

Section 28ZK (7) of the *Local Government Act 1993* requires that any person who receives a determination report must keep the determination report confidential until the report is included within an item on the agenda for a meeting of the relevant council. Failure to do so may result in a fine of up to 50 penalty units.

Local Government Act 1993

CODE OF CONDUCT PANEL DETERMINATION REPORT

CITY OF HOBART ELECTED MEMBER CODE OF CONDUCT

Complaint brought by Councillor Ryan Posselt against Councillor Louise Elliot

Code of Conduct Panel

- Jill Taylor (Chairperson),
- Craig Perkins (Local Government Member)
- Frank Neasey (Legal Member)

Date of Determination: 28 June 2024

Content Manager Reference: C31540

Summary of the complaint

A code of conduct complaint was submitted by Councillor (Cr) Ryan Posselt to the Acting Chief Executive Officer of Hobart City Council on 6 November 2023

The complaint alleges that Councillor (Cr) Louise Elliot breached the following part of the City of Hobart Code of Conduct for Elected Members (adopted by Council on 20 February 2023) by making (or allowing to be made) various posts/tweets on her social media platforms between July and November 2023, including reposting tweets originally made by others in February 2023.

PART 7 - RELATIONSHIPS WITH COMMUNITY, ELECTED MEMBERS AND COUNCIL EMPLOYEES

1. An elected member–

- a) must treat all persons fairly; and*
- b) must not cause any reasonable person offence or embarrassment; and*
- c) must not bully or harass any person.*

Initial assessment

Following receipt of the complaint, the Chairperson conducted an initial assessment of the complaint in accordance with the requirements of section 28ZA of the *Local Government Act 1993* (the Act). Having assessed the complaint against the provisions of sections 28ZB and 28ZC of the Act, the Chairperson determined that:

- the complaint should not be dismissed on the grounds that it was frivolous, vexatious or trivial. The reasons for this conclusion were that if proven the complaint would relate to a breach of the Code;
- the complainant had made a reasonable effort to resolve the complaint. The Chairperson arrived at this conclusion because Cr Posselt had requested Cr Elliot to remove offending posts;
- the complaint substantially related to a contravention of the City of Hobart Elected Member Code of Conduct, in particular Part 7.1 (a), (b) and (c);
- the complaint did not disclose that an offence may have been committed or that it should more appropriately be dealt with by another person or authority;

- having made enquiries of the Code of Conduct Executive Officer, the Chairperson was satisfied that there was no relevant direction under section 28ZB(2) or 28ZI of the Act that would apply to the complainant and the complaint.¹

On this basis, the Chairperson determined that the complaint should be investigated and determined by the Code of Conduct Panel (the Panel).

The complainant, respondent councillor and the Acting Chief Executive Officer were notified of the outcome of the initial assessment by letter dated 14 December 2024.

Investigation

In accordance with section 28ZE of the Act, the Panel investigated the complaint.

Material considered by the Panel

For the purposes of the investigation and determination of the complaint, the following documents were before the Panel:

- City of Hobart Elected Member Code of Conduct adopted by Council on 20 February 2023
- Complaint by Cr Posselt with attachments under cover of a statutory declaration dated 6 November 2023
- Response from Cr Elliot under cover of a statutory declaration dated 29 January 2024 comprising a copy of Cr Posselt's attachments to his complaint with her handwritten notes thereon
- City of Hobart Policy – Elected Members' Development and Support – Corporate Governance – Part T – adopted by Council on 24 April 2023

Hearing

As per section 28ZH of the Act, the Panel held a hearing on 23 April 2024 at the Executive Building, Murray Street, Hobart. Panel member Craig Perkins appeared by video link.

At the commencement of the hearing, the Chairperson read a statement outlining how the hearing was to be conducted and what action followed the conclusion of the hearing and advised that the hearing would be recorded.

Both Cr Posselt and Cr Elliot made an affirmation that the evidence they would be giving would be the truth.

Cr Posselt was asked to address his complaint, linking the alleged behaviour of Cr Elliot to the relevant part of the Code. He said that he had been harassed by Cr Elliot, by her re-posting of tweets that had originally been posted several months before by other persons, which were hurtful. Cr Posselt told the hearing that he had sent emails to Cr Elliot requesting that she discontinue her re-tweeting of others' posts and take down offensive material on her Facebook page. However, Cr Elliot advised him that she would not. Cr Posselt said that because of threatening messages that followed Cr Elliot's social media posts, he had contacted Tasmania Police who advised him "to resign or instal CCTV at his home."

