRK Brands Inc.

[More](#)



“ If you put people on notice that there's a problem, and they ignore it - now they're liable. ”

Dean Dennis, 'Fathers For Fire Safety', commenting on the Foundation's 'Tenants Letter'.
The Hook, Charlottesville, VA, USA.
September, 2009

Dean Dennis and Doug Turnbull lost their daughters, Andrea and Julie, in fires on college campuses 'protected' with ionization smoke alarms. In March 2010, Dean wrote:

“Here is what is ironic. We are the greatest technological nation on Earth. We can have troops on the other side of the globe and a soldier can be pinned down under enemy fire and radio for help. We have the capacity to surgically send a missile to take out the threat against the soldier. However, we knowingly let people go to sleep at night with a product we call a smoke alarm that has trouble detecting smoke. What is shameful is that good people have been alerting us to this problem for decades and it has been intentionally ignored.”



Doug & Julie Turnbull



Andrea & Dean Dennis

FFFS's Fire Chief's Presentations

Father's For Fire Safety's research is helping Fire Chiefs, Fire Fighters and other Industry Professionals unravel over thirty years of misinformation about smoke alarms.



Cover Story:



Off-Campus & At Risk

The Father's For Fire Safety Story 'The Hook' Virginia, USA Sept. 2009

Read the story and listen to the Podcast from 'Father's For Fire Safety's' home page

[Here](#)



See the latest Presentation [Here](#)

It's On The Buses!

Congratulations to the Queensland
Fire & Rescue Service for beginning to
publicly promote working photoelectric smoke alarms

From: Brett Weston <Brett.Weston@dcs.qld.gov.au>

Date: 11 September, 2009

Subject: Photoelectric Smoke Alarms

To: Adrian Butler <ab@thewfsf.org>

Hi Adrian,

I wish to applaud you on the great work that the World Fire Safety Foundation are doing in regards to the awareness of photoelectric smoke alarms. I am currently the Regional Community Liaison officer in QFRS Far North Region, Cairns and we are starting an awareness campaign here with various forms of advertising. I have attached a copy of an ad we are running here in Cairns on the side of a couple of buses just to let you know we're doing our bit too.

Keep up the good work.

Cheers

Regards

Brett Weston

A/Community Liaison Officer

Queensland Fire and Rescue Service

Far Northern Region

Install a **working photoelectric** smoke alarm now,



Why is Government Avoiding these Questions?

The email messages on the following pages gives insight into:

- the fact that numerous Government agencies have been made fully aware of this issue. The CAN Report was sent by registered mail to all 88 recipients in February 2007. All recipients' details are listed in the back of the Report.
- the fact that none of these agencies (and some others not mentioned in the following messages) seem prepared, at this stage, to take responsibility for this issue and warn the public about the deadly limitations of ionization smoke alarms, and
- why the World Fire Safety Foundation NEEDS YOUR HELP by send your 'Home Owners' or 'Tenants Letter' today.

Note:

- None of the content, technical or otherwise, in any of the following messages has been challenged.

- **Unanswered questions are in a yellow boxes with red bolded text.**

- For clarification, grammar and layout, minor edits have been made to some of the following messages.

From: "Adrian Butler"

Sent: 01 July, 2009 9:09 AM

Attention:

- Dr Megan Clarke, CEO, CSIRO (c/- of Chris McIntosh, CSIRO),
- John Tucker, CEO, Standards Australia Ltd.

c.c.

- Adam Liberman, Senior Legal Counsel, CSIRO,
- Dr Stephen Morton, Group Executive, Manufacturing, Materials & Minerals, CSIRO,
- David Whittaker, Executive Officer, ActivFire Scheme, CSIRO,
- Helen Noonan, Project Manager, (for distribution to FP-002) Standards Australia Ltd,
- David Isaac, Standards Australia FP-002 Committee Member, and
- Tracey Davern, Legal Counsel, SPES Legal Services, QLD

et al

RE: CSIRO WARNING!

