

Local Government Act 1993
INVESTIGATING PANEL DETERMINATION REPORT
HOBART CITY COUNCIL CODE OF CONDUCT

Complaint brought by Councillor Anna Reynolds against Councillor Louise Elliot

Investigating Panel

- Ms Jill Taylor (Chairperson)
- Dr Josh Fergeus (Local Government Member)
- Ms Jo-Anne Mazzeo (Legal Member)

Date of Determination: **11 March 2026**

Content Manager Reference: **C38654**

Summary of the complaint

1. A code of conduct complaint was submitted by Councillor (Cr) Anna Reynolds to the General Manager – Hobart City Council on 12 June 2025.
2. The complaint alleged that Cr Elliot breached parts of the Code of Conduct for councillors made by the Minister for Local Government under section 28R of the *Local Government Act 1993* (the Act). The alleged breaches occurred in relation to several Facebook posts Cr Elliot made on her personal Facebook page between February 2025 and May 2025. Cr Reynolds alleged that these Facebook posts breached the following parts of the Code of conduct (the Code):

Part 7 – Relationship with Community, Councillors and Council Employees

1. A councillor must –

- (a) Treat all persons fairly; and*
- (b) Not cause a reasonable person offence or embarrassment; and*
- (c) Not bully or harass a person.*

Part 8 – Representation

- 1. A councillor must accurately represent the policies and decisions of the council when giving information to the community.*
- 5. A councillor’s personal views must not be expressed publicly in such a way as to–*
 - (a) undermine the decision of the council; or*
 - (b) bring the Council into disrepute*
- 6. A councillor must show respect when expressing personal views publicly.*

Initial assessment

3. Following receipt of the complaint, Mr Don Jones was appointed as Initial Assessor to conduct an initial assessment of the complaint in accordance with the requirements of section 28ZA of the Act. Having assessed the complaint against the provisions of sections 28ZB and 28ZC of the Act, the Initial Assessor determined that Parts 7.1 (a) and (b), 8.1, 8.5 and 8.6 should be further investigated and determined. The Initial Assessor dismissed the complaint as it relates to Part 7.1(c).
4. The complainant, respondent councillor and the General Manager were notified of the outcome of the initial assessment by letter dated 25 July 2025.

Investigation

5. In accordance with section 28ZE of the Act, the Investigating Panel investigated the complaint.
6. The following documents were presented to the Panel to consider as evidence in this matter:
 - 6.1. The complaint by Cr Reynolds dated 6 June 2025 submitted under cover of statutory declaration dated 6 June 2025, a total of 26 pages.
 - 6.2. Cr Elliot's 89-page response to the complaint dated 24 September 2025 as well as an attachment dated 25 September 2025 that includes links to 3 video recordings. Cr Elliot's response was not provided under cover of a statutory declaration.
 - 6.3. A witness statement submitted by Ms Margaret Reynolds under cover of a statutory declaration dated 11 December 2025.
7. Cr Reynolds alleged that Cr Elliot made multiple Facebook posts during the period February 2025 to May 2025 which included –
 - 7.1. Sharing images of a private file about her parents and making derogatory comments
 - 7.2. Publishing defamatory comments on a post about e-scooters
 - 7.3. Publishing insulting and threatening comments
 - 7.4. Publicly misrepresenting her (Cr Reynolds).and according to Cr Reynolds were evidence of Cr Elliot breaching Part 7.1(a) &(b).
8. Furthermore, Cr Reynolds alleged that several Facebook posts were misleading and alarmist and misrepresented Council decisions. These, Cr Reynolds alleged, were breaches of Parts 8.1, 8.5 (a) and (b) and 8.6 of the Councillor Code of Conduct.
9. Cr Elliot submitted responses on 24 and 25 September 2025 refuting Cr Reynolds allegations.
10. The Panel met on 9 October 2025 and determined that this matter should go to a hearing as the facts alleged by Cr Reynold were disputed by Cr Elliot.

