

**Redland**  
CITY COUNCIL

**ATTACHMENTS – ITEM 13.8**  
**OFFICE OF THE INDEPENDENT ASSESSOR**  
**REFERRAL OF SUSPECTED CONDUCT BREACH**

**General Meeting**  
**21 May 2025**





# Table of Contents

---

13.8 Office of the Independent Assessor Referral of Suspected Conduct Breach

Attachment 2 Investigation Report.....3

Attachment 3 Investigation Report Attachments .....54

# Ashdale.

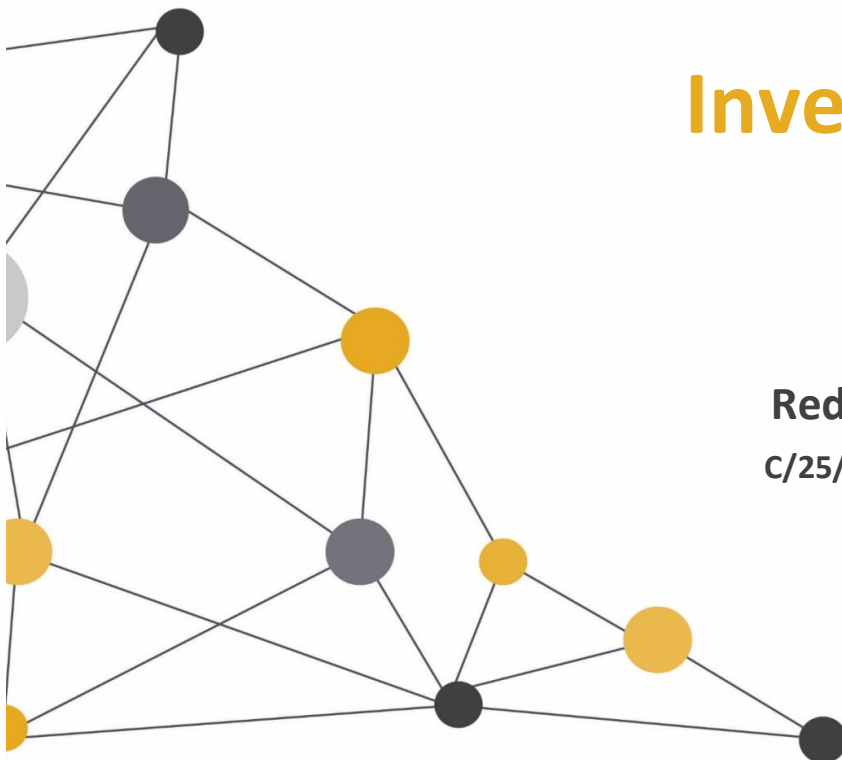
Investigate • Resolve • Educate

## Investigation Report

**Redland City Council**

C/25/00058 and C/25/00060

May 2025





## FINAL REPORT

---

An investigation regarding allegations of breaching the Code of Conduct and failure to moderate third party comments on a Council Facebook page

---

**Prepared by:**

**Ian Muir**

**of**

**Ashdale**

**P 1300 782 974**

**E. ian.muir@ashdale.com.au**

**For:-**

**REDLAND CITY COUNCIL**

**Ashdale File No. RCC01/25**

**May 2025**

# CONTENTS

## PAGE



FOR

**RCC01/25**

1.0	Background	1
2.0	Executive Summary	2
3.0	Natural Justice Process	3
4.0	Legislation and Policy	3
5.0	<b>Allegation 1</b>	
	5.1 Background	5
	5.2 Documentary Evidence	5
	5.3 Witness Interview	14
	5.4 Further Investigation	18
	5.5 Allegation	18
	5.6 Mayor's Response	20
	5.7 Analysis	32
6.0	<b>Allegation 2</b>	
	6.1 Background	36
	6.2 Documents	36
	6.3 Witness Interview	38
	6.4 Allegation	39
	6.5 Mayor's Response	40
	6.6 Further Enquiry	43
7.0	Recommendations	47
8.0	Councillor Response to Preliminary Findings	47

## INVESTIGATION REPORT

<b>Précis of Complaint:</b>	It was alleged that Mayor Jocelyn Mitchell, Redland City Council (the Council), breached the Code of Conduct for Councillors in Queensland in relation to her public comments regarding the implementation of a Council guideline. It was further alleged that the Mayor breached a Council resolution when she failed to moderate third party comments on her Council Facebook page regarding the same matter.
<b>Report Purpose:</b>	To assess the allegations and make findings in relation to whether they were capable of substantiation. To recommend a finding regarding whether the Mayor committed a conduct breach under the Local Government Act.
<b>Date:</b>	13 May 2025
<b>Ashdale File No.:</b>	RCC01/25
<b>OIA Reference No.:</b>	C/25/00058 and C/25/00060

### 1.0 Background

On 29 January 2025, the Office of the Independent Assessor (OIA) received two complaints, involving the same substantive issues, regarding the behaviour of Mayor Jocelyn Mitchell (the Mayor). It was alleged that the Mayor contravened the Code of Conduct for Councillors in Queensland by making false, misleading and discourteous public comments (on her Council Facebook page, during an ABC radio interview and within a Courier Mail article) to the effect that amendments to the Council's Media Relations and Speeches Guideline (the Guideline) had diminished the Mayor's role and had been implemented without the Mayor's knowledge or sufficient transparency.

It was further alleged that the Mayor contravened a Council resolution by failing to moderate social media comments (regarding the same issue) which appeared on the Mayor's Council Facebook Page.

Following a preliminary assessment, the OIA concluded that the allegations, if proven, involved a conduct breach under Section 150K of the Local Government Act 2009 ('the Act'). On 25 February 2025, the OIA referred the allegations to [REDACTED] Council [REDACTED] for the Council to deal with under Section 150SD(4)(a) of the Act.<sup>1</sup> On 12 March 2025, Ashdale was engaged by [REDACTED]

<sup>1</sup> The OIA suppressed the identity of the complainant in relation to both complaints

to investigate the allegations. The investigation is now complete.

---

## 2.0 Executive Summary

---

Following a review of relevant file material and a witness interview, the following two allegations were identified for investigation:

1. On 28 January 2025 and/or 29 January 2025, Mayor Mitchell made false/misleading and/or discourteous public comments regarding Councillors and/or Council officers in relation to the implementation of the Council's Media Relations and Speeches Guideline (the Guideline).
2. On 28 January 2025 and/or 29 January 2025, Mayor Mitchell contravened a Council resolution dated 18 December 2024 (regarding the Council's commitment to taking pro-active action against bullying and poor conduct towards Council officers and Councillors on social media) when she failed to remove comment/s and/or engaged with third-party comments on her Council Facebook page (in relation to the implementation of the Council's Media Relations and Speeches Guideline) in circumstances where the comments could reasonably be determined to defame or unjustly damage the reputation of Councillors.

If the Council accepts the evidence and reasoning as outlined in this report, then, on the balance of probabilities, it could be found that both allegations against the Mayor were **unsubstantiated**.

There was insufficient evidence that public comments made by the Mayor regarding the amendment of the Guideline were false, misleading or discourteous. The evidence indicated that, while the Mayor was generally aware of discussion associated with a review of the Guideline, she was likely not aware that the Guideline had been amended until after its amendment was enacted. The amendments to the Guideline were implemented due to Councillor feedback during a Councillor Workshop (which the Mayor did not attend). The amendments included a provision which potentially impacted the Mayor's role. While the Mayor likely had access to Workshop material which included this potential provision, it was considered likely that the Mayor was not consulted regarding the decision to proceed with the amendments. On balance, the Mayor's public comments appeared substantially accurate and defensible.

There was also insufficient information to indicate that the Mayor had contravened a Council resolution regarding comments which appeared on her Council Facebook page on 28 January 2025 and 29 January 2025. The Resolution required Councillors to remove and not engage with social media comments which could reasonably be determined to defame or unjustly damage the reputation of Councillors. While several of the comments were critical or disparaging towards an unnamed group of Councillors, they appeared unlikely to be defamatory or damaging to the reputation of Councillors. Two of the alleged comments, which named individual Councillors, had the potential to meet the threshold requirement for removal.

However, there was no evidence that these comments remained on the Mayor's Facebook page after 29 January 2025. The Mayor credibly maintained that she had removed these comments as soon as she became aware of them.

The Investigator recommends that the Council finds that the Mayor's alleged behaviour did not constitute a conduct breach under the Local Government Act.

---

### 3.0 Natural Justice Process

---

The investigation was conducted in accordance with the Council's 'Investigations Policy – Councillors' (*Attachment 1*). This included:

- The Investigator had no professional or social connection with any of the parties involved in the investigation which might impact the impartiality or objectivity of the investigation;
- The Mayor was provided with the preliminary findings of the investigation before the Investigation Report was prepared;
- The Mayor was allowed to give evidence or a written submission about the suspected conduct breaches and preliminary findings of the investigation prior to any formal findings being made;
- A summary of the Mayor's oral evidence and a full copy of the Mayor's written submissions has been included in the Investigation Report.
- The Mayor's evidence has been considered in the preparation of the Investigation Report. The Investigation Report findings are based on evidence rather than suspicion or speculation.

---

### 4.0 Legislation and Policy

---

#### The Local Government Act 2009 (the Act)

Under Section 12 (3) the responsibilities of local government Councillors included:

- ensuring the local government—
  - (i) discharges its responsibilities under this Act; and
  - (ii) achieves its corporate plan; and
  - (iii) complies with all laws that apply to local governments;
- providing high quality leadership to the local government and the community;
- being accountable to the community for the local government's performance.

Under Section 12 (4), the Mayor had the following extra responsibilities –

- (a) leading and managing meetings of the local government at which the mayor is the chairperson, including managing the conduct of the participants at the meetings;
- (b) leading, managing, and providing strategic direction to, the chief executive officer in order to achieve the high quality administration of the local government;
- (c) directing the chief executive officer of the local government under [section 170](#);
- (d) conducting a performance appraisal of the chief executive officer, at least annually, in the way that is decided by the local government (including as a member of a committee, for example);
- (e) ensuring that the local government promptly provides the Minister with the information about the local government area, or the local government, that is requested by the Minister;
- (f) being a member of each standing committee of the local government;
- (g) representing the local government at ceremonial or civic functions.

Code of Conduct for Councillors in Queensland (the Code of Conduct)

Upon being elected to office, Councillors were required to declare that they would abide by the Code of Conduct.<sup>2</sup> The Code of Conduct set out standards of behaviour consistent with principles and values of local government.

The Code included the following explanation of the standards: *'Each standard of behaviour is not intended to cover every possible scenario. However, they provide general guidance about the manner in which councillors are expected to conduct themselves. It is important to note that the principles, values and standards set out in the Code of Conduct are of equal importance.'*

Standard 1 required Councillors to carry out responsibilities conscientiously and in the best interest of the local government and the community. The examples included *'1.2 Respect and comply with all policies, procedures and resolutions of local government.'*

Standard 2 required Councillors to treat people in a reasonable, just, respectful and non-discriminatory way. The examples included *'2.1 Treat fellow Councillors, local government employees and members of the public with courtesy, honesty and fairness.'*

Standard 3 required Councillors to ensure their conduct did not reflect adversely on the reputation of the local government. The examples included *'3.3 At all times strive to maintain and strengthen the public's trust and confidence in the integrity of the local government and avoid any action with may diminish its standing, authority or dignity.'*

---

<sup>2</sup> Section 169 of the Local Government Act 2009



---

## 5.0 Allegation 1

---

### 5.1 Background

The OIA letter of referral to [REDACTED] on 25 February 2025 (*Attachment 2*) indicated that, on 29 January 2025, the OIA received notification of the following complaint:

‘On 28 January 2025, Mayor Mitchell re-posted on her official mayoral Facebook page an earlier Facebook post by Mayor Teresa Harding of the Ipswich City Council. To that re-post, Mayor Mitchell is said to have made claims and imputations in relation to the Redland City Council’s proposed Media Relations and Speeches Guideline (the guideline) that other Redland City councillors had proposed the guideline without the mayor’s knowledge and were trying to silence her and undermine her position as mayor. Mayor Mitchell is also said to have made similar statements during a radio interview with the ABC, which was published on 29 January 2025. The statements made by the mayor that the proposed guideline was drafted without her knowledge and an attempt to silence her as mayor is said to be false and or misleading, disrespectful to fellow Councillors, and may tend to diminish the reputation of the council.’

### 5.2 Documentary Evidence

The Investigator received the following documents (referred to in the OIA letter to [REDACTED] dated 25 February 2025) which were relevant to this allegation:

Media Relations and Speeches Guideline, Version 8 (the Guideline) (*Attachment 3*).

The Guideline indicated that it had been approved by the [REDACTED] on 9 December 2024 and became effective on the same date. Its stated purpose was to establish clear responsibilities for the coordination and release of information to the media about Council initiatives, decisions, events and services.

A section titled ‘Media Releases’ included ‘*Elected members who have voted against a majority decision of Council, or who have a declared conflict of interest in a decision, will not be the spokesperson for that decision*’ (the Amendment). A review of the previous Guideline (effective from 19 December 2022) indicated that this was a new provision.

A section titled 'Media Liaison Responsibility' included the following excerpts:

*'Media releases, responses, letters to the editor and conferences/briefings dealing with important Council activities and decisions are coordinated by the Communication, Engagement and Tourism Group. This includes distributing information and coordinating official responses to media inquiries.'; 'For other matters, elected representatives are free at all times to initiate their own media communications on matters relating to personal opinion, rather than Council policy. Where matters relate to personal opinion, elected representatives should indicate that these views may not necessarily reflect Council's position.'*

#### Facebook Posts

A screenshot of the Mayor's Council Facebook Page, reportedly taken on 28 January 2025 (Attachment 4) contained re-posted comments by Mayor Harding of Ipswich City Council including 'In what would be a first for Queensland, Ipswich City Council will consider motion tomorrow/Tuesday to block the Mayor from Council-issued media statements and responses to media enquiries'.

In relation to these comments, the Mayor (Mitchell) wrote *'THIS IS AN IMPORTANT NEWS PIECE. I also want to speak about this issue. Actions that diminish the mayoral role and function diminish the voice of the majority of residents who voted us in to represent them'*.

A further screenshot of the Mayor's Facebook page (Attachment 5) contained several comments which were apparently in response to the Mayor's post, including a comment from [REDACTED] (reportedly posted on 28 January 2025) [REDACTED] at the moment it's Ipswich council, but you can bet Karen's Crew would love to try it too' in response. The Mayor commented (underlining added for emphasis) [REDACTED] *Changes were made to our media guideline without my knowledge. It was changed due to majority councillor sentiment from a councillor workshop'*.

#### ABC Radio Interview

A transcript of the Mayor's conversation with [REDACTED] on 612 ABC Radio Brisbane on 29 January 2025 (Attachment 6) included the following excerpts (underlining added for emphasis):

**Mayor :** And that means it diminishes the voice of our community.

[REDACTED] This was done by Councillors on the Redland Council.

**Mayor:** So what happened, the actual process as has been written and by an advice, because I ask questions about this, is that this topic went for discussion and on the basis of...

[REDACTED] To the Councillors of the Redland City Council.

**Mayor:** Yes, so as it was changed due to the advice is that this was changed due to Councillor So majority Councillor sentiment then provided the impetus to change something, you know, change this particular document.

So other Councillors of the Council that you're the Mayor of didn't feel right, so they felt like their sentiment was they wanted a change that prevents the Redland City Mayor from speaking on a matter if you didn't vote as part of the majority on that.

**Mayor:** Well, I can't speak to their motives or what they're feeling, but the outcome is that it impacts my ability to speak on behalf of Council. So as we're seeing with Mayor Harding's situation, that's another mechanism in my opinion to diminish the voice of a Mayor.

So as we're seeing play out, there are ways to diminish the voice of the Mayor. The popularly elected Mayor for our community, there are ways, and this is a system that needs tightening up in my opinion.

We really need to look at the framework around the protection of the people that we have elected into office. It takes a lot to get here, a lot of personal commitment and investment, and then to get into the role and to then be faced with situations.

And this isn't party specific. If you look at our particular Councils, Ipswich and Redlands, this isn't about party politics. This is about majority and ways that a majority can affect the voice of the Mayor and therefore the voice of the community.

You are a first term Mayor and the Redland City Council, Jos Mitchell. Do you have the support of the Council?

**Mayor:** In my opinion, I do not have the support of the elected Council.

The OIA letter of referral to [REDACTED] dated 25 February 2025 (previously referred to as *Attachment 2*) indicated that the Mayor made the following additional comments during her conversation with [REDACTED] (underlining added for emphasis):

*"These kinds of actions diminish the role and function of the Mayor."*

*"Was changed on the 9th December last year, I was only made aware of changes after that date."*

*"The one that relates to me specifically as generally the spokesperson is the inclusion of the sentence, Elected Members who have voted against a majority decision of Council, or who have a declared conflict of interest in a decision, will not be the spokesperson for that decision."*

*"No longer will I be the spokesperson if I don't vote with the majority"*

*"Changes like this being made, this is a work around because this isn't a decision made in the public forum...it's outside the direct vision of the public."*

Courier Mail (online) article 'Gagged mayors speak out after changes to media rules triggering anger from councillors' by [REDACTED] n 29 January 2025 (Attachment 7)

This article, which commenced with 'Ipswich and Redland mayors claim new council media rules silence them, but councillors argue the changes are fair', contained the following excerpts:

*Tuesday's gagging claims also prompted Redland City Council mayor Jos Mitchell to publicly accuse her council of trying to silence her. Cr Mitchell, elected in March with 67 per cent of the overall vote, said a change to council guidelines in December barred her from speaking on behalf of the council if she voted against a majority decision. She said the alteration to her council's Media Relations and Speeches Guidelines was made without her knowledge and represented an attempt to diminish her role as an elected leader. However, those claims were disputed by Redland City councillors [REDACTED]*

*Redland City Council mayor Jos Mitchell says she also has been gagged and was not informed of possible changes to guidelines barring mayors from being a council spokesman if they opposed a council stance on an issue. "In the 10 months that I've been in office, I've noticed a pattern of attempts to restrict the voice or presence of an elected mayor," Cr Mitchell said. "The guideline, which is a feeder document to a policy, was changed on December 9 last year, and I was only made aware of the changes after that date."*

*Under the new guideline, elected mayors who vote against the majority decision of the council are prohibited from acting as spokespersons on that matter. "This impacts my ability to speak on behalf of the council," Cr Mitchell said. "These kinds of actions diminish the role and function of the mayor, and in turn, diminish the voice of our community." Redland [REDACTED] said the new rules applied equally to all councillors and Cr Mitchell was aware that changes were proposed a month before the changes were made.*

*Redland City Council councillor [REDACTED] says [REDACTED] mayor Jos Mitchell has not been gagged. [REDACTED] said the changes were agreed to at the December meeting of councillors which the mayor was invited to but did not attend. "I don't understand how Cr Mitchell is claiming that she's been gagged, as the same guideline that applies to her, applies to all of us," [REDACTED] said. "The mayor is not being gagged by this updated guideline which stipulates that she is still the council spokesman in media releases and says councillors appointed on various committees and advisory groups will also be quoted in addition to the mayor but not replacing her.*

*However, the guideline states that if you voted against a majority decision or have a conflict of interest you will not be the council's spokesman on that issue but you are still allowed to make your own personal commentary. We all knew that the media guideline was going to be updated in November and all councillors had been advised by officers before the meeting."*

A Redland council statement said the changes were part of a broader update to the Media Relations and Speeches Guideline. "Council undertook a review of nine other Queensland councils' media guidelines to compare and consider possible changes for effective media management and to reflect current practices," Redland said in a statement. "These included adding a section stating, 'Elected members who have voted against a majority decision of council, or who have a declared conflict of interest in a decision, will not be the spokesperson for that decision'. "The changes also formalised practices, such as identifying priority media releases, pre-approving drafts, and specifying the Deputy Mayor as spokesperson in the absence of the Mayor."

Cr Mitchell said she believed the new guideline was designed to weaken her authority. "I was elected with just under 53 per cent on the primary vote and 67.67 per cent overall," she said. "I do not believe I have the support of the elected council, but I do have the support of the people who put me here." Cr Mitchell has also called for reforms to protect the independence of mayors across Queensland, arguing that procedural changes like the one imposed on her should not be allowed to override the democratic will of voters. "This is a system that needs tightening up," she said. "We need to look at the framework around the protection of the people that we elect into office. "There are ways to diminish the voice of a mayor, and we're seeing that play out right now."

The article continued by indicating that, after the story was published, Cr Mitchell had issued the following statement (underlining added for emphasis):

"I believe, while the method differs, what was proposed in Ipswich is already happening to a degree in Redlands - an attempt by the majority to diminish a duly elected Mayor. While speaking for Council is a key part of a Mayor's role, this decision has broader implications. I believe this sends the message more broadly, that it's OK to strip a Mayor of their traditional responsibilities, not because it's necessary but only because a majority of councillors think the community chose the wrong Mayor. Our communities deserve to have their decision respected. I want to be clear, in my opinion, this decision was unnecessary, not transparent and politically motivated. I take my role as Council spokesperson seriously and I have faithfully represented the position of Council.

On the 17 December 2024 I was advised by a staff member, and later [REDACTED] that the Guideline had been changed nearly 2 weeks prior, on 9 December 2024. I was advised the changes were made due to majority councillor sentiment being expressed during a councillor workshop. A workshop is not a publicly visible meeting and votes aren't meant to be taken, so this was done without the public transparency I believe our community expects. This change reduces my ability to act as Council's spokesperson. If I do not vote with the councillor majority on a particular resolution, then I won't be Council's spokesperson for that resolution. Redland City Council's administration pushed forward with changes to Council's guidelines that prevent me, as Mayor and Council spokesperson, from speaking about any resolution that I don't join the majority in making."

Information regarding the Mayor's reported awareness of changes to the Guideline

The OIA letter of referral to [REDACTED] dated 25 February 2025 (*previously referred to as Attachment 2*) referred to the following evidence which appeared contrary to the Mayor's assertion that she was unaware of proposed guideline changes prior to 17 December 2024. This included (verbatim):

1. On 23 August 2024, Legal officers emailed the Mayor's Executive Officer (EO) on potential changes to the Media Guideline and briefly spoke with the Mayor, [REDACTED] and a Media Officer separately in passing on or about this date about the potential changes.
2. On 27 August 2024, the [REDACTED] emailed the [REDACTED] on potential changes to the media guideline.
3. On 4 September 2024, the [REDACTED] emailed Councillors providing 5 years of media releases on various subjects by way of background to the changes.
4. On 14 October 2024, Officers informed Councillors they were reviewing the media guideline and would provide councillors a future briefing on potential changes to the Guideline. The Mayor and Councillors were present during this discussion.
5. Between about 14 October and 14 November 2024, the Mayor discussed with Council's [REDACTED] the potential changes to the Media Guideline and future presentation to Councillors listed for 18 November 2024.
6. On 24 October 2024, Councils [REDACTED] met the Mayor as part of their regular meeting and discussed potential changes to the Media Guideline, amongst other things.
7. On 14 November 2024, an email was sent to the Mayor and Councillors containing the 18 November 2024 Agenda including the Media Guideline Review.
8. On 15 November 2024, an email was sent to the Mayor and Councillors containing the 18 November 2024 Agenda including the presentation for the Media Guideline Review.
9. On 18 November 2024, the officers briefed Councillors on the proposed changes to the media guideline as benchmarked against other Councils. A Councillor attendance sheet was compiled indicating the mayor was present during the Briefing. An audio recording of this meeting was also made that notes the Mayor being notified and provided the presentation on the guideline changes.
10. On or about 20 November 2024, the audio and video recording of the Council briefing on 18 November 2024 was uploaded for Councillors reference and review at their discretion.
11. On or about 10 December 2024, officers published the new Media Guideline on the Council intranet site for viewing by Councillors and Staff.
12. On 17 December 2024, Council's [REDACTED] met with the Mayor and Discussed amongst other things the updated Media Guideline.

Email from [REDACTED], to [REDACTED] to the Mayor, cc [REDACTED] on 23 August 2024 re 'Media Guideline – Mayor and Conflicted to Councillors response' (Attachment 8)

This email included the following paragraphs:

*'As briefly discussed we have been asked to review the attached Media Guideline to consider addressing the circumstance for media releases where the Mayor (1) is not available, (2) has voted against a council decision or (3) has a conflict of interest. Previously we have simply dealt with the issue by (1) not having a council spokesperson or (2) having the deputy or (3) divisional council be the spokesperson.*

*The request is not from officers and we can not point to any particular problem or specific issue that might trigger a review e.g. where the mayor was not contactable or not representing the Council interests regardless of how they may have voted.*

*I can see different views around governance to ensure we have non-conflicted spokespersons and having a default deputy position where necessary but also statutory and logistical issues of the mayor role as the single elected civic leader across the city that should not be fettered whether in Brisbane, Canberra or our sister Cities.*

*I will need to brief [REDACTED] early next week as I (sic) officers have not fully considered the issues but I don't believe are proposing any guideline change as we believe we have practices to deal with the issues.*

*I will send you through some other Council Media Guidelines as I was just considering same and really just wanted to give you a heads up, let's talk next week to finalise a position with [REDACTED]'*

[REDACTED] email to [REDACTED] on 27 August 2024 re 'Following up' (Attachment 9)

Within this email, [REDACTED] wrote "I'm preparing some examples to circulate to Councillors to provide clarity on how CET will interpret the Media Relations and Speeches Guideline 4.1 Media Releases, that states 'Where the topic is local to a specific division, the Divisional Councillor will be quoted in addition to the Mayor'".

Email from [REDACTED] to Councillors on 4 September 2024 re 'Councillor Request – 5 years of press releases on 5 Council projects' (Attachment 10).

Within this email, [REDACTED] indicated that she had attached information relating to all Council media releases for the previous five years (for five particular matters) in response to a recent Councillor Request.

Email from [REDACTED] to undisclosed recipients on 15 November 2024 re: New material available in Diligent Boards – Cllr Briefing Program 18 November 2024 - Session 8 and 9 (Attachment 11)

Within this email, [REDACTED] wrote: 'Dear Cllrs and ELT. The book Councillor Briefing Program 18 November 2024 contains new material for you to view - sessions 8 and 9' and 'Please log into your Redland City Council site in Diligent Boards to view this new material.'

Councillor Attendance sheet (Councillor Briefing Sessions & Workshops) – 18 November 2024 (Attachment 12).

This document indicated that the Mayor was present for Session 1 (General Meeting Questions & Key Messages) of this Workshop but was absent, due to 'personal reasons', for the remaining sessions, including Session 8 'Review of Media Relations & Speeches Guideline'.

Councillor Workshop on 18 November 2024 (the Workshop)

A review of the audio recording and transcript of this Workshop (Attachment 13) identified the following excerpted exchanges:

Unidentified female voice<sup>3</sup>: *'We've just got a few people out of the room, so if you give us a couple of minutes we'll do media guidelines'*

Unidentified male voice<sup>4</sup>: *'Given the mayor's out of the room and this really affects her more than anyone else, should we proceed without her input for this?'*

Unidentified female voice<sup>5</sup>: [REDACTED] *over to your thinking'.*

[REDACTED] *'It is a tricky thing. But I mean if we work, our workshops are set for schedule and for time and we've got the material in there. So if you're, we're going to use my family motto, which is if you're not in the car, you miss out.'*

[REDACTED] *: 'I am happy with that one. I think the agenda's been out, the papers have been circulated, everyone's had a chance to have a look at them and you shall be erased again (or possibly 'it shall be raised again') at some time in council on this.'*

---

<sup>3</sup> Workshop audio recording at 50 seconds

<sup>4</sup> Workshop audio recording at 1 minute 4 seconds

<sup>5</sup> Workshop audio recording at 1 minute 13 seconds

<sup>6</sup> This appeared likely to be [REDACTED]

<sup>7</sup> Workshop audio recording at 1 minute 54 seconds



Unidentified female officer<sup>8</sup>: *'OK, so I just had a query about the mayor because people were worried about the fact that she wasn't here for this. She's not in her office. So I think the fact that we're recording it, if everyone's happy with that, it will still proceed with this topic even though a couple of us are missing. They can catch up later if that works. So look the background to this and I sort of mentioned it briefly this morning. We had a, there's just been some periodic requests for information about this policy. Not something that has come as an action out of the chamber to my memory. But I thought given the fact that we have done a review of the policy, we're, we actually haven't recommended any changes to the policy.'*

*But there was enough interest outside the chamber that we've brought it back in here so that you can have a look at it so that if you want to do something differently, then this is the opportunity to either speak to us and if we've got a collective view around the table about making changes, then we can take that on board. Alternatively, councillors obviously always have that other option around a notice of motion if you want to make changes.'*

Unidentified female officer<sup>9</sup>: *'So this was something that we've got fed back to us that should we have some more guidance around what we should do here and the only example we found was with Fraser Coast who said elected members who voted against a majority decision of council will not be asked to be the spokesperson for that decision unless there are no other options.'*

*'We believe there's always other options at Redland City Council, we can always go to having an official spokesperson. So we don't think that that's necessary. So the current guideline states the mayor can delegate to another councillor or spokesperson and could do this if the situation arises.'*

*'And then we've written out a couple of different options here. So we could adopt the similar to the Fraser Coast, elected members who have voted against the majority of decision of council or have a declared conflict of interest in a decision will not be the spokesperson for that decision.'*

Unidentified female officer<sup>10</sup>: *'We have got options one and two on the table, three didn't get a go, can I just get a sense for...?'*

Unidentified male voice: *'one'*

Unidentified male voice: *'one'*

Unidentified female officer: *'And then I'm assuming a couple of you for option two.'* *'I think six versus 3. So we'll, we'll come back with a revised version of this policy. It'll reflect what we've heard in the room, which is the majority view of that today.'*

---

<sup>8</sup> Workshop audio recording at 4 minutes 29 seconds

<sup>9</sup> Workshop audio recording at 44 minutes 4 seconds

<sup>10</sup> Workshop audio recording at 49 Minutes 42 seconds

Unidentified female officer:<sup>11</sup> *'We will revise our guideline. We, through [REDACTED] will issue you with an updated version of what that guideline looks like, which is based on what we've heard today. And that will then be our revised guideline. And obviously same thing as I said to you earlier, is if a councillor then vehemently objected to something that was in there, you've got the ability through a notice of motion to do something differently. Alternatively, if we've got the, you know, the balance of the room who want us to revise it, if something ends up not working again in the future, you call it back in and we come back in and do this again.'*

### 5.3 Witness Interview



---

<sup>11</sup> Workshop audio recording at 57 minutes 45 seconds

Pages 18 through 20 redacted for the following reasons:  
-----



#### 5.4 Further Investigation

provided the following additional information on 24 March 2024 and 10 April 2024 (*Attachment 18*):

- The information made available by the Office of the CEO to Councillors via Diligent Boards (as referred to in the email of 15 November 2024 previously referred to as *Attachment 11*) included Workshop presentation slides (titled 'Media Relations and Speeches Guideline').
- In relation to whether Councillors received notification that audio of the Workshop had been uploaded for their reference on 20 November 2024 (as indicated in the OIA letter to on 25 February 2025) wrote *'Please note that I have checked with the CEO's office who do not have an email that was sent on 20 November, nor do they send emails to advise Councillors that recordings have been uploaded to One Drive. Cllrs and their divisional staff have been advised previously that they have access to the one drive folder and this is where all recordings are housed for workshops. The CEO's office aim to upload the recordings two days after the workshop.'*
- The authority to approve the Guideline was vested in (as a General Manager) pursuant to 'Council's Policy Framework *GOV-018-F*'.
- In response to the Investigator's query whether there was an additional transcript which contained the Mayor's alleged comments on ABC radio, (as referred to in the letter from the OIA to on 25 February 2025) responded *'It appears the comments are a mixture over a number of different media channels.'*

#### 5.5 Allegation

From the information within Sections 5.1 to 5.4, the Investigator identified the following specific allegation for investigation:

On 28 January 2025 and/or 29 January 2025, Mayor Mitchell made false/misleading and/or discourteous public comments regarding Councillors and/or Council officers in relation to the implementation of the Council's Media Relations and Speeches Guideline (the Guideline). For example:

- a) *'Changes were made to our media guideline without my knowledge. It was changed due to majority councillor sentiment from a councillor workshop' (on the Mayor's Council Facebook Page);*
- b) *'(The Guideline) was changed on the 9th December last year, I was only made aware of changes after that date' (during an interview on ABC radio);*
- c) *'Changes like this being made, this is a work around because this isn't a decision made in the public forum...it's outside the direct vision of the public' (during an interview on ABC radio);*
- d) *'These kinds of actions diminish the role and function of the Mayor' (during an interview on ABC radio);*
- e) *'Well, I can't speak to their (Councillors') motives or what they're feeling, but the outcome is that it impacts my ability to speak on behalf of Council. So as we're seeing with Mayor Harding's situation, that's another mechanism in my opinion to diminish the voice of a Mayor' (during an interview on ABC radio);*
- f) *'I believe, while the method differs, what was proposed in Ipswich is already happening to a degree in Redlands - an attempt by the majority to diminish a duly elected Mayor' (in a statement to the Courier Mail);*
- g) *'I believe this sends the message more broadly, that it's OK to strip a Mayor of their traditional responsibilities, not because it's necessary but only because a majority of councillors think the community chose the wrong Mayor' (in a statement to the Courier Mail);*
- h) *'I want to be clear, in my opinion, this decision was unnecessary, not transparent and politically motivated' (in a statement to the Courier Mail); and/or*
- i) *'On the 17 December 2024 I was advised by a staff member, and later [REDACTED] that the Guideline had been changed nearly 2 weeks prior, on 9 December 2024. I was advised the changes were made due to majority councillor sentiment being expressed during a councillor workshop. A workshop is not a publicly visible meeting and votes aren't meant to be taken, so this was done without the public transparency I believe our community expects. This change reduces my ability to act as Council's spokesperson' (in a statement to the Courier Mail).*

This was in circumstances where Mayor Mitchell had obligations under the Code of Conduct for Councillors in Queensland to treat people reasonably, justly and respectfully (including by treating Councillors, Council employees and members of the public with courtesy, honesty and fairness) and to ensure her conduct did not reflect adversely on the reputation of the Council (including by avoiding actions which may diminish the Council's standing, authority or dignity).

## 5.6 Mayor's Response

The Mayor was provided with the allegation by email on 27 March 2025 (*Attachment 19*) and was invited to attend an interview via Microsoft Teams on 2 April 2025. On 30 March 2025, the Mayor's reply (*Attachment 20*) included:

*'I will ask [REDACTED] to make contact with you'.*

*'I believe I am already at a disadvantage due to a procedural lack of natural justice and the time and resources obviously utilised to formulate the complaint.'*

*'I believe these complaints to be vexatious and want to make appropriate records.'*

[REDACTED]

[REDACTED]

### Mayor's Written Submissions (*Attachment 21*)

On 10 April 2024, the Investigator received written submissions from the Mayor via correspondence from [REDACTED]. Due to the length of the correspondence, its contents have not been fully restated here. However, the full correspondence appears as an attachment (which forms part of this report) which is to be read in conjunction with the body of this report.<sup>12</sup> The submissions included, in summary:

- The common law 'Briginshaw principle', originating from the case of *Briginshaw v Briginshaw* [1938 HCA 34], should be applied to the assessment of the allegation. An extract from the judgement of Dixon J included *'The seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, or the gravity of the consequences flowing from a particular finding are considerations which must affect the answer to the question whether the issue has been proved to the reasonable satisfaction of the tribunal. In such matters "reasonable satisfaction" should not be produced by inexact proofs, indefinite testimony, or indirect inferences.'*
- The provision of natural justice to the Mayor required transparency regarding the identity of the complainant. [REDACTED] wrote : *'Firstly, the complainant appears very likely to be a Councillor, and it is the Councillors who sit in decision upon the matter. Hence, without clarity, there is the concern of "Caesar judging Caesar". Secondly, in relation to the complaints (both of them):*

---

<sup>12</sup> The Investigation Policy requires a full copy of the written submission to be included in the report

1. The complainant, whomever it is, has likely provided similar or worse publications in the past. That must obviously be relevant to the nature and gravity of the matter. That is, if the complainant has been sending similar communications, and their communication contains inaccuracies, that must be relevant as to the significance and veracity of the complaint, and their suggestion that anything done by Jocelyn brings the Council into disrepute; and

2. In the event that the complainant has committed indiscretions in the past, that thereby suggests that this is not truthfully about the complained conduct, but rather the complaint itself brings Council into disrepute, and further there is some ulterior purpose. However, our client cannot provide information relevant to past conduct by the complainant without knowing the identity of the complainant.

