

Imagining (and then designing) coherent, adaptation-oriented laws about wildfire

A virtual lecture presented by

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Abstract: Since 2010, Australian national and state governments have commissioned at least 101 post-emergency inquiries and reviews, each of which makes recommendations to improve the way we prevent, prepare for, respond to and recover from wildfires. Many of these reviews recommend specific changes to laws and policies, for example, to simplify permitting processes for clearing native vegetation and mitigating fire hazards. Of course, catastrophic wildfires are a growing challenge around the world, not just in Australia. Fires are breaking records for size, severity and cost every other year, and 'unprecedented' events are becoming distressingly common. As a result, recognition that changing fire regimes will require changes to the rulebooks, is also not limited to Australia. In California, governments have passed laws that have begun to address issues with liability and insurance arrangements for prescribed fire and to promote the reintroduction of cultural fire management.

In this presentation, I take a step back and ask: what might it look like to design a great legal framework for the kinds of fire regimes that we are going to see in future? And how might we improve the role of law in facilitating rapid adaptation to increasingly frequent and destructive wildfires, to preserve the hope that we might one day live well with fire?



Bio: Phil McCormack is a Research Fellow in the Adelaide Law School at The University of Adelaide, and Early Career Research Fellow with Natural Hazards Research Australia. Her research focuses on legal frameworks for facilitating climate adaptation and conserving biodiversity as wildfire regimes change. Phil's recent research includes a comprehensive analysis of the legal framework for bushfire in Australia, the ways in which Australian laws purport to 'share responsibility' for hazard reduction with private landholders, and analyses of legal mechanisms for beneficial fire.



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