Prior to the Hearing

11. Prior to the commencement of the hearing scheduled for 9.30 am on 18 December 2025 the Executive Officer contacted Panel members to advise that Cr Elliot had sent an email at 5.31 pm on 17 December 2025 (after close of business) confirming that she would be attending the hearing and will bring a support person, Mr Jeff Briscoe. Cr Elliot was asked to confirm her attendance at the hearing by 8 December 2025, by letter sent on 3 December 2025, and followed up on 15 December 2025. Cr Elliot was also requested to advise details of any proposed advocate or support person by 8 December 2025 so that the Panel could consider any request, and the complainant could also be advised.
12. Because of the lateness of this advice regarding Cr Elliot's support person, the Panel made best efforts to consider the request, however, it clearly could not go through all the usual "checks and balances" and therefore, on the evidence available at the time, were prepared to accept Cr Elliot's request. However, when the matter was put to Cr Reynolds ahead of the hearing, Cr Reynolds objected to Mr Briscoe's attendance on the basis that he was an outspoken critic of her. Cr Reynolds said that she would have no confidence that Mr Briscoe would not use information gained at the hearing to target her on a future occasion.
13. The Panel considered Cr Reynolds objection, and this coupled with the fact that Cr Elliot had not complied with the Panel's request to provide this advice in a timely manner for the reasons outlined, made the decision not to allow Mr Briscoe to attend the hearing.
14. The discussion between Panel members and subsequently with Cr Reynolds took place prior to the commencement of the hearing. Cr Elliot arrived at the hearing venue foyer in the company of Mr Briscoe, and the Chairperson met them to advise them of the Panel's decision. Cr Elliot requested a few minutes to consider her options which was granted but the Chairperson advised that the hearing would proceed given that it was now six months since the complaint was lodged. Cr Elliot voiced objections to the decision not to permit Mr Briscoe into the hearing but did agree to attend herself.

The Hearing

15. As per section 28ZH of the Act the Investigating Panel held a hearing on 18 December 2025 at the Executive Building Murray Street Hobart. Panel members Jo-Anne Mazzeo and Josh Fergeus appeared by video link. The Chair, Jill Taylor and Cr Reynolds and Cr Elliot appeared in person. The Executive Officer, Frances Smythe, was also in attendance.
16. No witnesses were called to the hearing, but the Panel sought a witness statement from Ms Margaret Reynolds which was supplied under cover of a statutory declaration dated 11 December 2025. Ms Reynolds' statement was provided to Cr Reynolds and Cr Elliot on 12 December 2025.
17. The hearing commenced with the Chairperson reading a preamble regarding the process to be followed during the hearing. She commenced with an acknowledgment of country at which point Cr Elliot left the room and returned once the acknowledgment was completed.
18. Cr Elliot requested that the hearing note her dissatisfaction with her nominated support person not being able to attend the hearing. Cr Elliot also stated that she

objected to the “multiple page” witness statement only being made available to her a few days prior to the hearing which she claimed was in breach of Section 28Z which did not permit changes to a complaint after the investigation commenced. The provision of a witness statement does not constitute a variation to a complaint. The Panel noted that the witness statement was received on 11 December 2025 which was within the time permitted by the Panel of 12 December 2025. The witness statement submitted by Ms Reynolds was a 2-page double spaced statutory declaration and not a “multiple page” statement as alleged by Cr Elliot.