Therefore, lack of information as to the identity of the complainant affects the process and the ability for our client to respond to the substance of the allegation.'

- The Code of Conduct Standards were to be read in context of the Code of Conduct preamble (which included that the standards were not intended to cover every scenario, the standards provided general guidance to Councillors and the principles, values and standards set out in the Code were of equal importance).
- In relation to Standard 1 of the Code of Conduct (Carry out Responsibilities conscientiously and in the best interest of the local government), [REDACTED] wrote: *To carry out responsibilities "conscientiously" must refer to carrying out matters genuinely according to good conscience. To do so, must, as a matter of concept, be by reference to an ordinary person of good standing and conscient in the position of our client. Hence, objectively, from our client's position.*

*The "best interest of the local government" must be considered from the same aspect. In view of transparency in governance, the best interest of the local government cannot be the sweeping under the carpet of issues of public interest and importance.*

*The local government is the Council. The separate interests of particular councillors is not necessarily the same as Council as a whole.*

*However, it can easily be seen that the dignity and reputation of the duly elected Mayor is pivotal to the best interests of Council. Actions taken, considered objectively, from [REDACTED] position which aim to uphold the dignity and reputation of the duly elected Mayor are most likely to represent the best interests of Council'*

- In relation to Standard 2 of the Code of Conduct (Treat People in a reasonable, just, respectful and non-discriminatory way), [REDACTED] wrote: *To treat people in a reasonable, just, respectful and non-discriminatory way suggests need to act fairly and respectfully viewed from an objective position. However, it must also follow that this can only occur with the knowledge and understanding available. Hence, this must also be considered objectively, from [REDACTED] position.*

*Whilst the examples discuss treating other councillors with courtesy, honesty and fairness, and having proper regard to other people's rights, those examples are one consideration of actions. It cannot possibly be correct that simply because something affects another's rights or is privately considered by them as unfair to them, cannot override action required for the best interests of Council. This highlights the preamble quote above.*

- In relation to Standard 3 of the Code of Conduct (Ensure conduct does not reflect adversely on the reputation of the local government) [REDACTED] wrote:

*'Paragraph 3.3 bears careful scrutiny and analysis. It can be seen that:*

*1. Firstly, there are 2 limbs:*

*(a) to strive to maintain and strengthen public trust and confidence in the integrity local and government; and*

*(b) to avoid action which might diminish the standing, authority or dignity of the Council.*

*First Limb – subjective intention required*

*2. The first limb requires the Councillor to strive to achieve the relevant standard. It is not an absolute statement that anything that is different from the standard is a breach. The standard could only be breached if the Councillor did not "strive" to achieve the standard.*

*3. In concept, to "strive" is to make significant efforts to achieve the result.*

*4. To strive to do something requires the subjective intention of the Councillor to achieve the result.*

*5. As such for there to be a breach the first limb, it must be demonstrated that the Councillor, subjectively, did not make efforts to maintain the relevant public trust and confidence in the integrity of Council.*

*First Limb – public trust and confidence in the integrity local and government*

*6. The second part of the first limb is directed to the reputation of Council as a whole.*

*7. Conceivably, an action might denigrate Council's reputation and therefore infringe the section.*

*8. However, if an action upholds one part of Council's reputation, but diminishes another part then clearly some weighing process is required as to whether overall the action is beneficial.*



9. *This is clearly not a mathematical exercise but a broadbrush assessment.*

10. *Take for example an action which upholds the dignity of one Councillor (eg the Mayor) but might be seen as affecting the reputation in some way of another councillor (or even group of Councillors).*

First Limb – overarching summary

11. *Putting the above together, to infringe the first limb of paragraph 3.3 there must be a finding that the subjective intention of the Councillor was overall to diminish public trust and confidence in the integrity local and government.*

Second Limb– subjective intention required

12. *The second limb requires the Councillor to avoid action which might diminish the standing, authority or dignity of the Council.*

13. *To avoid something requires intention to take a step to prevent something occurring – hence again requires demonstration of a subjective element.*

14. *As such for there to be a breach of the second limb, it must be demonstrated that the Councillor, subjectively, did something which did not avoid action which might diminish the standing, authority or dignity of the Council.*

Second Limb – diminish the standing, authority or dignity of the Council

15. *Similar to the first limb, this is directed to the reputation of Council as a whole.*

16. *Again, to assess an action which upholds one part of Council's standing, authority or dignity, but diminishes another part, clearly some weighing process is required as to whether overall the action is negative to Council.*

17. *Again, this is clearly not a mathematical exercise but a broadbrush assessment.*

Second Limb – overarching summary

18. *Putting the above together, to infringe the second limb of paragraph 3.3 there must be a finding that the subjective intention of the Councillor was overall to diminish of Council's standing, authority or dignity.'*

- Under 'Overview of response to the facts' [redacted] wrote [redacted] will be cooperating in an interview. We shall leave for her to discuss with you the factual response to the allegations. However, it can clearly be seen that:

1. *Jos Mitchell, as mayor, is part of Council.*
2. *Communications from her aimed at upholding (i.e. maintaining and strengthening) public trust and confidence in the integrity local and government – namely in herself as Mayor, are appropriate and within guidelines.*
3. *Actions by her aimed at avoiding action which might diminish the standing, authority or dignity of the Council are appropriate and within guidelines.*
4. *All of her actions should be assessed from her subjective position.*

5. Overall, she clearly:

(a) Has raised matters of public interest and public important relevant to transparency in governance;

(b) Aimed to uphold the public trust and confidence in the integrity local and government; and

(c) Had no intention of doing anything which might diminish of Council's standing, authority or dignity.

6. Further, if a particular Councillor feels disaffected by this, then that is a single factor to be considered in the context of all standards (i.e. as indicated in the preamble), and not to be assessed in isolation.'

- Under 'Specific discussion of allegations, [REDACTED] included the following table:

Para	Allegation	Comment discussion
1.	On 28 January 2025 and/or 29 January 2025, you made false/misleading and/or discourteous public comments regarding Councillors and/or Council officers in relation to the implementation of the Council's Media Relations and Speeches Guideline (the Guideline).	This is an overview statement, which can only be considered in the context of the specific alleged breached. Hence, of itself, this alleged nothing that requires response.
(a)	'Changes were made to our media guideline without my knowledge. It was changed due to majority councillor sentiment from a councillor workshop' (on your Council Facebook Page);	<p>Firstly, this statement is factually true.</p> <p>Secondly, the fair workings of Council are a matter of public interest. That means this is information that should be in the public arena.</p> <p>Thirdly, bearing in mind the statement is true, how can this bring Council or any Council into disrepute?</p> <p>Fourthly, this is simply not discourteous.</p>
(b)	'(The Guideline) was changed on the 9th December last year, I was only made aware of changes after that date' (during an interview on ABC radio);	The points in response to 1(a) apply to this.
(c)	'Changes like this being made, this is a work around because this isn't a decision made in the public forum...it's outside the direct vision of the public' (during an interview on ABC radio);	The points in response to 1(a) apply to this.
(d)	'These kinds of actions diminish the role and function of the Mayor' (during an interview on ABC radio);	<p>This does not impinge upon the reputation of any Councillor.</p> <p>It simply upholds the reputation of Council – being that part which is the Mayor.</p>

(e)	<p>'Well, I can't speak to their (Councillors') motives or what they're feeling, but the outcome is that it impacts my ability to speak on behalf of Council. So as we're seeing with Mayor Harding's situation, that's another mechanism in my opinion to diminish the voice of a Mayor' (during an interview on ABC radio);</p>	<p>Firstly, this is true.</p> <p>Secondly, this is clearly a matter of public importance and public interest. Hence, it needs to be said.</p> <p>Thirdly, bearing in mind it is true that the voice of the Mayor is diminished, this does not detract from the standing of any person.</p> <p>Fourthly, it is critical to fair investigation of this to disclose the identity of the complaint. Hiding the identity of the complaint in view of the nature of this complaint creates an intolerable situation and unacceptable conflict.</p>
-----	---	--

		<p>Fifthly, when discussion is raised in your letter about discourtesy, it must be remembered that Council as a whole involves each of the Mayor, the Councillors as well as the entirety of the Council staff. When a disrespectful situation is created by changing the guidelines, in private workshop, without informing the Mayor, a disgracefully disrespectful situation has been created.</p>
(f)	<p>'I believe, while the method differs, what was proposed in Ipswich is already happening to a degree in Redlands - an attempt by the majority to diminish a duly elected Mayor' (in a statement to the Courier Mail);</p>	<p>The points in response to 1(e) apply to this.</p>
(g)	<p>'I believe this sends the message more broadly, that it's OK to strip a Mayor of their traditional responsibilities, not because it's necessary but only because a majority of councillors think the community chose the wrong Mayor' (in a statement to the Courier Mail);</p>	<p>The points in response to 1(e) apply to this.</p>
(h)	<p>'I want to be clear, in my opinion, this decision was unnecessary, not transparent and politically motivated' (in a statement to the Courier Mail); and/or</p>	<p>The points in response to 1(e) apply to this.</p>
(i)	<p>'On the 17 December 2024 I was advised by a staff member, and later [REDACTED] that the Guideline had been changed nearly 2 weeks prior, on 9 December 2024. I was advised the changes were made due to majority councillor sentiment being expressed during a councillor workshop. A workshop is not a publicly visible meeting and votes aren't meant to be taken, so this was done without the public transparency I believe our community expects. This change reduces my ability to act as Council's</p>	<p>The points in response to both 1(a) and 1(e) apply to this.</p>

	spokesperson' (in a statement to the Courier Mail).	
	This was in circumstances where you had obligations under the Code of Conduct for Councillors in Queensland to treat people reasonably, justly and respectfully (including by treating Councillors, Council employees and members of the public with courtesy, honesty and fairness) and to ensure your conduct did not reflect adversely on the reputation of the Council (including by avoiding actions which may diminish the Council's standing, authority or dignity).	It is to be remembered that each Standard within the Code is to be read as being of equal importance, and ought not be considered in isolation from other Standards.

concluded 'We trust the above assists, when considered in conjunction with the interview to occur tomorrow, that there has been no conduct breach.'

#### Mayor Interview

The Mayor was interviewed on 11 April 2025 (supported by ). A full transcript of the interview is attached to this report (*Attachment 22*). During the interview, the Mayor strongly denied this allegation and provided the following (summarised) information:

- She was first elected to the Council in March/April 2024 as an independent candidate with no previous experience as a Mayor or Councillor. She had previous experience in local government as a Manager of Sustainable Communities. She had also been a police officer and a business owner.
- She was familiar with the Code of Conduct for Councillors in Queensland via compulsory online training for Councillors (although she questioned the adequacy of this training).
- 
- She had 'grave concerns' regarding the process of the investigation which was 'fraught with difficulty'. While she acknowledged that this was mostly a State Government issue, she wished to outline her concerns.
- In particular, she had not been advised of the identity of the complainant, nor had she been consulted by the OIA prior to the OIA's assessment. The OIA referral to the Council had likely involved handling of the complaint by
- Further, the process involved 'Caesar judging Caesar' and it was possible for Councillors (including those with a conflict of interest) to decide an outcome regardless of the Investigator's recommendation.

- She was also concerned about the 'broad brush' approach and generalisation of the allegations. All these matters indicated a lack of natural justice and placed her at a disadvantage in relation to her response to the allegations.
- She took her role very seriously and had always attempted to 'do the right thing' during her time as Mayor (this was the platform upon which she has been elected). She maintained that she had always complied with the Code of Conduct.
- She had participated in a radio interview on ABC with [REDACTED] (on 29 January 2025). She had also made comments (explaining the events regarding the implementation of the Guideline) in a video on her Facebook page.
- She would have to check whether she had given a statement to the Courier Mail on 29 January 2025 (the Courier Mail had a tendency to 'sensationalise' and had previously misquoted her).
- She had not verified all of the examples contained in the allegation. However, it was possible that she had made the comments as alleged. She maintained that all of her comments had been accurate, courteous and fair.
- [REDACTED] on 23 August 2024 (previously referred to as Attachment 8) and [REDACTED] on 27 August 2024 and to Councillors on 4 September 2024 (previously referred to as Attachments 9 and 10) did not indicate that the Guideline would be amended.
- On 26 August 2024, [REDACTED] wrote to [REDACTED] indicating that a number of Councillors had raised issues regarding the Guideline. [REDACTED] wrote that 'the Mayor is and should be the spokesperson for the City'.
- [REDACTED] response included that Council officers had been 'copping heat' from Councillors regarding the issue of media releases relating to specific Council Divisions.
- On 26 August 2024, [REDACTED] wrote to [REDACTED] and [REDACTED] indicating that [REDACTED] would be raising the issue in a meeting with the Mayor and Councillors.
- [REDACTED] indicated that she had explained to [REDACTED] that, while Council officers would review the application of the Guideline for 'correctness', they did not see any need for a change to it.
- [REDACTED] responded to [REDACTED] indicating (for clarity) that the Mayor did not support any change to the Guideline. [REDACTED] had responded 'understood' and 'we can then respond to this if Council resolves to make changes'.
- These exchanges (which she agreed to provide after the interview) indicated that Council officers had considered that changes to the Guideline were unnecessary. She did not anticipate that any changes would be made to the Guideline.

- She attended a discussion regarding the Guideline on 14 October 2024 (as referred to in the OIA letter to [REDACTED] on 25 February 2025), but no specific changes were proposed during that discussion. She had always assumed that the appropriate process would unfold.
- She denied that there had been any discussion regarding the amendment of the Guideline during her meeting with [REDACTED] on 24 October 2024 (if there had been such a discussion, she would have ensured that she provided a written submission).
- She had been aware that a review of the Guideline was being undertaken by Council officers. However, she denied that [REDACTED] had ever mentioned during their regular meetings that the Guideline was going to be amended.
- [REDACTED] information that she (the Mayor) was aware that the review of the Guideline included potential changes which might impact on the Mayor's role was incorrect.
- The Amendment had never been discussed with her. [REDACTED] had advised her that the CET team was under pressure from Councillors, that [REDACTED] had sought five years of media releases, and that Councillors were seeking 'more exposure' or a 'greater slice of the pie' regarding comments to the media.
- The comments attributed to [REDACTED] in the Courier Mail article (previously referred to as *Attachment 7*) that all Councillors knew that the Guideline was going to be updated in November 2024 were 'categorically' incorrect.
- In relation to the email from the [REDACTED] on 15 November 2024 (previously referred to as *Attachment 11*), she accepted that [REDACTED] Workshop presentation slides were available for Councillors to review on that date. She thought she had looked at the slides.
- When she was referred to page 8 of the slides (*previously referred to as Attachment 16*), she accepted that one of the amendments being considered had become the Amendment. She accepted that she had been provided with an opportunity to view potential amendments to the Guideline.
- When asked whether this should have prompted her to make an immediate submission or express her disapproval, she indicated that she had previously made it clear (including to [REDACTED]) that she did not support any changes to the Guideline.
- The availability of Workshop material for her review did not impact her public comments regarding transparency which related to the decision-making process.
- The purpose of Council Workshops was for Council officers to provide information to Councillors and for discussion of that information. There had been no advice that changes were going to be made to the Guideline.
- She had signed the Workshop Attendance Sheet (*previously referred to as Attachment 12*). Her noted absence from Sessions 3 to 9 was likely due to her attending [REDACTED]

- There had been other instances where she had been unable to attend a Workshop (which was not a statutory meeting) due to conflicting Council commitments. It was not usual for [REDACTED] to attend Workshops.
- When asked whether she had any curiosity as to what had occurred during Session 8 Review of Media Relations & Speeches Guideline (as shown on the Attendance Sheet) she indicated that any proposal arising from the Workshop would typically come back to Councillors for further consideration.
- She had anticipated that she would have been provided with an opportunity to respond to any proposals arising from the Workshop.
- She did not review the audio of the Workshop which was reportedly uploaded for access by Councillors on 20 November 2024 nor did she receive notice when the enacted Guideline was reportedly uploaded onto the Council's intranet on 10 December 2024.
- She first became aware that the Guideline had been amended during a 'general update' meeting on 17 December 2024 with [REDACTED] and [REDACTED]
- [REDACTED] disclosure to her (during that meeting) that the Guideline had been amended had been 'inadvertent'. They had been discussing the signing of press releases following the Council's general meetings. [REDACTED] had commented 'it depends on how the vote goes'.
- When she had queried [REDACTED] about this comment, [REDACTED] then mentioned that the Guideline had been amended on 9 December 2024. She (the Mayor) had enquired about how the changes affected her role and had expressed her 'shock' regarding the Amendment.
- [REDACTED] had previously informed her that [REDACTED] had been urging for changes to the Guideline. However, she did not think the Amendment was one of the changes sought. [REDACTED] had indicated that she had identified the Amendment from one of nine equivalent Council policies.
- Shortly after the meeting, [REDACTED] with a list of the changes to the Guideline and [REDACTED] emailed all Councillors to advise them that the Councillor feedback from the Council Workshop on 18 November 2024 had been incorporated into the Guideline and implemented.
- On 24 December 2024, [REDACTED] provided an email which further explained what had occurred, including that the changes had been made due to Councillor feedback (regardless of Council officer recommendations).
- She was gravely concerned that a bloc of Councillors were consistently impacting the direction of operational Council matters without sufficient transparency.
- The Workshop on 18 November 2024 had been used as a decision-making process to change the general manner of Council operations outside a Council General Meeting.

- In her view, this was contrary to Operation Belcarra.<sup>13</sup> She considered that, once Councillors became involved in the decision-making process, it was appropriate for the proposed changes to have been brought before the Council at a General Meeting as a Notice of Motion (NOM).<sup>14</sup>
- She had anticipated that any recommendations which emanated from the Workshop would be tabled with Councillors for further feedback or discussion during the Council's General Meeting (particularly if the recommendation was contrary to the advice of Council officers).
- She had not been aware that Council officers intended to rely on a 'straw poll' of Councillors at the Workshop to decide whether to amend the Guideline.
- She considered that it would have been courteous for Council officers to seek her input regarding the Amendment, particularly because it affected her directly.
- The fact that she had not been informed about the Amendment until after it had been implemented supported her comments regarding a lack of transparency.
- When asked whether her comments could be construed as implying that Council Officers or Councillors had behaved in a [REDACTED] she responded that her comments had been factual and she was entitled to express her opinion.
- If [REDACTED] had considered that the Amendment was supportive and beneficial to her (the Mayor), she queried why it had not been previously discussed with her (verbally or in writing). However, [REDACTED] had a tendency to provide her with inconsistent information regarding issues.
- She disagreed that her comments had adversely affected the reputation of the Council. On the contrary, her truthfulness had a positive impact on the Council's reputation.
- The effect of the Amendment was to diminish her role because she would no longer be the Council spokesperson regarding decisions she had not voted for. The Amendment effectively placed political pressure on her to vote with the majority of Councillors or risk not being the Council spokesperson.
- She had previously been the spokesperson to the media about all Council issues. She recalled an instance where she had spoken to the media regarding the 'Whitewater' decision which she had not voted for.

---

<sup>13</sup> An investigation by the CCC into allegations of potential corrupt conduct by candidates for several local governments during local government elections in 2016. The investigation resulted in reforms by the State Government (including the establishment of the OIA) aimed at increasing accountability and transparency in local government.

<sup>14</sup> The Mayor indicated that a NOM regarding this matter was to be considered by the Council at an upcoming general meeting.



- She was unsure whether the Amendment contravened the (broad) role of Mayor which was prescribed in the Act (and she had not sought advice in that regard). However, she was referring to the customary role of Mayor, which she understood applied throughout Queensland.
- She was uncertain whether the process which Council officers had undertaken to amend the Guideline had been technically compliant. However, previous changes to the Guideline had only been minor in nature. The Amendment was more significant (and directly impacted her as Mayor).
- In her view, there was general lack of communication and respect shown by senior Council officers towards her regarding important Council issues.

On 17 April 2025, the Mayor provided the following documents:

Email exchanges on 26 August 2024 re 'Media Guideline' (Attachment 23)

On 26 August 2024 [REDACTED] emailed [REDACTED] copying [REDACTED] and [REDACTED] as follows:

*'A number of Councillors have raised the issue of the media guideline. It is clear in officers' mind that the Mayor is (and should be) the spokesperson for the city. I have suggested to those who have raised it that this is really an item for a Mayor / Councillor meeting. We agree there have been a few instances where the definition of citywide vs divisional could be clearer (and not always consistently applied - likely a training/interpretation issue) but at officer level we can clear this up I feel.'*

[REDACTED] response (copying [REDACTED]) included *'As an aside, the Mayor is concerned that officers are 'copping heat' about this from Councillors and would like to know if there is anything she can do that would constructively assist and not make things worse.'*

[REDACTED] response (copying [REDACTED]) included *'The Mayor is correct, hence the request to take it offline and away from officers. It is something the Councillors best discuss together as the alternative will be, I suspect, a continued use of notices of motion which is not an ideal way to bring such discussions to a reasonable compromise.'*

[REDACTED] then wrote (copying all previous recipients) *'Confirming I have also just taken a call from Councillor [REDACTED] who will be bringing this to the Mayor/Councillor meeting. I explained as officers we don't see any need for the guideline to change, rather just review its application for correctness. If she wants change, she needs to raise with her peers which she was happy to do. Then if there is appetite for change after the Mayor/Councillor meeting, the Mayor can advise [REDACTED] at the ELT session next Monday.'*

\_\_\_\_\_ responded (exclusively) to \_\_\_\_\_ *Just so you know, the Mayor won't support a change to the guideline, so if \_\_\_\_\_ and others don't accept that, I expect they will bring a NOM' and \_\_\_\_\_ replied, 'Understood and as we discussed today, we can then respond to this if Council resolves to make changes.'*

Email exchanges between \_\_\_\_\_ and Councillors from 17 December 2024 to 24 December 2024 regarding the Guideline (Attachment 24)

On 17 December 2024 at 1.30 pm \_\_\_\_\_ wrote *'Further to the Councillor workshop on 18 November when we discussed the Media Relations and Speeches Guideline, the feedback from this workshop has now been incorporated into the updated Guideline, which I attach for your reference.'*

On 24 December 2024, \_\_\_\_\_ response to \_\_\_\_\_ concerns and queries regarding the Amendment (including 'Has this updated guideline come to council in a formal manner for consideration and adoption?') included:

*'I note your comments and the feedback you have provided to the latest version of the Media Relations and Speeches Guideline. There were mixed views about this in the Councillor Workshop as well, when officers presented their recommendations. You can view this Workshop again if you would like to, as it was one of the ones that has occurred since we started recordings.*

*You may recall from the Workshop, officer recommendations were not supported in each instance by the majority of Councillors, and as is our custom and practice, the Guideline was then adjusted to reflect the feedback we received from the majority of Councillors, even where this was different to the officer recommendation.*

*As this is a Guideline and not a Policy, it will not need to go back to the Council for formal adoption. Rather, it was updated following the Workshop by officers and approved based on the feedback from Council. I hope that answers your questions. If you still have ongoing concerns, it is always open to you to consider bringing a Notice of Motion if you wanted to seek a resolution of Council to amend this Guideline?'*

## 5.7 Analysis

It was alleged that, on 28 January 2025 and/or 29 January 2025, the Mayor made false/misleading and/or discourteous public comments regarding Councillors and/or Council officers in relation to the implementation of the Guideline. This was in circumstances where the Code of Conduct required the Mayor to treat Councillors, Council employees and members of the public with courtesy, honesty and fairness and to ensure her conduct did not reflect adversely on the reputation of the Council.

The Mayor's alleged comments related principally to the Guideline provision 'Elected members who have voted against a majority decision of Council, or who have a declared conflict of interest in a decision, will not be the spokesperson for that decision' (the Amendment).

The allegation listed nine example comments which were taken from the Mayor's Council Facebook Page [example (a)], information from the OIA and a transcript regarding the Mayor's interview on ABC radio [examples (b), (c) (d) and (e)] and an on-line Courier Mail article including a written statement attributed to the Mayor [examples (f), (g), (h) and (i)]. While the Mayor was unable to verify with certainty whether she had made any of the alleged comments, she agreed that it was possible that she had made them. The example comments have been analysed within the below categories.

Comments which indicated that changes were made to the Guideline without the Mayor's knowledge [examples (a), (b) & (i)]

The evidence indicated that changes to the Guideline were implemented on 9 December 2024, following a Council Workshop on 18 November 2024. The transcript and audio recording of the Workshop, together with emails from [redacted] to Councillors (on 17 and 24 December 2024) indicated that Council officers had amended the Guideline, based on Councillor feedback during the Workshop. [redacted] considered that the Mayor ought to have been aware that changes to the Guideline were likely, due to communications received by the Mayor prior to the Workshop. However, while [redacted] indicated that [redacted] had advised the Mayor that the Guideline was being reviewed and that potential changes were being considered, there was no suggestion that [redacted] had advised the Mayor that the Guideline would in fact be amended following the Workshop. Further, none of the email communications received by the Mayor prior to 18 November 2024 indicated that changes would be made to the Guideline.

The Mayor plausibly maintained that she had perceived the Workshop was not a decision-making forum and, based on emails she had received, did not anticipate that any changes would be made to the Guideline. While the Mayor (who did not attend the relevant session of the Workshop regarding the Guideline) likely had an opportunity to view potential amendments to the Guideline prior to the Workshop, it appeared likely that she did not in fact become aware that the Guideline had been amended until she was advised by [redacted] on 17 December 2024. There was no evidence that [redacted] (who was involved in the implementation of the changes to the Guideline) or any other Council officer had advised the Mayor of the changes prior to that date. On balance, there was insufficient information to reliably indicate that the Mayor's comments that the Guideline had been changed without her knowledge were false, misleading or discourteous.

Comments which indicated that changes to the Guideline were made due to majority Councillor sentiment during a Council Workshop [examples (a) and (i)]

The Mayor's comments that the Amendment had been the result of majority Councillor sentiment during the Workshop appeared to be wholly consistent with the events which transpired, as evidenced by the audio recording and transcript of the Workshop and explanatory emails from [REDACTED] to Councillors (on 17 and 24 December 2024). A reasonable person would not be likely to consider that these example comments were false, misleading or discourteous to Councillors or Council officers.

Comments which indicated that changes were made to the Guideline without sufficient transparency [examples (c), (h) and (i)]

[REDACTED] indicated that the Guideline had been implemented in accordance with Council requirements (which did not require public consultation) [REDACTED] disagreed that there had been any lack of transparency. It appeared that [REDACTED] had sufficient authority to implement the Guideline without reference to the Councillors. However, as noted above, it was clear that the impetus for amending the Guideline was significantly related to Councillor feedback given to Council officers during the Workshop.

The Mayor credibly indicated that she had a legitimate reason for her non-attendance at the Workshop session regarding the Guideline. She maintained that, because the Councillors had participated in the decision-making process (during the Workshop) regarding the Guideline, any changes emanating from the Workshop should have been circulated to Councillors for further input and brought before the Council at a General Meeting. It was notable that [REDACTED] indicated that she would not have progressed the Amendment if there had been any significant objection to it during the Workshop. It was not clear why Council officers apparently did not consult with the Mayor following the Workshop in relation to the proposed Amendment, particularly as it directly impacted the Mayor. On balance, it appeared that the Mayor's comments regarding a lack of transparency were reasonably justified and defensible. On an objective analysis, a reasonable person would be likely to conclude that there was insufficient evidence that the Mayor's comments regarding a lack of transparency were false, misleading or discourteous.

Comments which indicated that changes to the Guideline diminished/were an attempt to diminish the Mayor's role [examples (d),(e),(f),(g) and (i)]

There was no evidence that the Amendment was contrary to the description of the Mayor's role as prescribed by Section 12 of the Local Government Act. However, the Mayor credibly indicated that she had previously been the Council spokesperson regarding all Council decisions. Notably, [REDACTED] indicated that the Amendment did impact the Mayor's role (it affected the Mayor's ability to act as the Council spokesperson in relation to decisions against which the Mayor had voted). The Mayor's argument that the scope of her (traditional) role had been diminished by the

Amendment appeared to be reasonably justified and defensible. Further, on the available information, there was insufficient evidence to reliably conclude that the Mayor's characterisation of the Amendment as an attempt by a majority of Councillors to diminish her role was false (particularly because the Amendment was made as a result of a majority sentiment of Councillors during the Workshop). On balance, a reasonable person would be likely to conclude that there was insufficient evidence that these example comments were false, misleading or discourteous.

#### Conclusion

The common law 'Briginshaw Principle' (originating from the case of *Briginshaw v Briginshaw* [1938 HCA 34]) required the strength of the evidence to be taken into account when making a determination on the balance of probabilities in matters involving serious allegations. In this case, the allegation was arguably serious in that it had the potential to damage the public reputation of the Mayor (a publicly elected official).

On an objective analysis, taking into account all of the available information regarding the implementation of the Guideline, a reasonable person would be likely to consider that the evidence fell short of the standard required by the Briginshaw Principle and was insufficient to reliably conclude that any of the alleged comments were inaccurate, misleading or discourteous.

The Mayor's comments likely contained accurate representations of the events which had occurred regarding the Guideline and expressions of her opinion, which appeared to have been based upon reasonable grounds. It followed that a reasonable person would be unlikely to conclude that the Mayor's conduct reflected adversely on the reputation of the Council. If the Council agrees with the above analysis, then, on the balance of probabilities, it could be found that the allegation that the Mayor breached her Code of Conduct obligations in relation to her public comments regarding the implementation of the Guideline was **unsubstantiated**.

*[An assessment of the Mayor's concerns regarding the unknown identity of the complainant was beyond the scope of the investigation. However, the Investigator did not consider that it was necessary to consider the identity of the complainant in assessing whether or not the Mayor had breached the Code of Conduct in this instance. An assessment of the Mayor's concerns regarding the investigation process and the conduct of Council officers and other Councillors was also beyond the scope of the investigation.]*

---

**6.0 Allegation 2**

---

**6.1 Background**

The OIA letter of referral to [REDACTED] on 25 February 2025 (*Attachment 2*) indicated that, on 29 January 2025, the OIA received notification of the following complaint:

‘Mayor Mitchell failed to moderate third-party comments to her above-mentioned Facebook post to remove commentary that could reasonably be said to be unfair or damaging to the reputation of the council, and to other councillors. By this failure, the mayor is said to have breached a resolution of the Redland City Council that was passed on 18 December 2024, in relation to online bullying and councillors being responsible for the pro-active management of such social media commentary.’

**6.2 Documents**

The Investigator received the following documents (referred to in the OIA letter to [REDACTED] dated 25 February 2025) which were relevant to the investigation of this allegation:

Extract from the Council’s General Meeting Minutes of 18 December 2024 (*Attachment 25*)

This document indicated that the Council, including the Mayor, had unanimously carried the following Council Resolution 2024/28371 (the Resolution):

1. *To develop and deliver an advocacy campaign, fronted by the Mayor and Councillors, condemning bullying and poor behaviour towards Council officers and Councillors.*
2. *To commit to taking pro-active action against bullying and poor conduct towards Council officers and Councillors on social media by:*
  - (a) *Removing any comments which could reasonably be determined to defame or unjustly damage the reputation of Council officers and/or Councillors from social media posts/pages which are managed by Councillors, where able to do so.*
  - (b) *Refusing to engage with any social media posts/pages which could reasonably be determined to defame or unjustly damage the reputation of Council officers and/or Councillors.*

Screenshots of third-party comments on the Mayor's Facebook Page (Attachments 5 and 26)

The investigator received two documents containing various screenshots of comments posted on the Mayor's Facebook Page. Comments which appeared to have been posted on Tuesday 28 January 2025 (according to the date imposed on the screenshot) included, in order of appearance:

██████████ *'Don't tell me ██████████ wants to silence our new Mayor, just because you vote against them'*

██████████ *'██████████ at the moment it's Ipswich council, but you can bet ██████████ would love to try it too'*

Mayor: ██████████ *Changes were made to our media guideline without my knowledge. It was changed due to majority councillor sentiment from a councillor workshop'.*

Other comments which reportedly appeared on 28 January 2025 included:

██████████ *'How do these Councillors, remembering we only vote for one, vote to silence a Mayor, who we voted for ?! It might be time to start loudly reprimanding, Councillors who spend so much time on nasty agendas that are personal and have nothing to do with their Electorate! It's time to call these Councillors out!!!'*

██████████ *'We all need to front up at the next General Council Meeting and heckle the crap out of the ██████████'*

██████████ *'Councillors ██████████ Don't. Just don't even think about it. If you do, you should think about another career path or retirement. A move like this will bite you on the arse so hard you won't know what planet you are on.'*

██████████ *'It's about time the ██████████ were exposed for what they are to the ratepayers of Redlands and those that voted them in.'*

Comments which reportedly appeared on Wednesday 29 January 2025 (according to the date imposed on the screenshot) included:

██████████ *'Ok let's name the local obstructionists – ██████████'*

Comments which appeared at an unspecified time included:

██████████ *'This feels very much like a deliberate, calculated move to attack our community's democratic process. Absolutely disgraceful. Shame on these people!'*

‘No private organization would ever allow this to happen, it’s ridiculous and embarrassing. We definitely didn’t elect you to undermine the process. Councillors have to respect the chair or find another job!’

### 6.3 Witness Interview

#### **Redland City Council** (Attachment 14)

In relation to this allegation, [REDACTED] provided the following (summarised information):

- Councillors were responsible for maintaining their own Council Facebook Pages. [REDACTED] had facilitated training for the Councillors during which Councillors had been advised that anything they posted on their Council Facebook Page could be considered a public record (under the Public Records Act).
- Potential issues arising for Councillors from their Council Facebook Page included the improper deletion of public records and potential exposure to defamation liability.
- Councillors had access to ‘Brolly’ which was social media archiving technology which assisted them to comply with their obligations to keep public records. However, the Mayor had elected not to use the Brolly system (which would have recorded when Facebook posts were made, hidden or deleted).
- [REDACTED] department was not responsible for monitoring Councillors’ Council Facebook pages. However, Council used the ‘Meltwater’ information system which alerted Council Officers when specific topics were being discussed on these pages.
- [REDACTED] was aware that the Council had passed the Resolution on 18 December 2024.
- [REDACTED] had been aware that Mayor Mitchell had re-posted a comment from the Ipswich Mayor. [REDACTED] thought this was ‘free speech’ and not in contravention of the Resolution.
- [REDACTED] had not previously seen the (apparently subsequent) posts on the Mayor’s Facebook Page, including the Mayor’s response to a comment from [REDACTED] *‘Changes were made to our media guideline without my knowledge. It was changed due to a majority sentiment from a councillor workshop’*).
- [REDACTED] thought that this comment was unfair and damaging to the reputation of the Council. [REDACTED] clarified that [REDACTED] thought the comment was unfair because the Mayor had been given an opportunity to participate in the process of amending the Guideline.



- Further it was inaccurate that the change had only been made due to majority Councillor sentiment. [REDACTED] considered that the changes to the Guideline were 'officer led' in an attempt to improve the Guideline to meet the existing Council environment.
- [REDACTED] did not know whether the Mayor had removed other comments by third parties on the Mayor's Council Facebook Page (which she had not previously seen).
- While [REDACTED] understood that it was difficult to moderate such comments, some of them (which could be considered harassment or bullying towards Councillors) would not have been tolerated on the Council's Facebook page.
- However, [REDACTED] was unsure whether the Resolution had obliged the Mayor to remove these posts.