Good Morning Dr Clarke & Mr Tucker

Dr Clarke, despite recent correspondence I am sure you are totally unaware that since February 2006 the CSIRO has received financial consideration for effectively 'certifying ionization smoke alarms as safe' when the CSIRO is in possession of, or is aware of empirical scientific data dating back to 1993 proving they are not.

The World Fire Safety Foundation believes this is unconscionable conduct which could be deemed fraudulent and could render the CSIRO and possibly even Standards Australia liable to criminal and or civil actions.

In February 2006, the CSIRO and Standards Australia's FP-002 committee gained 'prior knowledge' and an attendant duty of care when it was revealed to FP-002 at a FP-002 meeting, by Peter Hagar, the CSIRO's FP-002 representative, that the testing of ionization smoke alarms conducted by the CSIRO is flawed. The claim of flawed testing is supported by the elimination of the [deadly loophole](#) by Standards Australia FP-002 with their draft, corrected Australian smoke alarm Standard, AS3786 (August 2008 - attached). Please examine the attached letter to the Australian Building Codes Board and the other attached documents and the information in the emails copied below.

Dr Clarke, please advise if the CSIRO will continue to profit financially from the 'sale' of the 'proven to be flawed' testing/certification of ionization smoke alarms?

Mr Tucker, please advise:

- given the above, is Standards Australia going to warn the public about ionization smoke alarms?**
- if Standards Australia is going to publish AS3786, even if it is not referenced in the Building Code of Australia by the Australian Building Codes Board?**

Thank you.

Sincerely

The World Fire Safety Foundation

Adrian Butler, Chairman, former full-time firefighter

- - - - - 01 July, 2009 - WFSF Email Ends - - - - -

From: Colin Blair, Deputy CEO, Standards Australia Ltd
Sent: 31 July, 2009

Dear Mr Butler

We acknowledge receipt of your email dated 1 July 2009. Standards Australia is a non-government, not-for-profit organisation that facilitates the development of consensus-based standards.

The committee involved in the development of AS 3786 is aware of your issues. For further details of the standards development process, please refer to our website: www.standards.org.au.

Standards Australia is not a regulator. If you have any concerns about the nature of any legislation or regulation or the nature or extent of any public education programs, then those concerns should be raised with the appropriate government authorities.

Regards
Colin Blair, Deputy CEO, Standards Australia Ltd

- - - - - **31 July, 2009 - Standards Australia Email Ends** - - - - -

From: Adrian Butler
Date: 04 August, 2009 8:42:48 PM AEST
To: Mrs Margaret May MP
Subject: "...negligence of organisations including but not limited to the CSIRO and Standards Australia . . ."
Attn:
Mrs Margaret May, Federal MP, McPherson
c.c.
- The Honourable Senator Kim Carr
- Natalie, Qld Police Dept for The Honourable Neil Roberts, Minister for Police, Corrective Services and Emergency Services Qld,
- Lee Johnson, Commissioner, Queensland Fire & Rescue Service (QFRS),
- Tracey Davern, Legal Counsel, SPES, Qld,
- Naomi Brown, CEO, AFAC,
- Detlef Jumpertz, Manager, Building Policy Section, Dept of Innovation, Industry, Science and Research,
- David Isaac, Standards Australia FP-002,
- Ivan Donaldson, GM, ABCB, and
- Ian Johnson, (ABCB Legal Counsel), Partner, Mallesons Stephen Jaques Lawyers, Sydney
et al

Dear Mrs May

Thank you - your work and that of your staff in writing to The Honourable Senator Kim Carr regarding the defective ionization smoke alarm issue is most appreciated.

We are following up with Senator Carr's staff regarding representations by the ABCB in his recent letter.

The first email below references Senator Carr's letter and was sent to the CEO's and legal departments of the CSIRO and Standards Australia Ltd. Mrs May, I know you will appreciate that it is imperative that all stake holders are made fully aware of the facts given that almost all Australian lives are continuing to be put at needless risk. Accordingly I have copied you and Senator Carr's office et al on the email trail below to keep you all apprised of developments.

Thank you once again for your assistance.