19. Cr Reynolds and Cr Elliot were asked to take an oath or make an affirmation attesting to the truth of the evidence that they were about to give. Cr Reynolds made an affirmation, and Cr Elliot took an oath. Cr Elliot took an oath attesting that her response to the complaints dated 24 and 25 September 2025 were true and correct as they were not submitted at the time under cover of a statutory declaration.
20. Cr Reynolds commenced her presentation by refuting Cr Elliot’s assertion that her complaint was a political strategy and that she had been “stockpiling” concerns about her behaviour and had never raised any issues with her. Cr Reynolds said that she had made attempts to raise issues with Cr Elliot via email, messenger and other means. Cr Reynolds added that she was concerned about responding to Cr Elliot as she, Cr Elliot, has previous form of posting correspondence on her Facebook page. Cr Reynolds said that Cr Elliot’s response was largely based on the right for political communication which conformed with a recent decision by Magistrate Brown¹. Cr Reynolds said Cr Elliot failed to mention a Supreme Court ruling by Chief Justice Blow² that took a different view. Essentially Justice Blow’s decision states that there is nothing in the Local Government Act that requires a Code of Conduct Panel to consider the implied freedom of political communication. He went on to say that the Code of Conduct is a legitimate practice to ensure fair and respectful interactions noting that elected members have multiple responsibilities.
21. Cr Reynolds noted that Cr Elliot had cited multiple examples from previous code of conduct determinations, adding they were selective, factually different and resulted in different outcomes from the current complaint under investigation.
22. Cr Reynolds said that Cr Elliot “*must have dug around in the web*” to find articles about her parents which she posted along with a caption that stated, “*the Greens are today’s Communist Party, but with many more men in dresses and young girls with double mastectomies*”. Cr Reynolds said that this statement was derogatory and inaccurate as her parents are neither Green nor Communists. In her witness statement Margaret Reynolds stated she had never seen the information Cr Elliot posted on her Facebook and “*was shocked by her use of our personal information to pursue her political agenda.*” Cr Reynolds said that this particular post has caused both her and Ms Reynolds embarrassment, hurt and offence.
23. Cr Reynolds said that in relation to a post about e-scooters, Cr Elliot has accused her of being corrupt and accepting money from an e-scooter provider. Cr Reynolds denied this saying all receipts of public moneys are available for scrutiny at Council. Nevertheless, she claimed that Cr Elliot published misleading information on her Facebook page. Cr Reynolds told the hearing that Cr Elliot does not comply with the Hobart City Council’s social media policy (contained in *the Elected Member*

¹ <https://www.hcourt.gov.au/cases-and-judgments/judgments/judgments-1998-current/brown-v-tasmania>

² https://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/tas/TASSC/2024/64.html?context=1;query=blow;mask_path=au/cases/tas/TASSC

Development and Support Policy – Part T which is available on the Council’s web page. Part 8 of that section states: -

“Elected members are reminded that they are responsible for all content published on their social media accounts whether this be posted by themselves or a third party.”

24. Cr Reynolds refuted that she had gaslit or bullied Cr Elliot at the Council meeting of May 2025 and found Cr Elliot’s accusations that she (Cr Reynolds) was being punitive and psychologically manipulative were untrue. Cr Reynolds tabled email exchanges between herself and the CEO, Mr Michael Stretton, that exonerated her.
25. Cr Reynolds pointed to Cr Elliot’s Facebook post of 22 January 2025 on the Crowther statue and the Hobart Aquatic Centre as examples of misrepresenting Council decisions and deliberately unfairly targeting her. Following an article published in the Hobart Mercury regarding the roof at the Hobart Aquatic Centre, Cr Elliot posted a comment on 20 February 2025 on her Facebook page inferring Cr Reynolds had made the public statement whereas in fact it was the Manager of the Aquatic Centre who made the specific statement. Cr Reynolds said this a deliberate action by Cr Elliot to bring about public criticism of her. Regarding the Crowther statue, Cr Elliot’s post inferred that it was attributable to Council that the statue was *“hacked off at the ankles”* when it is a well-known fact that this was an act of vandalism.
26. Cr Reynolds then commented on Cr Elliot’s statement that she had removed some unacceptable posts by “hiding” them. Cr Reynolds produced documentation that confirmed “hiding a Facebook post” prevents others from viewing them but the originator and their friends can still see them. The only way to remove a post from everyone is for the Facebook account holder to delete them.
27. Another example of Cr Elliot posting misleading information relates to the Integrity Commissioners report whereby on her Facebook post of 13 May 2025 Cr Elliot inferred Cr Reynolds had undertaken something secretive. Cr Reynolds said in fact there were no significant adverse findings by the Integrity Commissioner apart from the need to improve some Human Resource practices. Cr Reynolds said the only reason the report was addressed to her was that the incoming CEO had not commenced in the role and the previous incumbent had left.
28. Cr Reynolds said that she stands by her complaint that Cr Elliot has breached Part 8.5 (a) but not (b) as she does not believe Cr Elliot has brought the Council into disrepute.
29. Cr Reynolds said that Cr Elliot’s constant refrain for political communication cannot be applied to the Code where the word “must” is used, adding there is no room for interpretation. In her response to the complaint, Cr Elliot said that Cr Reynolds *“applied improper political pressure”* to Council staff in formulating a public response regarding the bike lanes. Cr Reynolds denied this saying that as Lord Mayor she is called upon as the Council’s representative to provide comment on many matters. To do so accurately it is necessary for her to confer with the experts within Council.
30. At the conclusion of her evidence the Panel asked Cr Reynolds to confirm she agreed that the email of 24 November 2024 was outside of the six-month statutory period. Cr Reynolds agreed with this. There were no further questions of Cr Reynolds at this time with Cr Elliot advising she would come to questions of Cr Reynolds in her response.