#### 6.4 Allegation

From the information within Sections 6.1 to 6.3, the Investigator identified the following specific allegation for investigation:

On 28 January 2025 and/or 29 January 2025, Mayor Mitchell contravened a Council resolution dated 18 December 2024 (regarding the Council's commitment to taking pro-active action against bullying and poor conduct towards Council officers and Councillors on social media) when she failed to remove comment/s and/or engaged with third-party comments on her Council Facebook page (in relation to the implementation of the Council's Media Relations and Speeches Guideline) in circumstances where the comments could reasonably be determined to defame or unjustly damage the reputation of Councillors. Examples of the third-party comments included:

- 'Don't tell me [REDACTED] wants to silence our new Mayor, just because you vote against them';*
- 'At the moment it's Ipswich council, but you can bet [REDACTED] would love to try it too';*
- 'It's about time the [REDACTED] were exposed for what they are to the ratepayers of Redlands and those that voted them in';*
- 'How do these Councillors, remembering we only vote for one, vote to silence a Mayor, who we voted for?! It might be time to start loudly reprimanding, Councillors who spend so much time on nasty agendas that are personal and have nothing to do with their Electorate! It's time to call these Councillors out!!';*
- 'We all need to front up at the next General Council Meeting and heckle the crap out of the [REDACTED]'*
- 'Ok let's name the local obstructionists – [REDACTED]'*

- g) 'Councillors [REDACTED] Don't. Just don't even think about it. If you do, you should think about another career path or retirement. A move like this will bite you on the arse so hard you won't know what planet you are on.;
- h) 'This feels very much like a deliberate, calculated move to attack our community's democratic process. Absolutely disgraceful. Shame on these people!';
- i) 'No private organization would ever allow this to happen, it's ridiculous and embarrassing. We definitely didn't elect you to undermine the process. Councillors have to respect the chair or find another job!'

### 6.5 Mayor's Response

The information from Section 5.6 is also relevant here.

Mayor's Written Submissions (previously referred to as Attachment 21)

In relation to this allegation [REDACTED] included the following table:

Para	Allegation	Comment discussion
2.	On 28 January 2025 and/or 29 January 2025, you contravened a Council resolution dated 18 December 2024 (regarding the Council's commitment to taking pro-active action against bullying and poor conduct towards Council officers and Councillors on social media) when you failed to remove comment/s and/or engaged with third-party comments on your Council Facebook page (in relation to the implementation of the Council's Media Relations and Speeches Guideline) in circumstances where the comments could reasonably be determined to defame or unjustly damage the reputation of Councillors.	<p>Bearing in mind Council itself as well as some Councillors have left defamatory comments regarding the Mayor open for viewing, this purports to place a double-standard.</p> <p>It is assumed that the alleged instances are limited to the list, and there are not other unstated allegations.</p> <p>The fact that the list commences, with "Examples of the third-party comments included" is an attempt by the complainant to suggest there is more. This in itself suggests the complainant bears ulterior purpose.</p> <p>Further, within a reasonable time of becoming aware of these statements, they have been removed.</p> <p>It is worthy of note that, for a comment to defame, there must be "serious Harm" as required by s. 10A of the Defamation Act.</p>

(a)	‘Don’t tell me [REDACTED] wants to silence our new Mayor, just because you vote against them’;	This is fair comment and not defamatory. It certainly does not cause serious harm to reputation.  Further, it does not unjustly damage reputation of anyone. The basis for saying it is not unjust repeats the discussion in response to all complaints from 1(a) to 1(i).
(b)	At the moment it’s Ipswich council, but you can bet [REDACTED] would love to try it too’;	The points in response to 2(a) apply to this.
(c)	It’s about time the [REDACTED] were exposed for what they are to the ratepayers of Redlands and those that voted them in’;	The points in response to 2(a) apply to this.
(d)	‘How do these Councillors, remembering we only vote for one, vote to silence a Mayor, who we voted for?! It might be time to start loudly reprimanding, Councillors who spend so much time on nasty agendas that are personal and have nothing to do with their Electorate! It’s time to call these Councillors out!!’;	The points in response to 2(a) apply to this.
(e)	We all need to front up at the next General Council Meeting and heckle the crap out of the [REDACTED]	The points in response to 2(a) apply to this.
(f)	Ok let’s name the local obstructionists – [REDACTED]	The points in response to 2(a) apply to this.
(g)	‘Councillors [REDACTED] Don’t. Just don’t even think about it. If you do, you should think about another career path or retirement. A move like this will bite you on the arse so hard you won’t know what planet you are on.;	The points in response to 2(a) apply to this.
(h)	‘This feels very much like a deliberate, calculated move to attack our community’s democratic process. Absolutely disgraceful. Shame on these people!’;	The points in response to 2(a) apply to this.
(i)	‘No private organization would ever allow this to happen, it’s ridiculous and embarrassing. We definitely didn’t elect you to undermine the process. Councillors have to respect the chair or find another job!’	The points in response to 2(a) apply to this.

#### Mayor Interview (Attachment 22)

The Mayor strongly denied this allegation and provided the following (summarised) information:

- She had reluctantly agreed to vote for the Resolution but had expressed her reservations about its legality and practical application at the time of voting.
- She did not believe that there had been sufficient probity around the Resolution. However, there had been a political push to vote for it. A vote against it would have looked bad in the press.

- The Resolution did not provide a definition of bullying or defamatory comments, nor did it indicate how or by whom it would be determined that such comments had been made.
- She had been concerned that the Resolution would be used as a means to make complaints (which had in fact occurred) and to 'curtail' free speech without any proper framework.
- She was also concerned about the 'broad brush' approach and generalisation of the allegation. For example, there was no indication as to whether the alleged examples related to bullying or defamation nor was the applicable 'measure' outlined. This placed her response at a disadvantage.
- She accepted that all of the alleged comments had appeared on her Council Facebook Page. She confirmed that it was her responsibility to monitor her Council Facebook Page.
- She maintained that her comment ( [REDACTED] *Changes were made to our media guideline without my knowledge. It was changed due to majority councillor sentiment from a councillor workshop*) had been accurate and fair.
- She had been responding to a comment from [REDACTED] (' [REDACTED] *at the moment it's Ipswich Council but you can bet [REDACTED] would love to try it to*').
- She did not know the meaning of the term [REDACTED]. However, it may have been a reference to [REDACTED].
- It was likely that she had responded to [REDACTED] comment when it appeared on her Messenger 'feed' (in which case she may not have viewed the preceding comment by [REDACTED] ('*Don't tell me [REDACTED] wants to silence our new Mayor, just because you vote against them*').
- However, she disagreed that she had engaged with third-party comments (by [REDACTED] in contravention of the Resolution.
- She took her role seriously and was conscious of liability for defamation. She always moderated her Facebook Page as soon as she could by removing posts which she believed to be damaging or defamatory. She had no intention to leave damaging comments on her Facebook Page.
- No one had communicated to her regarding any of the example comments prior to her becoming aware of the complaint. If any Councillor expressed exception to any comment on her Council Facebook Page, she would always remove it immediately.
- While she had not removed her own (factual) comments, she had removed the third-party comments which contained the names of Councillors as soon as she became aware of them.
- She clarified that she thought she had removed the comments in examples (e), (f) and (g). She could not recall exactly when she had done this. However, she had not been made aware of the required time for removing comments.

- Sometimes it could take up to a week for her to check and moderate her Council Facebook Page depending on her busy schedule (she noted that she was not currently monitoring her Facebook Page at the time of the interview).
- She had not removed other comments (which did not name Councillors), depending on her assessment at the time as to whether they were defamatory or damaging. She said 'you can't whitewash everything'.
- She reiterated that she had removed any comments which she had assessed as being contrary to the Resolution.

#### 6.6 Further Enquiry

A review of the Mayor's Council Facebook Page on 11 April 2025 indicated that the Mayor had not deleted example comments (c), (d), (h) and (i).

#### 6.7 Analysis

It was alleged that on 28 January 2025 and/or 29 January 2025, Mayor Mitchell contravened a Council resolution dated 18 December 2024 (the Resolution) when she failed to remove comment/s and/or engaged with third-party comments on her Council Facebook page (in relation to the implementation of the Guideline).

The Resolution indicated that the Council had committed to:

- (a) Removing any comments which could reasonably be determined to defame or unjustly damage the reputation of Council officers and/or Councillors from social media posts/pages which are managed by Councillors, where able to do so.*
- (b) Refusing to engage with any social media posts/pages which could reasonably be determined to defame or unjustly damage the reputation of Council officers and/or Councillors.*

The allegation contained examples (a) to (i) of the third-party comments. It was not in dispute that these comments had been posted on the Mayor's Council Facebook Page or that the Mayor was responsible for monitoring her Council Facebook Page.

#### Failing to Remove Comments – Examples (c), (d), (h) and (i)

It was evident (from a review of the Mayor's Council Facebook Page on 11 April 2025) that the Mayor did not remove the following example comments from her Council Facebook Page:

- (c) 'It's about time the [REDACTED] were exposed for what they are to the ratepayers of Redlands and those that voted them in';*

- (d) *'How do these Councillors, remembering we only vote for one, vote to silence a Mayor, who we voted for?! It might be time to start loudly reprimanding, Councillors who spend so much time on nasty agendas that are personal and have nothing to do with their Electorate! It's time to call these Councillors out!!';*
- (h) *'This feels very much like a deliberate, calculated move to attack our community's democratic process. Absolutely disgraceful. Shame on these people!';* and
- (i) *'No private organization would ever allow this to happen, it's ridiculous and embarrassing. We definitely didn't elect you to undermine the process. Councillors have to respect the chair or find another job!'*

The Resolution did not provide guidance regarding the interpretation of 'defame'. This term appears to have a general meaning (such as attacking the good reputation of someone) and is also a common law tort. As pointed out by the [REDACTED] a key element of a cause of action for defamation in Queensland (under the Defamation Act 2005, Section 10A) is the requirement for the actual or likely serious harm to an individual's reputation.

The Investigator is unable to provide a legal assessment as to whether any of these example comments might be defamatory. However, it was noted that none of these comments named individual Councillors and no evidence was received in relation to actual or likely serious harm to the reputation of any individual Councillor. The Resolution did not provide guidance as to whether its reference to unjust damage to the reputation of 'Councillors' was intended to extend to a collective group of Councillors. Further, even if individual Councillors were reasonably identifiable (e.g. from a common public awareness of Councillors who constituted the [REDACTED] there was insufficient information regarding the accuracy of the comments which would be relevant to determining whether any reputational damage was unjust.

While these comments may have been disparaging towards an unidentified group of Councillors, on the available information, a reasonable person would likely conclude that there was insufficient evidence that the Resolution required the Mayor to remove example comments (c), (d), (h) or (i) from her Council Facebook Page.

#### Failing to Remove Comments – Examples (a), (b), (e), (f) and (g)

It appeared (from a review of the Mayor's Council Facebook Page) that the Mayor had removed the following comments:

- (a) *'Don't tell me [REDACTED] wants to silence our new Mayor, just because you vote against them and*
- (b) *[REDACTED] at the moment it's Ipswich council, but you can bet [REDACTED] would love to try it too'* from her Facebook Page.

The Mayor maintained that she had removed the following comments as soon as she became aware of them:

- (e) *'We all need to front up at the next General Council Meeting and heckle the crap out of the [REDACTED]*
- (f) *'Ok let's name the local obstructionists – [REDACTED]*  
*[REDACTED] and*
- (g) *'Councillors [REDACTED] Don't. Just don't even think about it. If you do, you should think about another career path or retirement. A move like this will bite you on the arse so hard you won't know what planet you are on'*

However, the precise time when any of these example comments were removed was unknown.

The Mayor was reportedly unaware of the meaning of the term [REDACTED] (appearing in examples (a) and (b)). It was notable that neither this term, nor the term [REDACTED] (appearing in example (e)) identified individual Councillors, nor was there any evidence that members of the public generally associated these terms with a particular group of Councillors.

Further, even if some members of the public did associate [REDACTED] with a particular group of Councillors, there was insufficient available evidence to indicate that the suggestion that [REDACTED] had been attempting to 'silence' the Mayor was factually incorrect. The (inciteful) comments in example (e) appeared to reflect poorly on the person who posted them (rather than on the Councillors' reputation).

As noted above, the investigator is not able to provide a legal assessment as to whether these comments were defamatory. However, none of the available evidence appeared to indicate actual or likely serious harm to an individual's reputation. While examples (a), (b) and (e) may have been generally disparaging towards an unnamed group of Councillors, on an objective analysis, a reasonable person would be likely to conclude that there was insufficient evidence that these comments were defamatory or unjustly damaging to the reputation of Councillors).

Examples (f) and (g), which identified particular Councillors, appeared capable of being captured by the Resolution's requirement for the Mayor to remove them (on the basis that they were potentially defamatory or potentially unjustly damaging to the reputation of Councillors). However, the Resolution did not provide any guidance regarding the time in which the comments were required to be removed. While it could be argued that the Mayor should have anticipated that her comments regarding the implementation of the Guideline were likely to prompt emotive public comments, there was no evidence which indicated that these comments [or example comments (a), (b) and (e)] remained on the Mayor's Facebook Page after 29 January 2025. Regardless of whether these comments were defamatory or unjustly damaging to the reputation of Councillors (and therefore required the Mayor to remove them) there

was insufficient evidence that the Mayor had failed to remove them within a reasonable timeframe.

On the available information, a reasonable person would likely conclude that there was insufficient evidence that the Mayor contravened the Resolution in relation to example comments (a), (b), (e), (f) and (g).

#### Engaging with Comments – Examples (a) and (b)

As discussed regarding Allegation 1, the Mayor's Facebook comment *Changes were made to our media guideline without my knowledge. It was changed due to majority councillor sentiment from a councillor workshop* comments appeared to be substantially accurate. The question was whether this comment, which appeared after the third party comments in example (a) *(Don't tell me wants to silence our new Mayor, just because you vote against them)* and example (b) *( at the moment it's Ipswich council, but you can bet would love to try it too)* indicated that the Mayor had engaged with comments which could reasonably be determined to defame or unjustly damage the reputation of Councillors.

As noted above, there appeared to be insufficient evidence that example comments (a) or (b) could reasonably be determined to be defamatory or damaging to the reputation of Councillors. On an objective analysis, it followed that a reasonable person would likely conclude that there was insufficient evidence that the Mayor contravened the Resolution in engaging with either of these comments.

#### Conclusion

As mentioned above, the common law 'Briginshaw principle' required the strength of the evidence to be taken into account when making a determination on the balance of probabilities in matters involving serious allegations. Again, the allegation was arguably serious in that it had the potential to damage the public reputation of the Mayor (a publicly elected official).

Overall, the evidence against the Mayor did not have the sufficient strength to satisfy the standard required by the Briginshaw Principle. If the Council agrees with the above analysis, then, on the balance of probabilities, it could be found that the allegation that the Mayor breached the Resolution by engaging with or failing to remove unjust or defamatory third party comments on her Facebook page was **unsubstantiated**.

*[An assessment of the Mayor's assertion of 'double standards' in light of the alleged behaviour of other Councillors was beyond the scope of the investigation.]*



---

**7.0 Recommendations**

---

Pursuant to Section 150K(1)(b) of the Local Government Act 2009 (the Act) the conduct of a Councillor was a conduct breach if the conduct contravened:

- (d) a behavioural standard: or
- (e) a policy, procedure or resolution of the local government.

Pursuant to section 150AG(1) of the Act, the local government must decide:

- (a) Whether or not the councillor has engaged in a conduct breach; and
- (b) If the local government decides the councillor has engaged in a Conduct breach, what action the local government will take under section 150AH to discipline the councillor.

It is recommended that, should the Council agree with the analysis in Sections 5 and 6 above, then:

1. The allegation that, on 28 January 2025 and/or 29 January 2025, Mayor Mitchell contravened a behavioural standard (under the Code of Conduct for Councillors in Queensland) in relation to her public comments regarding the implementation of the Council's Media Relations and Speeches Guideline (the Guideline) is unsubstantiated.
2. The allegation that, on 28 January 2025 and/or 29 January 2025, Mayor Mitchell contravened a Council resolution regarding comments which appeared on her Council Facebook page (in relation to the implementation of the Guideline) is unsubstantiated.
3. It is open to the Council to determine that the Mayor's alleged behaviour was not a conduct breach under the Act.

---

**8.0 Councillor Response to Preliminary Findings**

---

The Investigator was advised by [REDACTED] that preliminary findings of the investigation, derived from the preceding sections of this report, were provided to the Mayor on 2 May 2025 and that the Mayor was provided with an opportunity to respond to the Investigator regarding those findings by 9 May 2025. At the date of this report, the Investigator has not received a response from the Mayor.



.....  
Ian Muir  
Principal Investigator  
Ashdale

Date: 13 May 2025

# ATTACHMENT LIST



FOR

RCC01/25

Attachment 1	'Investigations Policy – Councillors'
Attachment 2	OIA letter of referral to [REDACTED] on 25 February 2025
Attachment 3	Media Relations and Speeches Guideline, Version 8 (the Guideline)
Attachment 4	Mayor Mitchell's Facebook post containing (re-posted) comments by Mayor Teresa Harding of Ipswich City Council
Attachment 5	Screenshot of Mayor Mitchell's Facebook page with Mayor's response to a comment from [REDACTED] (reportedly on 28 January 2025)
Attachment 6	Extract from Transcript of Conversation on 612 ABC Radio Brisbane (Mornings with [REDACTED] on 29 January 2025
Attachment 7	Courier Mail (online) article 'Gagged mayors speak out after changes to media rules triggering anger from councillors' by [REDACTED] on 29 January 2025
Attachment 8	Email from [REDACTED] to [REDACTED] on 23 August 2024 re 'Media Guideline – Mayor and Conflicted to Councillors response'
Attachment 9	Email from [REDACTED] on 27 August 2024
Attachment 10	Email from [REDACTED] to Councillors on 4 September 2024 re 'Councillor Request – 5 -years of press releases on 5 Council projects'
Attachment 11	Email from [REDACTED] to undisclosed recipients on 15 November 2024

Confidential

Prepared by Ashdale

<b>Attachment 12</b>	Councillor Attendance sheet (Councillor Briefing Sessions & Workshops) – 18 November 2024
<b>Attachment 13</b>	Transcript of Audio of Workshop on 18 November 2024
<b>Attachment 14</b>	Transcript of interview with [REDACTED] on 26 March 2025
<b>Attachment 15</b>	Meeting Agenda for [REDACTED] meeting with the Mayor on 24 October 2024
<b>Attachment 16</b>	[REDACTED] presentation slides titled 'Media Relations and Speeches Guideline Councillor Workshop 18 November 2024
<b>Attachment 17</b>	[REDACTED] meeting notes from meeting with Mayor on 17 December 2024
<b>Attachment 18</b>	Emails from [REDACTED] on 24 March 2025 and 10 April 2025
<b>Attachment 19</b>	Email from Investigator to Mayor on 27 March 2025
<b>Attachment 20</b>	Email from Mayor to Investigator on 30 March 2025
<b>Attachment 21</b>	Written Submissions from Mayor
<b>Attachment 22</b>	Transcript of interview of Mayor Mitchell on 11 April 2025
<b>Attachment 23</b>	Email exchanges (between [REDACTED] and [REDACTED] on 26 August 2024
<b>Attachment 24</b>	Email exchanges between [REDACTED] and Councillors from 17 December 2024 to 24 December 2024 regarding the Guideline
<b>Attachment 25</b>	Council resolution dated 18 December 2024
<b>Attachment 26</b>	Screenshots of third-party comments on the Mayor's Facebook Page

# Attachment 1



# Investigations Policy - Councillors

Policy Identifier:	GOV-009-P
Approved by:	Council
Date of Approval:	16 October 2024
Effective Date:	16 October 2024
Review Date:	16 October 2027
Version:	5

## Conditions applying to the Investigation

### 1. Authority

This is Redland City Council's investigation policy for how complaints about the suspected conduct breach of councillors will be dealt with as required by section 150AE of the Local Government Act 2009 (LGA).

A local government must adopt, by resolution, an investigation policy (the policy) about how it deals with the suspected conduct breach of councillors referred, by the independent assessor (the Assessor) under section 150AE (1), LGA, to the local government to be dealt with, and must be published on the local government's website, section 150AE (4), LGA.

#### Adoption

This investigation policy was adopted by Redland City Council (Council) resolution on 16 October 2024 and applies from 17 October 2024.

### 2. Policy Statement

Chapter 5A of the LGA prescribes the councillor conduct management system. Section 150CT of the LGA establishes an Independent Assessor (the Assessor) to carry out certain functions including the preliminary assessment, dismissal, referral, or investigation of complaints about councillor conduct.

After undertaking a preliminary assessment on a councillor conduct matter, if the Assessor reasonably suspects a councillor has engaged in a conduct breach, the Assessor may decide to refer a suspected conduct breach to Council to deal with under section 150SD(4)(a) or 150W(b) of the LGA.

Upon receipt of the referral notice of a complaint of suspected conduct breach the Council must deal with the councillor's conduct as prescribed under section 150AF of the LGA unless a decision is made not to start or to discontinue the investigation under section 150AEA of the LGA. In conducting the investigation, Council must comply with this investigation policy.

Council may decide not to start or discontinue the investigation if:

- The complaint is withdrawn by the complainant.
- The complainant consents to the matter being withdrawn. For example, the matter has been resolved and it is unnecessary for the local government to investigate the matter.
- The complainant refuses to cooperate by providing additional information during the investigation phase of and not enough information is available to proceed.
- The office of the councillor becomes vacant for any reason, i.e., the person has resigned or was not re-elected and is no longer a councillor.



# Investigations Policy - Councillors

## 3. Scope

### In Scope

This investigation policy applies to investigations and determinations by Council about the suspected conduct breach of a councillor including a mayor, which has been referred by the Independent Assessor. The policy must:

- Include a procedure for investigating the suspected conduct breaches of councillors (see Addendum 3 – Investigation Standards); and
- State the circumstances in which another entity may investigate the conduct; and
- Be consistent with the principles of natural justice; and
- Require the local government to prepare a report about each investigation (see Addendum 2 - Report template and summary report template); and
- Require a notice about the outcome of investigations be provided to the Assessor, councillor and persons who made complaint about the councillors' conduct and include a procedure about when the local government may decide not to start, or to discontinue, an investigation under section 150AEA.

The policy must require Council:

- To give the councillor information about the suspected conduct, including details about the evidence of the conduct; and
- To give the councillor a notice if an investigation is not started or is discontinued; and
- For conduct the subject of a complaint - to give the person who made the complaint, if the contact details of the person are known, a notice if an investigation is not started or is discontinued; and
- To give the councillor the preliminary findings of the investigation before preparing an investigation report about the investigation (see Addendum 4 - Statement of Preliminary Findings Template); and
- To allow the councillor to give evidence or a written submission to the local government about the suspected conduct and preliminary findings; and
- To consider any evidence and written submission given by the councillor in preparing the investigation report for the investigation; and
- To include in the investigation report -
  - If evidence is given by the councillor—a summary of the evidence; and
  - If the councillor gives a written submission—a full copy of the written submission.

### Out of Scope

This Policy does not relate to more serious councillor conduct, such as misconduct or corrupt conduct, which are dealt with under separate legislative provisions.

This Policy also does not deal with unsuitable meeting conduct, or any conduct undertaken in a personal capacity by a councillor, for example, a sitting councillor campaigning for re-election or attending a private social function.



## Investigations Policy - Councillors

### 4. Confidentiality

Matters relating to the investigation of suspected conduct breach of a councillor are confidential to the local government during the investigation period, except:

- To give the councillor information about the suspected conduct, including details about the evidence of the conduct.
- To give the councillor the preliminary findings of the investigation before preparing an investigation report about the investigation.
- To give the councillor a notice if an investigation is not started or is discontinued; and
- For conduct the subject of a complaint - to give the person who made the complaint, and the Assessor a notice if an investigation is not started or is discontinued.

However, once the conduct is investigated and an investigation report is received, a summary of the investigation report must be made publicly available before any discussion is undertaken by Council. The published summary report must not contain any names or identifying information about the complainant and persons who were interviewed or a transcript of interview, or provided a statement or affidavit, unless the complainant is a councillor or Chief Executive Officer of the local government, whose identity was disclosed at the meeting at which the investigation report was considered.

Once the matter has been investigated and a report has been provided to the local government, the matter will be placed on the council meeting agenda and the investigation report and any recommendations of the investigator may be debated in the council meeting, which may be in a closed session under section 254J(i) of the LGR. At this point, the summary investigation report is not treated as confidential as it must be publicly available and attached to the agenda papers that are circulated before the meeting.

A final decision by resolution of the council in an open council meeting must take place when the decision is made about whether a councillor engaged in a conduct breach and if so any decision about orders that are made under section 150AH of the LGA. Any decision that is not consistent with the recommendation of the investigation report must state in the meeting minutes, the reasons for the decision. The minutes must give sufficient information to demonstrate the logic that has been applied to justify the decision not to follow the recommendation of the investigation report.

The full investigation report must be made publicly available within 10 business days of Council making a decision by resolution about whether the councillor engaged in a conduct breach and if so, any orders made in relation to the matter. The published report must not contain any names or identifying information about the complainant, persons who were interviewed or a transcript of interview, or provided a statement or affidavit unless the complainant is a councillor or Chief Executive Officer of the local government whose identity was disclosed at the meeting at which the investigation report was considered.

When deciding what action to take, the local government may consider any previous conduct breach of the councillor, any allegation made in the investigation that was admitted or not challenged, and the local government is reasonably satisfied is true.

A notice about the outcome of the investigation must be given to the Assessor as soon as practicable that states the decision, the reasons for the decision and the details of any orders made under section 150AH of the LGA.





## Investigations Policy - Councillors

### 5. Natural Justice

Any investigation of suspected conduct breach of a councillor must be carried out in accordance with natural justice.

Natural justice, or procedural fairness, refers to three key principles:

- That the councillor who is the subject of the suspected conduct breach matter has a chance to have his or her say before adverse formal findings are made and before any adverse action is taken i.e., fair hearing.
- That the investigator should be objective and impartial i.e., absence of bias.
- That any actions taken or decisions made are based on evidence i.e., not on suspicion or speculation.

A fair hearing means the councillor who is the subject of the suspected conduct breach matter will receive information about the suspected conduct, including;

- The preliminary findings of the investigation before the preparing of an investigation report about the investigation outcome; and
- A notice if an investigation is not started or is discontinued including the reasons for the decision.
- Allow the councillor to give evidence or a written submission to the local government about the suspected conduct breach and preliminary findings; and
- Require the local government to consider the evidence or written statement from the councillor in preparing the investigation report, and
- Include, if evidence is given by the councillor, a summary of the evidence and, if a written submission is provided, a full copy of the written submission, in the investigation report.

Council must give the following notices to the other parties if an investigation is not started or discontinued including the reasons for the decision;

- The person who made the complaint.
- The Assessor.

An absence of bias means that any investigation must not be biased or be seen to be biased in any way. This principle embodies the concept of impartiality.

A proper examination of all issues means the investigation must give a proper and genuine consideration to each party's case.

**Note:** *It must be kept in mind that the matter when referred, is suspected, and not yet proven.*

### 6. Standard of Proof

The civil standard of proof is applied by the Investigator when determining whether a councillor has engaged in a conduct breach.

The civil standard of proof is 'on the balance of probabilities', which means the weighing up and comparison of the likelihood of the existence of competing facts or conclusions.

An allegation is sustained 'on the balance of probabilities', if based on the evidence, the Investigator and/or the local government, is reasonably satisfied that its existence is more probable than not.



## Investigations Policy - Councillors

### 7. Timeline

The councillor conduct framework must be effective and efficient. The investigator will make all reasonable endeavours to complete the investigation and provide a report for inclusion on the agenda of the local government's meeting within eight weeks of commencing the investigation, after the receipt of the complaint from the Assessor.

**Note:** *If the investigator is of the opinion that it may take longer than eight weeks to complete the investigation, the matter should be raised with the Chief Executive Officer or delegate to seek an extension of time. Delay in procuring an investigator to undertake the investigation should be avoided by the local government.*

### 8. Expenses

Local Governments must pay the expenses associated with the investigation of suspected conduct breach of a councillor including any costs of:

- An independent investigator engaged on behalf of Council.
- Travel where the investigator needed to travel to undertake the investigation, or to interview witnesses.
- Obtaining legal or expert advice.

**Note:** *Council may order the subject councillor to reimburse them for all or some of the costs arising from a sustained conduct breach. These costs would usually only relate to obtaining legal or expert advice and reasonable costs for the investigator engaged to undertake the investigation. Any costs incurred by complainants, or the subject councillor will not be met by council. Where possible, costs should be kept to a reasonable rate taking into consideration the costs for more serious matters dealt with by, for example, the Councillor Conduct Tribunal or other jurisdictions who deal with conduct matters.*

### 9. Councillor conduct register

The Chief Executive Officer must ensure decisions and any orders under section 150AH of the LGA made about a conduct breach by a councillor or any decision to not start, or to discontinue an investigation of suspected conduct breach under section 150AEA of the LGA, are entered into the relevant councillor conduct register.

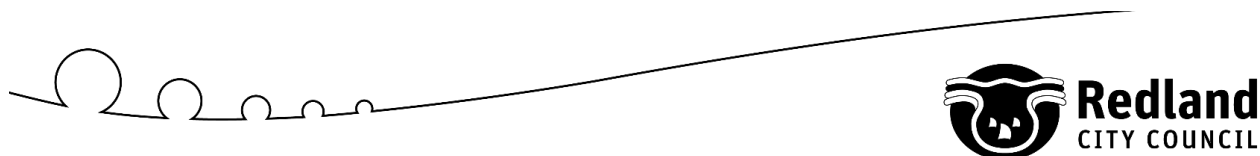
## Procedures for the Investigation

### 10. Independent Assessor's referral

Council will receive a referral notice from the Assessor about the suspected conduct breach of a councillor. The referral notice will include details of the conduct and any complaint received about the conduct, state why the Assessor reasonably suspects that the councillor has engaged in a conduct breach and include information about the facts and circumstances that form the basis of the Assessor's reasonable suspicion.

Council must deal with the matter and the investigation must be conducted in a way that is consistent with this investigation policy.

The Assessor must also give a notice to the councillor that states the councillor's conduct has been referred to Council to deal with and a copy of the referral notice must be attached.



## Investigations Policy - Councillors

### 11. Receipt of Assessor's referral

On receipt of a referral notice about the suspected conduct breach of a councillor from the Assessor, the Chief Executive Officer will forward a copy of that referral notice to the mayor and all councillors, including the subject councillor, as a confidential document.

The councillor who is the subject of the complaint and the complainant, if the complainant is a councillor, have a declarable conflict of interest and should manage it in a way that is consistent with the requirements of Council's adopted meeting Standing Orders.

The Chief Executive Officer will manage the investigation process and may undertake the investigation internally, or engage an external investigator, to investigate the suspected conduct breach and prepare an investigation report with recommendations about whether the councillor engaged in a conduct breach and how the conduct may be dealt with.

### 12. Deciding not to start, or to discontinue, an investigation

On receipt of the referral notice from the Assessor, if there are circumstances for considering not starting or discontinuing an investigation, the matter will be placed on the agenda for the next council meeting. The local government may decide by resolution to not start, or discontinue, a suspected conduct breach matter. The resolution must state the decision and the reasons for the decision.

The only circumstances in which the local government can formally not start or discontinue a matter are under section 150AEA of the LGA.

**Note:** *The matters not started or discontinued must be reported in the annual report (including the reasons) and recorded in councillor conduct register.*

### 13. Investigating the suspected conduct breach of a councillor

If the investigator obtains information which indicates a councillor may have engaged in misconduct, the investigator must cease the investigation and advise the Chief Executive Officer. The Chief Executive Officer will determine if the conduct is within the timeframe for reporting the matter. The Chief Executive Officer will then provide an information notice to the Assessor giving the details of the suspected misconduct. The notice must be given within one year after the conduct occurred, or within six months after the conduct comes to the knowledge of the Chief Executive Officer or another person who gave the information notice to the Assessor, but within two years after the conduct occurred.

If the investigator obtains information that indicates a councillor may have engaged in corrupt conduct, the investigator must cease the investigation and advise Chief Executive Officer. The Chief Executive Officer will then provide an information notice to the Assessor giving the details of the suspected corrupt conduct or notify the Crime and Corruption Commission of the suspected corrupt conduct. There are no reporting time limits for corrupt conduct.

### 14. Engaging an Investigator

Once an investigator has been selected to undertake the investigation, that investigator will follow the investigation standards of the local government (see Addendum 3 – Investigation Standards) e.g. an investigation plan and file management system will be established.



## Investigations Policy - Councillors

Once the investigation is finalised the investigator will prepare a report for the local government including the following the details:

- The investigation process.
- Any witnesses interviewed.
- Documents or other evidence obtained.
- A statement of the relevant facts ascertained.
- Confirmation that the subject councillor has been provided with an opportunity to respond to the complaint and the evidence compiled.
- The investigation findings.
- A statement of any relevant previous disciplinary history.
- Any recommendations about dealing with the conduct.
- A record of the investigation costs.

### 15. Completion of investigation

#### Findings and recommendations

The investigator must prepare a Preliminary Statement of Findings and must give the preliminary findings to the councillor before preparing the Investigation Report and allow the councillor to give evidence or a written statement about the conduct and preliminary findings.

The investigator must consider any evidence or written submission given by the councillor in preparing the investigation report and include a summary of the evidence and a full copy of any written submission in the investigation report.

#### Investigation Report

The investigator must prepare an investigation report about the investigation of a suspected conduct breach matter referred by the Assessor to the local government under section 150AFA of the LGA. The investigation report must include the findings of the investigation, a summary of the evidence or a full copy of any written submission given by the councillor and recommendations for consideration by the local government (see Addendum 2 – Report Template).

A summary investigation report with the preliminary Statement of Findings and summary of the outcome of the investigation attached, must be prepared for public availability before the meeting where the councillors will consider the investigation report matter on or before the day and time prescribed by the LGR section 254C which is:

- 5:00pm on the next business day after the notice of the meeting at which a decision is to be made has been provided to the councillors; or
- The day and time when the agenda for the meeting at which a decision is to be made is publicly available.

Council must prepare a summary of the investigation report that must include:

- The name of the councillor whose conduct has been investigated; and
- A description of the alleged conduct; and
- A statement of the facts established by the investigation; and



## Investigations Policy - Councillors

- A description of how natural justice was afforded to the councillor during the conduct of the investigation; and
- A summary of the findings of the investigation; and
- Any recommendations made by the investigator who investigated the conduct.

The following information must not be made publicly available:

- If the investigation relates to the conduct of a councillor that was the subject of a complaint.
- The name of the person who made the complaint or any other person, other than the councillor; or
- Information that could reasonably be expected to result in identifying a person who made the complaint or any other person.
- If a person, other than the councillor, provided information for the purposes of the investigation including, for example, by giving an interview or making a submission or affidavit:
  - The name of the person; or
  - Information that could reasonably be expected to result in identifying the person or any other person, other than the councillor.
  - Any other information the local government is entitled or required to keep confidential under a law.

### Making a decision about the investigation

Council must make a decision as to whether the subject councillor has engaged in a conduct breach.

When debating this matter the subject councillor who has a declarable conflict of interest in the matter, must declare the conflict of interest, and the eligible councillors (those who do not have a conflict of interest in the matter) can decide by resolution for the subject councillor to remain in the meeting during the debate and may answer questions put to the subject councillor through the chairperson to assist the eligible councillors in making a decision. The resolution can include conditions that the subject councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have committed a conduct breach and what, if any, penalty to impose if the councillor is found to have committed a conduct breach.

Should the complainant be a councillor, that councillor has a declarable conflict of interest in the matter and must follow the declarable conflict of interest procedures set out in Council's adopted meeting Standing Orders.

If the council has lost quorum due to the number of conflicted councillors or another reason, the matter must be delegated consistent with section 257 of the LGA or deferred to another date when a quorum will be present.

If a decision is reached that the councillor has engaged in a conduct breach, Council (with the exception of the councillor the subject of the investigation and the complainant, if another councillor), will consider the findings and recommendations of the investigator's report and decide what, if any, action it will take under section 150AH of the LGA.

After making a decision about the conduct breach, Council must make the investigation report for the investigation publicly available after the meeting at which the decision about the outcome of the investigation is made, by:

- On or before the day and time prescribed by regulation, or 5:00pm on the tenth day, or
- The day and time that the meeting minutes are made publicly available.