Cr Posselt said that the re-tweeting of prior content some months later was a deliberate act by Cr Elliot, whose followers on X (formerly Twitter) had increased from approximately 3000 in February 2023 to 12,000 followers currently, to draw derogatory comments about him. This resulted in more hate filled harassment of him. Cr Posselt said that following Cr Elliott's re-posts he received 10-20,000 notifications, however, when questioned by the Panel, admitted that not all were negative. Cr Posselt said that as Cr Elliot refused to discontinue posting negative comments about him, he had no alternative but to lodge a code of conduct complaint against her.

¹ Section 28ZB(2) and 28ZI of the Act enable the Chairperson or the Panel (as applicable) to issue a direction to a complainant in prescribed circumstances not to make a further complaint in relation to the same matter unless the complainant provides substantive new information in the further complaint.

Cr Posselt said that a workshop was held for councillors addressing the issue of cyber safety which he claimed was prompted by some councillors' inappropriate use of social media. In response to a question from the Panel, Cr Posselt said the workshop was held in Council Chambers in March 2023 and speakers were the Director of Local Government, a Cyber Safety Officer from Tasmania Police and Sarah Bolt, the Anti-Discrimination Commissioner.

The Panel asked Cr Posselt when he received a copy of the Hobart City Council policy document listed above and he replied that he wasn't sure but could remember receiving a copy of it.

Cr Posselt agreed with the Panel's categorisation of the relevant posts, namely original tweets, reposted tweets and posts on Cr Elliot's Facebook by her and others. When asked by the Panel how he felt when he was labelled as misogynistic in an earlier tweet of Ms Kirralie Smith retweeted by Cr Elliot on 15 July 2023, Cr Posselt said it was very hurtful. He said that in his field of work he cares for people and such comments are untrue and incredibly hurtful.

The Panel referenced the video posted by Cr Elliot on Facebook and Twitter on 30 October 2023 where it was alleged Cr Posselt was the perpetrator of ridicule against her and asked Cr Posselt whether he had ridiculed Cr Elliot. Cr Posselt replied that at a Council meeting in February 2023 he did infer that she was a "clown" but on receiving an email from Cr Elliot during the meeting, he retracted that comment and apologised.

The Panel then questioned Cr Posselt about Cr Elliot's comments regarding his position on (pedestrian) crossings which Cr Posselt said misrepresented him. These comments appeared in a post by Cr Elliot on her Facebook page on 1 November 2023. Cr Posselt said that as chair of the Mobility Committee he had to sell the Council's position even when "it was officer led". In his complaint, Cr Posselt referred to Cr Elliot's Facebook post where she said, "according to Cr Posselt the congestion was intentional". He stated at the hearing that this post was designed to damage his reputation.

Regarding Cr Elliot's tweets, including re-tweets, and her Facebook posts, Cr Posselt was asked whether Cr Elliot could have removed them. Cr Posselt acknowledged that she had no ability to remove tweets, but was responsible for her own Facebook page, and she could have moderated offending posts out. However, Cr Posselt reaffirmed his opinion that Cr Elliot did have control over her decisions to re-post tweets. Cr Posselt said that while he found Cr Elliot's posts offensive and embarrassing, he added that the effect is wide-ranging as they can be accessed by any number of people, for example his children's teachers.

When asked by the Panel about his reaction to the posts by Tim Lack on Cr Elliot's Facebook page dated 17 July 2023, in which Mr Lack referred to Cr Posselt as being "full of s...t and a stupid excuse for a human", Cr Posselt said that they were offensive and embarrassing, and that Cr Elliot could have taken them down when he requested her to do so.

Cr Posselt concluded his presentation by saying that many of Cr Elliot's posts have not accurately reflected his position on matters, but it is part of her behaviour in targeting him. Cr Posselt said that these inaccurate portrayals are offensive and aimed at discrediting him.

Cr Elliot had no questions for Cr Posselt following his presentation.

In her response to Cr Posselt's complaint Cr Elliot pointed out that both she and Cr Posselt were public figures who must accept that they will be subject to both positive and negative comments. She went on to say that Cr Posselt had drawn some negative comments because of his reference to her as "a clown" and his body language when she was speaking in Council. Cr Elliot added that Cr Posselt is thought of poorly on some women's fora, adding that it is his behaviour that has drawn comment.