31. Cr Elliot commenced her presentation by saying she was disadvantaged by receiving additional documents presented by Cr Reynolds during the hearing. The Chairperson pointed out that Panel members had received them at the same time and would consider all documents presented at the hearing, to determine what, if any, would be accepted into evidence. Once this was done, the parties would be advised and given an opportunity to provide comment.
32. In response to a comment by Cr Reynolds that she did not respect the Code of Conduct process, Cr Elliot disputed this saying she supports the Code of Conduct process but differs in opinion regarding the threshold as it relates to free speech and political communication. Despite what Cr Reynolds said, Cr Elliot stands by her assertion that she had “stockpiled” issues rather than discussing them with her.
33. Cr Elliot raised the issue of mediation regarding this complaint stating that she was willing to proceed but Cr Reynolds withdrew at the last moment. The Chairperson advised Cr Elliot that it is the Initial Assessors role to determine whether section 28ZB (ac) had been complied with and in this instance, he had been satisfied that it had been met. Therefore, the Investigating Panel will not be concerning itself with this matter.
34. Cr Elliot told the hearing that implied freedom of political speech is inherent in the Constitution and whilst Justice Blow’s decision is the current precedent in Tasmania, she has lodged an appeal with the Federal Court that will challenge this decision.
35. Cr Elliot agreed with Cr Reynold’s view that the precedents from recent Code of Conduct determinations are selective, but claimed they were selected as they are relevant to this complaint.
36. In responding to Cr Reynold’s statement that the Facebook post relating to her parents was obtained from private police files, Cr Elliot said it was discoverable on the Internet, therefore public information. Cr Elliot went on to say as they were public figures it was reasonable to share information about them. At that point Cr Elliot tabled photographs of the Reynolds family. These were noted by the Chairperson on the basis that the Panel would determine their acceptance as evidence into this matter and advise the parties accordingly.
37. Cr Elliot said that every day we see political discourse displayed at all levels of government, including local government and public commentary on elected officials is legitimate, provided it does not go to harmful comments about personal appearances, as those comments are hurtful. Cr Elliot said that she holds the belief that today’s Greens have communist ideologies. She said that Cr Reynolds asserts that things are wrong so they shouldn’t be published. Cr Elliot added that being wrong is not a breach of the Code of Conduct.
38. Cr Elliot said Cr Reynolds constantly states her (Cr Elliot) Facebook posts are defamatory, but Cr Elliot says she only reports the facts as she sees them. Cr Elliot used the example of Cr Reynolds accepting a donation from the provider of e-scooters, saying that she was only reporting it as public discourse which the public should know, and they could draw their own conclusions.
39. Cr Elliot also commented that the email dated 12 November 2024 was outside the 6-month prescribed period. The Chairperson re-iterated that the Panel would consider whether it was appropriate to accept into evidence, which it ultimately agreed it was not acceptable being outside the statutory period for the complaint.