## Investigations Policy - Councillors

The following information contained in the investigation report must not be made publicly available;

- If the investigation relates to the conduct of a councillor that was the subject of a complaint:
  - The name of the person who made the complaint or any other person, other than the councillor even if that person has a declarable conflict of interest; or
  - Information that could reasonably be expected to result in identifying a person;
- If a person, other than the councillor, provided information for the purposes of the investigation including, for example, by giving an interview or making a submission or affidavit:
  - The name of the person; or
  - Information that could reasonably be expected to result in identifying the person or any other person, other than the councillor.
  - The submission or affidavit of, or a record or transcript of information provided orally by, a person, including, for example, a transcript of an interview.
  - Any other information the local government is entitled or required to keep confidential under a law e.g. documents subject to legal professional privilege or information that is part of a public interest disclosure under the *Public Interest Disclosure Act 2010*.

The report made publicly available must include the name of the person who made the complaint if:

- The person is a councillor or the CEO of the local government; and
- The person's identity as the complainant was disclosed at the meeting at which the report for the investigation was considered.

### 16. Disciplinary action against councillors

If Council decides that the councillor has engaged in a conduct breach, any of the following orders may be imposed:

- Order that no action be taken against the councillor, or
- Make an order outlining action the councillor must undertake in accordance with section 150AH(1)(b) of the LGA.

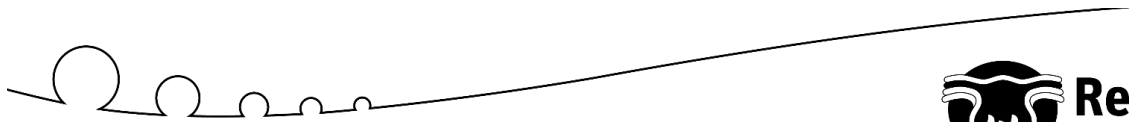
**Note:** For further information refer to Addendum 5 - Conduct Breach Disciplinary Action Guideline

### 17. Notice about the outcome of the investigation

After an investigation is finished, Council must give notice about the outcome decision of the investigation if the local government decides not to start or discontinue an investigation under section 150AEA of the LG, or makes a decision about whether the councillor has engaged in a conduct breach under section 150AG of the LGA including the reasons for the decision and any orders made under section 150AH of the LGA to:

- The Assessor.
- The person who made the complaint about the councillor conduct that was subject of the investigation, and
- The subject councillor who was investigated.

After an investigation is finalised, Council must give a notice about the outcome decision of the investigation if the local government decides not to start or discontinue an investigation under section 150AEA of the LGA,



## Investigations Policy - Councillors

or makes a decision about whether the councillor has engaged in a conduct breach under section 150AG of the LGA including the reasons for the decision and any orders made under section 150AH of the LGA.to:

- The Assessor.
- The person who made the complaint about the councillor' conduct that was the subject of the investigation, and
- The subject councillor who was investigated.



# Investigations Policy - Councillors

## Addendums

### 1. Index

**Assessor** means the Independent Assessor appointed under section 150CT of the LGA.

**Behavioural standard** means a standard of behaviour for councillors set out in the Code of Conduct for Councillors in Queensland approved under section 150D and 150E of the LGA.

**Conduct** includes:

- (a) Failing to act; and
- (b) A conspiracy, or attempt, to engage in conduct.

**Councillor conduct register** means the register required to be kept by the local government as set out in section 150DX and 150DY of the LGA.

**Conduct breach** as set out in section 150K of the LGA.

**Investigation policy** refers to this policy, as required by section 150AE of the LGA.

**Investigator** means the person responsible under this investigation policy for carrying out the investigation of the suspected conduct breach of a councillor or mayor.

**Summary of investigation report** means a summary of the full investigation report prepared before making a decision about the outcome of the investigation that must be publicly available on or before the day prescribed by regulation.

**Investigation report** means a report provided by the investigator to the local government that must be publicly available within 10 business days after the local government makes a decision about the outcome of the investigation.

**LGA** means the Local Government Act 2009 Local government meeting means a meeting of:

- (a) A local government; or
- (b) A committee of a local government Misconduct see section 150L of the LGA.

**Model meeting procedures** see section 150F of the LGA Referral notice see section 150AB, AC and AD of the LGA.

**Tribunal** means the Councillor Conduct Tribunal as established under section 150DK of the LGA Unsuitable meeting conduct see section 150H of the LGA.





# Investigations Policy - Councillors

## 2. Report template and summary report template

Conduct Breach Complaint Investigation and Recommendation Report to Redland City Council

Reference number:

Date received from council:

### 1. The complaint

Description of the alleged conduct.

(Outline the allegation/s as referred for investigation, including date/s, time/s, place/s, description of alleged conduct. Succinct description of (full title and relevant sections) of policy (e.g. code of conduct) alleged to have been breached).

### 2. The complainant

Name of the complainant who made the complaint about the alleged conduct.

(Consider if council indicates the matter relates to a public interest disclosure and ensure compliance with the *Public Interest Disclosure Act 2010*).

### 3. The subject councillor

Name (Reference level of experience as a councillor and any past disciplinary history including for like matters)

### 4. Conflict of interest considerations

(Declaration of any conflict of interest or 'no conflict of interest' by the investigator)

### 5. Summary of the investigation process

- Scope of the investigation.
  - Interviews conducted.
  - Documents examined.
  - Facts identified.
  - Category of the conduct breach set out relevant standards of sections considered.
- ### 6. Investigation Report
- Date of the report.
  - Wording of allegation for consideration.
  - A statement of the facts established by the investigation.
  - A description of how natural justice was afforded to the councillor during the conduct of the investigation.
  - A summary of the findings of the investigation.
  - A summary of any relevant previous disciplinary history.
  - Summary of the evidence or a full copy of any written submission given by the councillor.
  - Application of facts to the conduct breach outlined above.
  - A record of the investigation costs.

For Corporate Governance Use Only

Department: Organisational Services

Group: Corporate Governance

Page 12 of  
19



## Investigations Policy - Councillors

**Note:** Insert discussion of sufficiency of evidence to sustain the allegation and whether the evidence is capable of supporting a finding that the councillor has breached

### 7. Recommendation to council

- Recommendations made by the investigator who investigated the conduct.

It is recommended that:

- This report be submitted to the Redland City Council for consideration, pursuant to section 150AG of the *Local Government Act 2009* (the LG Act), as to whether or not the councillor has engaged in a conduct breach; and if they are found to have so engaged, what action the local government will take to discipline the councillor pursuant to section 150AH of the LG Act.
- Having analysed the material from this investigation, a conclusion might be drawn that:

**Note:** make a recommendation as to whether a conduct breach is made or not, with succinct reasons:

- If Redland City Council finds the councillor has engaged in a conduct breach, are there any aggravating or mitigating circumstances that should be taken into account? For example, any action taken by the councillor since the conduct, any Aboriginal traditions or Islander customs of the councillor.
- If council finds the councillor has engaged in a conduct breach, the following disciplinary action under section 150AH LGA is recommended (refer to the 'Guideline – conduct breach disciplinary action').

..... (SIGN)

NAME:

ATTACHMENTS:

### 8. Summary Report Template

Include the following:

- The name of the councillor whose conduct has been investigated; and
- A description of the alleged conduct; and
- A statement of the facts established by the investigation; and
- A description of how natural justice was afforded to the councillor during the conduct of the investigation; and
- A summary of the findings of the investigation; and
- Any recommendations made by the investigator who investigated the conduct.



## Investigations Policy - Councillors

### 3. Investigation Standards

The investigation must be managed in a consistent manner.

Documentation must be contained in an efficient records management system.

Confidential information must be secured appropriately.

#### 1. Case Management File

The investigation must be supported by a recognised case management tool so that emails, letters, statements, and evidence can be stored and secured confidentially. File notes must be made in the case management system to document key milestones in the investigation such as when lines of inquiry are identified, witnesses are spoken to, when evidence is secured, and document key decisions.

#### 2. Investigation Plan

The Chief Executive Officer or delegate will, prior to beginning the investigation, check that the investigator does not have a conflict of interest in the matter. Remove them immediately from the investigation should a conflict of interest become known.

The following investigation process must be followed by the investigator unless the Chief Executive Officer or delegate agrees to vary the process in a particular case.

Take all necessary steps to protect the identity of the complainant(s) as far as possible during communications with the councillor.

Consider the following:

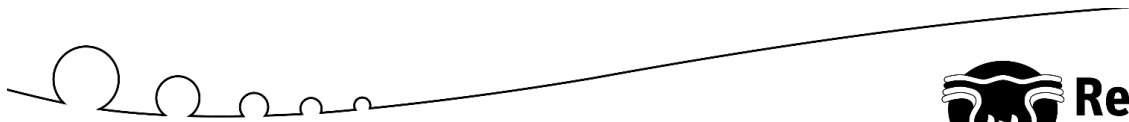
- Research the legislation and policy framework thoroughly.
- Identify lines of inquiry and record them as a file note in case file management system.
- Present all the evidence the councillor provides or gives in a written statement.
- Gather further evidence (for example, from interviewing other witnesses, obtaining documents, or carrying out site inspections) when necessary.
- Secure evidence in case file management system, making a file note when lines of inquiry are followed up and key decisions are made during the course of in the investigation.
- Undertake a proper and impartial examination of the evidence gathered, including expert advice and analysis and / or legal advice if required.
- Draw conclusions based on the evidence and applying the appropriate legislative and policy frameworks.

#### 3. Prepare an investigation report

Prepare the investigation report for the local government to consider on the template attached. (Addendum 2).

If during the course of an investigation, the Investigator obtains new information that a Councillor may have engaged conduct that may give rise to a new allegation, the Investigator must obtain particulars related to the conduct and then advise the Chief Executive Officer who will provide an information notice to the Assessor. The Assessor will undertake a preliminary assessment or alternative action on the matter.

The Investigator will be informed of activities of the Redland City Council in relation to the investigation. For example, the Investigator will be informed in the event the finalisation of a matter is delayed, or if the Redland



## Investigations Policy - Councillors

City Council has to notify of a fresh allegation identified during the course of an investigation to the Assessor for a preliminary assessment.

If during the course of an investigation, the Investigator obtains new information that a councillor may have engaged in misconduct or corrupt conduct the investigation will cease and the investigator will notify the Chief Executive Officer who will be responsible for providing an information notice to the Assessor/Crime and Corruption Commission.



## Investigations Policy - Councillors

### 4. Statement of Preliminary Findings Template

#### Statement of Preliminary Findings

The Investigator has assessed the evidence set out in the investigation report and, taking into account the seriousness of the allegations, has made findings on the balance of probabilities.

The table below contains a summary of the Allegations and the Investigator's findings.

A detailed summary of the evidence and findings is provided in the full investigation report.

#### CONDUCT ALLEGATIONS

Allegation	Finding
Allegation:	Substantiated/Not Substantiated
Particulars:	Summary of Evidence:
	Summary of reasons for finding:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Investigator's signature and name



# Investigations Policy - Councillors

## 5. Conduct Breach Disciplinary Action Guideline

This guideline is provided to assist Queensland local governments to make consistent decisions about the appropriate disciplinary action to be taken against a councillor who is found to have engaged in a conduct breach.

### 1. What is a conduct breach?

According to section 150K of the *Local Government Act 2009* (LGA), a conduct breach occurs when a councillor:

- Breaches a behavioural standard (Code of Conduct for Councillors in Queensland).
- Breaches a council policy, procedure, or resolution.
- Contravenes an order by a chairperson of a local government to leave a council meeting and stay away from the place at which it is being held.
- Is part of a course of unsuitable meeting conduct orders on three occasions within a one-year period, taken together, is a conduct breach. The local government is not required to notify the OIA of these matters and may deal with the conduct as if an investigation has been undertaken section 150J and make a decision under section 150AG of the *Local Government Act 2009* (including Brisbane City Council).

Below are some examples of conduct which may constitute a conduct breach:

### 2. Decision

Section 150AG of the LGA provides that where an allegation of a conduct breach has been referred by the Office of the Independent Assessor (OIA) to a local government for investigation, the local government must decide:

1. Whether or not the councillor has engaged in a conduct breach, and,
2. What action the local government will take under section 150AH of the LGA to discipline the councillor if the councillor has been found to have engaged in a conduct breach.

### 3. Types of Orders

Section 150AH of the LGA provides a list of the types of orders that the local government may make where it has found that a councillor has engaged in a conduct breach:

- An order that no action be taken against the councillor.
- An order that the councillor make a public apology, in the way decided by the local government, for the conduct.
- An order reprimanding the councillor for the conduct.
- An order that the councillor attend training or counselling addressing the councillor's conduct including at the councillor's expense.
- An order that the councillor be excluded from a stated local government meeting.
- An order that the councillor is removed or must resign from a position representing the local government other than the office of councillor.
- An order that if the councillor engages in the same type of conduct again, it will be treated as misconduct.
- An order that the councillor reimburse the local government for all or some of the costs arising from the councillor's conduct breach.



## Investigations Policy - Councillors

### 4. Factors that may be taken into account

Section 150AG(2) of the LGA provides that in deciding what action to take, the local government may consider:

- Any previous conduct breach of the councillor.
- Any allegation made in the investigation that:
  - Was admitted, or was not challenged; and
  - The local government is reasonably satisfied is true.

### 5. Guidance of appropriate disciplinary action

It is open to local governments to decide which order/s in section 150AH of the LGA are suitable when a councillor is found to have engaged in a conduct breach. The particular circumstances of a case must always be taken into consideration.

As a guide, it is suggested that it may be appropriate for the local government to consider making an order or combination of orders depending on whether a councillor has been found to have engaged in a conduct breach for the first time, or for a second, or third time.

Section 150L of the LGA provides that conduct is misconduct if the conduct is part of a course of conduct leading the local government to take action under s150AG to discipline the councillor for a conduct breach on three occasions within a one year period.

The table on the following page may assist councils to decide what disciplinary action is suitable in various circumstances.

Order	First Instance engaging in a conduct breach	Second Instance engaging in a conduct breach	Third Instance in engaging in a conduct breach
No action be taken against the councillor	✓		
An order for the councillor to make a public apology in the way decided by the local government, for the conduct	✓*	✓*	✓*
An order reprimanding the councillor for the conduct	✓#	✓#	✓#
An order that the councillor attend training or counselling addressing the councillor's conduct including at the councillor's expense	✓#	✓#	✓#
An order that if the councillor be excluded from a stated local government meeting		✓	✓
An order that the councillor is removed or must resign from a position representing the local government other than the office of councillor			✓
An order that if the councillor engages in the same type of conduct again, it will be treated as misconduct	✓^	✓	



## Investigations Policy - Councillors

An order that the councillor reimburse the local government for all or some of the costs arising from the councillor's conduct breach**		✓	✓
---	--	---	---

\* May be appropriate where there is heightened or particular public interest in the type of conduct or the subject matter relating to the conduct

# May be particularly appropriate where the conduct involves bullying or harassment or making inappropriate comments about another person

^ For more serious and deliberate conduct breaches by an experienced councillor

\*\* Costs arising from the councillor's conduct breach includes investigative costs, legal costs, and administrative costs. However, costs should be kept to a reasonable rate taking into consideration the costs for more serious matters dealt with by the Councillor Conduct Tribunal

### Associated Documents

Code of Conduct for Councillors in Queensland  
Standing Orders

### Document Control

Only Council can approve amendments to this document by resolution of a Council Meeting, with the exception of administrative amendments which can be approved by the relevant ELT member. Refer to *Policy Instrument Development Manual* for an explanation on administrative amendments ([A4063988](#)).

Any requests to change the content of this document must be forwarded to relevant Service Manager(s).

Approved documents must be submitted to the Corporate Meetings and Registers Team for registration.

### Version Information

Version number	Date	Key Changes
1	May 2019	New Policy
2	November 2019	Administrative updates resulting from policy framework review.
3	March 2022	Administrative update to include reference to the new Corporate Plan
4	October 2023	Change to review date – pending changes to Councillor conduct legislation being implemented in December 2023.
5.	October 2024	Reviewed to incorporate changes recommended by the Department of Local Government, Planning and Public Works in March 2024 following the release of their model Investigation Policy.



## Attachment 2

Office of the Independent Assessor



Our ref: C/25/00058 and C/25/00060

25 February 2025

Redland City Council

By email:

**REFERRAL NOTICE**  
**(Section 150AC Local Government Act 2009)**

Dear

On 29 January 2025, the Office of the Independent Assessor (OIA) received two notifications in relation to the conduct of Mayor Jos Mitchell of the Redland City Council (the Council).

**Details of the conduct and complaint<sup>1</sup>**

The two notifications registered as C/25/00058 and C/25/00060 were received by the OIA on 29 January 2025 and involved the same substantive issues, alleging that:

Allegation 1:

On 28 January 2025, Mayor Mitchell re-posted on her official mayoral Facebook page an earlier Facebook post by Mayor Teresa Harding of the Ipswich City Council. To that re-post, Mayor Mitchell is said to have made claims and imputations in relation to the Redland City Council's proposed Media Relations and Speeches Guideline (the guideline) that other Redland City councillors had proposed the guideline without the mayor's knowledge and were trying to silence her and undermine her position as mayor. Mayor Mitchell is also said to have made similar statements during a radio interview with the ABC, which was published on 29 January 2025. The statements made by the mayor that the proposed guideline was drafted without her knowledge and an attempt to silence her as mayor is said to be false and or misleading, disrespectful to fellow Councillors, and may tend to diminish the reputation of the council.

Allegation 2:

Mayor Mitchell failed to moderate third-party comments to her above-mentioned Facebook post to remove commentary that could reasonably be said to be unfair or damaging to the reputation of the council, and to other councillors. By this failure, the mayor is said to have breached a resolution of the Redland City Council that was passed on 18 December 2024, in relation to online bullying and councillors being responsible for the pro-active management of such social media commentary.

These notifications have now been assessed.

<sup>1</sup> Local Government Act 2009, s 150AC(2)(a).

Office of the Independent Assessor  
PO Box 15031  
City East Qld 4002

SENSITIVE

 **Queensland**  
Government

**Reasons why the assessor (or delegate) reasonably suspects a conduct breach<sup>2</sup>**

In conducting this assessment, I considered the application of Chapter 5A of the *Local Government Act 2009* (Qld) [the Act], in particular:

- the reasons the assessor **must** dismiss the complaint or decide to take no further action in relation to the notice or information,<sup>3</sup>
- the reasons the assessor **may** dismiss the complaint or decide to take no further action in relation to the notice or information,<sup>4</sup> and
- other factors the assessor may have regard to.<sup>5</sup>

Having considered all the information available, I am satisfied that the provisions of this chapter do not require the complaints or notices to be dismissed or for no further action to be taken.

I also reasonably suspect the conduct the subject of the complaints or notices, if proven, is a conduct breach.<sup>6</sup> I have decided to refer the matter to the Council to deal with.<sup>7</sup>

Based on the evidence discussed below, I reasonably suspect that Mayor Jos Mitchell has engaged in the following conduct breach/es from the relevant notifications:

**Allegation 1**

I reasonably suspect that Mayor Mitchell had engaged in a conduct breach as defined by section 150K(1)(a) of the *Local Government Act 2009* (the Act) on the basis that the conduct contravenes a behavioral standard set out in the code of conduct for councillors in Queensland, including but not limited to standard 3.3 that councillors will at a minimum *'At all times strive to maintain and strengthen the public's trust and confidence in the integrity of the local government and avoid any action which may diminish its standing, authority or dignity.'*

**Allegation 2**

I reasonably suspect that Mayor Mitchell failed to moderate her Facebook page to remove commentary that could reasonably be said to be unfair or damaging to the reputation of councillors. Council had, on 18 December 2024, passed a resolution in relation to online bullying and councillors being responsible for the pro-active management of such commentary including:

*'(a) Removing any comments which could reasonably be determined to defame or unjustly damage the reputation of Council officers and/or Councillors from social media posts/pages which are managed by Councillors, where able to do so.*

*(b) Refusing to engage with any social media posts/pages which could reasonably be determined to defame or unjustly damage the reputation of Council officers and/or Councillors.'*

This conduct is reasonably suspected of being a conduct breach as defined by section 150K(1)(b) of the Act on the basis that the conduct contravened a resolution of the local government.

---

<sup>2</sup> Ibid s 150AC(2)(b).

<sup>3</sup> *Local Government Act 2009* (Qld) s 150SD(2)(a) - (e).

<sup>4</sup> Ibid s 150SD(3)(a) - (e).

<sup>5</sup> Ibid s 150SD(5)(a) - (c).

<sup>6</sup> Ibid s 150K.

<sup>7</sup> Ibid s 150SD(4)(a).

SENSITIVE

**Information about the facts and circumstances forming the reasonable suspicion<sup>8</sup>**

In making this decision, I considered the following information:

- The complaints received.
- Social media posts and media articles.
- Minutes and recordings of the Redland City Council ordinary meeting of 18 December 2024.
- Information obtained from the Redland City Council as a part of a preliminary assessment of the complaint.
- Relevant provisions of the Act.
- The Queensland Human Rights Act 2019 - sections 15, 21, 23 and 25.

The two notifications raised similar issues and information as evidence that Mayor Mitchell had engaged in a conduct breach by making false and misleading claims in Facebook posts and subsequent media interviews, that she had not been made aware of proposed changes to the Media Relations and Speeches Guideline and that other councillors were trying to silence her and sought to undermine her position as mayor.

**Allegation 1 - false and misleading statements*****Social media post on 28 January 2025***

On 28 January 2025, on her mayoral Facebook page, Mayor Mitchell shared a Facebook post from Mayor Teresa Harding of the Ipswich City Council (ICC), which raised concerns about a motion brought by [REDACTED] proposing changes to the ICC's Media and Corporate Communications Policy. The proposed changes, if passed by the ICC, were said to significantly affect the Ipswich Mayor's ability to speak on behalf of Council matters.

In sharing Mayor Harding's post on 28 January 2025, Mayor Mitchell additionally wrote,

*"...I also want to speak about this issue. Actions that diminish the mayoral role and function diminish the voice of the majority of residents who voted us in to represent them."*

***Mayor Mitchell's reply to [REDACTED] Facebook post***

On 28 January 2025, a [REDACTED] commented to Mayor Mitchell's original post on 28 January 2024, to which Mayor Mitchell responded with the following:

*[REDACTED] Changes were made to our media guideline without my knowledge. It was changed due to majority councillor sentiment from a councillor workshop."*

In responding to [REDACTED] comment Mayor Mitchell reinforced her earlier comments that are alleged to be false and misleading.

***Statements made by Mayor Mitchell on ABC Radio on 29 January 2025***

On 29 January 2025, Mayor Mitchell was interviewed on ABC radio. During this interview she made several statements that are alleged to be false and misleading.

---

<sup>8</sup> Ibid. s 150AC(2)(c).

SENSITIVE

*"These kinds of actions diminish the role and function of the Mayor."*

*"Was changed on the 9<sup>th</sup> December last year, I was only made aware of changes after that date."*

*"The one that relates to me specifically as generally the spokesperson is the inclusion of the sentence, Elected Members who have voted against a majority decision of Council, or who have a declared conflict of interest in a decision, will not be the spokesperson for that decision."*

*"No longer will I be the spokesperson if I don't vote with the majority"*

*"Changes like this being made, this is a work around because this isn't a decision made in the public forum...it's outside the direct vision of the public."*

*"I can't speak to their motives or what they're feeling but the outcome is, it impacts on my ability to speak on behalf of Council...that's another mechanism to diminish the voice of the Mayor. As we're seeing play out there are ways to diminish the voice of the Mayor, the popularly elected Mayor for our community"*

*"This isn't about party politics, this is about majority, the ways the majority can affect the voice of the Mayor, therefore the voice of the community."*

#### **Statements reported by the Courier Mail**

Mayor Mitchell was quoted in an article published in the Courier Mail on 29 January 2025 titled "Gagged" mayors speak out after changes to media rules triggering anger from councillors'

*Tuesday's gagging claims also prompted Redland City Council mayor Jos Mitchell to publicly accuse her council of trying to silence her.*

*"In the 10 months that I've been in office, I've noticed a pattern of attempts to restrict the voice or presence of an elected mayor," Cr Mitchell said.*

*"The guideline, which is a feeder document to a policy, was changed on December 9 last year, and I was only made aware of the changes after that date."*

*"This impacts my ability to speak on behalf of the council," Cr Mitchell said.*

*"These kinds of actions diminish the role and function of the mayor, and in turn, diminish the voice of our community."*

#### **Further statement issued by the mayor after the Courier Mail story was published**

The Courier mail article of 29 January 2025, as published online, contained a statement provided by Mayor Mitchell after the initial publication.

*"I believe, while the method differs, what was proposed in Ipswich is already happening to a degree in Redlands - an attempt by the majority to diminish a duly elected Mayor.*

*While speaking for Council is a key part of a Mayor's role, this decision has broader implications.*

*I believe this sends the message more broadly, that it's OK to strip a Mayor of their traditional responsibilities, not because it's necessary but only because a majority of councillors think the community chose the wrong Mayor. Our communities deserve to have their decision respected.*

SENSITIVE

*I want to be clear, in my opinion, this decision was unnecessary, not transparent and politically motivated. I take my role as Council spokesperson seriously and I have faithfully represented the position of Council.*

*On the 17 December 2024 I was advised by a staff member, and later [REDACTED] that the Guideline had been changed nearly 2 weeks prior, on 9 December 2024.*

*I was advised the changes were made due to majority councillor sentiment being expressed during a councillor workshop.*

*A workshop is not a publicly visible meeting and votes aren't meant to be taken, so this was done without the public transparency I believe our community expects.*

*This change reduces my ability to act as Council's spokesperson. If I do not vote with the councillor majority on a particular resolution, then I won't be Council's spokesperson for that resolution.*

*Redland City Council's administration pushed forward with changes to Council's guidelines that prevent me, as Mayor and Council spokesperson, from speaking about any resolution that I don't join the majority in making.*

#### **Evidence contrary to the mayor's assertions about her knowledge of the proposed guideline change**

The notifications raised that the mayor's claims in respect of her awareness of the proposed changes to the Media Relations and Speeches Guideline are both knowingly false or misleading and have resulted in highly negative commentary about both councillors and Council from members of the community, reducing community confidence in the integrity of the local government.

Information in the possession of the OIA identifies the following instances where the mayor received communications or notifications regarding the proposed guidelines that would indicate that she was aware of the proposed changes prior to 17 December 2025:

1. On 23 August 2024, Legal officers emailed the [REDACTED] on potential changes to the Media Guideline and briefly spoke with the Mayor, [REDACTED] separately in passing on or about this date about the potential changes.
2. On 27 August 2024, the [REDACTED] emailed the [REDACTED] on potential changes to the media guideline.
3. On 4 September 2024, the [REDACTED] emailed Councillors providing 5 years of media releases on various subjects by way of background to the changes.
4. On 14 October 2024, Officers informed Councillors they were reviewing the media guideline and would provide councillors a future briefing on potential changes to the Guideline. The Mayor and Councillors were present during this discussion.
5. Between about 14 October and 14 November 2024, the Mayor discussed with [REDACTED] the potential changes to the Media Guideline and future presentation to Councillors listed for 18 November 2024.
6. On 24 October 2024, Councils [REDACTED] met the Mayor as part of their regular meeting and discussed potential changes to the Media Guideline, amongst other things.
7. On 14 November 2024, an email was sent to the Mayor and Councillors containing the 18 November 2024 Agenda including the Media Guideline Review.
8. On 15 November 2024, an email was sent to the Mayor and Councillors containing the 18 November 2024 Agenda including the presentation for the Media Guideline Review.
9. On 18 November 2024, the officers briefed Councillors on the

SENSITIVE

proposed changes to the media guideline as benchmarked against other Councils. A Councillor attendance sheet was compiled indicating the mayor was present during the briefing. An audio recording of this meeting was also made that notes the Mayor being notified and provided the presentation on the guideline changes.

10. On or about 20 November 2024, the audio and video recording of the Council briefing on 18 November 2024 was uploaded for Councillors reference and review at their discretion.
11. On or about 10 December 2024, officers published the new Media Guideline on the Council intranet site for viewing by Councillors and Staff.
12. On 17 December 2024, [REDACTED] met with the Mayor and discussed amongst other things the updated Media Guideline.

#### Allegation 2 - breach of a council resolution

#### ***Evidence relating to allegation 2***

On 18 December 2024, during an ordinary meeting of council a motion was moved, and unanimously carried, that council resolves:

1. *To develop and deliver an advocacy campaign, fronted by the Mayor and Councillors, condemning bullying and poor behaviour towards Council officers and Councillors.*
2. *To commit to taking pro-active action against bullying and poor conduct towards Council officers and Councillors on social media by:*
  - a) *Removing any comments which could reasonably be determined to defame or unjustly damage the reputation of Council officers and/or Councillors from social media posts/pages which are managed by Councillors, where able to do so.*
  - b) *Refusing to engage with any social media posts/pages which could reasonably be determined to defame or unjustly damage the reputation of Council officers and/or Councillors.*

In response to Mayor Mitchell's Facebook post of 28 January 2025, there was a wide range of commentary. A number of the comments from people who present as members of the community would reasonably be considered to defame or unjustly damage the reputation of councillors.

It is alleged the several comments from members of the community are defamatory in nature towards six other councillors, including specifically naming the councillors and referring to them as [REDACTED]

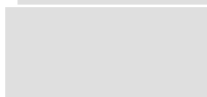
Below are only some of the examples raised in the complaints of the unfair and damaging comments by members of the community which at the time of the complaint remained published on the mayor's Facebook page:

[REDACTED] *"Don't tell me [REDACTED] wants to silence our new Mayor, just because you vote against them."*

[REDACTED] *"at the moment it's Ipswich council, but you can bet [REDACTED] would love to try it too."* and *"...I can think of some choice 4 letter words to describe the [REDACTED]"*

[REDACTED] *"It's about time the [REDACTED] were exposed for what they are..."*

[REDACTED] *"Ok let's name the local obstructionists"*



SENSITIVE

[REDACTED]

[REDACTED] *"Redlands ratepayers deserve to know who is and who's not working for them . And who's working against our duly elected Mayor , who was elected by a majority of Redlands residents ,..."*

[REDACTED] *"...How do these Councillors...vote to silence a Mayor...It might be time to start loudly reprimanding, Councillors who spend so much time on nasty agendas that are personal and have nothing to do with their Electorate! It's time to call these Councillors out!!!"*

[REDACTED] *"...We all need to front up at the next General Meeting and heckle the crap out of the [REDACTED]"*

It is suspected that Mayor Mitchell failed to moderate her Facebook page to remove potentially defamatory and/or inappropriate commentary by members of the community, as required by council's resolution passed on 18 December 2024 in relation to online bullying.

Furthermore, the requirement for the Mayor to moderate her Facebook page by removing comments from third-party Facebook users is highlighted in the High Court decision of *Fairfax Media Publications Pty Ltd v Voller*<sup>9</sup>, which related to third-party posts which were defamatory in nature that may expose a person to civil liability for defamation.

The case of Voller held that by maintaining public Facebook pages where defamatory comments were posted, the appellants facilitated, encouraged, and thereby assisted the posting of comments by the third-party Facebook users, rendering the appellants publishers of the defamatory comments.

By virtue of the Court's decision in Voller, Mayor Mitchell is held, with regard to the law of defamation, to be the publisher of all comments made by third-party Facebook users on her page as and when they are accessible in a comprehensible form by another Facebook user.

### **Council's Investigation of the Suspected Conduct Breach**

*Please note, that councils are now responsible for the natural justice process, that is, asking a councillor for their side of the story, before a decision is made. This was previously done by the OIA as a section 150AA Notice for inappropriate conduct. The OIA will no longer be providing such material.*

This referral of a suspected conduct breach must be managed in accordance with the Council's investigation policy.<sup>10</sup>

Council **must** investigate the suspected conduct breach after receiving a referral notice unless:<sup>11</sup>

- the complainant withdraws the complaint;
- the complainant consents to the investigation not being started or being discontinued;
- there is insufficient information to investigate the conduct.

<sup>9</sup> *Fairfax Media Publications Pty Ltd v Voller* (2021) 392 ALR 540

<sup>10</sup> Ibid s 150AE.

<sup>11</sup> Ibid s 150AEA.

SENSITIVE



After conducting an investigation, the Council must decide whether the councillor has engaged in inappropriate conduct and what action, if any, the Council will take to discipline the councillor.<sup>12 13</sup>

The Council has certain obligations under the Act where an investigation report about a suspected conduct breach is given to the Council to assist in the making of a decision at a Council meeting.

Before making a decision, Council must prepare a summary of the investigation report and make the summary publicly available on or before the day and time prescribed by regulation. The summary must include certain particulars as listed in the Act,<sup>14</sup> excepting the following information, namely:

- if the investigation relates to the conduct of a councillor that was the subject of a complaint – the name of the person who made the complaint or any other person, other than the councillor; or information that could reasonably identify the person who made the complaint or any other person other than the councillor;
- if a person, other than the councillor, provided information for the purposes of the investigation including, for example, by giving an interview or making a submission or affidavit – the name of the person or information that could reasonably be expected to identify the person or any other person, other than the councillor;
- any other information the local government is entitled or required to keep confidential under a law.<sup>15</sup>

After making a decision, the Council must make the investigation report publicly available. If the decision is made at a Council meeting, the investigation report must be made publicly available on or before the day and time prescribed by regulation. In any other case, the investigation report must be made publicly available within 10 business days after the decision is made.<sup>16</sup>

#### **Notice to the Independent Assessor after Council Decision**

The Council **must** give the Independent Assessor a notice as soon as practicable after deciding:

- not to start, or to discontinue, an investigation of the councillor's; or
- whether or not the councillor has engaged in a conduct breach.<sup>17</sup>

The notice must state the decision, the reasons for the decision and, if disciplinary action is taken by the Council under section 150AH, the details of the order.

If you have any questions about this referral to Council, please contact Senior Assessment Officer Pouli Sia on (07) 3334 2618 or by email [pouli.sia@oja.qld.gov.au](mailto:pouli.sia@oja.qld.gov.au) quoting reference numbers C/25/00058 and C/25/00060.

Yours sincerely

**Charles Kohn**  
Deputy Independent Assessor  
Office of the Independent Assessor

<sup>12</sup> Ibid s 150AG.

<sup>13</sup> Ibid s 150AH.

<sup>14</sup> Ibid s 150AFA(4).

<sup>15</sup> Ibid s 150AFA(5).

<sup>16</sup> Ibid s 150AGA.

<sup>17</sup> Ibid s 150AHA.

SENSITIVE

## Attachment 3



# Media Relations and Speeches Guideline

Guideline Identifier: ENG-002-001-G  
 Approved by: General Manager Organisational Services  
 Date of Approval: 09 December 2024  
 Effective Date: 09 December 2024  
 Review Date: 09 December 2027  
 Version: 8

## Scope

This guideline applies to all areas of Council and relates to the release of information to the news media about Council initiatives, decisions, responses, events and services and preparation of speeches.

## Purpose

This guideline establishes clear responsibilities for the coordination and release of information to the media about Council initiatives, decisions, events and services.

It ensures information is provided to news media about Council's activities and issues in an accurate and timely fashion and in the appropriate context. It also establishes the protocol for preparation of official speeches.

## Actions and Responsibilities

### Official Media Spokespeople

The Mayor, Chief Executive Officer (CEO) and General Managers are Council's spokespeople. The Mayor may also delegate a Councillor as a spokesperson. For matters relating to a single division, the Divisional Councillor may also speak to the media.

In the absence of the Mayor, or when the Deputy Mayor is the Acting Mayor, the Deputy Mayor will be the spokesperson.

The Mayor and Councillors are primarily concerned with policy issues and the decision-making role of Council. The CEO and General Managers are spokespeople for matters of an organisational, operational, or technical nature within Council. The CEO will take note of media issues, including media responses and media releases, where General Managers are spokespeople and make comment if necessary.

The CEO may also delegate other spokespeople on particular matters.

### Official Speeches

The Communication, Engagement and Tourism Group prepares speeches for the Mayor or the Mayor's official delegate at events. The Group prepares speeches for Councillors only when they are the official delegate of the Mayor at an event. Requests for speeches for Councillors must go through the Office of the Mayor, which determines Mayoral delegation at events.

### Media Liaison Responsibility

The Communication, Engagement and Tourism Group is the main point of contact for media liaison.