Sincerely
The World Fire Safety Foundation
Adrian Butler, Chairman, former full-time firefighter

- - - - - **04 August, 2009 - WFSF Email Ends** - - - - -

From: Adrian Butler

Date: 04 August, 2009

Subject: Re: "...negligence of organisations including but not limited to the CSIRO and Standards Australia . . ."

Attention:

- Mr John Tucker, CEO, Standards Australia,
- Mr Colin Blair, Deputy CEO, Standards Australia Ltd, and
- Legal Department, Standards Australia Ltd

c.c.

- Dr Megan Clarke, CEO, CSIRO,
- Legal Department, CSIRO, and
- Ms Tracey Davern, Legal Counsel, SPES, Queensland

et al

"...negligence of organisations including but not limited to the CSIRO and Standards Australia . . ."

Good Morning Mr Blair

Thank you for your message below in relation to my email of 1 July 2009. Yes, we know that FP-002 committee of Standards Australia Ltd is aware of this issue - however the whole point of our ongoing communication with Standards Australia is NOT for FP-002 - it is for Standards Australia Ltd and the CSIRO and for all those paid for and charged with, a duty of care to protect us.

In the near future all families of those killed in Australian house fire will be contacted, and if appropriate, encouraged to take legal action against what we believe to be **negligence of organisations including but not limited to the CSIRO and Standards Australia** for failing to disclose to the public that the ionization type of smoke alarms in almost all Australian homes HAVE BEEN PROVEN BY CSIRO TESTING to be dangerously defective.

The FP-002 committee has closed the deadly loophole in Australia's smoke alarm standard AND PUBLISHED A DRAFT STANDARD. Tragically for all Australians the Australian Building Codes Board (ABCB), according to a recent letter from Senator Kim Carr, has failed to take the advice of the technical experts of FP-002 and the ABCB continues to block the standard. Compelling evidence suggests the ABCB's negligence in this matter has already led to loss of life. Read the ABCB 'Open Letter' [Here](#)

The existing flawed Australian Smoke Alarm standard has allowed these defective ionization devices to be 'certified as safe' by the CSIRO so, because no one has taken responsibility to warn the public, people continue to die in house fires and will continue to die needlessly until the truth is exposed and these devices are banned and recalled.

Last week a lady contacted me after she came very close to losing her children in a house fire. She wanted to know why the government is failing to tell the public about this matter. She lives in a rented home. Her landlord is the Road Transport Authority. Imagine the field day Australian lawyers will eventually have when it is not the surviving Mother but the Father wanting retribution because his wife and children are dead because of the negligence of those who continue to fail in their duty of care to warn the public. But Colin, you don't have to imagine anything, you can check it out for yourself - I am happy to supply details of the law suits in the USA where LAWYERS ARE ACTIVELY SEEKING PLAINTIFFS and a [class action](#) against ionization smoke alarm manufacturers.

Every time we challenge people charged with a duty of care to protect us, to find out more information, they bury their heads even deeper in the sand. Mr Isaac from Standards Australia informs me that he HAS NEVER BEEN CHALLENGED in his assertions in our film, '[Smoke Alarm Recall](#)', that ionisation smoke alarms fail to activate until "Dangerously High and Totally Unacceptable**" levels of smoke. Why has Mr Isaac remained unchallenged for more than THREE YEARS? Is it because industry experts KNOW he is right and CSIRO empirical scientific evidence PROVES IT?**

Mr Blair, please ensure this message is read by your CEO and your legal department.

Thank you.

Sincerely

The World Fire Safety Foundation

Adrian Butler, Chairman, former full-time firefighter

- - - - - **04 August, 2009 - WFSF Email Ends** - - - - -

From: Adrian Butler
Date: 07 August, 2009

Attention:

- Mr Ivan Donaldson, General Manager, ABCB
c.c.
- Mr Michael Balch, Deputy General Manager, ABCB
- Mr Ian Johnson, Partner, Mallesons Stephen Jacques, (ABCB Legal Counsel),
- Dr Megan Clarke, CEO, CSIRO,
- Mr John Tucker, CEO, Standards Australia Ltd,
- Mr Adam Liberman, Senior Legal Counsel, CSIRO,
- Mr Detlef Jumpertz, for Senator Kim Carr,
- Margaret May, Federal MP, McPherson,
- Standards Australia Ltd,
- Mr David Isaac, Standards Australia FP-002,
- [Mr Richard W Bukowski](#), Senior Engineer, Fire Research Group, NIST, USA, and
- Mr Richard Taylor, Partner, Taylor Martino, Alabama, USA
et al

Dear Mr Donaldson

ABCB - Formal Request for Details of “International Research”

The World Fire Safety Foundation is in receipt of a letter from Senator Kim Carr regarding our ionization smoke alarm campaign. Subsequent to the letter we have had discussions with Mr Detlef Jumpertz from Senator Carr's office.

We asked Mr Jumpertz to provide written confirmation of the ABCB's claims in Senator Carr's letter that due to "International Research" the ABCB has not adopted the critical amendment to AS3786 to close the [deadly loophole](#) that has allowed dangerously defective ionization type smoke alarms to continue to be sold to the Australian public.

We note that the ABCB adopted an amendment to AS1670.1 into the Building Code of Australia which came into effect in April 2004. The amended commercial installation standard specifically Mandates Photoelectric detection technology in Australian commercial building to which this standard applies. Empirical CSIRO scientific evidence dating back to 1993 proves ionization smoke alarms are NOT fit for purpose.

Mr Jumpertz said the representations made by the ABCB were verbal and therefore suggested I contact the ABCB directly for confirmation of the “International Research”.

We note the ABCB has as yet, not responded to the questions in the 'ABCB Open Letter' dated 16 June 2009 which is live on the Foundations website [Here](#). (see page 9 of this document)

Please:

- a) respond to the three questions asked in the 'ABCB Open Letter' dated 16 June, 2009 (see page 23),**
- b) advise exactly what “International Research” the ABCB is referring to in your verbal representations to Senator Carr's office?, and**
- c) advise if the “International Research” has been provided directly or indirectly by Mr Richard Bukowski from the National Institute of Standards and Technology (NIST) or Underwriter's Laboratories (UL)?**

Note: both [NIST](#) and [UL](#) have been accused of committing [Scientific Misconduct](#) in relation to the testing of ionization smoke alarms.

Mr Donaldson, I have attached a letter sent to the Queensland Government today to keep the ABCB, your legal counsel and other stake holders apprised of developments.

We look forward to your response.

Thank you.

Sincerely

The World Fire Safety Foundation

Adrian Butler, Chairman, former full-time firefighter

- - - - - 07 August, 2009 - WFSF Email Ends - - - - -

From: Mike Balch, Deputy General Manager, ABCB

Date: 10 August 2009 8:52:00 AM AEST

To: Adrian Butler, Chairman, WFSF, Mr Ivan Donaldson, General Manager, ABCB

Cc: - Dr Megan Clarke, CEO, CSIRO (C/- Anne Maree Lonerger),

- Mr John Tucker, CEO, Standards Australia Ltd,

- Mr Adam Liberman, Senior Legal Counsel, CSIRO,

- Mr Detlef Jumpertz, for Senator Kim Carr,

- Margaret May, Federal MP, McPherson,

- Standards Australia Ltd,

- Mr David Isaac, Standards Australia FP-002,

- Mr Richard Taylor, Partner, Taylor Martino, Alabama, USA, and

- Mr Ray Loveridge, ABCB

Subject: RE: ABCB - Formal Request for Details of International Research [SEC=UNCLASSIFIED]

I reiterate:

Dear Mr Butler

I refer to your recent emails in relation to the Building Code of Australia as it applies to smoke alarms.

The Board finalised these provisions of the Code having regard to its assessment of all relevant material available to it. It was not influenced by material containing information provided by, or the views of, any one individual in particular but instead reached its own decision on all relevant issues. Consistent with the requirements of the Privacy Act, it is not the practice of the Board to disclose details of consultations that it may, or may not, have undertaken in other than a public forum.