40. Cr Elliot submitted that as Chairperson of the Council meeting of May 2025, Cr Reynolds was inconsistent with meeting procedures and whilst her objections were dismissed initially, Cr Elliot said she produced examples to show Cr Reynolds. Cr Elliot said that Cr Reynolds comments at the meeting made her feel “gaslit and incompetent”. On the other hand, Cr Reynolds said she felt threatened by Cr Elliot’s behaviour.
41. The Panel asked Cr Elliot, given she now knows “*hiding*” a post does not completely remove it, would she go back and delete all the posts that she has previously hidden. Cr Elliot made the point that she is only one person and cannot monitor everything that gets posted on her Facebook page. However, after some time considering this proposition, Cr Elliot agreed that she would delete the relevant posts.
42. Cr Elliot says she does consider how her posts might be viewed in the context of the Code of Conduct but went back to the notion of threshold, pointing out that she and Cr Reynolds had different views.
43. In relation to her posts about the Aquatic Centre, whilst Cr Elliot agreed that media can get details wrong, she said that what she attributed to Cr Reynolds on her Facebook post had been confirmed from other sources, despite the Mercury attributing the comments to the Manager of the Aquatic Centre.
44. Cr Elliot said that Council Communications staff had told her they were getting undue pressure imposed on them by Cr Reynolds and said in her evidence from page 65 to 73 was evidence of this. Cr Reynolds explained to the Panel her role in providing public comment and the need to involve expertise from within Council to ensure accuracy.
45. Cr Elliot asked the Panel how it defined a “reasonable person”. The Chairperson said that the Panel would discuss this and provide its rationale in the determination, but essentially it came down to what a person in the general population considered reasonable. As the legal representative on the Panel, Ms Mazzeo provided a legal context in response.
46. Cr Elliot disputed Cr Reynolds’ comment about the Facebook post of the Crowther statue, saying that a reasonable person would not take her comment (about Council) literally.
47. At the conclusion of her evidence the Panel questioned Cr Elliot on some of her evidence. Firstly, she was asked why she posted the information relating to Cr Reynolds’ parents which is nearly 60 years old and what was the significance of it. Cr Elliot said that Cr Reynolds’ parents were public figures, one a former Commonwealth politician and the other a well-known historian. When it was pointed out that at the time of the information, they were young people well before they became public figures, Cr Elliot responded by saying Cr Reynolds had brought them into her political discourse.
48. The Panel asked Cr Elliot, given what has been covered during this hearing, is there anything she would do differently as an elected member of Council in the context that she is only one person and can’t be overlooking her Facebook page 24 hours a day. Cr Elliot said she withdrew the statement about her ability to monitor her Facebook page but there had to be a reasonableness test applied to that. Cr Elliot went on to point out that she is always monitoring the site looking for improvements such as increasing the number of words that require a comment to be hidden.