Media releases, responses, letters to the editor and conferences/briefings dealing with important Council activities and decisions are coordinated by the Communication, Engagement and Tourism Group. This includes distributing information and coordinating official responses to media inquiries.

For Corporate Governance Use Only			
Department:	Organisational Services	Group:	Communication, Engagement and Tourism
			Page 1 of 5



## Media Relations and Speeches Guideline

If media inquiries are received in other parts of Council, they should be immediately referred to the Communication, Engagement and Tourism Group for coordination and response.

It is not the role of the Communication, Engagement and Tourism Group to prepare media releases or liaise with the media on behalf of individual elected representatives, unless they are delegated by the Mayor to act as official Council spokesperson.

For other matters, elected representatives are free at all times to initiate their own media communications on matters relating to personal opinion, rather than Council policy. Where matters relate to personal opinion, elected representatives should indicate that these views may not necessarily reflect Council's position.

### Media Distribution

Media releases and responses are distributed following approval by relevant Council Officers and Councillors, when they are quoted. It is critical that media releases and responses are issued in a timely fashion in order to reduce the risk to Council. A process for distributing media responses and releases is included at Figure 1.

### Media Releases

The Communication, Engagement and Tourism Group works with other Council areas on proactive communication plans to ensure timely release of newsworthy information to relevant news media.

Early advice to the Communication, Engagement and Tourism Group about appropriate Council initiatives, proposals and potential issues is essential. This ensures suitable communication support and advice is provided to maximise effectiveness of media relations.

This should occur at the beginning of the project, rather than when items become public through agendas, committee meetings or minutes.

Other areas of Council, or their representatives/contractors, should not directly contact media outlets without seeking the approval and advice of the Communication, Engagement and Tourism Group. This ensures consistent messages are delivered to the community.

The Mayor is quoted as Council's spokesperson in proactive media releases. The Mayor may also delegate another Councillor to be quoted in proactive media releases. Where the topic is local to a specific Council Division the Divisional Councillor will be quoted in addition to the Mayor.

Councillors appointed as representatives of Redland City Council on various committees, advisory boards and working groups will be quoted as spokespeople, in addition to the Mayor, to the extent that this is consistent with any responsibilities outlined in the committee, advisory board and working group's Terms of Reference document. **General Meeting Media**

Communication, Engagement and Tourism will work with Council officers to identify the priority for proactive media releases to be issued following a General Meeting. Where there is confidence on the resolution, media releases will be submitted for preapproval the day before a General Meeting.

Communication, Engagement and Tourism will work with the delegated spokespeople to seek approval of General Meeting media releases, prioritising key topics to be issued on the day of the meeting and other releases of interest within 24 hours of the meeting, where possible.

Elected members who have voted against a majority decision of Council, or who have a declared conflict of interest in a decision, will not be the spokesperson for that decision.

For Corporate Governance Use Only			
Department:	Organisational Services	Group:	Communication, Engagement and Tourism
			Page 2 of 5



## Media Relations and Speeches Guideline

### **News Media Responses**

Council receives many media inquiries of an urgent nature. Media deadlines are usually pressing and it is important that Council's response is timely, complete and accurate. Official spokespeople may also need to be urgently briefed to undertake interviews.

It is the responsibility of the Communication, Engagement and Tourism Group to take the initial media inquiry (telephone call or email contact). The Communications Adviser then alerts the Group Manager – Communication, Engagement and Tourism, Executive Leadership Team, Councillors, Office of the Mayor, and appropriate spokesperson.

The Communications Adviser contacts the appropriate Council officer to obtain a briefing as quickly as possible. A written media response is then drafted and sent to the officer who provided the briefing and the relevant spokesperson for their approval.

The Communications Adviser will then forward the response to all Councillors, the Executive Leadership Team, the internal Council Communication Media distribution list ([media@redland.qld.gov.au](mailto:media@redland.qld.gov.au)) and any relevant Council Officers, advising that the response will be issued to the media within a nominated timeframe.

The Communications Adviser will then distribute the information appropriately.

Where interviews have been requested with a Council spokesperson, the Communications Adviser will liaise with the spokesperson to determine a suitable time and advise the media outlet.

Requests by the Communication, Engagement and Tourism Group for project briefings, and media response approvals, should be treated as a priority.

In the event that an officer is unable to be contacted, the approval process will be escalated to their manager for approval.

Councillors who have been contacted by the media for a statement are encouraged to contact the Communication, Engagement and Tourism Group to ensure consistency of messages (where appropriate) and to alert the Group of the issue.

### **Media Distribution Lists**

An updated list of media outlets is maintained by the Communication, Engagement and Tourism Group. Media outlets receiving information are determined by the subject matter.

### **Media Training**

The Communication, Engagement and Tourism Group assist spokespeople to prepare for media interviews. Other training can also be arranged.

### **Media Monitoring**

The Communication, Engagement and Tourism Group arranges monitoring of relevant news media coverage about Council activities or subjects of general interest. Copies of newspaper/magazine and electronic media stories are distributed throughout Council electronically.

For Corporate Governance Use Only			
Department:	Organisational Services	Group:	Communication, Engagement and Tourism
			Page 3 of 5



# Media Relations and Speeches Guideline

## Definitions

Term	Definition
News media	Television, radio, online and print journalists, news photographers and camera operators. It includes specialist and trade publications, internet news services or any situation where Council's official position will be published or viewed.
Media relations activity	Unpaid activity that uses the media to communicate or promote messages about Council. It encompasses management and preparation of media releases, statements, interviews, media conferences, launches and general media liaison

## Reference Documents

This Guideline has been developed to support the application or administration of Corporate ENG-002-A Communications Administrative Directive ([A196672](#)) and ENG-003-P Community Engagement Policy ([A196571](#)).

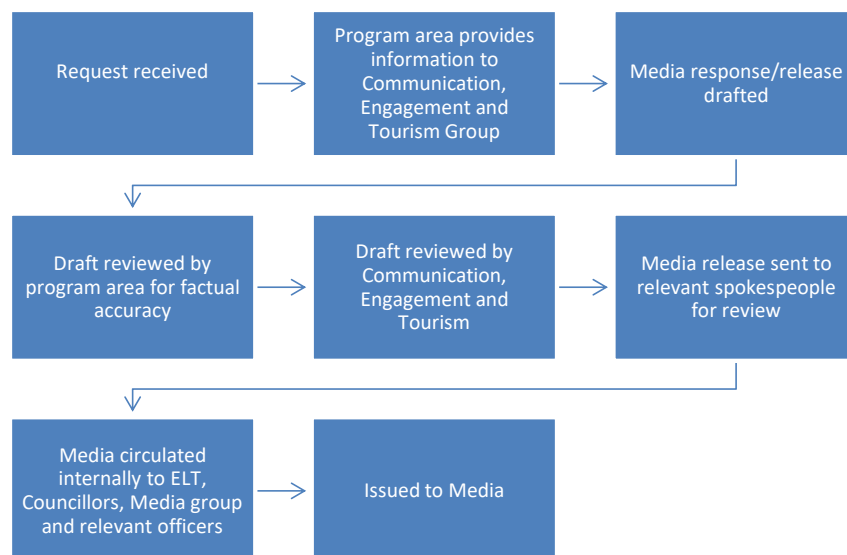
## Associated Documents

ENG-002-002-G Corporate Image Guideline ([A214643](#))

## Document Control

Only an ELT member (of the relevant Department/Group) can approve amendments to this document. Any requests to change the content of this document must be forwarded to relevant Service Managers(s). Approved documents must be submitted to the Corporate Meetings and Registers Team for registration.

**Figure 1 Media release/response process**



For Corporate Governance Use Only			
Department:	Organisational Services	Group:	Communication, Engagement and Tourism
			Page 4 of 5



# Media Relations and Speeches Guideline

## Version Information

Version Number	Date	Key Changes
2	26 November 2013	<ul style="list-style-type: none"> <li>Name changes to Organisational Services and Communication, Engagement and Tourism.</li> <li>Inclusion of Councillors as spokespeople for portfolios.</li> <li>Expanded Media Releases and News Media Responses.</li> <li>Included Figure 1: Media releases/responses process.</li> </ul>
3	November 2014	<ul style="list-style-type: none"> <li>Official Spokespersons – For matters relating to a single division, the Divisional Councillor may also speak on behalf of Council.</li> </ul>
4	24 May 2016	<ul style="list-style-type: none"> <li>Removal of Councillor portfolios</li> <li>Change of name of Council's management team to Executive Leadership Team (previously Group)</li> </ul>
5	December 2018	<ul style="list-style-type: none"> <li>Change of Guideline Heading to Media Relations and Speeches.</li> <li>Addition of Official Speech preparation protocols.</li> </ul>
6	February 2021	<ul style="list-style-type: none"> <li>Minor administrative updates to formatting and moved to new template.</li> </ul>
7	December 2022	<ul style="list-style-type: none"> <li>Reviewed, Minor administrative updates to formatting.</li> </ul>
8	December 2024	<ul style="list-style-type: none"> <li>Add Deputy Mayor as spokesperson in absence of Mayor.</li> <li>Add Councillors as representatives on Committees as spokespeople.</li> <li>Add new section 'General Meeting Media', to be published within 24-hours of the meeting where possible.</li> <li>Minor administrative formatting.</li> </ul>

For Corporate Governance Use Only			
Department:	Organisational Services	Group:	Communication, Engagement and Tourism
			Page 5 of 5

## Attachment 4



6:06

**Mayor Jos Mitchell**

10h ·



THIS IS AN IMPORTANT NEWS PIECE

I also want to speak about this issue.

Actions that diminish the mayoral role and function diminish the voice of the majority of residents who voted us in to represent them.

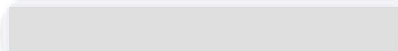
 · [Follow](#)

In what would be a first for Queensland, Ipswich City Council will consider a motion tomorrow / Tuesday to block the Mayor from Council-issued media statements and responses to media enquiries.

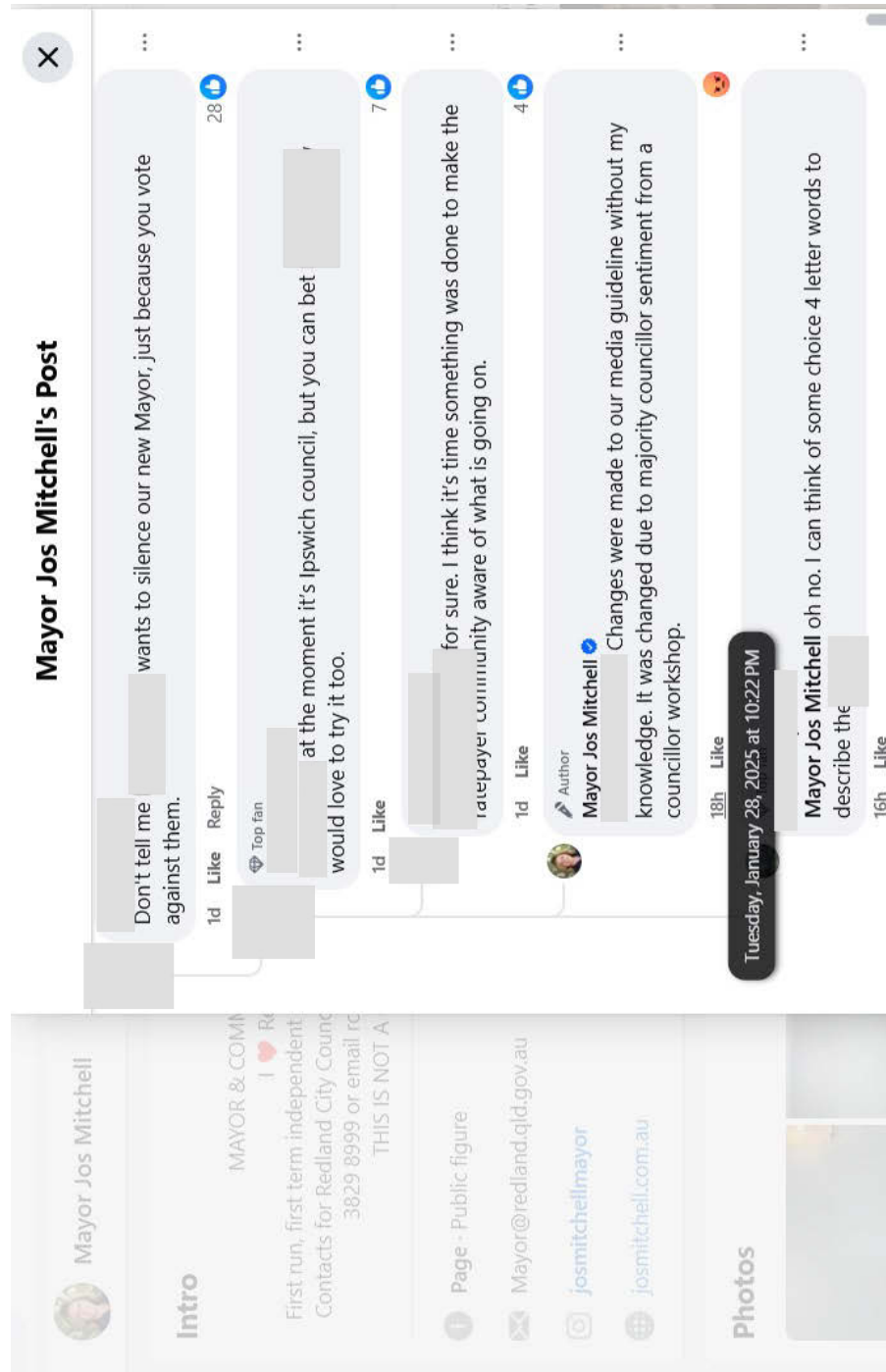
The motion, put forward by previously dismissed  proposes to amend Council's existing Media and Corporate Communications Policy to remove the Mayor as a spokesperson on any matter that relates to a decision of Council or any of its current portfolios.

I am not aware of any example in Queensland politics where a Mayor had been gagged by another councillor from speaking to their community on behalf of council.

This is an extraordinary political attack aimed at gagging a Mayor from representing the council and community they were



# Attachment 5



# Attachment 6

**Relevant extract of media report**

612 ABC Brisbane, Mornings with [REDACTED]  
From 2025-01-29T08:57:01+10:00  
To 2025-01-29T09:07:01+10:00  
Duration 10m 0s

**In this transcript:**

- [REDACTED] News Presenter
- [REDACTED] Political Reporter in Sky News
- [REDACTED] Reporter for ABC Brisbane
- [REDACTED] ABC News Reporter
- [REDACTED] ABC Rural journalist

**Speaker A:**

And that means it diminishes the voice of our community.

[REDACTED]  
This was done by Councillors on the Redland Council.

**Speaker A:**

So what happened, the actual process as has been written and by an advice, because I ask questions about this, is that this topic went for discussion and on the basis of...

[REDACTED]  
To the Councillors of the Redland City Council.

**Speaker A:**

Yes, so as it was changed due to the advice is that this was changed due to Councillor So majority Councillor sentiment then provided the impetus to change something, you know, change this particular document.

[REDACTED]  
So other Councillors of the Council that you're the Mayor of didn't feel right, so they felt like their sentiment was they wanted a change that prevents the Redland City Mayor from speaking on a matter if you didn't vote as part of the majority on that

**Speaker A:**

Well, I can't speak to their motives or what they're feeling, but the outcome is that it impacts my ability to speak on behalf of Council. So as we're seeing with Mayor Harding's situation, that's another mechanism in my opinion to diminish the voice of a Mayor.

So as we're seeing play out, there are ways to diminish the voice of the Mayor. The popularly elected Mayor for our community, there are ways, and this is a system that needs tightening up in my opinion.

We really need to look at the framework around the protection of the people that we have elected into office. It takes a lot to get here, a lot of personal commitment and investment, and then to get into the role and to then be faced with situations.

And this isn't party specific. If you look at our particular Councils, Ipswich and Redlands, this isn't about party politics. This is about majority and ways that a majority can affect the voice of the Mayor and therefore the voice of the community.

[REDACTED]  
You are a first term Mayor and the Redland City Council, Josh Mitchell. Do you have the support of the Council?

**Speaker A:**

In my opinion, I do not have the support of the elected Council.

[REDACTED]  
But the voters, the ratepayers have elected They

**Speaker A:**

have. I was voted in just under 53 % on the primary vote and 67 .67 % first time run in politics and a majority. So I think that's fairly significant in anyone's books.

[REDACTED]  
Josh Mitchell, Mayor of the Redland City. If you're a ratepayer, I'd love to know your thoughts and that you give me a call, and I'll give you the Redland City Council statement after the news.

# Attachment 7

**'Gagged' mayors speak out after changes to media rules triggering anger from councillors**

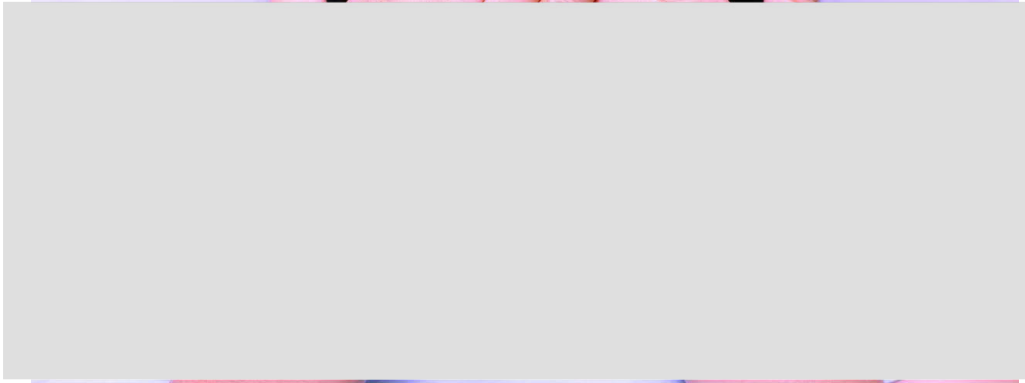
Ipswich and Redland mayors claim new council media rules silence them, but councillors argue the changes are fair.





  
follow  
5 min read

January 29, 2025 - 12:00PM

[6 Comments](#)

AA



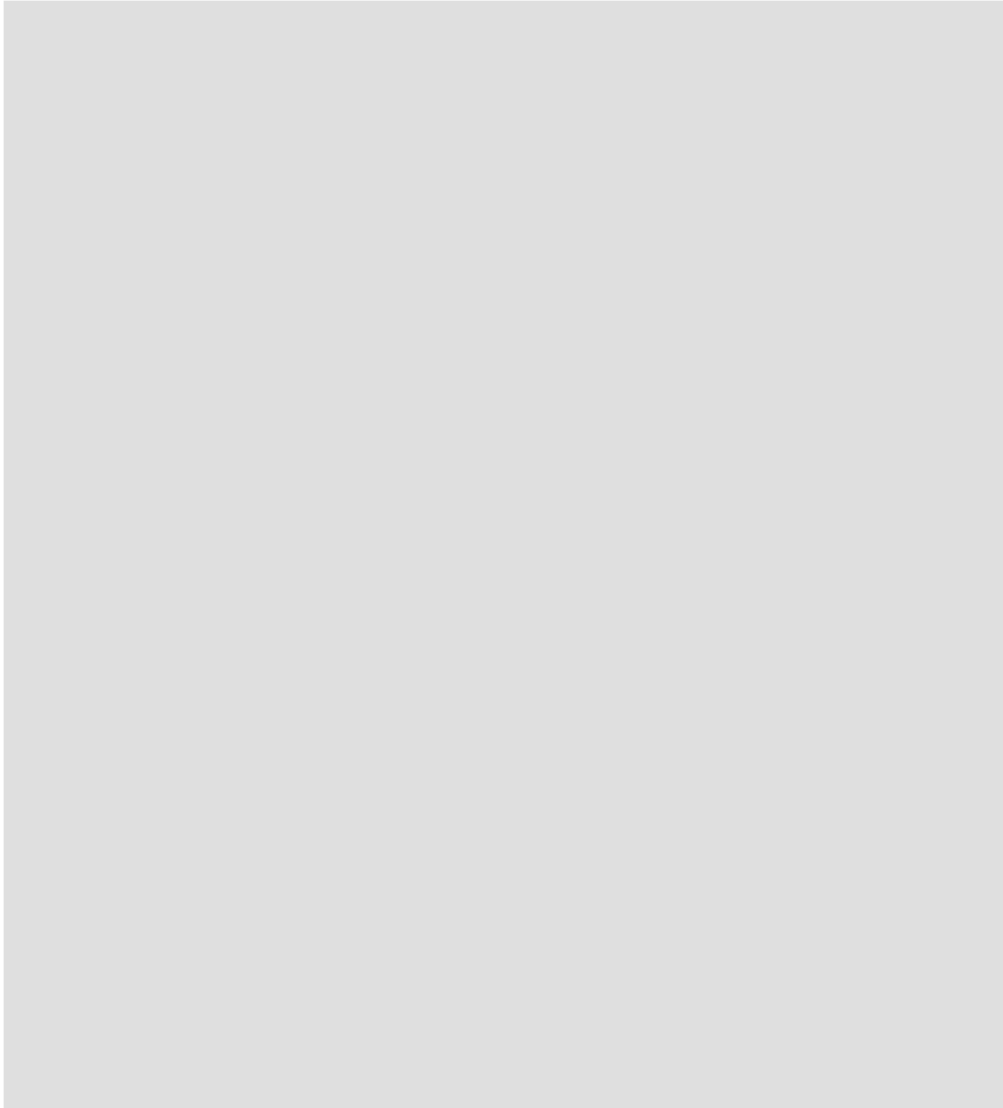
Ipswich councillor  says his mayor  has not been gagged while Redland City councillor  has claimed  mayor Jos Mitchell, far right, has not been gagged.

[News](#)



Don't miss out on the headlines from News. Followed categories will be added to My News.

follow



Tuesday's gagging claims also prompted Redland City Council mayor Jos Mitchell to publicly accuse her council of trying to silence her.

Cr Mitchell, elected in March with 67 per cent of the overall vote, said a change to council guidelines in December barred her from speaking on behalf of the council if she voted against a majority decision.

She said the alteration to her council's Media Relations and Speeches Guidelines was made without her knowledge and represented an attempt to diminish her role as an elected leader.

However, those claims were disputed by Redland City councillor [REDACTED]



Redland City Council mayor Jos Mitchell says she also has been gagged and was not informed of possible changes to guidelines barring mayors from being a council spokesman if they opposed a council stance on an issue. Picture: Contributed

"In the 10 months that I've been in office, I've noticed a pattern of attempts to restrict the voice or presence of an elected mayor," Cr Mitchell said.

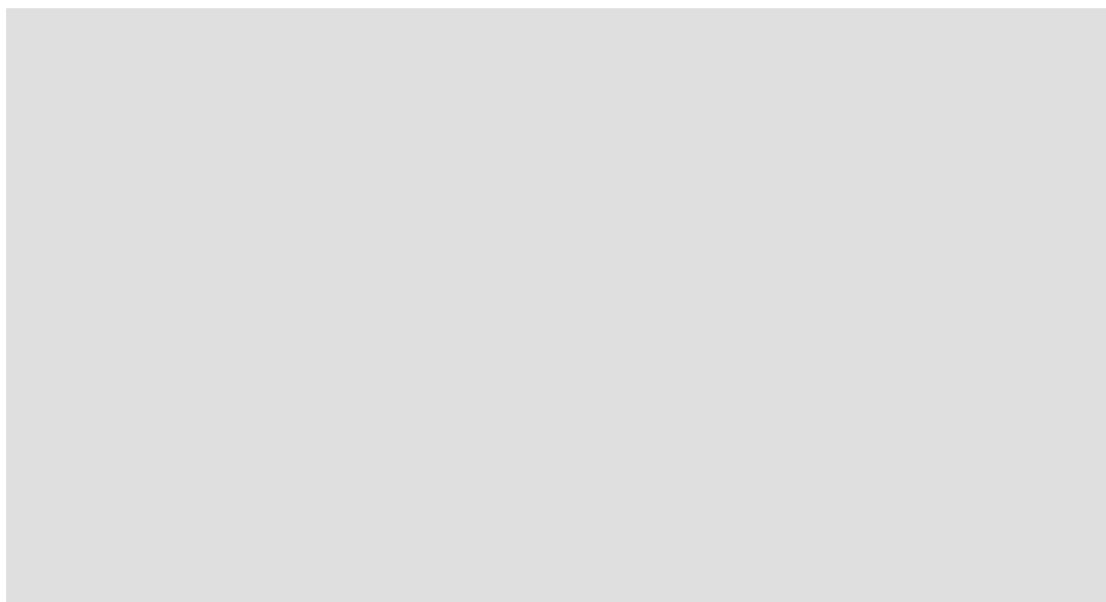
"The guideline, which is a feeder document to a policy, was changed on December 9 last year, and I was only made aware of the changes after that date."

Under the new guideline, elected mayors who vote against the majority decision of the council are prohibited from acting as spokespersons on that matter.

"This impacts my ability to speak on behalf of the council," Cr Mitchell said.

"These kinds of actions diminish the role and function of the mayor, and in turn, diminish the voice of our community."

Redland [REDACTED] said the new rules applied equally to all councillors and Cr Mitchell was aware that changes were proposed a month before the changes were made.



Redland City Council [REDACTED] says her mayor Jos Mitchell has not been gagged.  
Picture: Contributed

[REDACTED] said the changes were agreed to at the December meeting of councillors which the mayor was invited to but did not attend.

"I don't understand how Cr Mitchell is claiming that she's been gagged, as the same guideline that applies to her, applies to all of us," [REDACTED] said.

"The mayor is not being gagged by this updated guideline which stipulates that she is still the council spokesman in media releases and says councillors appointed on various committees and advisory groups will also be quoted in addition to the mayor but not replacing her.

"However, the guideline states that if you voted against a majority decision or have a conflict of interest you will not be the council's spokesman on that issue but you are still allowed to make your own personal commentary.

"We all knew that the media guideline was going to be updated in November and all councillors had been advised by officers before the meeting."

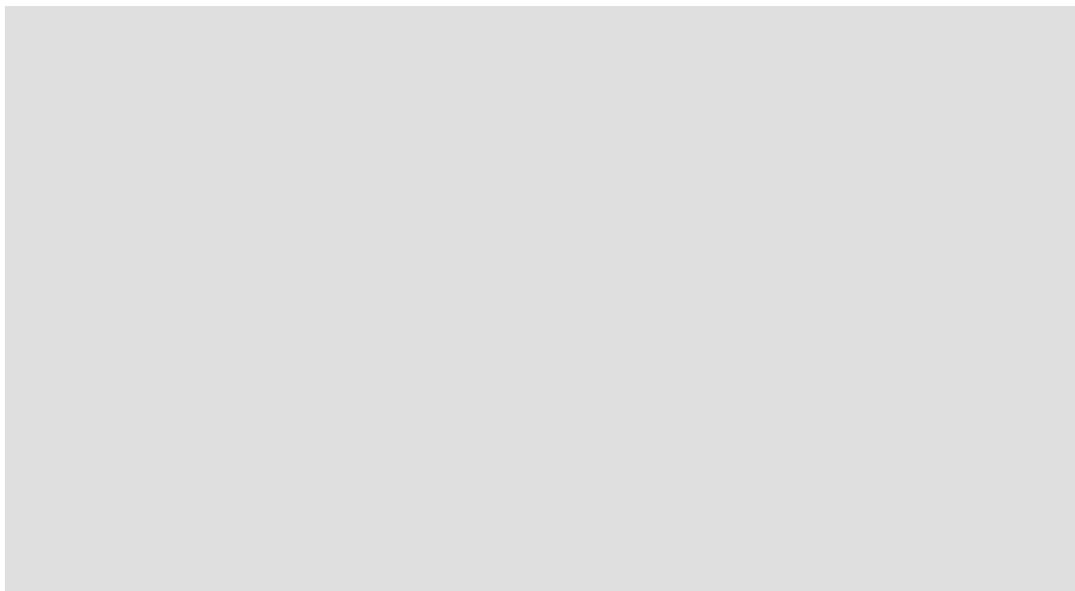
A Redland council statement said the changes were part of a broader update to the Media Relations and Speeches Guideline.

"Council undertook a review of nine other Queensland councils' media guidelines to compare and consider possible changes for effective media management and to reflect current practices," Redland said in a statement.

"These included adding a section stating, 'Elected members who have voted against a majority decision of council, or who have a declared conflict of interest in a decision, will not be the spokesperson for that decision'.

"The changes also formalised practices, such as identifying priority media releases, pre-approving drafts, and specifying the Deputy Mayor as spokesperson in the absence of the Mayor."

[REDACTED] was unavailable for this story but previously confirmed she was monitoring developments closely.



[REDACTED] did not comment on the latest claims. Picture:  
Facebook

It is believed she is yet to speak with Cr Mitchell even though she has spoken with [REDACTED]

[REDACTED] has done an excellent job in bringing this matter to light," [REDACTED]

"It's vital that any changes affecting the mayor's ability to communicate with the public are handled transparently and in the best interests of the ratepayers."

Cr Mitchell said she believed the new guideline was designed to weaken her authority.

"I was elected with just under 53 per cent on the primary vote and 67.67 per cent overall," she said.

"I do not believe I have the support of the elected council, but I do have the support of the people who put me here."

Cr Mitchell has also called for reforms to protect the independence of mayors across Queensland, arguing that procedural changes like the one imposed on her should not be allowed to override the democratic will of voters.

"This is a system that needs tightening up," she said. "We need to look at the framework around the protection of the people that we elect into office."

"There are ways to diminish the voice of a mayor, and we're seeing that play out right now."

**\*\*After this story was published, Cr Mitchell issued this statement.**

*"I believe, while the method differs, what was proposed in Ipswich is already happening to a degree in Redlands - an attempt by the majority to diminish a duly elected Mayor.*

*While speaking for Council is a key part of a Mayor's role, this decision has broader implications.*

*I believe this sends the message more broadly, that it's OK to strip a Mayor of their traditional responsibilities, not because it's necessary but only because a majority of councillors think the community chose the wrong Mayor. Our communities deserve to have their decision respected.*

*I want to be clear, in my opinion, this decision was unnecessary, not transparent and politically motivated. I take my role as Council spokesperson seriously and I have faithfully represented the position of Council.*

#### BACKGROUND

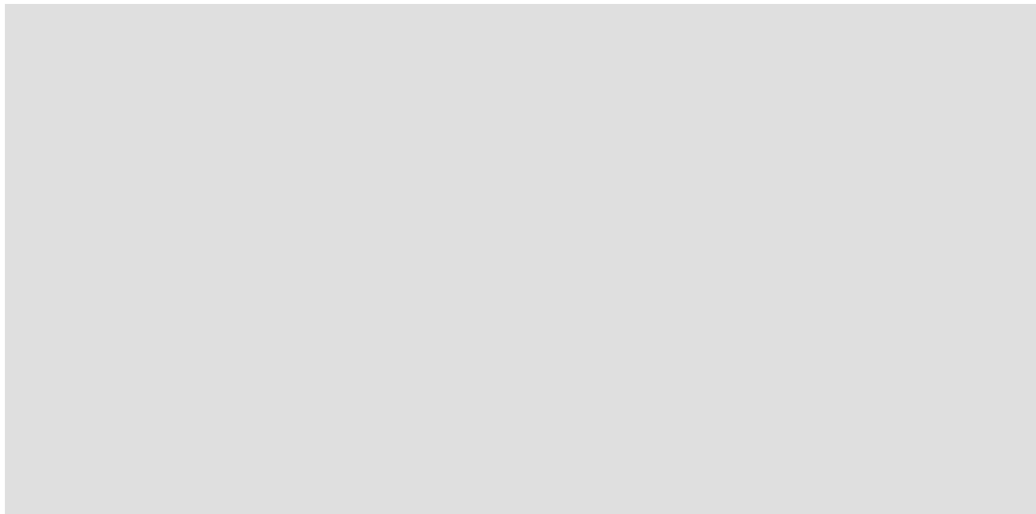
*On the 17 December 2024 I was advised by a staff member, and later [REDACTED] that the Guideline had been changed nearly 2 weeks prior, on 9 December 2024.*

*I was advised the changes were made due to majority councillor sentiment being expressed during a councillor workshop.*

*A workshop is not a publicly visible meeting and votes aren't meant to be taken, so this was done without the public transparency I believe our community expects.*

*This change reduces my ability to act as Council's spokesperson. If I do not vote with the councillor majority on a particular resolution, then I won't be Council's spokesperson for that resolution.*

*Redland City Council's administration pushed forward with changes to Council's guidelines that prevent me, as Mayor and Council spokesperson, from speaking about any resolution that I don't join the majority in making."*



**From:** [REDACTED]  
**Subject:** Fwd: Media Guideline - Mayor and Conflicted to Councillors response  
**Date:** 23 August 2024 at 4:21 pm  
**To:** [REDACTED]  
**Cc:** [REDACTED]

As briefly discussed we have been asked to review the attached Media Guideline to consider addressing the circumstance for media releases where the Mayor (1) is not available, (2) has voted against a council decision or (3) has a conflict of interest.

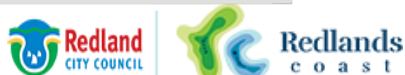
Previously we have simply dealt with the issue by (1) not having a council spokesperson or (2) having the deputy or (3) divisional council be the spokesperson.

The request is not from officers and we can not point to any particular problem or specific issue that might trigger a review eg where the mayor was not contactable or not representing the Council interests regardless of how they may have voted.

I can see different views around governance to ensure we have non-conflicted spokespersons and having a default deputy position where necessary but also statutory and logistical issues of the mayor role as the single elected civic leader across the city that should not be fettered whether in Brisbane, Canberra or our sister Cities.

I will need to brief [REDACTED] early next week as I officers have not fully considered the issues but I don't believe are proposing any guideline change as we believe we have practices to deal with the issues.

I will send you through some other Council Media Guidelines as I was just considering same and really just wanted to give you a heads up, let's talk next week to finalise a position with [REDACTED] take care - [REDACTED]  
Private and Confidential



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future



ENG-002-001-G Media Relations and Speeches Guideline...



# Attachment 8



# Media Relations and Speeches Guideline

Guideline Identifier: ENG-002-001-G  
 Approved by: General Manager Organisational Services  
 Date of Approval: 19 December 2022  
 Effective Date: 19 December 2022  
 Review Date: 19 December 2025  
 Version: 7

## Scope

This guideline applies to all areas of Council and relates to the release of information to the news media about Council initiatives, decisions, responses, events and services and preparation of speeches.

## Purpose

This guideline establishes clear responsibilities for the coordination and release of information to the media about Council initiatives, decisions, events and services.

It ensures information is provided to news media about Council's activities and issues in an accurate and timely fashion and in the appropriate context. It also establishes the protocol for preparation of official speeches.

## Actions and Responsibilities

### 1. Official Media Spokespeople

The Mayor, Chief Executive Officer (CEO) and General Managers are Council's spokespeople. The Mayor may also delegate a Councillor as a spokesperson. For matters relating to a single division, the Divisional Councillor may also speak to the media.

The Mayor and Councillors are primarily concerned with policy issues and the decision-making role of Council. The CEO and General Managers are spokespeople for matters of an organisational, operational, or technical nature within Council. The CEO will take note of media issues, including media responses and media releases, where General Managers are spokespeople and make comment if necessary.

The CEO may also delegate other spokespeople on particular matters.

### 2. Official Speeches

The Communication, Engagement and Tourism Group prepares speeches for the Mayor or the Mayor's official delegate at events. The Group prepares speeches for Councillors only when they are the official delegate of the Mayor at an event. Requests for speeches for Councillors must go through the Office of the Mayor, which determines Mayoral delegation at events.

### 3. Media Liaison Responsibility

The Communication, Engagement and Tourism Group is the main point of contact for media liaison.

Media releases, responses, letters to the editor and conferences/briefings dealing with important Council activities and decisions are coordinated by the Communication, Engagement and Tourism Group. This includes distributing information and coordinating official responses to media inquiries.

If media inquiries are received in other parts of Council, they should be immediately referred to the Communication, Engagement and Tourism Group for coordination and response.

