

**INVESTIGATING PANEL DETERMINATION REPORT
LAUNCESTON CITY COUNCIL CODE OF CONDUCT**

Complaint brought by Ms Jessica Hoyle against Councillor Danny Gibson

Investigating Panel

- Jill Taylor (Chairperson),
- Andrew Paul (Local Government Member)
- Graeme Jones (Legal Member)

Date of Determination: 8 July 2025

Content Manager Reference: C36946

Summary of the complaint

A code of conduct complaint was submitted by Ms Jessica Hoyle to the General Manager of the Launceston City Council on 28 January 2025. Ms Hoyle alleged that Councillor (Cr) Gibson breached Parts 2.1, 2.3, 2.4, 2.5, 3.1 and 3.2 of the Local Government (Code of Conduct) Order 2024.

Initial assessment

Following receipt of the complaint, an Initial Assessor was appointed to conduct an initial assessment of the complaint in accordance with the requirements of section 28ZA of the Act. Having assessed the complaint, the Initial Assessor either dismissed or referred parts of the complaint to another authority. However, the Initial Assessor referred the allegation that Cr Gibson had breached Part 3.1 of the Code for further investigation and determination.

Part 3 – Use of Office

- 1 *The actions of a councillor must not bring the council or the office of councillor into disrepute.*

The complainant, respondent councillor and the General Manager were notified of the outcome of the initial assessment by letter dated 5 March 2025.

The allegation that Cr Gibson breached Part 3.1 of the Code of Conduct relates to a Facebook post made by Cr Gibson on 28 November 2024 in response to a post by a Mr Neil Watson. The alleged post by Cr Gibson states – *“Narcissistic leadership is a term I’ve learned. It helps me process the poison, the lies, the leaks and the little regard for process or team”*.

Investigation

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

The following documents have been presented to the Panel to consider as evidence in this matter:

- Local Government (Code of Conduct) Order 2024
- The complaint submitted by Ms Jessica Hoyle under cover of statutory declaration dated 28 January 2025 with a 20-page attachment containing Facebook posts
- Cr Gibson's response to the complaint, submitted under cover of a statutory declaration 17 April 2025 with a 20-page attachment containing Facebook posts and extracts of the City of Launceston Council meeting minutes of 22 February 2025 (agenda item 8.2.2) and 4 May 2025 (agenda item 8.2.2)
- A statement from Ms Hoyle under cover of a statutory declaration dated 15 May 2025

By letters dated 1 April 2025 the complainant and respondent councillor were notified of the Panel's intention to proceed to determine the complaint without a hearing. Both parties were invited to provide any objection in writing within 14 days. Cr Gibson confirmed on 11 June 2025 that he had no objections to proceeding without a hearing. Ms Hoyle also confirmed she was satisfied to proceed without a hearing on 16 June 2025.

The Panel met on 24 June 2025 to determine the matter. Ms Taylor attended the Office of Local Government, 15 Murray Street, Hobart and Mr Jones and Mr Paul attended via Teams. This complaint was straightforward from the perspective that the Panel needed to determine whether the Facebook entry Cr Gibson was alleged to have made in response to Mr Neil Watson's post of 28 November 2024 breached the Code of Conduct. In his response to Ms Hoyle's complaint Cr Gibson did not deny that he made the Facebook post attributed to him but provided some clarification of his intent behind it. He specifically noted that his Facebook post was from his personal social media account and not in his role as a councillor.

The Panel is aware that members of the public sometimes do not make the distinction between when an elected member is posting in their private capacity or their public role as a councillor. It is no defence to say the post was published in "a private capacity". The Panel considered the meaning of the word "narcissism" when making its determination. The word has several meanings including, inter alia, self-importance, lack of empathy, sensitive and an inflated view of oneself.

Having considered the two Facebook entries the Panel is of the view that in the circumstances the content of Cr Gibson's post was inoffensive and invoked no criticism of the Launceston City Council to bring the council or the office of councillor into disrepute.

Determination

The Panel dismisses that part of the complaint in relation to Part 3.1 of the Code.

Reasons for determination

The content of the Facebook post made by Cr Gibson on 28 November 2024 did not single out any issue or person, nor was it of a threatening or offensive nature and in the circumstances the Panel determined it did not breach the provision of the Code.

Timing of the Determination

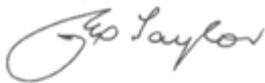
In accordance with section 28ZD(1) the Investigating Panel is to make every endeavour to investigate and determine a code of conduct complaint within 90 days of the Initial Assessor's determination that the whole complaint is to be investigated and determined.

The Panel has been unable to investigate and determine the complaint within 90 days, owing to the following factors –

- The intervention of Easter holiday period and other holidays
- Non-availability of Panel members due to other commitments

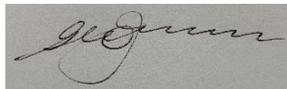
Right to review

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 Tasmanian Civil and Administrative Tribunal for a review of the determination on that ground.



Jill Taylor

Chairperson



Graeme Jones

Member



Andrew Paul

Member

DATE : 8 July 2025