49. Cr Reynolds asked Cr Elliot why she chose to post comments about her parents. Cr Elliot said that Cr Reynolds brought her parents into the public arena, and they were public figures.
50. Cr Reynolds said that as Cr Elliot had commented on the “Magic Number Seven” would she have any objections if Cr Reynolds made comments about the “three radical right wingers”. Cr Elliot replied saying provided there was nothing inciting violence she would have no objection.
51. As a significant amount of time had elapsed in the parties providing their oral evidence, the time allowed for the hearing was about to expire.
52. The parties were not able to summarise their positions and the Chairperson proposed that they be afforded an opportunity to make written submissions which was agreed to by both parties.
53. Following the hearing the Panel agreed to accept all documents labelled Attachments A through to J submitted at the hearing by both parties, with the exception of Attachment B, which postdated the lodgement of the complaint.
54. On 24 December 2025 Cr Reynolds and Cr Elliot were advised of the Panel’s decision regarding the documents tabled at the hearing and advised that they should provide any comment by 19 January 2026 together with their final submissions.
55. Cr Reynolds provided her written submission on 27 January 2026, and Cr Elliot provided comments on the documents tabled by Cr Reynolds but did not provide a summary of her response to the complaint despite a reminder being sent to her on 27 January 2026.
56. In her summation, Cr Reynolds re-iterated her view that Cr Elliot does not respect the Code of Conduct process and its goal of maintaining a civil approach to governance amongst elected members. The documents tabled by Cr Elliot at the hearing were profile pieces about her (Cr Reynolds) in 2013 and 2018 and as such were deemed irrelevant by the Panel. The remainder of Cr Reynolds’ submission brought together details of her complaint and oral evidence given at the hearing.
57. Whilst Cr Elliot provided voluminous documentation in responding to Cr Reynolds’ complaint, it was more of a counter claim regarding Cr Reynolds’ behaviour rather than a response to the alleged breaches of the code. An example of this in her written response was Cr Elliot’s contention that Cr Reynolds was putting undue pressure on staff citing pages 65 to 73 as evidence. The Panel noted that Cr Elliot was not copied into the email exchanges, nor did they support her contention.
58. The Panel found that Cr Elliot was offensive and underhanded by posting information relating to Cr Reynolds’ parents. The Panel found that Cr Elliot’s rationale for so doing would not be acceptable to a reasonable person in any event, but especially as it related to them in their much earlier life in 1967.
59. The Panel found that some of Cr Elliot’s Facebook posts were disrespectful of her Council colleagues. These include her assertion that Council chose to spend money flying flags rather than fixing the roof on the aquatic centre. There was no evidence that Council had made this judgement.
60. In her oral evidence, Cr Reynolds identified the Council’s social media policy that clearly articulates the responsibility that elected members have for any posts on their

social media accounts. The Panel's view is that Cr Elliot does not comply with this policy.

Determination

61. As per section 28ZI of the Act the Investigating Panel determines that Cr Elliot has breached some but not all parts of the Code of Conduct, and therefore the Investigating Panel upholds part of the complaint and dismisses other parts as outlined below.

Reasons for determination

62. The Investigating Panel considered the information provided by Cr Reynolds and Cr Elliot along with the supporting statutory declaration submitted by Ms Margaret Reynolds. The Investigating Panel determines that Cr Elliot breached Parts 7.1 (b) and 8.5 (a) and (b) and 8.6 of the Code of Conduct but it dismisses Parts 7.1 (a) and 8.1 of the complaint.
63. Reasons for the Panel's decision follows –

Part 7.1 (a)

64. Evidence presented in relation to this complaint confirmed that Cr Elliot's Facebook page contained comments posted by her or third parties that were critical of Cr Reynolds and other elected members. In its deliberations regarding whether Cr Elliot had breached this part of the code, the Panel needed to consider whether such comments were unfair in relation to others. In this respect, the Panel concluded that, whilst many were derogatory, there was insufficient evidence to determine that Cr Elliot had breached this part of the code. The Panel dismisses the complaint against this Part of the Code.

Part 7.1 (b)