For Corporate Governance Use Only			
Department:	Organisational Services	Group:	Communication, Engagement and Tourism
			Page 1 of 4





## Media Relations and Speeches Guideline

It is not the role of the Communication, Engagement and Tourism Group to prepare media releases or liaise with the media on behalf of individual elected representatives, unless they are delegated by the Mayor to act as official Council spokesperson.

For other matters, elected representatives are free at all times to initiate their own media communications on matters relating to personal opinion, rather than Council policy. Where matters relate to personal opinion, elected representatives should indicate that these views may not necessarily reflect Council's position.

### 4. Media Distribution

Media releases and responses are distributed following approval by relevant Council Officers and Councillors, when they are quoted. It is critical that media releases and responses are issued in a timely fashion in order to reduce the risk to Council. A process for distributing media responses and releases is included at Figure 1.

#### 4.1 Media Releases

The Communication, Engagement and Tourism Group works with other Council areas on proactive communication plans to ensure timely release of newsworthy information to relevant news media.

Early advice to the Communication, Engagement and Tourism Group about appropriate Council initiatives, proposals and potential issues is essential. This ensures suitable communication support and advice is provided to maximise effectiveness of media relations.

This should occur at the beginning of the project, rather than when items become public through agendas, committee meetings or minutes.

Other areas of Council, or their representatives/contractors, should not directly contact media outlets without seeking the approval and advice of the Communication, Engagement and Tourism Group. This ensures consistent messages are delivered to the community.

The Mayor is quoted as Council's spokesperson in proactive media releases. The Mayor may also delegate another Councillor to be quoted in proactive media releases. Where the topic is local to a specific Council Division the Divisional Councillor will be quoted in addition to the Mayor.

#### 4.2 News Media Responses

Council receives many media inquiries of an urgent nature. Media deadlines are usually pressing and it is important that Council's response is timely, complete and accurate. Official spokespeople may also need to be urgently briefed to undertake interviews.

It is the responsibility of the Communication, Engagement and Tourism Group to take the initial media inquiry (telephone call or email contact). The Communications Adviser then alerts the Group Manager – Communication, Engagement and Tourism, Executive Leadership Team, Councillors, Office of the Mayor, and appropriate spokesperson.

The Communications Adviser contacts the appropriate Council officer to obtain a briefing as quickly as possible. A written media response is then drafted and sent to the officer who provided the briefing and the relevant spokesperson for their approval.

The Communications Adviser will then forward the response to all Councillors, the Executive Leadership Team, the internal Council Communication Media distribution list ([media@redland.qld.gov.au](mailto:media@redland.qld.gov.au)) and any relevant Council Officers, advising that the response will be issued to the media within a nominated timeframe.

The Communications Adviser will then distribute the information appropriately.

Where interviews have been requested with a Council spokesperson, the Communications Adviser will liaise with the spokesperson to determine a suitable time and advise the media outlet.

For Corporate Governance Use Only			
Department:	Organisational Services	Group:	Communication, Engagement and Tourism
			Page 2 of 4



## Media Relations and Speeches Guideline

Requests by the Communication, Engagement and Tourism Group for project briefings, and media response approvals, should be treated as a priority.

In the event that an officer is unable to be contacted, the approval process will be escalated to their manager for approval.

Councillors who have been contacted by the media for a statement are encouraged to contact the Communication, Engagement and Tourism Group to ensure consistency of messages (where appropriate) and to alert the Group of the issue.

### 5. Media Distribution Lists

An updated list of media outlets is maintained by the Communication, Engagement and Tourism Group. Media outlets receiving information are determined by the subject matter.

### 6. Media Training

The Communication, Engagement and Tourism Group assist spokespeople to prepare for media interviews. Other training can also be arranged.

### 7. Media Monitoring

The Communication, Engagement and Tourism Group arranges monitoring of relevant news media coverage about Council activities or subjects of general interest. Copies of newspaper/magazine and electronic media stories are distributed throughout Council electronically.

## Definitions

Term	Definition
News media	Television, radio, online and print journalists, news photographers and camera operators. It includes specialist and trade publications, internet news services or any situation where Council's official position will be published or viewed.
Media relations activity	Unpaid activity that uses the media to communicate or promote messages about Council. It encompasses management and preparation of media releases, statements, interviews, media conferences, launches and general media liaison

## Reference Documents

This Guideline has been developed to support the application or administration of Corporate ENG-002-A Communications Administrative Directive ([A196672](#)) and ENG-003-P Community Engagement Policy ([A196571](#)).

## Associated Documents

ENG-002-002-G Corporate Image Guideline ([A214643](#))

## Document Control

Only an ELT member (of the relevant Department/Group) can approve amendments to this document.

Any requests to change the content of this document must be forwarded to relevant Service Managers(s).

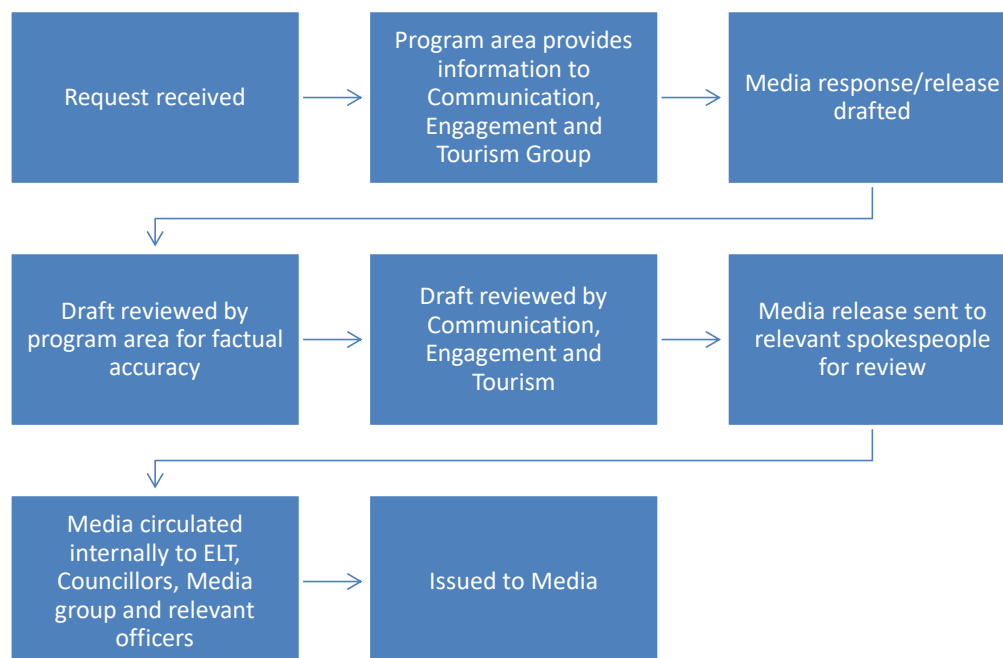
Approved documents must be submitted to the Corporate Meetings and Registers Team for registration.

For Corporate Governance Use Only			
Department:	Organisational Services	Group:	Communication, Engagement and Tourism
			Page 3 of 4



# Media Relations and Speeches Guideline

**Figure 1 Media release/response process**



## Version Information

Version Number	Date	Key Changes
2	26 November 2013	<ul style="list-style-type: none"> <li>Name changes to Organisational Services and Communication, Engagement and Tourism.</li> <li>Inclusion of Councillors as spokespeople for portfolios.</li> <li>Expanded Media Releases and News Media Responses.</li> <li>Included Figure 1: Media releases/responses process.</li> </ul>
3	November 2014	<ul style="list-style-type: none"> <li>Official Spokespersons – For matters relating to a single division, the Divisional Councillor may also speak on behalf of Council.</li> </ul>
4	24 May 2016	<ul style="list-style-type: none"> <li>Removal of Councillor portfolios</li> <li>Change of name of Council's management team to Executive Leadership Team (previously Group)</li> </ul>
5	December 2018	<ul style="list-style-type: none"> <li>Change of Guideline Heading to Media Relations and Speeches.</li> <li>Addition of Official Speech preparation protocols.</li> </ul>
6	February 2021	<ul style="list-style-type: none"> <li>Minor administrative updates to formatting and moved to new template.</li> </ul>
7	December 2022	<ul style="list-style-type: none"> <li>Reviewed, Minor administrative updates to formatting.</li> </ul>

### For Corporate Governance Use Only

Department:	Organisational Services	Group:	Communication, Engagement and Tourism	Page 4 of 4
-------------	-------------------------	--------	---------------------------------------	-------------

## Attachment 9

**From:** [REDACTED]  
**Sent:** Tuesday, 27 August 2024 12:14 PM  
**To:** [REDACTED]  
**Subject:** Following up

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

1. [REDACTED]
2. I'm preparing some examples to circulate to Councillors to provide clarity on how CET will interpret the Media Relations and Speeches Guideline 4.1 Media Releases, that states: *Where the topic is local to a specific division, the Divisional Councillor will be quoted in addition to the Mayor.*
3. I used to meet with the former Mayor fortnightly on media ops, issues and campaigns in market. We were initially meeting with the Mayor, but this meeting has not be scheduled for many weeks, and I would like to get back on the roster.

Thanks

[REDACTED]



[Report an issue or give feedback](#)

Scan the QR code or visit us online.

[redland.qld.gov.au/contact](https://redland.qld.gov.au/contact)



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future

## Attachment 10

**From:** [REDACTED]  
**Subject:** Councillor Request - 5-years of press releases on 5 Council projects  
**Date:** 4 September 2024 at 2:55 pm  
**To:** [REDACTED]  
**Cc:** [REDACTED]

Microsoft Exchange Server;converted from html;

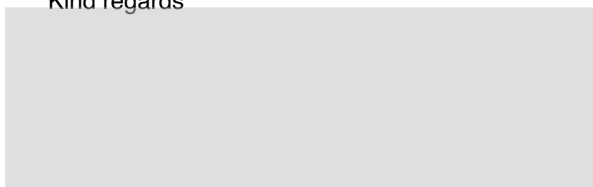
Good afternoon Councillors

I have recently received a Councillor Request for copies of every Council media release for the last 5 years on the following subjects:

- Redlands Coast Sport & Rec Precinct at Heinemann Road
- Birkdale Community Precinct
- Toondah Harbour PDA
- Weinam Creek PDA
- Capalaba Town Centre Revitalisation Project

Under the Councillor Acceptable Request Guideline, I'm sharing the attached tables that include the date of publication, a link to media release, and the spokesperson/people included in each release. The tables indicate when releases were issued under previous Councils, this Council, or in Caretaker.

Kind regards



**Report an issue or give feedback**

Scan the QR code or visit us online.

[redland.qld.gov.au/contact](https://redland.qld.gov.au/contact)



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future



1. Table - Redlands Coast Sport and Recreation Precinct - table...



2. Table - Birkdale Community Precinct.docx



3. Table - Toondah Harbour PDA .docx



4. Table - Weinam Creek PDA .docx



5. Table - Capalaba Revitalisation Project.docx



Media releases 1 July 2019 to 29 August 2024

**Redlands Coast Sport and Recreation Precinct at Heinemann Road**

NB: Spokesperson/s were those who held the listed positions at the time.

Date	Media releases – hyperlinked	Spokesperson/s
	<b>Previous Council</b>	
16 June 2021	<a href="#">New state-of-the-art home for local sports clubs - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 6 Cr</li> </ul>
15 December 2021	<a href="#">Council to invite expressions of interest for construction of new sport and recreation precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Member for Springwood</li> </ul>
23 June 2022	<a href="#">Council budget funds major long-term projects - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> </ul>
30 June 2023	<a href="#">Aspirations remain for catalyst project as review continues - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• No spokesperson</li> </ul>
10 November 2023	<a href="#">Council to consider revised Master Plan for Mount Cotton sporting precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• No spokesperson</li> </ul>
16 November 2023	<a href="#">Revised Master Plan heralds change and a way forward for Mount Cotton sporting precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 6 Cr</li> </ul>



Media releases 1 July 2019 to 29 August 2024

### Birkdale Community Precinct

NB: Spokesperson/s were those who held the listed positions at the time.

Date	Media releases – hyperlinked Previous Councils	Spokesperson/s
17 July 2019	<a href="#">Council to investigate whitewater rafting and adventure sports on Redlands Coast - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• SLSQ CEO</li> </ul>
6 December 2019	<a href="#">Bring out your stories about Birkdale land - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Member for Bowman</li> </ul>
10 June 2020	<a href="#">Council backs heritage listing recommendation for Birkdale community land - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 10 Cr</li> </ul>
14 August 2020	<a href="#">Redlands Coast played crucial role in WWII victory messages - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 10 Cr</li> <li>• Redlands RSL Sub-Branch Military Wellbeing Advocate Volunteer</li> </ul>
16 September 2020	<a href="#">Community to help set vision for Birkdale land - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 10 Cr</li> </ul>
16 March 2021	<a href="#">Help shape the vision for a world-class precinct for Redlands Coast - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 10 Cr</li> </ul>
19 March 2021	<a href="#">Tour the Birkdale Community Precinct and help shape its future - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 10 Cr</li> </ul>
30 March 2021	<a href="#">Explore the past and help shape the future for Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 10 Cr</li> <li>• heritage expert</li> </ul>
1 April 2021	<a href="#">Redland City supports Olympic Games - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> </ul>
9 April 2021	<a href="#">Music and musings at Birkdale Community Precinct open days - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> </ul>
9 April 2021	<a href="#">Nature-based thinking around the future of Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 10 Cr</li> <li>• Lat27 director</li> </ul>

Media releases 1 July 2019 to 29 August 2024

### Birkdale Community Precinct

NB: Spokesperson/s were those who held the listed positions at the time.

16 April 2021	<a href="#">Adventuring into Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Paddle Australia board director</li> </ul>
23 April 2021	<a href="#">Farming a crop of ideas for Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 10 Cr</li> </ul>
30 April 2021	<a href="#">Birkdale Community Precinct is all class - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 10 Cr</li> <li>• Vee Design director</li> </ul>
27 May 2021	<a href="#">Community feedback to inform vision for Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> </ul>
11 June 2021	<a href="#">Redlands Coast closer to hosting Olympics events as Brisbane 2032 proposal firms - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> </ul>
21 July 2021	<a href="#">Games come to Redlands Coast in 2032 - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Olympic Team paddler</li> <li>• Olympic Team sailor</li> </ul>
4 August 2021	<a href="#">Historic Willards Farm looks to the future within Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 10 Cr</li> </ul>
18 August 2021	<a href="#">Exciting vision for Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> </ul>
15 September 2021	<a href="#">Council to make a submission on Willards Farm state heritage listing application - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> </ul>
20 October 2021	<a href="#">Council celebrates Olympians and Paralympians - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> </ul>
21 January 2022	<a href="#">Willards Farm recommended for State heritage register - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 10 Cr</li> </ul>
14 February 2022	<a href="#">Opportunities to test your ideas for Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> </ul>
21 March 2022	<a href="#">Invasive weeds removed from Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• No spokesperson</li> </ul>
25 March 2022	<a href="#">Ideas developing for Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> </ul>
14 April 2022	<a href="#">Draft Birkdale Community Precinct Master Plan released this month - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 10 Cr</li> </ul>

Media releases 1 July 2019 to 29 August 2024

### Birkdale Community Precinct

NB: Spokesperson/s were those who held the listed positions at the time.

20 April 2022	<a href="#">Willards Farm to be restored as the jewel in the crown of Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
28 April 2022	<a href="#">Have your say on the Draft Birkdale Community Precinct Master Plan - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
3 May 2022	<a href="#">Get the Facts - Whitewater Centre not on heritage land - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>No spokesperson</li> </ul>
4 May 2022	<a href="#">Redland City Council looking for passionate people to ensure Olympics legacy - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> <li>slalom canoeist</li> </ul>
6 May 2022	<a href="#">Your chance to visit Birkdale Community Precinct and have your say - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
9 May 2022	<a href="#">Weather forecast forces postponement of Birkdale Community Precinct Information - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
12 May 2022	<a href="#">Birkdale stories brought to life with a brush of creativity - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
13 May 2022	<a href="#">Redland Whitewater Centre ideal for swift-water rescue training - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
24 May 2022	<a href="#">Birkdale Community Precinct Info Days cancelled due to wet weather - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
27 May 2022	<a href="#">Meet us this weekend to have your say – Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>No spokesperson</li> </ul>
30 May 2022	<a href="#">Birkdale Community Precinct consultation closes soon - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
2 June 2022	<a href="#">Birkdale Community Precinct offers benefits to quality of life - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
3 June 2022	<a href="#">Trade College helps Birkdale Community Precinct become reality - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Deputy Mayor</li> <li>AITC Team Leader</li> </ul>
23 June 2022	<a href="#">Council budget funds major long-term projects - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
17 August 2022	<a href="#">Strong community support for Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
17 August 2020	<a href="#">Get the Facts - Planning process for precinct confirmed - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>No spokesperson</li> </ul>
17 November 2022	<a href="#">Restoration plan for Willards Farm receives tick of approval - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> <li>Division 10 Cr</li> </ul>
22 February 2023	<a href="#">Council welcomes investment in whitewater centre upgrade - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
15 March 2023	<a href="#">Master Plan released for exciting and city-defining Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> <li>Division 10 Cr</li> </ul>
21 April 2023	<a href="#">Have your say on Birkdale Community Precinct delivery plan - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
3 May 2023	<a href="#">Birkdale Community Precinct represents a natural showcase for Redlands Coast - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> <li></li> </ul>

Media releases 1 July 2019 to 29 August 2024

### Birkdale Community Precinct


NB: Spokesperson/s were those who held the listed positions at the time.

9 May 2023	<a href="#">Councils in the same boat when it comes to whitewater centres of excellence - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>No spokesperson</li> </ul>
19 May 2023	<a href="#">Delivering on the detail for Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
9 June 2023	<a href="#">Unique heritage agreement to cover Birkdale Community Precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
25 July 2023	<a href="#">Countdown for when the Olympics come to Birkdale - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
9 August 2023	<a href="#">Gathering gourmet gum leaves for Redlands Coast koalas - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> <li>ANU Ecologist</li> <li>ANU researcher</li> <li>ANU College of Science Research Fellow</li> <li></li> </ul>
28 August 2023	<a href="#">Isabella 'Goat Lady' Alcock's legacy to live on - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> <li>Division 10 Cr</li> </ul>
7 September 2023	<a href="#">Work starts on restoration of historic Willards farmhouse - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> <li>Division 10 Cr</li> </ul>
13 September 2023	<a href="#">Community thanked for input into Birkdale Community Precinct planning process - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
13 September 2023	<a href="#">Council confirms its Olympic commitment and welcomes benefits it will bring - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
14 September 2023	<a href="#">Inquiry recommendation made without all the relevant information - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>No spokesperson</li> </ul>
25 September 2023	<a href="#">Council submission to Senate Inquiry backs Redland Whitewater Centre - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
29 September 2023	<a href="#">Koala-proof fencing installed at Birkdale to help protect local koala population - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> <li>Division 10 Cr</li> </ul>
15 November 2023	<a href="#">Historical radio receiving station and homestead being prepped for 21st century life - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> <li>Division 10 Cr</li> </ul>
1 December 2023	<a href="#">Great prizes to be won in 'Name the koala joey' competition - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> </ul>
17 January 2024	<a href="#">Former WWII Radio Receiving Station features on ABC TV - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>No spokesperson</li> </ul>

Media releases 1 July 2019 to 29 August 2024

**Birkdale Community Precinct**

NB: Spokesperson/s were those who held the listed positions at the time.

18 January 2024	<a href="#">Historic antennae at Birkdale Community Precinct being stored before being restored - Redlands Coast Today</a>	<ul style="list-style-type: none"><li>• Mayor</li><li>• Division 10 Cr</li></ul>
20 February 2024	<a href="#">Birkdale's newest ambassador koalas named on their first birthdays - Redlands Coast Today</a>	<ul style="list-style-type: none"><li>• </li></ul>
Current Council		
17 May 2024	<a href="#">Council confirms commitment to proposed Redland Whitewater Centre - Redlands Coast Today</a>	<ul style="list-style-type: none"><li>• RCC spokesperson</li></ul>

Media releases 1 July 2019 to 29 August 2024

**Toondah Harbour PDA**

NB: Spokesperson/s were those who held the listed positions at the time.

Date	Media releases – hyperlinked	Spokesperson/s
	Previous Council	
13 October 2022	<a href="#">Have your say on Toondah Harbour EIS - Redlands Coast Today</a>	<ul style="list-style-type: none"><li>• No spokesperson</li></ul>
9 April 2024	<a href="#">Council acknowledges proposed decision on Toondah Harbour - Redlands Coast Today</a>	<ul style="list-style-type: none"><li>• No spokesperson</li></ul>
18 April 2024	<a href="#">Statement on Toondah Harbour - Redlands Coast Today</a>	<ul style="list-style-type: none"><li>• No spokesperson</li></ul>

Media releases 1 July 2019 to 29 August 2024

**Weinam Creek PDA**

NB: Spokesperson/s were those who held the listed positions at the time.

Date	Media releases - hyperlinked	Spokesperson/s
	<b>Previous Councils</b>	
23 October 2019	<a href="#">Weinam Creek car park works commence - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 5 Cr</li> </ul>
7 November 2019	<a href="#">Security cameras to keep watch on Weinam Creek precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Member for Bowman</li> <li>• Member for Redlands</li> <li>• Division 5 Cr</li> </ul>
29 May 2020	<a href="#">A new bridge leads the way into the redevelopment of Weinam Creek - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 5 Cr</li> </ul>
16 October 2020	<a href="#">New car park opens for SMI commuters - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 5 Cr</li> </ul>
8 February 2021	<a href="#">New video showcases proposed Weinam Creek PDA master plan - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Member for Redlands</li> <li>• Division 5 Cr</li> </ul>
21 April 2021	<a href="#">Redland City advocates for new Redland Bay precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 5 Cr</li> </ul>
6 August 2021	<a href="#">Weinam Creek PDA – Public submissions for the master plan now open - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Division 5 Cr</li> </ul>
6 January 2022	<a href="#">Land swap paves the way for exciting times at Redland Bay - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• Member for Redlands</li> <li>• Division 5 Cr</li> </ul>
31 July 2023	<a href="#">Construction begins on new boat ramp and temporary car park at Weinam Creek - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> <li>• RIC CEO</li> </ul>

Media releases 1 July 2019 to 29 August 2024

#### Weinam Creek PDA

NB: Spokesperson/s were those who held the listed positions at the time.

9 August 2023	<a href="#">Expressions of interest open for Weinam Creek car park and commercial precinct - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor</li> </ul>
8 September 2023	<a href="#">Car parks a priority during Weinam Creek redevelopment - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• No spokesperson</li> </ul>
27 October 2023	<a href="#">Community Update: Weinam Creek Priority Development Area - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Mayor (via video)</li> </ul>
	<b>Caretaker Period</b>	
22 February 2024	<a href="#">Council announces preferred partner to deliver more car parks at Weinam Creek - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• Consolidated Properties Group CEO</li> </ul>
22 March 2024	<a href="#">Council welcomes Weinam Creek car park support from Queensland Government - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>• No spokesperson</li> </ul>



Media releases 1 July 2019 to 29 August 2024

**Capalaba Town Centre Revitalisation Project**

NB: Spokesperson/s were those who held the listed positions at the time.

Date	Media releases – hyperlinked	Spokesperson/s
	<b>Caretaker Period</b>	
6 March 2020	<a href="#">Council agrees next step in plans to revitalise the Capalaba Town Centre - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>No spokesperson</li> </ul>
	<b>Previous Council</b>	
4 November 2022	<a href="#">Agreement progresses revitalisation project for Capalaba - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> <li>[REDACTED]</li> <li>Shayher Group Managing Director</li> <li>Division 8 Cr</li> </ul>
	<b>Current Council</b>	
21 August 2024	<a href="#">Library to temporarily relocate while work starts on Capalaba revitalisation - Redlands Coast Today</a>	<ul style="list-style-type: none"> <li>Mayor</li> <li>Division 8 Cr</li> <li>Division 9 Cr</li> </ul>

# Attachment 11

**From:** [REDACTED]  
**Subject:** New material available in Diligent Boards - Cllr Briefing Program 18 November 2024 - Session 8 and 9  
**Date:** 15 November 2024 at 3:05 pm  
**To:** undisclosed-recipients;;



Dear Cllrs and ELT  
The book Councillor Briefing Program 18 November 2024 contains new material for you to view - sessions 8 and 9.  
Thanks  
[REDACTED]

Please log into your Redland City Council site in Diligent Boards to view this new material.

[REDACTED]

## Attachment 12

# Councillor Briefing Sessions & Workshops

Cleveland Administration Building



## COUNCILLOR ATTENDANCE SHEET – 18 NOVEMBER 2024

Please sign and indicate sessions attending (✓ or X)

Session		1. Mayor & Cllr Preparation Discussion	2. General Meeting Questions & Key Messages	3. ELT Briefing, Cllr Q&A and Major Projects Update	4. Birkdale Community Precinct – Lagoon Update	5. Review of Affordable Housing Policy and Guideline	6 Housing Crisis Caravans on residential properties	7 Short Term Accommodation: NSI and the SMBIs	8 Review of Media Relations & Speeches Guideline	9 Cllr Portfolios	Signatures
Mayor	Cr Jos Mitchell	<i>WASNT IN CALENDAR</i>	✓	<i>PERSONAL REASONS.</i>							
Division 1	Cr Wendy Boglary	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Division 2	Cr Peter Mitchell	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Division 3	Cr Paul Golle	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Division 4	Cr Lance Hewlett	<i>ONLINE</i>									
Division 5	Cr Shane Rendalls	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Division 6	Cr Julie Talty	<i>Chatty</i>	✓	✓	✓	✓	✓	✓	✓	✓	
Division 7	Cr Rowanne McKenzie	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Division 8	Cr Tracey Huges	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Division 9	Cr Jason Colley	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Division 10	Cr Paul Bishop	✓	✓	✓	✓	✓	✓	✓	✓	✓	

# Attachment 13

**Attachment 13**

Councillor Briefing 18 November 2024 Sessions 2 – 9  
Microsoft Teams Recording provided as separate file

# Attachment 14



**WILSON PROJECTS PTY LTD TRADING AS**



ACN 086 377 040

ABN 86361375884

Ph. 07 3376 3557 Fax 07 3376 6046

Mob. 0416 285 707

Email: [admin@btstranscriptionservices.com.au](mailto:admin@btstranscriptionservices.com.au)

Web: [www.btstranscriptionservices.com.au](http://www.btstranscriptionservices.com.au)

**IN CONFIDENCE**

**TRANSCRIPT OF INTERVIEW**

<b>FILE NUMBER:</b>	
Interviewee:	
Interviewer:	

Interview conducted via Microsoft Teams  
on 26 March 2025.

**ASHDALE WORKPLACE SOLUTIONS**

Pages 78 through 130 redacted for the following reasons:  
-----

# Attachment 15

**From:** [REDACTED]  
**Subject:** Mayor I CET Agenda  
**Date:** 22 October 2024 at 4:11 pm  
**To:** Mayor Jos Mitchell Jos.Mitchell@redland.qld.gov.au  
**Cc:** [REDACTED]

Good afternoon Mayor  
Please find attached the agenda for our meeting on Thursday morning.  
Thanks



**Report an issue or give feedback**

Scan the QR code or visit us online.

[redland.qld.gov.au/contact](https://redland.qld.gov.au/contact)



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future

Mayor meeting fortnightly  
agenda\_20241024.pdf



Communication, Engagement & Tourism  
Mayor fortnightly meeting  
MEETING AGENDA

**Attendees:**

Cr Jos Mitchell - Mayor Redland City

Mayor's Boardroom

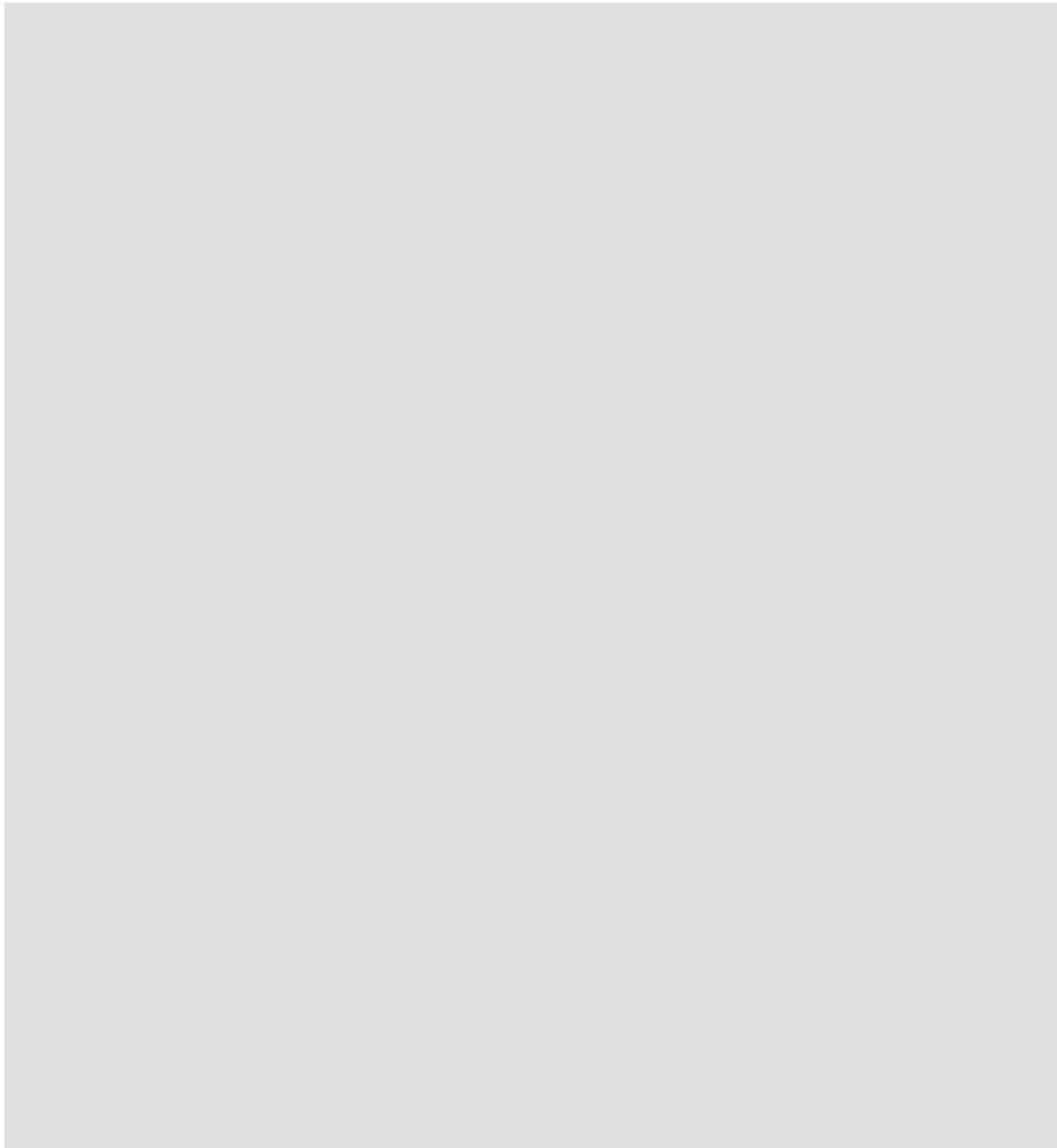
Thursday, 24 October 2024 - 8:30am to 9:00am

**AGENDA ITEMS**

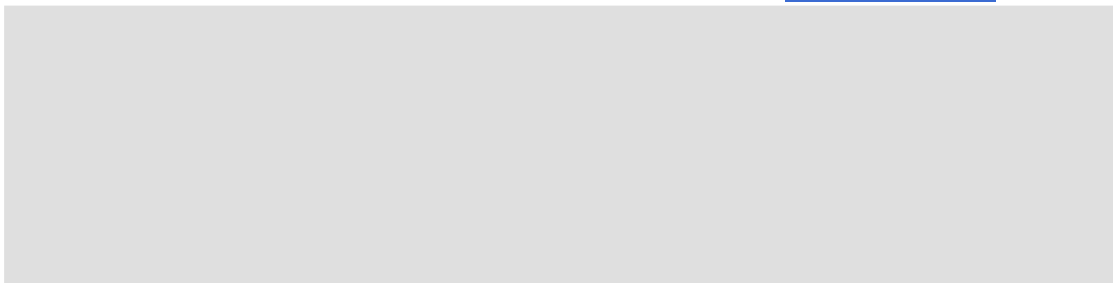
1. Media / Photo/ Video opportunities	Agenda Ref	Promotion and/or Issues	Key Dates: Start	End	Status
General Meeting media releases - approval process	New				For discussion

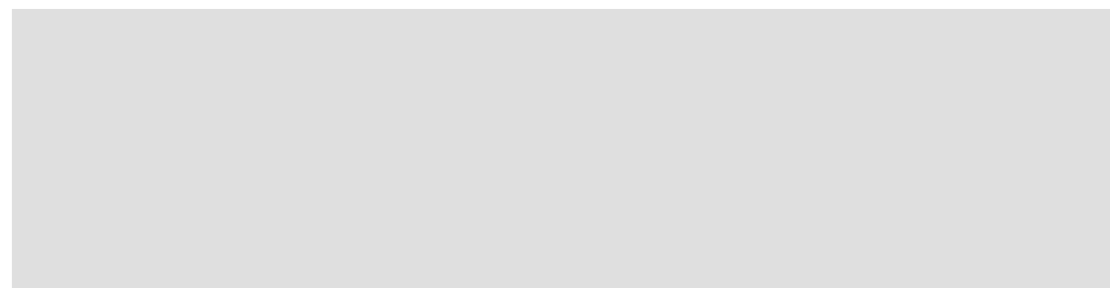
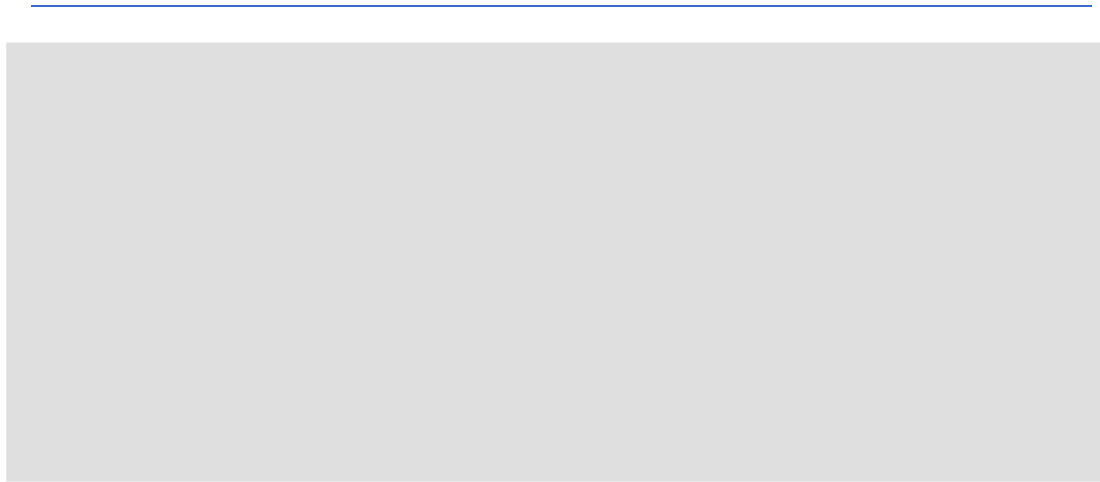
3. Proactive / Upcoming Marcomms Campaigns	Agenda Ref	Engage/Issue monitoring	Key Dates: Start	End	Status
--	------------	-------------------------	------------------	-----	--------

[\*Do not include Marcomms which are supporting engagement activities in proposed, planning or delivery stages here - please use 'additional comments' under Engagement Section]

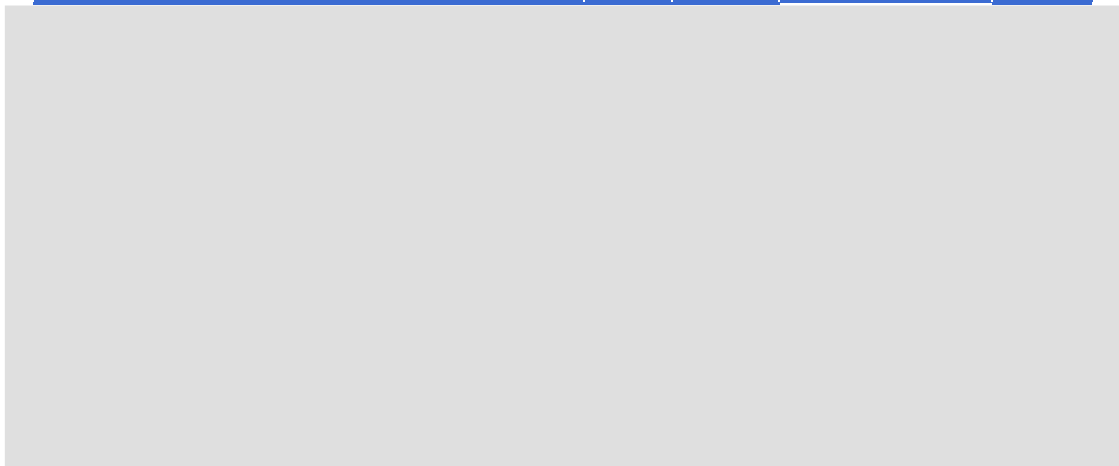


4. Community Engagement	Agenda Ref	Issues Monitoring or Marketing req.	Key Dates: Start	End	Status
-------------------------	---------------	--	---------------------	-----	--------





7. Events - Community	Agenda Ref	Location	Key Dates: Start	End	Status
-----------------------	---------------	----------	---------------------	-----	--------



## Attachment 16





# Media Relations and Speeches Guideline

Councillor Workshop 18 November 2024





## Introduction

At the Councillor workshop on 14 October 2024, a workshop on the Media Relations and Speeches Guideline was requested.