Cr Elliot said that she cannot control what is posted on her social media. However, she acknowledged that it was within her power to remove Mr Lack's comments from her Facebook page, although she told the hearing that she wasn't aware of them until recently. Cr Elliot went on to say Mr Lack's comments were acceptable because Cr Posselt was a public figure and that by requesting the comments be removed was an example of Cr Posselt trying to micro-manage people's opinions about him. Further, Cr Elliot alleged that Cr Posselt is "being precious" in

response to her posts. Cr Elliot claimed that the workshop (on cyber safety) was arranged because of her, and she had been targeted because she had different views from some other councillors. She went on to say that she has been a victim of discrimination and currently has a case against Council before the Anti-Discriminatory Commission.

Cr Elliot made the point that she doesn't have time to go through all the posts on her Facebook page to identify any defamatory and threatening ones, again adding that Cr Posselt shouldn't be "so precious about it".

Cr Elliot told the hearing that she doesn't know where the dates of the re-tweets come from and questioned whether they were made up. In her written response to Cr Posselt's complaint, Cr Elliot had handwritten beside most the original tweets dated 23 February 2023 that they were "out of date" for a complaint. Certainly, the original posts were, but the Panel is satisfied that the reposting of such tweets (i.e. the conduct of Cr Elliot) occurred within the timeframe for the complaint to be investigated.

When asked by the Panel whether any public figure had to accept unlimited adverse comment, Cr Elliot replied that there was a line that should not be crossed and that she did not cross that line, but that for the most part, public figures should accept unlimited comment about them. Cr Elliot said that implying she had Cr Posselt's address and would give it to people shows the filter he looks through, adding that there was no way she would do that and that none of her behaviour had crossed the line. The Panel asked Cr Elliot why she had re-posted tweets and she said that she wanted to. Cr Elliot told the hearing that she has a setting on her Facebook page to cull certain comment, such as racist comment.

The Panel questioned Cr Elliot regarding Cr Posselt's request to remove some content from her Facebook and she replied that she did not post anything that was hurtful. Specifically in relation to the posts by Tim Lack, Cr Elliot did not agree that they were offensive to Cr Posselt. Cr Elliot said that she was unaware of the Facebook posts by Mr Lack until she received the complaint documentation. The Panel noted that Cr Posselt had emailed her on 17 July 2023 showing a copy of a comment by Mr Lack and asking her to remove the post. Cr Elliot told the hearing (when questioned by Cr Posselt about this) that she could not recall that email. Cr Elliot did agree that it was within her power to moderate any comments on her Facebook page but not on X.

Cr Elliot said that if Cr Posselt felt offended that was because of his hypersensitivity to anything that may be hurtful and damaging to his reputation. Cr Elliot claimed that a reasonable person would not find her posts offensive, but Cr Posselt is "not a reasonable person".

The Panel referred to part 9 of section T of the Hobart City Council's policy document (as listed above) which states "*comments, links, images and videos that includes material that may be deemed offensive, discriminatory, defamatory or vulgar to any person should be removed*" and asked, considering this on face value, whether she should have taken down Mr Lack's posts. Cr Elliot replied "no".

When questioned by the Panel as to why she reposted certain tweets such as the ones from Kirralee Smith originally made in February 2023, Cr Elliot said that she wasn't sure but probably because she agreed with Kirralee Smith, adding that Cr Posselt would not like it. It was suggested by the Panel that Cr Elliot could agree with Ms Smith but not necessarily repost her tweets. Cr Elliot responded by saying she wanted to, but it was not meant to offend or embarrass, again referencing the application of the "reasonable person" test.

When the Panel asked Cr Elliot when she received the Council policy document listed above, she said she was pretty sure it was included in the induction package.

In Cr Posselt's statement under heading of "Week of Code of Conduct hearing 1/11/23", he states that Cr Elliot accuses the Hobart City Council of bullying her and names him as a perpetrator of ridicule against her. Her handwritten response noted "sadly this is correct". Cr Elliot confirmed this view at the hearing.

In response to further questions about whether she considered any of her posts "crossed the threshold" Cr Elliot responded that at least 95% did not.

Cr Posselt in questioning Cr Elliot asked her why she re-posted tweets and let Tim Lack's comments remain on her Facebook page despite his request to remove them. Cr Elliot said they were public comments and people thought poorly of him (Cr Posselt).