65. In her complaint, Cr Reynolds stated that she was offended and embarrassed by Cr Elliot publishing insulting and threatening comments on her Facebook page. In her witness statement Ms Margaret Reynolds said that she was "*shocked*" by the use of her personal information, adding that Cr Elliot "*exploited*" the names of her and her husband "*in a manner that was disrespectful and encouraged demeaning comments*". The Panel found that the posting of information regarding Ms Margaret Reynolds had no purpose other than as an attempt to cause political harm to Cr Reynolds by association. The Panel finds that Cr Elliot's statement published alongside this information, "*The Greens are today's Communist Party but with many more men in dresses and young girls with double mastectomies*", sought to infer that Ms Margaret Reynolds and Cr Reynolds were members of The Greens and that therefore Cr Elliot's criticism of The Greens political party should be understood by members of the public as a criticism of Cr Reynolds.
66. In the Panel's view, Cr Elliot's comments inferring Cr Reynolds had inappropriately accepted a donation from a person who subsequently was linked to E-scooters were deliberately misleading and attracted commentary to the effect that Cr Reynolds had acted illegally. The Panel finds that a reasonable person would be offended by this implication. The Panel notes that commentary regarding legal donations to candidates for election to local government is a legitimate form of public debate, but that Councillors must ensure that they do not attempt to mislead members of the public in their communication. At the hearing Cr Reynolds stated that all campaign

donations she received were appropriately declared and a matter of public record. The Panel was presented with no evidence to the contrary.

67. According to Cr Elliot she considers any posts on Facebook are acceptable provided they do not go to harmful comments about personal appearances. The Panel concluded that Cr Elliot does not adhere to this convention judging by some posts tendered as evidence by Cr Reynolds in her complaint which she claims were offensive and embarrassing. These include the following -
- 67.1. David Gill - *“We need to get miss piggy to sit on the roof until the repairs are done so it doesn’t blow away”*,
- 67.2. *“the mayor needs hacking off at the ankles”*
- 67.3. Paul Freeburn - *“Anna Reynolds is a grub”*.
- 67.4. Ashley Foster - *“the fat controller and her merry wankas don’t mind a bike track or two on the mountain....”*
68. The Panel determines that posts made on Cr Elliot’s Facebook page by her or a third party made in respect of Cr Reynolds and Ms Margaret Reynolds would cause a reasonable person embarrassment and offence. A reasonable person is assessed as being a person within the community who is not linked in any way to the matter under deliberation. The Panel upholds the complaint against this Part of the Code.

Part 8.1

69. Cr Reynolds claims that posts made by Cr Elliot on her Facebook page do not accurately represent the policies and decisions of Council. The Panel concluded that it was clear Cr Elliot did make comment on her Facebook page in instances where she did not agree with Council decisions. Some of Cr Elliot’s comments may have lacked respect and the Panel found them to be borderline, however on balance the evidence did not support a finding that Cr Elliot had posted inaccurate commentary regarding Council decisions and policies, but rather her disagreement with them. The Panel dismisses the complaint against this Part of the Code.

Part 8.5 (a) and (b)

70. A feature of Council meetings is that robust debate takes place, but it must be conducted in a respectful manner. The Code of Conduct sets expectations of Councillors’ behaviour during meetings and communicating accurate representations following such engagements. The Panel notes that Councillors may speak in opposition to any motion and that Councillors are free to make statements about an issue before the Council, providing they are careful to avoid inaccuracy or misleading members of the public.
71. It is the Panel’s view that Cr Elliot’s public criticism of some Council decisions has been misleading or inaccurate. An example of this was Cr Elliot’s commentary on the hire of E-scooters posted on her Facebook page on 21 February 2025.
72. The Panel finds that Cr Elliot’s behaviour in relation to Council decisions has the potential to bring the Council into disrepute as a reasonable person reading her commentary may deem the Hobart City Council as being dysfunctional.
73. By not taking due care in how she communicates on her Facebook page, in the Panel’s view Cr Elliot causes an inflammatory situation to develop. The Panel upholds the complaint against this Part of the Code.

Part 8.6

74. The Panel determines that many of Cr Elliot’s Facebook posts are, by design, divisive in relation to the Council and her fellow councillors. The Panel found that Cr Elliot fails to afford her fellow Councillors with a suitable level of respect in much of her public discourse.