Yours sincerely

Mike Balch

Deputy General Manager

Australian Building Codes Board

GPO Box 9839, Canberra ACT 2601

Phone: +61 2 6213 7782, Fax: +61 2 6213 7287

Email: Mike.Balch@abcb.gov.au, www.abcb.gov.au

ABN 51 835 430 479

- - - - - 10 August, 2009 - ABCB Email Ends - - - - -

Is a defective smoke alarm better than no smoke alarm?

It's Time To Stop Defending the Indefensible

When defending ionization smoke alarms, well-meaning people frequently say, "But any smoke alarm is better than no smoke alarm." Isn't that like saying, "Brakes that only work sometimes are better than no brakes at all"?

Australian Government scientific evidence proves that ionization smoke alarms do not activate until **more than twice the maximum safe level of smoke** set for photoelectric alarms. So why defend outdated, defective technology? [Note: Australia's Smoke Alarm Standard (AS3786) has been amended. A draft AS3786 was [published in August 2008](#). The effect of the amendment means that photoelectric smoke alarms will be effectively mandated in class 1 buildings (i.e. *our homes* where we sleep). Photoelectric technology has been mandatory in class 2, 3, 4, 5, 6, 7, 8 and 9 *commercial buildings* (where AS1670.1 applies) since April 2004.]

Society is in a constant state of change with new technology. Given that photoelectric smoke alarms, the safe, and proven alternative are now affordable and widely available, it's time to stop defending the indefensible and tell the public the truth about their defective ionization smoke alarms.



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The ABCB Open Letter 1: 16 June, 2009

16 June 2009

Attention:

The Australian Building Codes Board (ABCB)
Mr Ivan Donaldson, General Manager
GPO Box 9839, Canberra, ACT 2601
AUSTRALIA
Phone: 1300 134 631 (within Australia)
International: +61 2 6213 7842
Fax: +61 2 6213 7287
Email: Ivan.Donaldson@abcb.gov.au

An Open Letter to the Australian Building Codes Board

Dear Mr Donaldson

Further to the ABCB legal counsel's recent letter, please be advised that we have responded to them directly together with a copy of this 'Open Letter'.

The Foundation may exercise its right at any time to take steps that could result in the ABCB being held liable to manslaughter and any attendant loss and damage in respect of deaths and injuries arising from its grossly negligent action of blocking the incorporation of the critical correction to Australia's smoke alarm standard (AS3786) into the Building Code of Australia. The ABCB is blocking the amendment to the Australian smoke alarm standard despite CSIRO test data that conclusively shows that ionization smoke alarms are dangerously defective and therefore not fit for purpose, i.e. that they are unable to pass the visible smoke test of the existing and corrected smoke alarm standard.

As the ABCB is aware, Australian Standard's expert FP-002 technical committee resolved the subject amendment on basis, inter alia, of CSIRO findings that ionization smoke alarms do not activate until over 50%* visible smoke. The FP-002 committee of Standards Australia Ltd has determined, since 1993, that the maximum safe limit for visible smoke is 20%* (*i.e. % light obscuration per metre).

Due to a deadly loophole in the existing Standard, ionization smoke alarms have been able to be 'certified as safe' despite the fact that they fail the test for visible smoke. CSIRO test data dating back to 1993 shows ionization alarms fail the test for smoke. The FP-002 committee have now closed the deadly loophole and corrected the standard so as to now require ionization smoke alarms to pass the test for visible smoke.

The ABCB has already mandated photoelectric smoke alarms/detectors in **all sleeping areas and exit paths** in all buildings to which the commercial installation standard applies (AS1670.1, April 2004). However, the ABCB continues recklessly to neglect to do the same for residential buildings and evidence suggests this may have already contributed to death and serious injury.

Consequently, on any view, no justifiable basis exists for the ABCB to continue to fail in its special duty of care to adopt the subject correction to close the deadly loophole in AS3786.