To inform our discussion, [REDACTED] has proactively undertaken a comparative desktop review of a number of Queensland LGA Media Guidelines and Policies.

The following focus areas for desktop review were selected based on areas where we have noted increased interest over the past 6 months:

1. Lead/Official spokespeople
2. Inclusion of Divisional Councillor as spokespeople
3. Timeframes for media relations
4. Spokesperson in case of Conflicts of interest or voted against a majority decision of Council
5. Other Council spokespeople
6. If Council adopted portfolios or committees



## Guidelines and Policies reviewed

The review compared Council's guideline with the media policies or procedures for 9 other local government areas. [REDACTED] selected a mix of Council policies, including Council's of similar size, Council's in the SEQ region & policies that were readily available online.

1. Logan City Council
2. City of Ipswich
3. Moreton Bay Regional Council
4. Toowoomba Regional Council
5. Noosa Shire Council
6. Fraser Coast Regional Council
7. Cairns Regional Council
8. Bundaberg Regional Council
9. Douglas Shire Council (almost a copy of City of Ipswich)





## Redland City Council's Media Relations and Speeches Guideline

### Key features

- The Mayor, Chief Executive Officer (CEO) and General Managers are Council's spokespeople.
- The Mayor may also nominate a Councillor as a spokesperson.
- In media releases where the topic is local to a specific Council Division, the Divisional Councillor will be quoted in addition to the Mayor.
- The Mayor and Councillors are primarily concerned with policy issues and the decision-making role of Council.
- The CEO and General Managers are spokespeople for matters of an organisational, operational or technical nature within Council.
- The CEO may also delegate other spokespeople on particular matters.
- Elected representatives are free at all times to initiate their own media communications on matters relating to personal opinion, rather than Council policy. Where matters relate to personal opinion, elected representatives should indicate that these views may not necessarily reflect Council's position.

Note: Briefing papers and discussions are confidential

4



## Comparative review:

### 1. LEAD/OFFICIAL COUNCIL SPOKESPERSON

#### Other LGAs

The Mayor was nominated as official / lead spokesperson in each of the LGAs.

Five LGAs note the Mayor can nominate either the Deputy Mayor or other Councillors as spokesperson.

Four LGAs state if the Mayor is unavailable or absent, the Deputy Mayor will be the lead spokesperson. [redacted] notes the same 'unless the Mayor specifies otherwise'.

Ipswich – When the Deputy Mayor is Acting Mayor, the Deputy Mayor will be lead spokesperson.

#### For consideration

Redland City Council's Guideline noting the Mayor is the official media spokesperson, and can delegate a Councillor as spokesperson, is consistent with the other LGAs.

Possible additions to RCC Guideline for consideration:

- *In the absence of the Mayor, or when the Deputy Mayor is the Acting Mayor, the Deputy Mayor will be lead spokesperson.*

OR

- *If the Mayor is not available to comment on an issue and/or project, the Deputy Mayor will be the spokesperson in media and communications material, unless the Mayor specifies otherwise. The Mayor may nominate another Councillor for media purposes.*

Note: Briefing papers and discussions are confidential

5



## Comparative review:

### 2. INCLUDING DIVISIONAL COUNCILLOR AS SPOKESPERSON

#### Other LGAs

Divisional Councillors are designated spokespeople on matters that relate to an event, issue, activity or other matter principally within or affecting the division they represent or other matters initiated by them.

Where a matter is not a regional or strategic issue, but essentially local, the Mayor may determine that the Divisional Councillor could be quoted.

Mayor may delegate a Councillor to act as spokesperson for Council when appropriate.

#### For consideration

Consistent with other LGA guidelines, at Redland City Council, Divisional Councillors are added, in addition to the Mayor, in media releases where the topic is local to a specific Council Division. They are also invited to participate in photo and video opportunities relevant to their division. For consideration, wording in the RCC guideline may be changed:

#### FROM

- In media releases where the topic is local to a specific Council Division, the Divisional Councillor will be quoted in addition to the Mayor.*

#### TO

- In media releases, the Divisional Councillor will be quoted in addition to the Mayor when the topic is local to a specific Council Division, including matters that relate to an event, issue or activity principally within or affecting the division they represent.*

Note: Briefing papers and discussions are confidential

6



## Comparative review:

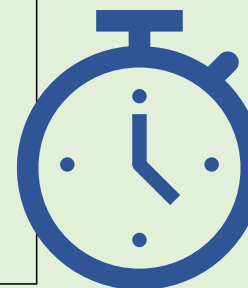
### 3. TIMING OF MEDIA RELEASES & MEDIA RESPONSES

#### Redland City Council guideline currently states:

- It is critical that media releases and responses are issued in a timely fashion in order to reduce the risk to Council.
- Council receives many media enquiries of an urgent nature. Media deadlines are usually pressing and it is important that Council's response is timely, complete and accurate.

#### For consideration

suggests no changes to current Redland City Council guideline.



Note: Briefing papers and discussions are confidential

7



## Comparative review:

### 4. WHEN OFFICIAL SPOKESPERSON VOTES AGAINST A MAJORITY DECISION OF COUNCIL

#### Other LGAs

Elected members who have voted against a majority decision of Council will not be asked to be the spokesperson for that decision unless there are no other options.

#### For consideration

The current Guideline states the Mayor can delegate another Councillor as spokesperson and could do so if this situation arises. For consideration – similar to Fraser Coast:

- *Elected members who have voted against a majority decision of Council, or have a declared conflict of interest in a decision, will not be the spokesperson for that decision.*

OR

- *If elected members have voted against a majority decision of Council, or have a declared conflict of interest in a decision, the Mayor, can nominate a Councillor or the CEO as spokesperson.*
- *Council officials (Mayor, Councillors, employees, delegates of Council and volunteers) should support Council decisions and should refrain from using the media or make negative personal reflections on each other, or comments that could be interpreted as such, and/or which are reasonably likely to undermine public confidence in the Council or local government generally.*

Note: Briefing papers and discussions are confidential

8





## Comparative review:

### 4. WHEN OFFICIAL SPOKESPERSON VOTES AGAINST A MAJORITY DECISION OF COUNCIL

There is also an opportunity to include 'key practice guidelines' from the Ipswich policy:

*Statements issued on behalf of Council must:*

- *Be consistent with Council's current policy and position.*
- *Support the reputation of the city, its Council, Council staff and contractors.*
- *Be respectful of the Mayor, Councillors, the Chief Executive Officer, Council officers, and the community.*
- *Not commit the city or its resources without prior Council discussion and/or resolution.*
- *Not be in breach of any laws (such as privacy, defamation, racial vilification or equal opportunity) or the Code of Conduct.*
- *Avoid any admission of legal liability.*

Note: Briefing papers and discussions are confidential

9



## 5. POSSIBLE ADDITIONS TO GUIDELINE - OTHER SPOKESPEOPLE

### (a) Elected members

#### For consideration

The Guideline could include a reference to Councillors being a spokesperson if they have advocated for a particular project or decision, similar to this mention in the Fraser Coast policy:

- *The elected member who has advocated for a particular project or decision will be the main media spokesperson for that specific project or decision. If elected members have conflicting views over who advocated a particular initiative, the Mayor will determine who will be the spokesperson.*

### (b) Representation on committees

RCC does not have council committees or portfolios, but Councillors do represent Council on various committees, advisory boards and working groups. Current practice is to include the Council representatives as spokespersons where relevant.

#### For consideration

This could be captured within the Guideline by adding:

- *Councillors appointed as representatives of Redland City Council on various committees, advisory boards and working groups will be quoted as spokespersons, in addition to the Mayor, to the extent that this is consistent with any responsibilities outlined in the committee, advisory board or working group's Terms of Reference document.*

Note: Briefing papers and discussions are confidential

10



## Comparative review:

### 6. SPOKESPEOPLE IN COUNCILS WITH PORTFOLIOS / COMMITTEES

#### Other LGAs

[REDACTED] The Mayor is usually quoted in media releases or statements where the matter is of Council or regional significance, and/or where the issue crosses several portfolio areas. In other instances, the relevant Portfolio Councillor is the spokesperson.

[REDACTED] The Mayor may nominate a Councillor to act as media spokesperson on matters related to their portfolio or division. (In practice, portfolio Councillor is the main spokesperson but the Mayor may elect to also be a spokesperson. Divisional Councillors are rarely spokespeople as it is believed all Councillors are working for the region/city not just for their division)

[REDACTED] – The Mayor is the spokesperson for Council. Portfolio Councillors do not receive any additional media or spokesperson roles otherwise ordinarily assigned to a Councillor. Portfolio Councillors are not quoted in press releases and have no media role.

[REDACTED] The Mayor or relevant committee/advisory Chair are the spokespeople on all citywide matters relating to committee portfolios.

[REDACTED] As civic leader, the Mayor will be the lead spokesperson. Where matters originate from, or relate to, a standing committee, the committee chairperson will be a designated spokesperson.

Note: Briefing papers and discussions are confidential

11



## Comparative review:

### 6. SPOKESPEOPLE IN COUNCILS WITH PORTFOLIOS / COMMITTEES

#### Options for consideration

For consideration, dependent if Council progresses Councillor Portfolio Policy and Guidelines:

- *As civic leader, the Mayor will be the lead spokesperson. Where matters originate from, or relate to, a Councillor Portfolio, the Portfolio Councillor will be a designated spokesperson.*

OR

- *The relevant Portfolio Councillor will be the lead spokesperson on matters arising from their portfolio to the extent that these are consistent with the responsibilities outlined in the Councillor Portfolio Policy and Guideline documents. The Mayor may also elect to be a spokesperson on these matters.*

Also for consideration:

- *When a Portfolio Councillor is the lead spokesperson, Divisional Councillors will not be spokespeople.*
- *The Mayor will be the spokesperson where the matter is of Council or regional significance, and/or where the issue crosses several portfolio areas.*
- *The Mayor will be the spokesperson when the matter forms part of his/her role as civic leader, but may also nominate a Portfolio Councillor as spokesperson where relevant.*

Note: Briefing papers and discussions are confidential

12



# ? QUESTIONS & DISCUSSION

Note: Briefing papers and discussions are confidential

13

# Attachment 17

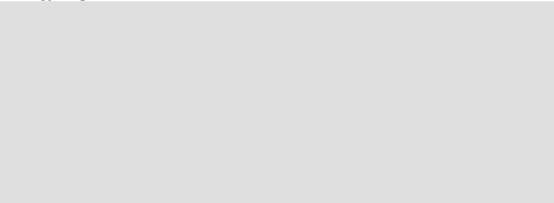
**From:** [REDACTED]  
**Subject:** File note  
**Date:** 20 December 2024 at 5:29 pm  
**To:** [REDACTED]

---

Hi [REDACTED]

I am attaching a file note from the [REDACTED] Mayor meeting this week regarding the updated Media Relations and Speeches Guideline.

Thanks



**Report an issue or give feedback**

Scan the QR code or visit us online.

[redland.qld.gov.au/contact](https://redland.qld.gov.au/contact)



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future

File Note CET Mayor meeting 17  
December 1014.docx



18 December 2024

File note – regular [REDACTED] Mayor meeting

Attendees, Mayor, [REDACTED]

[REDACTED] shared the revised Media Relations and Speeches Guideline, to ensure the Mayor was aware the revised guideline was now in use, following the Councillor Workshop of 18 November.

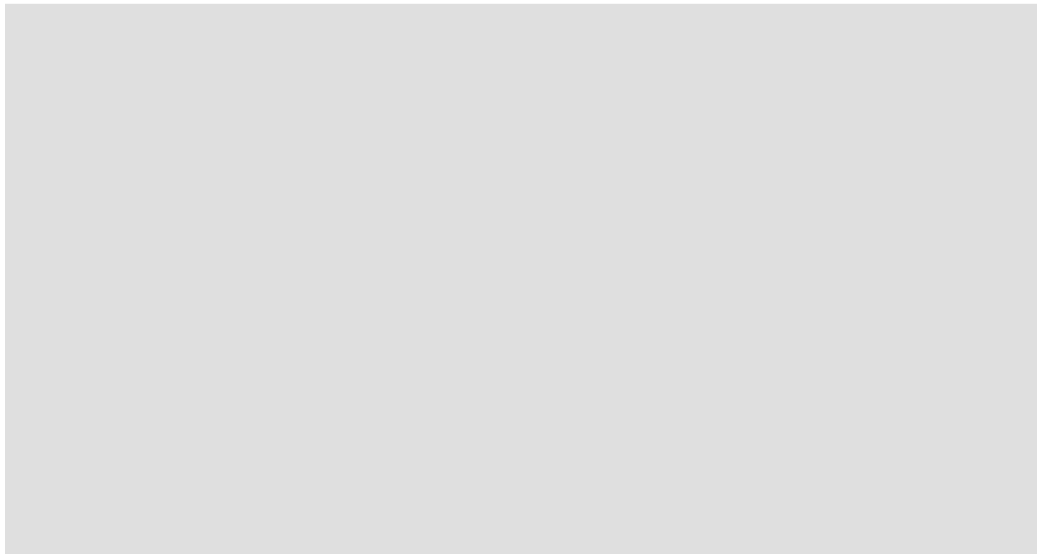
[REDACTED] aimed to work through the guideline, to highlight changes made.

[REDACTED]

Added - ***General Meeting Media***

[REDACTED]





Added - Elected members who have voted against a majority decision of Council, or who have a declared conflict of interest in a decision, will not be the spokesperson for that decision.

*Mayor stated that this change was effectively Councillors trying to prevent her being the spokesperson relating to the Olympics.*

*[REDACTED] stated concerns,*

*Mayor asked if this applied retrospectively.*

*[REDACTED] said the Mayor could direct the CEO to have the change removed. And if Councillors want to add it, they can bring a NOM.*

*[REDACTED] shared the Councillor Workshop presentation, that the example was drawn from the Fraser Coast policy.*

*Mayor asked if there was only one example from the 77 LGAs. [REDACTED] confirmed only 9 council's were reviewed, and can't be certain on other council areas.*

## Attachment 18

**From:** [REDACTED]  
**Subject:** Notice re unavailable data  
**Date:** 24 March 2025 at 11:56 am  
**To:** [REDACTED]

---

[REDACTED]

You had asked for a copy of any notifications sent to the councillors on 20 November advising a video had been uploaded. Please note that I have checked with the CEO's office who do not have an email that was sent on 20 November, nor do they send emails to advise Councillors that recordings have been uploaded to One Drive. Cllrs and their divisional staff have been advised previously that they have access to the one drive folder and this is where all recordings are housed for workshops. The CEO's office aim to upload the recordings two days after the workshop.

Regards

[REDACTED]



**Report an issue or give feedback**

Scan the QR code or visit us online.

[redland.qld.gov.au/contact](https://redland.qld.gov.au/contact)



**From:** [REDACTED]  
**Subject:** RE: RCC01-25 Confidential - Councillor Conduct Investigation  
**Date:** 10 April 2025 at 11:26 am  
**To:** [REDACTED]@ashdale.com.au

Good morning [REDACTED]

My apologies for the delay in responding.

I have made comments next to the questions below.

**From:** [REDACTED]@ashdale.com.au>  
**Sent:** Monday, 7 April 2025 2:34 PM  
**To:** [REDACTED]  
**Subject:** Re: RCC01-25 Confidential - Councillor Conduct Investigation

Hi [REDACTED]

I am hoping that you can assist with the following requests for further information:

1. [REDACTED] has provided her Workshop presentation slides for the Workshop on 18 November 2024. Were these included in the material made available to Councillors in Diligent Boards prior to the Workshop (as referred to in the email from the Office of the CEO on 15 November 2024 re 'New material available in Diligent Boards – Cllr Briefing Program 18 November 2024 – Session 8 and 9') ? *There was a slide presentation consisting of 13 pages loaded to Diligent Boards and presented at the workshop.*

### Media Relations and Speeches Guideline

Councillor Workshop 18 November 2024



2. The Media Relations and Speeches Guideline, Version 8 (the Guideline) was approved by the [REDACTED] on 9 December 2024. What is the source of [REDACTED] authority to implement this Guideline (and is the Guideline required to be formally approved by the Council) ? *The authority to approve Guidelines is provided for in Council's Policy Framework GOV-018-F, and the authority resides with General Managers.*
3. The OIA letter to [REDACTED] dated 25 February 2025 refers to several comments made by Mayor Mitchell during an interview on ABC Radio on 29 January 2025. However, some of these do not appear in the transcript of the interview we have received. These include :  
*"These kinds of actions distort the role and function of the Mayor"*

"These kinds of actions diminish the role and function of the Mayor."

"Was changed on the 9th December last year, I was only made aware of changes after that date."

"The one that relates to me specifically as generally the spokesperson is the inclusion of the sentence, Elected Members who have voted against a majority decision of Council, or who have a declared conflict of interest in a decision, will not be the spokesperson for that decision."

"No longer will I be the spokesperson if I don't vote with the majority"

"Changes like this being made, this is a work around because this isn't a decision made in the public forum...it's outside the direct vision of the public."

Is there is an additional transcript which includes these comments ? *It appears the comments are a mixture over a number of different media channels. I have attached the documents provided to council from the OIA as being relevant to the complaint.*

4. The OIA letter to [REDACTED] dated 25 February 2025 indicates that 'on 14 October 2024, Officers informed Councillors they were reviewing the media guideline and would provide councillors a future briefing on potential changes to the Guideline. The Mayor and Councillors were present during this discussion.' [REDACTED] did not recall being present during that discussion. Are you able to indicate which Council officers were present ? *This may have occurred at the Councillor Workshop held that day, but it was no listed as an agenda item. It may have been advice that they guideline would be coming to a future briefing.*
5. Several of the third-party comments on the Mayor's Facebook Page refer to [REDACTED] Are you able to explain this reference ? *I can not confirm what the individuals that made these comments were referring to. What I can say, is that [REDACTED] and the reference could be referring to Councillors the individuals believe to be supporters of the [REDACTED]*

Thank you for your assistance.

Kind regards

[REDACTED]

A P.O. Box 5825 Stafford Heights Queensland Australia 4053  
W [www.ashdale.com.au](http://www.ashdale.com.au)

The information contained in the above e-mail message or messages (which includes any attachments) is confidential and may be legally privileged. It is intended only for the use of the person or entity to which it is addressed. If you are not the addressee any form of disclosure, copying, modification, distribution or any action taken or omitted in reliance on the information is unauthorised. Opinions contained in the message(s) do not necessarily reflect the opinions of Ashdale Workplace Solutions. If you received this communication in error, please notify the sender immediately and delete it from your computer system network.

[REDACTED]

Pages 158 through 160 redacted for the following reasons:  
-----

# Attachment 19

**From:** [REDACTED]@ashdale.com.au  
**Subject:** Confidential - Councillor Conduct Investigation  
**Date:** 27 March 2025 at 10:22 am  
**To:** mayor@redland.qld.gov.au

IM

Dear Mayor Mitchell,

Following a preliminary assessment by the Office of the Independent Assessor, Ashdale has been appointed by Redland City Council to investigate allegations that, in January 2025, you made false/discourteous public comments and contravened a Council resolution.

Correspondence (which contains the specific allegations) and an information fact sheet have been attached for your reference.

I would like to conduct an interview with you, preferably by Microsoft Teams video conference, at a mutually convenient time.

Could you please let me know whether you can be available for an interview at 9.30 am on Wednesday 2 April 2025 ?

Thank you for your assistance.

Kind regards



**A** P.O. Box 5825 Stafford Heights Queensland Australia 4053  
**W** [www.ashdale.com.au](http://www.ashdale.com.au)

The information contained in the above e-mail message or messages (which includes any attachments) is confidential and may be legally privileged. It is intended only for the use of the person or entity to which it is addressed. If you are not the addressee any form of disclosure, copying, modification, distribution or any action taken or omitted in reliance on the information is unauthorised. Opinions contained in the message(s) do not necessarily reflect the opinions of Ashdale Workplace Solutions. If you received this communication in error, please notify the sender immediately and delete it from your computer system network.

RCC01-25 Letter to Mayor  
MitchellV1.pdf



Fact Sheet 1 - Councillor Conduct  
Investigation FACTSHEET2024-...





## Attachment 20

**From:** Mayor Jos Mitchell [Jos.Mitchell@redland.qld.gov.au](mailto:Jos.Mitchell@redland.qld.gov.au)  
**Subject:** Re: Confidential - Councillor Conduct Investigation  
**Date:** 30 March 2025 at 4:22 pm  
**To:** [REDACTED]  
**Cc:** [REDACTED]



Good afternoon [REDACTED]

Unfortunately, I'm not available at that time due to already scheduled commitments.

I'll also need time to read, understand the complaint and collate information in response to these allegations.

I take these complaints seriously. I'd prefer the interview to be conducted in person and would like my solicitor present. I will ask [REDACTED] from [REDACTED] to make contact with you.

I believe conducting an interview via Zoom, without the ability to hand over documents in a timely manner, would create a disadvantage to me.

I believe I am already at a disadvantage due to a procedural lack of natural justice and the time and resources obviously utilised to formulate the complaint.

I thought I had also sought legal advice via Redland City Council regarding the Council resolution and the legality of its application against free speech. I will have to check on that point as well.

I believe these complaints to be vexatious and want to make appropriate records.

[REDACTED]

[REDACTED]

Thank you for attaching the correspondence for my reference.

Kind regards

Jos Mitchell

Get [Outlook for iOS](#)

---

**From:** @ashdale.com.au>  
**Sent:** Thursday, March 27, 2025 10:22 am  
**To:** Mayor <mayor@redland.qld.gov.au>  
**Subject:** Confidential - Councillor Conduct Investigation

You don't often get email from ian.muir@ashdale.com.au. [Learn why this is important](#)

Dear Mayor Mitchell,

Following a preliminary assessment by the Office of the Independent Assessor, Ashdale has been appointed by Redland City Council to investigate allegations that, in January 2025, you made false/discourteous public comments and contravened a Council resolution.

Correspondence (which contains the specific allegations) and an information fact sheet have been attached for your reference.

I would like to conduct an interview with you, preferably by Microsoft Teams video conference, at a mutually convenient time.

Could you please let me know whether you can be available for an interview at 9.30 am on Wednesday 2 April 2025 ?

Thank you for your assistance.

Kind regards

**A** P.O. Box 5825 Stafford Heights Queensland Australia 4053

**W** [www.ashdale.com.au](http://www.ashdale.com.au)

The information contained in the above e-mail message or messages (which includes any attachments) is confidential and may be legally privileged. It is intended only for the use of the person or entity to which it is addressed. If you are not the addressee any form of disclosure, copying, modification, distribution or any action taken or omitted in reliance on the information is unauthorised. Opinions contained in the message(s) do not necessarily reflect the opinions of Ashdale Workplace Solutions. If you received this communication in error, please notify the sender immediately and delete it from your computer system network.

RCC01-25 Letter to Mayor  
MitchellV1.pdf



Fact Sheet 1 - Councillor Conduct  
Investigation FACTSHEET2024-...



# Attachment 21

Your Ref:  
Our Ref:  
Direct Line:  
Email:

9 April 2025

Ashdale Work Place Solutions  
ATTN:  
PO Box 5825  
STAFFORD HEIGHTS QLD 4053

BY EMAIL: @ashdale.com.au

Dear

RE: JOCELYN MITCHELL

We refer to your letter dated 27 March 2025.

**Confirmation of interview**

We confirm there is to be an interview conducted in our office on Friday, 11 April 2025.

**Purpose of this letter**

The purpose of this letter is to raise an issue of natural justice and procedural fairness. We particularly point out that you raise in the opening to your letter of 27 March 2025 the application of natural justice to the process.

It must be remembered that our client is not aware of the accuser, and has not seen the complaint. All our client knows about the investigation is the information contained in your letter of 27 March 2025.

**The Allegations as stated in your letter**

Your letter records the allegations as [emphasis added by us by bolding and underlining]:

1. On 28 January 2025 and/or 29 January 2025, you made false/misleading and/or discourteous public comments regarding Councillors and/or Council officers in relation to the implementation of the Council's Media Relations and Speeches Guideline (the Guideline). **For example:**
  - a) *'Changes were made to our media guideline without my knowledge. It was changed due to majority councillor sentiment from a councillor workshop'* (on your Council Facebook Page);
  - b) *'(The Guideline) was changed on the 9th December last year, I was only made aware of changes after that date'* (during an interview on ABC radio);
  - c) *'Changes like this being made, this is a work around because this isn't a decision made in the public forum...it's outside the direct vision of the public'* (during an interview on ABC radio);

*"Liability limited by a scheme approved under professional standards legislation."*

Ashdale Work Place Solutions  
Re: Jocelyn Mitchell

9 April 2025

- d) *'These kinds of actions diminish the role and function of the Mayor' (during an interview on ABC radio);*
- e) *'Well, I can't speak to their (Councillors') motives or what they're feeling, but the outcome is that it impacts my ability to speak on behalf of Council. So as we're seeing with Mayor Harding's situation, that's another mechanism in my opinion to diminish the voice of a Mayor' (during an interview on ABC radio);*
- f) *'I believe, while the method differs, what was proposed in Ipswich is already happening to a degree in Redlands - an attempt by the majority to diminish a duly elected Mayor' (in a statement to the Courier Mail);*
- g) *'I believe this sends the message more broadly, that it's OK to strip a Mayor of their traditional responsibilities, not because it's necessary but only because a majority of councillors think the community chose the wrong Mayor' (in a statement to the Courier Mail);*
- h) *'I want to be clear, in my opinion, this decision was unnecessary, not transparent and politically motivated' (in a statement to the Courier Mail); and/or*
- i) *'On the 17 December 2024 I was advised by a staff member, and later [REDACTED] that the Guideline had been changed nearly 2 weeks prior, on 9 December 2024. I was advised the changes were made due to majority councillor sentiment being expressed during a councillor workshop. A workshop is not a publicly visible meeting and votes aren't meant to be taken, so this was done without the public transparency I believe our community expects. This change reduces my ability to act as Council's spokesperson' (in a statement to the Courier Mail).*

**This was in circumstances where you had obligations under the Code of Conduct for Councillors in Queensland to treat people reasonably, justly and respectfully (including by treating Councillors, Council employees and members of the public with courtesy, honesty and fairness) and to ensure your conduct did not reflect adversely on the reputation of the Council (including by avoiding actions which may diminish the Council's standing, authority or dignity).**

2. On 28 January 2025 and/or 29 January 2025, you contravened a Council resolution dated 18 December 2024 (regarding the Council's commitment to taking pro-active action against bullying and poor conduct towards Council officers and Councillors on social media) when you failed to remove comment/s and/or engaged with third-party comments on your Council Facebook page (in relation to the implementation of the Council's Media Relations and Speeches Guideline) in circumstances where the comments could reasonably be determined to defame or unjustly damage the reputation of Councillors. **Examples of the third-party comments included:**

- a) *'Don't tell me [REDACTED] wants to silence our new Mayor, just because you vote against them';*
- b) *'At the moment it's Ipswich council, but you can bet [REDACTED] would love to try it too';*
- c) *'It's about time the [REDACTED] were exposed for what they are to the ratepayers of Redlands and those that voted them in';*

Ashdale Work Place Solutions  
Re: Jocelyn Mitchell

9 April 2025

- d) *'How do these Councillors, remembering we only vote for one, vote to silence a Mayor, who we voted for?! It might be time to start loudly reprimanding, Councillors who spend so much time on nasty agendas that are personal and have nothing to do with their Electorate! It's time to call these Councillors out!!'*;
- e) *'We all need to front up at the next General Council Meeting and heckle the crap out of the [REDACTED]'*
- f) *'Ok let's name the local obstructionists – [REDACTED]'*
- g) *[REDACTED] Don't. Just don't even think about it. If you do, you should think about another career path or retirement. A move like this will bite you on the arse so hard you won't know what planet you are on.;*
- h) *'This feels very much like a deliberate, calculated move to attack our community's democratic process. Absolutely disgraceful. Shame on these people!'*;
- i) *'No private organization would ever allow this to happen, it's ridiculous and embarrassing. We definitely didn't elect you to undermine the process. Councillors have to respect the chair or find another job!'*

#### **Factual uncertainty**

Both complaints allege conduct on 28 and/or 29 January 2025, but the opening paragraph ends with:

1. For paragraph 1; *"for example..."*.
2. For paragraph 2; *"examples of the third-party comments included..."*.

Both open ended and on their face is not a comprehensive statement of what is alleged.

Accordingly, please state:

1. A full statement of all allegations alleged that require answer; and
2. Confirm that your letter of 27 March 2025 records all allegations that are alleged.

We respectfully submit that it is not sufficient for the response to state that the above repeats the complaint which was unlimited and the paragraphs in your letter merely recorded the complaint, or that the OIA thought the unlimited list was sufficient basis to make their preliminary finding. T do so simply leaves [REDACTED] without knowledge of what is being alleged.

#### **Legal basis uncertainty**

Your letter lists the fact of complaint, and restates the factual allegations. However, you do not however identify any section of any statute or regulation which constitutes the basis for investigation and the alleged infringement standard. This alone fails to provide natural justice. Please state the specific sections said to have been breached.

#### **Conclusion**

Please response on both points, providing at least a reasonable time for consideration of same prior to the meeting.

Page 170 redacted for the following reason:

-----



Your Ref:  
Our Ref:  
Direct Line:  
Email:

10 April 2025

Ashdale Work Place Solutions  
ATTN:  
PO Box 5825  
STAFFORD HEIGHTS QLD 4053

BY EMAIL: @ashdale.com.au

**PRIVATE AND CONFIDENTIAL**

Dear

RE: JOCELYN MITCHELL

We refer to your letter dated 27 March 2025 which indicates that you are briefed on behalf of the Council to investigate a complaint.

**Purpose of this letter**

Your letter, and the attached facts sheet, invites submission from our client. The purpose of this letter is to provide submission.

**Burden of Proof**

Your General Facts Sheet states that you intend assessing the facts on the balance of probabilities.

Whilst that is correct, it is worthy of note that that this is a disciplinary matter. Therefore, *Briginshaw Test* must apply.

The usual extract cited for this point is from the judgment of Dixon J in the case is *Briginshaw v Briginshaw* [1938] HCA 34; (1938) 60 CLR 336 [emphasis added by underlining]:

*Except upon criminal issues to be proved by the prosecution, it is enough that the affirmative of an allegation is made out to the reasonable satisfaction of the tribunal. But reasonable satisfaction is not a state of mind that is attained or established independently of the nature and consequence of the fact or facts to be proved. The seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, or the gravity of the consequences flowing from a particular finding are considerations which must affect the answer to the question whether the issue has been proved to the reasonable satisfaction of the tribunal. In such matters "reasonable satisfaction" should not be produced by inexact proofs, indefinite testimony, or indirect inferences. ... This does not mean that some standard of persuasion is fixed intermediate between the satisfaction beyond reasonable doubt required upon a criminal inquest and the reasonable satisfaction which in a civil issue may, not must, be based on a preponderance of probability. It means that the nature of the issue necessarily affects the process by which reasonable satisfaction is attained.*

Accordingly, this is not simply a matter to be assessed in the usual way on the balance of probabilities.

Ashdale Work Place Solutions  
Re: Jocelyn Mitchell

10 April 2025

### The allegations

According to your letter, the allegations under investigation are:

1. On 28 January 2025 and/or 29 January 2025, you made false/misleading and/or discourteous public comments regarding Councillors and/or Council officers in relation to the implementation of the Council's Media Relations and Speeches Guideline (the Guideline). For example:
  - a) *'Changes were made to our media guideline without my knowledge. It was changed due to majority councillor sentiment from a councillor workshop'* (on your Council Facebook Page);
  - b) *'(The Guideline) was changed on the 9th December last year, I was only made aware of changes after that date'* (during an interview on ABC radio);
  - c) *'Changes like this being made, this is a work around because this isn't a decision made in the public forum...it's outside the direct vision of the public'* (during an interview on ABC radio);
  - d) *'These kinds of actions diminish the role and function of the Mayor'* (during an interview on ABC radio);
  - e) *'Well, I can't speak to their (Councillors') motives or what they're feeling, but the outcome is that it impacts my ability to speak on behalf of Council. So as we're seeing with Mayor Harding's situation, that's another mechanism in my opinion to diminish the voice of a Mayor'* (during an interview on ABC radio);
  - f) *'I believe, while the method differs, what was proposed in Ipswich is already happening to a degree in Redlands - an attempt by the majority to diminish a duly elected Mayor'* (in a statement to the Courier Mail);
  - g) *'I believe this sends the message more broadly, that it's OK to strip a Mayor of their traditional responsibilities, not because it's necessary but only because a majority of councillors think the community chose the wrong Mayor'* (in a statement to the Courier Mail);
  - h) *'I want to be clear, in my opinion, this decision was unnecessary, not transparent and politically motivated'* (in a statement to the Courier Mail); and/or
  - i) *'On the 17 December 2024 I was advised by a staff member, and later [REDACTED] that the Guideline had been changed nearly 2 weeks prior, on 9 December 2024. I was advised the changes were made due to majority councillor sentiment being expressed during a councillor workshop. A workshop is not a publicly visible meeting and votes aren't meant to be taken, so this was done without the public transparency I believe our community expects. This change reduces my ability to act as Council's spokesperson'* (in a statement to the Courier Mail).

This was in circumstances where you had obligations under the Code of Conduct for Councillors in Queensland to treat people reasonably, justly and respectfully (including by treating Councillors, Council employees and members of the public with courtesy, honesty and fairness) and to ensure your conduct did not reflect adversely on the reputation of the Council (including by avoiding actions which may diminish the Council's standing, authority or dignity).

Ashdale Work Place Solutions  
Re: Jocelyn Mitchell

10 April 2025

2. On 28 January 2025 and/or 29 January 2025, you contravened a Council resolution dated 18 December 2024 (regarding the Council's commitment to taking pro-active action against bullying and poor conduct towards Council officers and Councillors on social media) when you failed to remove comment/s and/or engaged with third-party comments on your Council Facebook page (in relation to the implementation of the Council's Media Relations and Speeches Guideline) in circumstances where the comments could reasonably be determined to defame or unjustly damage the reputation of Councillors. Examples of the third-party comments included:
  - a) 'Don't tell me [REDACTED] wants to silence our new Mayor, just because you vote against them';
  - b) 'At the moment it's Ipswich council, but you can bet [REDACTED] would love to try it too';
  - c) 'It's about time the [REDACTED] were exposed for what they are to the ratepayers of Redlands and those that voted them in';
  - d) *'How do these Councillors, remembering we only vote for one, vote to silence a Mayor, who we voted for?! It might be time to start loudly reprimanding, Councillors who spend so much time on nasty agendas that are personal and have nothing to do with their Electorate! It's time to call these Councillors out!!';*
  - e) *'We all need to front up at the next General Council Meeting and heckle the crap out of the [REDACTED]'*
  - f) *'Ok let's name the local obstructionists – [REDACTED]'*
  - g) *[REDACTED] Don't. Just don't even think about it. If you do, you should think about another career path or retirement. A move like this will bite you on the arse so hard you won't know what planet you are on.;*
  - h) *'This feels very much like a deliberate, calculated move to attack our community's democratic process. Absolutely disgraceful. Shame on these people!';*
  - i) *'No private organization would ever allow this to happen, it's ridiculous and embarrassing. We definitely didn't elect you to undermine the process. Councillors have to respect the chair or find another job!'*

#### Natural justice – identity of complainant

In this investigation, natural justice also raises the need for transparency as to the identity of the complainant. This is raised for two reasons.