Cr Posselt asked Cr Elliot whether she knew his address and whether she took a photo of his house on her device during a Council meeting. Cr Elliot denied this.

The Chairperson indicated that there was no evidence before the Panel on this matter and that Cr Posselt should move on.

In his summation, Cr Posselt said that Cr Elliot has bullied and harassed him, and this was evident at the hearing with Cr Elliot's constant reference to him being "hyper-sensitive, precious and micromanaging". He said Cr Elliot has tried to minimise the degree of hurt by exhibiting new and threatening behaviour. Cr Posselt said that Cr Elliot continues to state that she has done nothing wrong and the inference from that is that she will continue this pattern of behaviour.

In her summation, Cr Elliot said that the threshold test is whether a reasonable person would be offended, and, in that context, there was no basis for the complaint. Cr Elliot stated that not liking damage to one's reputation does not constitute a breach of the code. Cr Posselt's micromanaging of others is unreasonable, and because of his behaviour he is the subject of her posts. Cr Elliot concluded by saying that she has never been threatening or intimidating and there was no evidence of bullying or harassment before the Panel.

The Panel noted Cr Elliot's position that, for the purposes of Part 7.1(b) of the Code of Conduct, Cr Posselt was not a reasonable person.

Determination

As per section 28ZI of the Act the Code of Conduct Panel determines the complaint by upholding it and finds that Cr Elliot has breached Part 7.1 (a), (b) and (c) of the Code of Conduct.

Reasons for determination

As mentioned during the hearing and agreed to by the parties, the relevant material posted on social media could be categorised in three ways, viz., original tweets, re-posted tweets and posts on Cr Elliot's Facebook page, both by her and by others. The Panel finds that all the Facebook posts and tweets, including retweets, referred to by Cr Posselt in his complaint and copied into the attachments, occurred.

The Panel accepts that Cr Elliot had no ability to remove third party tweets on X, although it was agreed by both parties that Cr Elliot could have removed or moderated Facebook posts by others on her Facebook page. Further, she took deliberate action to re-tweet (within the relevant 6-month period) several posts originally made in February 2023. For example, the two tweets made by Kirralie Smith originally posted in February 2023. The Panel concluded that Cr Elliot would have had a reasonable understanding that by taking this action, it was likely to attract further negative commentary.

In his complaint Cr Posselt made reference to a High Court decision concerning a page owner/administrator's responsibility for any third-party posts on their Facebook page. The Panel identified the High Court decision as - *Fairfax Media Publications Pty Ltd v Voller; Nationwide News Pty Limited v Voller; Australian News Channel Pty Ltd v Voller [2021] HCA 27 (8 September 2021)*.

In this case the issue for determination was whether a number of media organisations were the publishers of defamatory material by allowing third parties to post such material on their Facebook pages. They argued that publication of defamatory material must be intentional, and it was not sufficient to merely play a passive but instrumental role in the process of publication.

The High Court rejected that argument and found² that the acts of the appellants (the media organisations) in facilitating, encouraging and thereby assisting the posting of comments by third-party Facebook users rendered them publishers of those comments.

While the Panel is not presently concerned with a defamation case, it considers that the decision of the High Court provides a rebuttal to Cr Elliot's assertion that she cannot control what is posted on her social media, and she doesn't have the time to go through all the posts on her Facebook page to identify any defamatory ones, particularly when she acknowledges that it was within her power to remove offensive posts from her Facebook page.

The Panel's role was to determine whether Cr Elliot's conduct constituted a breach of the Code as alleged. In this context the Panel considered her motivation, particularly in her re-tweeting. When questioned why she re-posted messages several months after the original posts, Cr Elliot told the Panel it was because she believed in the content of the messages. When asked whether it was to embarrass or offend Cr Posselt knowing that the re-posting would draw more offensive comments as claimed by Cr Posselt, Cr Elliot denied this. In making his allegation regarding Cr Elliot's intention, Cr Posselt claimed that Cr Elliot's followers had grown by several thousand in the intervening period.

The Panel concluded that many of the relevant social media posts would not cause offence or embarrassment to a reasonable person. However, the Panel finds that some of them did offend and/or embarrass Cr Posselt, as a reasonable person, and were intended to do so, in particular the Facebook posts by Mr Lack as discussed, which the Panel is satisfied Cr Elliot was aware of and quite deliberately took no action to remove.