Concerning 'prior knowledge', 11 senior ABCB staff/management and all 15 ABCB Board Members received a copy of the report, 'Recommending, Selling or Installing Ionization Smoke Alarms, A Criminal Act of Negligence?' by registered mail in February 2006 and have been made aware of all the evidence on our website at: www.TheWorldFireSafetyFoundation.org

Please advise:

1. Why does the ABCB require better protection for commercial buildings than homes?
2. Why does the ABCB deem itself more competent in these matters than the expert FP-002 technical committee of Standards Australia Limited?
3. Why does the ABCB wield seemingly undue influence over Standards Australia Ltd in circumstances where the two organisations have independent duties of care?

In all the circumstances we suggest that the ABCB needs to connect its special duty of care with manslaughter case law where the ABCB will find it cannot replace its duty of care with its privilege to fail to adopt FP-002's critical amendment that closes the deadly loophole in AS3786.

Sincerely

The World Fire Safety Foundation
Karl Westwell, CEO, Co-Founder
New Zealand

Note: This is the first of three ABCB Open Letters on the Foundation's website, [HERE](#)

The ABCB Open Letters and Freedom of Information Act Application



The ABCB's First Open Letter:

"Why does the ABCB deem itself more competent in these matters than the expert FP-002 technical committee of Standards Australia Limited?"

Karl Westwell, WFSF, CEO from the first 'ABCB Open Letter' sent to the ABCB and their legal counsel, June, 2009

[More >>>](#)

Has US Government 'Scientific Misconduct' misled authorities globally?

Consumer Alert

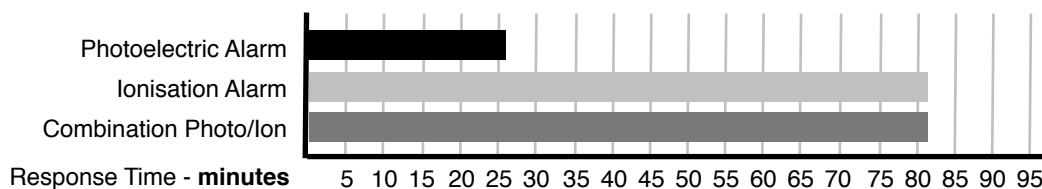
Smoke Alarm Response Times

The public is being misled into believing that ionization smoke alarms will:
"...consistently provide time for occupants to escape from most residential fires."

Countless manufacturers, Fire Departments and Government authorities have been unwittingly misrepresenting the conclusions of the National Institute of Standards & Technologies (NIST) 2004 smoke alarms study¹ by omitting critical, key words. These key words are in **bold red** type below.

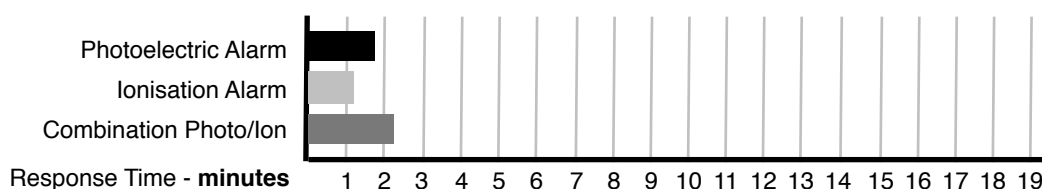
Smouldering Fires - fire, in it's **early stage**, that most frequently leads to deaths²

"Photoelectric alarms provide **(often) considerably** faster response to smoldering fires than ionization type alarms."



Flaming Fires - fire, frequently in it's **late stage**, often detected **before** an alarm sounds³

"Ionisation type alarms provide **somewhat** better response to flaming fires than photoelectric alarms."



Note: When NIST refer to their 2004 study, and omit the words in red above, it is the opinion of The World Fire Safety Foundation that they are committing 'Scientific Misconduct'⁴ because this grossly misleads Fire Authorities, firefighters and the public about the serious life-threatening limitations of ionization smoke alarms.

The World Fire Safety Foundation urges the installation of **photoelectric** smoke alarms (preferably hard-wired and interconnected) in **every** bedroom and **all** living areas and hallways and **heat detectors** in the kitchen and garage (Note: Install photoelectric/heat combination alarms where available).