75. Examples of this include –

Facebook post 5 February 2025 – *“The socialist radical leftist destruction of our city is because the votes in our Council chamber usually fall 7 to 5 (or 8 to 4)”*
 A video posted on her Facebook page on 26 March 2025 with the caption - *“The Green tribes activated for last night’s public meeting. When you’re dealing with entitled extremists, logic and compromise is out the window”*

76. The Panel upholds the complaint against this Part of the Code.

Sanctions

77. Section 28ZI states that

(1) After completing its investigation of a code of conduct complaint, the investigating Panel for the complaint is to determine the complaint by –

(a) upholding the complaint; or

(b) dismissing the complaint; or

(c) upholding part of the complaint and dismissing the remainder of the complaint.

(2) If the code of conduct complaint or part of it is upheld, the investigating Panel for the complaint may impose one or more of the following sanctions on the councillor against whom the complaint is made:

(a) a caution;

(b) a reprimand;

(c) a requirement to apologise to the complainant or other person affected by the contravention of the code of conduct;

(d) a requirement to attend counselling or a training course;

(e) a suspension from performing and exercising the functions and powers of his or her office as a councillor for a period not exceeding 3 months.

(3) If the code of conduct complaint or part of it is dismissed, the investigating Panel for the complaint may determine that the complainant may not make a further complaint in relation to the same matter for a period not exceeding 12 months unless the complainant provides substantive new information in the further complaint.

78. On 10 February 2026, the Panel wrote to Cr Elliot advising her that it had upheld parts 7.1.(b), 8.5 (a) & (b) and 8.6 of the Code and it had dismissed parts 7.1 (a) and 8.1 of the Code. In that advice, Cr Elliot was provided with high level reasons for upholding the abovementioned parts of the code and given an opportunity to make a submission relating to what, if any, sanction should be imposed on her by 24 February 2026.

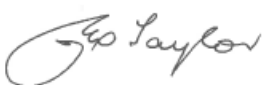
79. On 11 February 2026, Cr Elliot provided a response by email in relation to sanction. Essentially, Cr Elliot said that she disagreed with the findings of the Panel, especially on the basis of the implied freedom of political communication. However, on the point of sanction, Cr Elliot said that she has made genuine attempts to comply with the Code of Conduct and has learned from other decisions.
80. The Panel met on 18 February 2026 to determine the matter of sanction, taking into account the evidence before it, including Cr Elliot's response of 11 February 2026. Whilst Cr Elliot stated she had made genuine attempts to comply with the code, her behaviour during this particular investigation and hearing, as described previously, did not support this assertion.
81. For breach of the Code of Conduct in relation to the impact on Cr Reynolds, other Councillors and the Council, the Panel determines that Cr Elliot serve a two-month suspension to take effect from the date following the tabling of the determination in open Council.
82. The Panel determines that Cr Elliot apologises to Ms Margaret Reynolds. Given the requirements of the *Personal Information Protection Act 2004*, the Panel requires Cr Elliot to provide a written apology to Ms Margaret Reynolds through the Executive Officer. The tenure of the apology from Cr Elliot should acknowledge the embarrassment and offence her Facebook posts caused Ms Reynolds and her husband and also acknowledge it was inappropriate of her as a councillor to make such statements publicly. This apology is to occur within fourteen days of Councillor Elliot's resumption of councillor duties following suspension.

Timing of the Determination

83. In accordance with section 28ZD(1) the Investigating Panel is to make every endeavour to investigate and determine a code of conduct complaint within 90 days of the Initial Assessor's determination that the complaint is to be investigated.
84. The Panel has been unable to determine the complaint within 90 days, owing to the following -
- 84.1. granting extension for responses
 - 84.2. identifying mutually convenient times for hearing
 - 84.3. intervention of the Christmas/New Year holiday period.

Right to review

85. A person aggrieved by the determination of the Code of Conduct Panel, on the ground that the Panel failed to comply with the rules of natural justice, is entitled under section 28ZP of the Act to apply to the Tasmanian Civil and Administrative Tribunal for a review of the determination on that ground.



Jill Taylor
Chairperson



Jo-Anne Mazzeo
Member



Josh Fergus
Member

DATE: 11 March 2026