The Panel was not satisfied with Cr Elliot's explanation for re-tweeting posts first made in February 2023, simply because she believed in the content. The Panel noted that the content was subject matter pertaining to Council business at the time of the original tweets. In the Panel's view when re-posting the tweets, which essentially amounted to tweeting the content herself, Cr Elliot was aware that they were likely to draw negative comments in relation to Cr Posselt. The Panel is satisfied that at least in respect of the retweeting of two tweets of Kirralie Smith on 15 July and 3 November respectively, in which Ms Smith referred to Cr Posselt as a misogynist (or implied that he was), Cr Elliot's intention was to offend and/or embarrass Cr Posselt. However, the Panel found that a number of her reposts had triggered others collectively and while some commentary was not offensive, some was. Examples being – Brooks@Adam – "stop being a dumbass", Sall Grover "you're a "f***g prick" and "misogynistic prick" and Elenor Abernathy "So you know what a woman is because you have a wife and children, or did you birth the children? Maybe you wife has a penis?"

The Panel makes the following further observations about each of the relevant paragraphs of Part 7(1) of the Code:

Part 7(1) A Councillor –

a) must treat all persons fairly

Part 7.1 (a) requires that an elected member must treat "all persons" fairly. In considering whether Cr Elliot had breached this part of the Code, the Panel had regard to the consistent reference to Cr Posselt in her posts on social media. By reposting tweets some months later, Cr Elliot said that it was because she agreed with the content, and she knew Cr Posselt would be offended. She was also aware that she had a greater number of followers some six months later. The Panel concluded that Cr Elliot deliberately set out to cause offence and encourage more negative comment about Cr Posselt and that, together also with her failure to remove offensive comments from her Facebook such as that of Mr Lack, was the essence of unfair treatment. Therefore, the Panel finds this part of the code has been breached.

² The majority-Keifel CJ, Keane J and Gleeson J.

Part 7.1 (b) – must not cause any reasonable person offence or embarrassment

For the purposes of this paragraph, the Panel is satisfied that at all relevant times Cr Posselt was a reasonable person. The Panel rejects Cr Elliot's assertion that Cr Posselt was hypersensitive and precious in respect of the on-line comments of which he complains, which she says made him an unreasonable person. It may be that Cr Posselt has been more sensitive to some of the on-line comments of which he complains than another person with a thicker skin might have been, but that does not make him hypersensitive and precious, and thus an unreasonable person for the purposes of Part 7.1(b) of the Code of Conduct.

The Panel determined that Cr Posselt provided evidence through his documentation and his oral evidence that Cr Elliot's behaviour in misrepresenting his position on some Council matters, permitting offensive posts to remain on her Facebook page and re-tweeting posts with dated subject matter did offend and embarrass him.

For the removal of doubt, and with reference to the attachments to Cr Posselt's complaint, the Panel is particularly concerned with the Facebook posts by Tim Lack and the reposting of commentary by Kirralee Smith. Furthermore, the retweeting of posts on X attracted further negative comment from Brooks@Adam, Sall Grover and Elenor Abernathy as listed above.

Cr Elliot did not provide a satisfactory explanation for her behaviour by refusing to take down Facebook posts on her Facebook page by third parties that Cr Posselt advised her were offensive to him and had triggered threats to him and his family. The Panel were not satisfied that Cr Elliot's explanations for re-tweeting content, in that she believed in the subject matter, was the sole reason for her behaviour. The Panel were of the opinion that Cr Elliot knew that these re-tweets would result in hurtful comments about Cr Posselt and that was her motivation, as well as to offend and embarrass Cr Posselt. The Panel finds this part of the Code has been breached.

Part 7.1 (c) must not bully or harass any person

For the purpose of considering the allegation that Cr Elliot bullied and harassed Cr Posselt, the Panel relied upon the following definition contained in the *Macquarie* dictionary –

“bully – 1. a blustering, quarrelsome, overbearing person who brow beats smaller or weaker people – 2. a man hired to do violence”

“harass – 1. to trouble by repeated attacks, incursions, etc. as in war or hostilities; harry; raid 2. To disturb persistently; torment as with troubles, cares, etc....”

Taking this definition of 'bullying' to be acceptable for present purposes, the Panel takes the view that bullying implies a more active, possibly physical, behaviour towards one person by another and for this reason it is not satisfied that Cr Elliot bullied Cr Posselt.