1. Alarm response times and conclusion wording regarding response times from National Institute of Standards and Technology (NIST), 'Performance of Home Smoke Alarms' (Technical Note 1455, July 2004, Abstract, page iii, paragraph 2).
2. Most fire deaths occur at night when occupants are sleeping. The most common type of fire at night is the smouldering fire. Source: FPAA 'Smoke Alarm - Fact Sheet' Jan, 2009, AFAC 'Position on Smoke Alarms in Residential Accommodation', 2006 and others (see www.theWFSF.org/theevidence).
3. In over 90% of cases when a fire initiates as a flaming fire, the person who initiated the fire is aware of the fire before a smoke alarm activates. Source: Alberta Fire Commissioner's Statistical Report 2006 and others (see www.theWFSF.org/theevidence).
4. **Scientific Misconduct is defined as** "the violation of the standard codes of scholarly conduct and ethical behaviour in professional scientific research."

This information was produced by the World Fire Safety Foundation, copyright 2007, updated 28 Jan, 2010

[More >>>](#)



ALL Lawyers, Government Ministers and Business Leaders

Discover the Truth . . .

To all Senior Policy Advisors and/or Personal Assistants to:

- **Lawyers/Partners at Australasian Law Firms,**
- **Australasian Government Ministers, and**
- **Business Leaders**

Dear Senior Policy Advisor or Personal Assistant,

Why aren't You and Your Boss being Warned about Your Dangerously Defective Ionization Smoke Alarms?

The World Fire Safety Foundation is a non profit global organisation, dedicated to saving lives by exposing the inherent and dangerously defective nature of the ionization *type* of smoke alarms installed in most Australasian homes and promoting the safe and affordable alternatives.

Compelling evidence shows *your* boss's life is at needless risk - please, get them to check out the [Home](#) and [Lawyer's](#) pages on the Foundation's website, then . . .

. . . you can help by sending the 'Home Owners Letter' on page 12, or the 'Tenants Letter' on page 13.

Send your boss's 'Home Owners' or 'Tenants' letter today - because . . .

Evil Persists When Good People Do Nothing.

Thank you.

Sincerely

The World Fire Safety Foundation

Adrian Butler
Chairman, former full-time firefighter

P.S. Remember - send a 'Home Owners or Tenants' letter for *your* family.

P.P.S. Please send this 'KEY Report' to *every* PA you know - thank you!

Boston Fire Department's, Deputy Chief Jay Fleming:

"Firefighters frequently say we've given these things out for twenty years and the Chief is embarrassed."



[More](#)

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These questions remain unanswered:

Australian Building Codes Board (ABCB)

From the email sent 07 August, 2009 (page 21)

- a) please respond to the three questions asked in the '[ABCB Open Letter](#)' dated 16 June, 2009 (see page 23),
- b) exactly what "International Research" is the ABCB is referring to in your verbal representations to Senator Carr's office?,
- c) advise if the "International Research" has been provided directly or indirectly by Mr Richard Bukowski from the National Institute of Standards and Technology (NIST) or Underwriter's Laboratories (UL)?

From the 'ABCB Open Letter' sent 16 June, 2009 (page 23)

1. Why does the ABCB require better protection for commercial buildings than homes?
2. Why does the ABCB deem itself more competent in these matters than the expert FP-002 technical committee of Standards Australia Limited?
3. Why does the ABCB wield seemingly undue influence over Standards Australia Ltd in circumstances where the two organisations have independent duties of care?

Commonwealth Scientific and Industrial Research Organisation (CSIRO)

From the email sent 01 July, 2009 (page 18)

Dr Clarke, please advise if the CSIRO will continue to profit financially from the 'sale' of the 'proven to be flawed' testing/certification of ionization smoke alarms?

Standards Australia Ltd

From the email sent 01 July, 2009 (page 18)

- a) is Standards Australia going to warn the public about ionization smoke alarms?
- b) is Standards Australia going to publish AS3786, even if it is not referenced in the Building Code of Australia by the Australian Building Codes Board?

Help Us Warn the Public

Become a Foundation Supporter



www.TheWorldFireSafetyFoundation.org/supporters

“It’s Time to Warn the Public!”