The Panel accepts the *Macquarie* dictionary the definition of 'harass' for the present purposes.

Accordingly, the Panel determined that Cr Elliot's ongoing publishing of negative content about Cr Posselt, especially the re-tweeting of previous tweets, and allowing offensive material to remain on her Facebook page, had the effect of harassing Cr Posselt. The Panel finds this part of the Code has been breached.

For the further removal of doubt, the Panel noted (or at least inferred) that both in her written response to the complaint and at the hearing Cr Elliot's argument was that the retweeting of tweets originally made on 23 February 2023 was not conduct falling within the requisite six-month period prior to making of the complaint. Plainly it was. The relevant conduct was the retweet, not the original tweet. By retweeting the Panel is satisfied that, in effect, Cr Elliot was 'tweeting' afresh and adopting the words of the original tweet. The Panel is satisfied that all Cr Elliot's retweets were made within the period of six months prior to the complaint. The Panel finds this part of the code has been breached.

Sanctions

At the conclusion of the hearing both Cr Posselt and Cr Elliot were asked to comment on an appropriate sanction in the event that the complaint was wholly or partly upheld. In his complaint form on the question of sanction Cr Posselt wrote “appropriate penalty for continuing breach of the elected member code of conduct”. When asked if he had further comment, Cr Posselt said that the harshest penalty should be applied as Cr Elliot has shown a complete disregard for the Code and has offered no apology nor is remorseful for her actions. When asked by the Panel if he meant suspension, he replied, “yes for six months”. The Chair advised that the imposition of a six-month suspension was not within the power of the Panel. Cr Posselt said, “then the maximum”.

Cr Elliot responded to the question of sanction by saying that Cr Posselt’s complaint was “laughable” and that her posts did not reach the high level to be determined as a breach of the Code. She went on to say that other determinations have cited examples of where similar alleged breaches have been dismissed. Cr Elliot concluded by saying Cr Posselt’s complaint should be dismissed but in the event that the Panel found a breach had occurred there should be no sanction on the basis that she was a first term councillor and had not had a previous complaint or breaches of the Code found against her.

The Panel determined the complaint to be upheld, which self-evidently means the Panel does not consider Cr Posselt’s complaint to be ‘laughable’. The Panel took into account the comments made by both parties, but despite Cr Elliot being a first term councillor with no previous complaints against her had been made out, concluded that a sanction should be imposed in accordance with section 28ZI(2).

The Panel determined in all the circumstances, and in respect of the breaches as found, that Cr Elliot should be reprimanded for her actions, particularly in re-posting tweets some months after the subject matter having been a current issue for the Hobart City Council and refusing to take down negative comments on her Facebook page, when requested by Cr Posselt to do so, he advising her of the hurt it was causing him and his family.

The Panel is mindful that Cr Elliot constantly made mention of the fact that the content posted on her social media did not amount to a breach the Code. This led the Panel to conclude that Cr Elliot does not distinguish, or properly distinguish, between a member of the community engaging in social media communication and an elected member who, in doing the same thing, must comply with the Code of Conduct. This is reinforced by the Hobart City Council Policy document. Therefore, the Panel determined that Cr Elliot be required to undertake a training course that details the purpose of the Code of Conduct and especially how any social media content produced by an elected member must comply with it. The Panel recommends that the Office of Local Government identify a suitable training person/organisation and that the training should commence within 6 weeks of the tabling of this determination.

Timing of the Determination

In accordance with section 28ZD (1) (a) of the Act the Code of Conduct Panel is to make every endeavour to investigate and determine a code of conduct complaint within 90 days of the chairperson’s determination that the complaint is to be investigated.

The Panel has been unable to determine the complaint within that 90-day period, for the following reasons –

- The intervention of the Christmas/New Year period and unavailability of Panel members and parties to the complaint for a hearing
- Delays in ascertaining mutually convenient dates for a hearing
- Two Panel members being absent overseas for an extended period after the hearing-

Right to review

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 Magistrates Court (Administrative Appeals Division) for a review of that determination. In accordance with section 17 of the *Magistrates Court (Administrative Appeals Division) Act 2001*, an appeal must be lodged within 28 days of the date of receipt of this determination.



Jill Taylor
Chairperson



Frank Neasey
Legal Member



Craig Perkins
Member

Date: 28 June 2024