Firstly, the complainant appears very likely to be a Councillor, and it is the Councillors who sit in decision upon the matter. Hence, without clarity, there is the concern of "Caesar judging Caesar".

Secondly, in relation to the complaints (both of them):

1. The complainant, whomever it is, has likely provided similar or worse publications in the past. That must obviously be relevant to the nature and gravity of the matter. That is, if the complainant has been sending similar communications, and their communication contains inaccuracies, that must be relevant as to the significance and veracity of the complaint, and their suggestion that anything done by Jocelyn brings the Council into disrepute; and

Ashdale Work Place Solutions  
Re: Jocelyn Mitchell

10 April 2025

2. In the event that the complainant has committed indiscretions in the past, that thereby suggests that this is not truthfully about the complained conduct, but rather the complaint itself brings Council into disrepute, and further there is some ulterior purpose.

However, our client cannot provide information relevant to past conduct by the complainant without knowing the identity of the complainant.

Therefore, lack of information is the identity of the complainant affects the process and the ability for [REDACTED] to respond to the substance of the allegation.

#### **The nature of a conduct breach**

By Section 150O of the *Local Government Act* ("the Act") a complaint can be made about the conduct of a councillor, which includes the Mayor.

By Section 150SD(4)(a) of the Act, the Assessor only refers a matter to the Local Government for a "conduct breach".

By Section 150AG of the Act, after investigation, the local government is to decide if there has been a conduct breach.

By Section 150K the concept of a Conduct Breach is defined:

#### **150K What is a conduct breach**

- (1) *The conduct of a councillor is a conduct breach if the conduct contravenes—*
  - (a) *a behavioural standard; or*
  - (b) *a policy, procedure or resolution of the local government.*
- (2) *Also, the conduct of a councillor is a conduct breach if—*
  - (a) *the conduct contravenes an order of the chairperson of a local government meeting for the councillor to leave and stay away from the place at which the meeting is being held; or*
  - (b) *for conduct of a councillor, including the chairperson, at local government meetings—it is part of a course of conduct leading to orders for unsuitable meeting conduct being made against the councillor on 3 occasions within a period of 1 year.*
- (3) *For subsection (2)(b)—*
  - (a) *the conduct that led to the orders being made, taken together, is the conduct breach; and*
  - (b) *orders for the councillor's unsuitable meeting conduct include any orders made against the councillor as the chairperson of a local government meeting.*
- (4) *However, a conduct breach does not include conduct that is—*
  - (a) *unsuitable meeting conduct, to the extent the conduct is not conduct mentioned in subsection (2); or*
  - (b) *misconduct; or*

Ashdale Work Place Solutions  
Re: Jocelyn Mitchell

10 April 2025

(c) *corrupt conduct.*

The concept of a behavioural standard refers to a standard in the Code of Conduct.

**The Code of Conduct**

We have considered the meaning of the Standards raised by you.

These should be read in context of the preamble to the Code on page 4:

Each standard of behaviour is not intended to cover every possible scenario. However, they provide general guidance about the manner in which councillors are expected to conduct themselves. It is important to note that the principles, values and standards set out in the Code of Conduct are of equal importance.

Standard 1 – Carry out Responsibilities conscientiously and in the best interest of the local government

To carry out responsibilities “conscientiously” must refer to carrying out matters genuinely according to good conscience. To do so, must, as a matter of concept, be by reference to an ordinary person of good standing and conscient in the position of our client. Hence, objectively, from our client’s position.

The “best interest of the local government” must be considered from the same aspect. In view of transparency in governance, the best interest of the local government cannot be the sweeping under the carpet of issues of public interest and importance.

The local government is the Council. The separate interests of particular councillors is not necessarily the same as Council as a whole.

However, it can easily be seen that the dignity and reputation of the duly elected Mayor is pivotal to the best interests of Council. Actions taken, considered objectively, from [REDACTED] position which aim to uphold the dignity and reputation of the duly elected Mayor are most likely to represent the best interests of Council

Standard 2 – Treat People in a reasonable, just, respectful and non-discriminatory way

To treat people in a reasonable, just, respectful and non-discriminatory way suggests need to act fairly and respectfully viewed from an objective position. However, it must also follow that this can only occur with the knowledge and understanding available.

Hence, this must also be considered objectively, from [REDACTED] position.

Whilst the examples discuss treating other councillors with courtesy, honesty and fairness, and having proper regard to other people’s rights, those examples are one consideration of actions. it cannot possibly be correct that simply because something affects another’s rights or is privately considered by them as unfair to them, cannot override action require for the best interests of Council. This highlights the preamble quote above.

Standard 3 – Ensure conduct does not reflect adversely on the reputation of the local government

Ashdale Work Place Solutions  
Re: Jocelyn Mitchell

10 April 2025

**3. 'Ensure conduct does not reflect adversely on the REPUTATION of the local government'.**

*3.3 'At all times strive to maintain and strengthen the public's trust and confidence in the integrity of the local government and avoid any action which may diminish its standing, authority or dignity.'*

Paragraph 3.3 bears careful scrutiny and analysis. It can be seen that:

1. Firstly, there are 2 limbs:

- (a) to strive to maintain and strengthen public trust and confidence in the integrity local and government; and
- (b) to avoid action which might diminish the standing, authority or dignity of the Council.

First Limb – subjective intention required

- 2. The first limb requires the Councillor to strive to achieve the relevant standard. It is not an absolute statement that anything that is different from the standard is a breach. The standard could only be breached if the Councillor did not "strive" to achieve the standard.
- 3. In concept, to "strive" is to make significant efforts to achieve the result.
- 4. To strive to do something requires the subjective intention of the Councillor to achieve the result.
- 5. As such for there to be a breach the first limb, it must be demonstrated that the Councillor, subjectively, did not make efforts to maintain the relevant public trust and confidence in the integrity of Council.

First Limb – public trust and confidence in the integrity local and government

- 6. The second part of the first limb is directed to the reputation of Council as a whole.
- 7. Conceivably, an action might denigrate Council's reputation and therefore infringe the section.
- 8. However, if an action upholds one part of Council's reputation, but diminishes another part then clearly some weighing process is required as to whether overall the action is beneficial.
- 9. This is clearly not a mathematical exercise but a broadbrush assessment.
- 10. Take for example an action which upholds the dignity of one Councillor (eg the Mayor) but might be seen as affecting the reputation in some way of another councillor (or even group of Councillors).

First Limb – overarching summary

- 11. Putting the above together, to infringe the first limb of paragraph 3.3 there must be a finding that the subjective intention of the Councillor was overall to diminish public trust and confidence in the integrity local and government.

Second Limb– subjective intention required

- 12. The second limb requires the Councillor to avoid action which might diminish the standing, authority or dignity of the Council.

Ashdale Work Place Solutions  
Re: Jocelyn Mitchell

10 April 2025

13. To avoid something requires intention to take a step to prevent something occurring – hence again requires demonstration of a subjective element.
14. As such for there to be a breach of the second limb, it must be demonstrated that the Councillor, subjectively, did something which did not avoid action which might diminish the standing, authority or dignity of the Council.

Second Limb – diminish the standing, authority or dignity of the Council

15. Similar to the first limb, this is directed to the reputation of Council as a whole.
16. Again, to assess an action which upholds one part of Council's standing, authority or dignity, but diminishes another part, clearly some weighing process is required as to whether overall the action is negative to Council.
17. Again, this is clearly not a mathematical exercise but a broadbrush assessment.

Second Limb – overarching summary

18. Putting the above together, to infringe the second limb of paragraph 3.3 there must be a finding that the subjective intention of the Councillor was overall to diminish of Council's standing, authority or dignity.

**Overview of response to the facts**

Our client will be cooperating in an interview. We shall leave for her to discuss with you the factual response to the allegations.

However, it can clearly be seen that:

1. Jos Mitchell, as mayor, is part of Council.
2. Communications from her aimed at upholding (ie maintaining and strengthening) public trust and confidence in the integrity local and government – namely in herself as Mayor, are appropriate and within guidelines.
3. Actions by her aimed at avoiding action which might diminish the standing, authority or dignity of the Council are appropriate and within guidelines.
4. All of her actions should be assessed from her subjective position.
5. Overall, she clearly:
  - (a) Has raised matters of public interest and public important relevant to transparency in governance;
  - (b) Aimed to uphold the public trust and confidence in the integrity local and government; and
  - (c) Had no intention of doing anything which might diminish of Council's standing, authority or dignity.
6. Further, if a particular Councillor feels disaffected by this, then that is a single factor to be considered in the context of all standards (ie as indicated in the preamble), and not to be assessed in isolation.

Ashdale Work Place Solutions  
Re: Jocelyn Mitchell

10 April 2025

### Specific discussion of allegations

Para	Allegation	Comment discussion
1.	On 28 January 2025 and/or 29 January 2025, you made false/misleading and/or discourteous public comments regarding Councillors and/or Council officers in relation to the implementation of the Council's Media Relations and Speeches Guideline (the Guideline).	This is an overview statement, which can only be considered in the context of the specific alleged breached. Hence, of itself, this alleged nothing that requires response.
(a)	<i>'Changes were made to our media guideline without my knowledge. It was changed due to majority councillor sentiment from a councillor workshop'</i> (on your Council Facebook Page);	<p>Firstly, this statement is factually true.</p> <p>Secondly, the fair workings of Council are a matter of public interest. That means this is information that should be in the public arena.</p> <p>Thirdly, bearing in mind the statement is true, how can this bring Council or any Council into disrepute?</p> <p>Fourthly, this is simply not discourteous.</p>
(b)	<i>'(The Guideline) was changed on the 9th December last year, I was only made aware of changes after that date'</i> (during an interview on ABC radio);	The points in response to 1(a) apply to this.
(c)	<i>'Changes like this being made, this is a work around because this isn't a decision made in the public forum...it's outside the direct vision of the public'</i> (during an interview on ABC radio);	The points in response to 1(a) apply to this.
(d)	<i>'These kinds of actions diminish the role and function of the Mayor'</i> (during an interview on ABC radio);	<p>This does not impinge upon the reputation of any Councillor.</p> <p>It simply upholds the reputation of Council – being that part which is the Mayor.</p>
(e)	<i>'Well, I can't speak to their (Councillors') motives or what they're feeling, but the outcome is that it impacts my ability to speak on behalf of Council. So as we're seeing with Mayor Harding's situation, that's another mechanism in my opinion to diminish the voice of a Mayor'</i> (during an interview on ABC radio);	<p>Firstly, this is true.</p> <p>Secondly, this is clearly a matter of public importance and public interest. Hence, it needs to be said.</p> <p>Thirdly, bearing in mind it is true that the voice of the Mayor is diminished, this does not detract from the standing of any person.</p> <p>Fourthly, it is critical to fair investigation of this to disclose the identity of the complaint. Hiding the identity of the complaint in view of the nature of this complaint creates an intolerable situation and unacceptable conflict.</p>



Ashdale Work Place Solutions

Re: Jocelyn Mitchell

10 April 2025

		Fifthly, when discussion is raised in your letter about discourtesy, it must be remembered that Council as a whole involves each of the Mayor, the Councillors as well as the entirety of the Council staff. When a disrespectful situation is created by changing the guidelines, in private workshop, without informing the Mayor, a disgracefully disrespectful situation has been created.
(f)	<i>'I believe, while the method differs, what was proposed in Ipswich is already happening to a degree in Redlands - an attempt by the majority to diminish a duly elected Mayor' (in a statement to the Courier Mail);</i>	The points in response to 1(e) apply to this.
(g)	<i>'I believe this sends the message more broadly, that it's OK to strip a Mayor of their traditional responsibilities, not because it's necessary but only because a majority of councillors think the community chose the wrong Mayor' (in a statement to the Courier Mail);</i>	The points in response to 1(e) apply to this.
(h)	<i>'I want to be clear, in my opinion, this decision was unnecessary, not transparent and politically motivated' (in a statement to the Courier Mail); and/or</i>	The points in response to 1(e) apply to this.
(i)	<i>'On the 17 December 2024 I was advised by a staff member, and later ████████ that the Guideline had been changed nearly 2 weeks prior, on 9 December 2024. I was advised the changes were made due to majority councillor sentiment being expressed during a councillor workshop. A workshop is not a publicly visible meeting and votes aren't meant to be taken, so this was done without the public transparency I believe our community expects. This change reduces my ability to act as Council's spokesperson' (in a statement to the Courier Mail).</i>	The points in response to both 1(a) and 1(e) apply to this.
	This was in circumstances where you had obligations under the Code of Conduct for Councillors in Queensland to treat people reasonably, justly and respectfully (including by treating Councillors, Council employees and members of the public with courtesy, honesty and fairness) and to ensure your conduct did not reflect adversely on the reputation of the Council (including by avoiding actions which may diminish the Council's standing, authority or dignity).	It is to be remembered that each Standard within the Code is to be read as being of equal importance, and ought not be considered in isolation from other Standards.
2.	On 28 January 2025 and/or 29 January 2025, you contravened a Council resolution dated 18 December 2024 (regarding the Council's commitment to taking pro-active action	Bearing in mind Council itself as well as some Councillors have left defamatory comments regarding the Mayor open for viewing, this purports to place a double-

Ashdale Work Place Solutions

Re: Jocelyn Mitchell

10 April 2025

	against bullying and poor conduct towards Council officers and Councillors on social media) when you failed to remove comment/s and/or engaged with third-party comments on your Council Facebook page (in relation to the implementation of the Council's Media Relations and Speeches Guideline) in circumstances where the comments could reasonably be determined to defame or unjustly damage the reputation of Councillors.	<p>standard.</p> <p>It is assumed that the alleged instances are limited to the list, and there are not other unstated allegations.</p> <p>The fact that the list commences, with <i>"Examples of the third-party comments included"</i> is an attempt by the complainant to suggest there is more. This in itself suggests the complainant bears ulterior purpose.</p> <p>Further, within a reasonable time of becoming aware of these statements, they have been removed.</p> <p>It is worthy of note that, for a comment to defame, there must be "serious Harm" as required by s. 10A of the <i>Defamation Act</i>.</p>
(a)	'Don't tell me [REDACTED] wants to silence our new Mayor, just because you vote against them';	<p>This is fair comment and not defamatory. It certainly does not cause serious harm to reputation.</p> <p>Further, it does not <u>unjustly</u> damage reputation of anyone. The basis for saying it is not unjust repeats the discussion in response to all complaints from 1(a) to 1(i).</p>
(b)	'At the moment it's Ipswich council, but you can bet [REDACTED] would love to try it too';	The points in response to 2(a) apply to this.
(c)	'It's about time the [REDACTED] were exposed for what they are to the ratepayers of Redlands and those that voted them in';	The points in response to 2(a) apply to this.
(d)	'How do these Councillors, remembering we only vote for one, vote to silence a Mayor, who we voted for?! It might be time to start loudly reprimanding, Councillors who spend so much time on nasty agendas that are personal and have nothing to do with their Electorate! It's time to call these Councillors out!!';	The points in response to 2(a) apply to this.
(e)	'We all need to front up at the next General Council Meeting and heckle the crap out of the [REDACTED]';	The points in response to 2(a) apply to this.
(f)	'Ok let's name the local obstructionists – [REDACTED]';	The points in response to 2(a) apply to this.
(g)	[REDACTED] Don't. Just don't even think about it. If you do, you should think about another career path or retirement. A move like this will bite you on the arse so hard	The points in response to 2(a) apply to this.

11

Ashdale Work Place Solutions

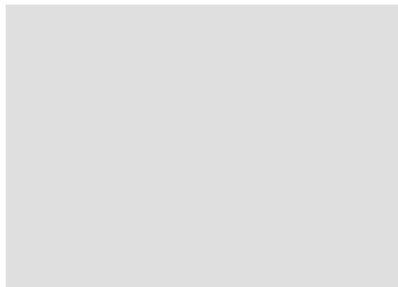
Re: Jocelyn Mitchell

10 April 2025

	<i>you won't know what planet you are on.;</i>	
(h)	<i>'This feels very much like a deliberate, calculated move to attack our community's democratic process. Absolutely disgraceful. Shame on these people!';</i>	The points in response to 2(a) apply to this.
(i)	<i>'No private organization would ever allow this to happen, it's ridiculous and embarrassing. We definitely didn't elect you to undermine the process. Councillors have to respect the chair or find another job!'</i>	The points in response to 2(a) apply to this.

**Conclusion**

We trust the above assists, when considered in conjunction with the interview to occur tomorrow, that there has been no conduct breach.

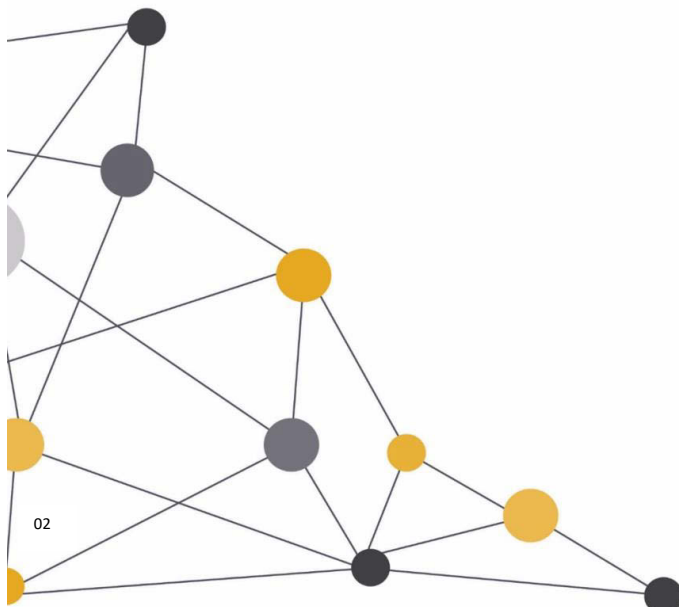


## Attachment 22

IN CONFIDENCE



Transcript of Interview	
Date:	11.04.2025
Client:	Redland City Council
Ashdale File No:	RCC01-25
Client File No:	
Location:	
Interviewer:	Ian Muir (IM)
Interviewee:	Jocelyn Mitchell (JM)
Support Person:	



Ashdale Workplace Solutions

E: [admin@ashdale.com.au](mailto:admin@ashdale.com.au)

P: 1300 782 974

IN CONFIDENCE

1. IM: It seems to be working. So the time is 3:04 pm on Friday, the 11th of April 2025. This is an interview between [REDACTED] of Ashdale Workplace Solutions and Mayor Jos Mitchell, Redland City Council. Also present is [REDACTED]. And [REDACTED] is going to act as the support person for Jos today. And Jos, we've already clarified that you're happy for me to address you as Jos throughout the interview.
2. JM: Yep, correct.
3. IM: Thank you. So the interview is being conducted at the office of [REDACTED]. If anyone needs to take a break for any reason during the interview, please let me know. And just so that our voices in the recording can be properly identified later on, can I ask each of you to say your name and then spell your first and surname, please? I might start with you if that's all right.
4. [REDACTED]
5. JM: Jos Mitchell. Short for Jocelyn. J-O-C-E-L-Y-N M-I-T-C-H-E-L-L. Mayor of Redland City.
6. IM: Thank you. And [REDACTED] of Ashdale. It's important that you don't discuss outside of this interview what we're going to be talking about in this interview unless you're seeking formal advice or assistance about this process or obviously if you're required to by law. If you have any questions about the process itself, please let me know. Jos, as you're aware, I've been appointed by Redland City Council to investigate two allegations that in January, 2025 you made false or discourteous public comments and contravened a council resolution. Do you understand in general terms what we're going to talk about today?
7. JM: I've got a lot of questions around the complaint and the scope of it and specifics and or the lack of specifics from my perspective. I understand the general scope, but from my perspective, there's a lack of specific information in relation to the complaint. I'll just – just to go back to your first point while we're on that topic, in relation to speaking about complaints, there is none whatsoever, obviously no – no risk of me speaking about this. However, as been – has been identified on numerous occasions for previous complaints made in relation to me, there is a constant leak to media in relation to these complaints within the bounds

Interviewee:	MITCHELL, Jocelyn		Page 1 of 62
--------------	-------------------	--	--------------

IN CONFIDENCE

of confidentiality. I have repeatedly reported those. To this date nothing has occurred in relation to that leakage and it usually occurs not in this process, obviously, but from council out to the media directly.

8. IM: That's noted. So the interview is being recorded by digital recording device and you've indicated you would like a copy of that audio of the interview to be sent to your solicitor and we'll arrange for that to be done as soon as possible after the interview.
9. JM: Thank you.
10. IM: It's important to note that I work for a private company, so I'm not an employee of the council. Also because of the types of investigations we conduct, I clarify that I'm not an officer of the Office of the Independent Assessor nor of the Crime and Corruption Commission. At the end of this process, we'll be providing a report to council and the information you provide today may be included in that report. We don't give you a copy of the report or any information about our findings or recommendations unless we are required to by law. If you wanted to access any of that, you'd have to apply to the council and go through the process with them. If we need to obtain and be provided with personal information about you, we'll ensure that we use that information only for the purpose of conducting this process or as otherwise authorised under the Information Privacy Act of 2009 or by law. You should also be aware that the right to Information Act of 2009 may potentially apply and that act makes it possible for interested parties to gain access to council documents in some circumstances, which could include interview material. Do you understand that?
11. JM: Correct.
12. IM: And you understand you're being interviewed as the subject of the allegations that I'm investigating?
13. JM: Yes, before you proceed to the questions, I've just got a couple before you move on to me.
14. IM: Yes, for sure, go on.
15. JM: Sure, can I ask what your involvement with council is? So how many years you've been involved in with council or have you done previous investigations?

Interviewee:	MITCHELL, Jocelyn		Page 2 of 62
--------------	-------------------	--	--------------

## IN CONFIDENCE

16. IM: I'm an experienced investigator with Ashdale. I've done lots of these types of investigations and you are welcome to have a look on our website and so forth, but I don't have any relationships with the council, with any of the parties involved in the investigation, okay?
17. JM: All right, thank you. Thanks.
18. IM: Are you able to confirm that you received an email from me on the 27th of March 2025, which includes the two allegations that we're going to discuss today?
19. JM: I've got one from the 30th of March – 27th of March, yes.
20. IM: Jos, when were you first elected as mayor?
21. JM: So that was the 16th of March election, but appointed on the 8th of April, just over one year ago, 8th of April 2024.
22. IM: And is this your first term as mayor?
23. JM: Correct. My first term as mayor or any, or a councillor.
24. IM: And are you familiar with the Code of Conduct for Councillors in Queensland?
25. JM: Yes.
26. IM: And how do you become aware of that code?
27. JM: Through the very quick online tick and flick training.
28. IM: Is that a requirement to-----
29. JM: It's a requirement, yes, yeah. Do I think it could be more comprehensive? Yes, I absolutely do.
30. IM: As I mentioned-----
31. JM: I have mentioned that.
32. IM: -----I'm investigating allegations that in January, 2025 you made false or discourteous public comments and contravened a council resolution. So there are two allegations, I intend to discuss each of those with you. But

Interviewee:	MITCHELL, Jocelyn		Page 3 of 62
--------------	-------------------	--	--------------



IN CONFIDENCE

before we discuss the allegations, have you got any questions or is there anything you want to say generally before we start?

33. JM: Yeah, before we start, as I – as I pointed out before, I'm concerned about the broad-brush approach and the generalisation of the statements. For example, on page 2 and 3 of the email which you've outlined and pulled I believe from the OIA complaint on the 27th of March, there's a series of statements, but they do not differentiate or provide any background in relation to each particular statement. So I do not know if they're being referred to as bullying statements left on my Facebook page or defamatory statements. They do not outline what the measure is and so I feel that – that that broad brush stroke approach places me at a disadvantage in being able to respond. I also draw attention to the fact that this process as a whole, and I'll start with these, in my opinion is fraught with difficulty. And this is a state government issue in relation to this process in general. And I want to outline those for the record. So this – and during this process, a complaint is made by a complainant unknown to me. And I've just been through this process previously and there are more coming. And a determination is made by the Office of the Independent Assessor based on information from the complainant without contacting me at all or allowing or affording me the opportunity to make any preliminary response. It is then forwarded back to council. And if it goes back into a system, which could be – which could provide great difficulty, it is then handed to, depending on the – on the (00:08:20).
34. (00:08:20) with the (00:08:21) of the OIA, who alleges their opinion is that there's a case to answer.
35. JM: Yes, so then it is a – it is – depending on how it's being dealt with, it could be handed to an independent investigator. As it stands, depending on how that report comes back, regardless of how that report comes back, even if it's unsubstantiated, it goes back to Council Laws where the complaint could have originated or to council staff who have handled the complaint and there could be a conflict to be dealt with. It does not recognise any of those difficulties. And then council, irrespective of the finding of the independent investigator's report, can still vote on block to penalise a councillor. So I want to strongly affirm and reaffirm in my case, because I've been saying this, a great disadvantage. And I have been made aware of circumstances where this has happened in our particular council previously.
36. And further, you don't know who the complainants are.

Interviewee:	MITCHELL, Jocelyn	Page 4 of 62
--------------	-------------------	--------------

## IN CONFIDENCE

37. JM: No, and as I've just experienced, we could have a councillor who is related to a complaint voting – or not declaring a conflict of interest and potentially, you know, voting in this process. So because you are – because I'm – I'm unaware of who the complainant is, I can't draw attention to that fact. So I think this-----
38. [REDACTED] Which of itself must be an infringement of natural justice.
39. JM: So I want to really strongly, before we even begin this process, outline the very grave difficulties with natural justice this current process has. And I've already stated sort of publicly now that in a – in a – in a meeting that I went to without making any reference, I'm very cognisant of trying to do the right thing, that was my platform. So I'm trying to be very open and upfront with everyone and I want to make this statement very strongly at the beginning.
40. IM: [00:10:24] Thank you. I've noted your comments and obviously it's not my role to discuss the process. I'm a cog in the process, but obviously your comments will be taken into account. Are you okay then if we commence discussing the allegations, Jos?
41. JM: Sure, yeah.
42. IM: I might turn then to the first allegation. I'll read that out now or at least part of it because it's a long allegation. So the first allegation is that, "On the 28th of January 2025 and or the 29th of January 2025, you made false or misleading and or discourteous public comments regarding councillors and or council officers in relation to the implementation of the council's media relations and speeches guideline." And there are a number of examples, nine examples set out, which I won't read through now. The allegation continues-----
43. [REDACTED] However, if I can interrupt, you have clarified in your letter, those are not mere examples. Those are the allegations.
44. IM: I've clarified to you in the email that these are the only examples of the allegation which will be taken into account in the assessment process by (00:11:41).
45. [REDACTED] Well, words you've just used for example suggests something else.
46. JM: But it's not finite. So my concern is that this is a broad-brush stroke of an allegation which is not finite. So it makes it very – I can't – I can't – I can't

Interviewee:	MITCHELL, Jocelyn		Page 5 of 62
--------------	-------------------	--	--------------

## IN CONFIDENCE

Speak to something that's not on the page. So words like for example, where does it end?

47. IM: We'll only be discussing the specific examples today and no further examples (00:12:07).
48. JM: So then these form – just to clarify, these examples are actually the finite complaint.
49. IM: That's right, yeah. Correct. I'm happy to approach it in that way.
50. JM: Okay.
51. IM: The allegation concludes with, "This was in circumstances where you had obligations under the Code of Conduct for Councillors in Queensland to treat people reasonably, justly and respectfully including by treating councillors, council employees and members of the public with courtesy, honesty and fairness, and to ensure your conduct did not reflect adversely on the reputation of the council, including by avoiding actions which may diminish the council's standing authority or dignity." How do you respond to that allegation?
52. JM: Firstly, I take my role incredibly seriously and I firmly do not believe at any occasion I have ever acted in any of the ways listed. I conduct myself, I believe, within the bounds of the Code of Conduct adhering to a high standard of professionalism. So I very vehemently oppose and disagree with this complaint.
53. [REDACTED] further, it's allegation that you made false and misleading.
54. JM: And I firmly and vehemently disagree, I did not make – I did not make-----
55. [REDACTED] Use these words.
56. JM: Wording – sorry, the wording. I did not make false, misleading, or discourteous public comments regarding councillors and council officers.
57. IM: Thank you. So thank you for that. Jos, can I take it, and from separate submissions that have been made by [REDACTED] that you are not disputing that the examples were comments that you made, but you are disputing that they were false, misleading, or discourteous. Have I got that right?
58. JM: So firstly, it's [REDACTED] but sorry, you're used to it.

Interviewee:	MITCHELL, Jocelyn		Page 6 of 62
--------------	-------------------	--	--------------

IN CONFIDENCE

59. IM: Sorry, Mr-----
60. [REDACTED] It's all right.
61. IM: My apologies.
62. JM: You're all right.
63. IM: [REDACTED]
64. JM: I haven't – I haven't gone back to check the video of exactly what I said, so I will accept what's here, but I have not gone back word for word to – to double check. But I know that I did put that – I put that video up to – as a factual account of what happened.
65. IM: So from my understanding, these examples have been taken from your council Facebook page, an ABC radio review and a statement made to the Courier Mail.
66. JM: Okay, well then I would have to go back to double check that they are correct, but I'm working off what's said here.
67. IM: Do you think that these are statements that you could have made possibly or probably?
68. JM: They – I could have made them. As I said, I – I'd have to double check to be completely accurate. So these are the statements I gather that – provided by the complainant.
69. IM: Did you make some comments on your Facebook page? Did you-----
70. JM: I provided a video on my Facebook page, yeah.
71. IM: And did you participate in a radio-----
72. JM: With [REDACTED] on ABC radio? Yes.
73. IM: And did you give a statement to the Courier Mail?
74. JM: I have to double check. But because, unfortunately, the Courier Mail has provided quotes before, which I have asked them to retract because they like rather sensationalised headlines, which I have written to the particular journalists to say that I do not agree with. I have asked them to retract

Interviewee:	MITCHELL, Jocelyn		Page 7 of 62
--------------	-------------------	--	--------------

## IN CONFIDENCE

comments before that have not been accurate. So I could have, but again I would have to double check because-----

75. IM: It's possible that you made these types of statements?
76. JM: It's possible, but I would have to double check, yes.
77. IM: Can you just take me through what happened?
78. JM: Yeah, sure. So I received your – your – I received advice obviously via your letter about your being involved in this process. I will go backwards from the pivotal point that I became aware that there was a change to the Media Guideline fully known as the Media Relations and Speeches Guideline of Redland City Council.
79. [REDACTED] Can I pause you? Do you think you might just spend four minutes explaining the nature of the election and who was what in the zoo? Because I feel that we don't know who the complainants are, but certainly people mention the complaints of councillors and there's a bit of-----
80. JM: History?
81. [REDACTED] -----history.
82. JM: Okay, so just – [REDACTED] So to provide some history, Redland City Council struggles in my opinion and in a lot of media – media surrounding the history of Redland City Council, its online content. If you Google Redland City Council and fake Facebook pages, you will find a plethora of information. So it has been recorded over many terms that it's a dynamic environment illustrating a level of discord amongst councillors and – and local politics. During – I campaigned-----
83. [REDACTED] I'll let you go.
84. JM: Yeah, so I campaigned – this is my first run. I'm an independent candidate. First time into the foray of politics. I'm a – I don't know if that's relevant, I consider myself a fairly contained person that tries to do the right thing. My background in work has been this – prior to this, a period of – as a – as a – time out as an – as an artist, enjoying life and running an Airbnb. Prior to that I worked within a local government as a manager of economic development. Prior to that in sustainable – state sustainable communities that was called, so community services and economic development. Prior to that I ran a company with my husband. Prior to that I was a police officer for 11 and a-half years. I ran, as I said as an independent, it gained

Interviewee:	MITCHELL, Jocelyn		Page 8 of 62
--------------	-------------------	--	--------------

IN CONFIDENCE

momentum during that time, which I'm quite proud of because I started with nothing. I formed connections with a range of people. We decided because there wasn't much money that we should try and run as a group of candidates. Rang the ECQ, registered as a group of candidates as is appropriate. We were from different backgrounds, so there were people that were red and blue and green and everyone was getting along. It was a dynamic process.

85.

86. JM:

87.

I think that's sufficient background. I think just let's go into the – I – I think you've got enough to understand where you've – what you're interviewing. It's all over there (00:21:09).

88. IM:

Take your time.

89.

You need to give some background to put this in context, yeah.

90. IM:

When you're ready, if you can just take me through what happened with this guideline change?

91. JM:

So in this particular guideline change, I became aware of the change on the 17th of December at approximately between 11:30 am and 12:00 pm. It was during a meeting with myself, and who is and who is the During that meeting, which was a general update to provide me with a list of

Interviewee:	MITCHELL, Jocelyn
--------------	-------------------

Page 9 of 62
--------------

IN CONFIDENCE

what's coming up in terms of media, she inadvertently let us know, [REDACTED] and myself, that there had been changes to the Media Guideline. We both questioned those changes. I started because I wasn't advised of the changes, so I asked what changes were made and we spent some time where [REDACTED] advised that they were – they were made prior to the 17th of December, on the 9th of December. And I obviously said that I did not agree and that this was a shock and wanted to know exactly what changes were made and how they impacted me. [REDACTED] advised that [REDACTED] would get back in touch and that there was changes to, you know, a couple of sections. So I've got – you – you – probably, you might have these same things, but anyway. Subsequently to that meeting, I've since found out that [REDACTED] emailed [REDACTED] at 12:07 just after the meeting, [REDACTED] and [REDACTED] provided [REDACTED] with a list of the changes made. The actual document was changed on the 9th of December. It states it – it says date of approval 9th of December and that is documented on the actual change document. So it did change on the 9th of December. I was first advised on the 17th. Changed, yeah. On the 17th of December at 1:30 pm, [REDACTED] wrote to all councillors and in that email she advised, "Further to councillor workshop on the 18th of November when we discussed the media relations and speeches guideline, the feedback from this workshop has now been incorporated into the updated guideline, which I attach for your reference." So there's no prior advice prior to the 17th of December. And so I've got, this is the first I was advised of changes by anyone after [REDACTED] comments in the meeting an hour and a half before. Subsequent to that email or after that email rather, [REDACTED] wrote at 7:18 pm his concerns about the changes to the guideline indicating that he wasn't aware of the changes either and his concerns about the changes made. I responded on the 24th of December at 3 – sorry, no, [REDACTED] responded on the 24th of December at 3:32, saying – about the changes. I'll just read out the relevant bit, "There were mixed views about this at the councillor workshop as well where officers presented their recommendations. You can view this workshop again if you would like as it is one of the ones that has occurred since we started recordings." [REDACTED]

[REDACTED] You may recall from the workshop, officer recommendations were not supported in each instance by the majority of councillors. And as is our custom and practice, the guideline was then adjusted to reflect the feedback we received from the majority of councillors even where this is different to the officer recommendations. My big query has always been, this is a workshop, this is for information provision in line with the Operation Belcarra. In this paragraph, they're indicating that officers were determining to do something, but based on a

Interviewee:	MITCHELL, Jocelyn	Page 10 of 62
--------------	-------------------	---------------

IN CONFIDENCE

majority decision within a workshop, they are changing their manner of operation outside a General Meeting. So at no time, because it was a workshop, was I under the impression that the guideline would be changed without acknowledgement. The [REDACTED] states the decision was made due to majority feedback, i.e., that means that they were directed by councillors without a resolution outside a General Meeting. On the 3rd of January at 10:20 am, I wrote back and – to – to [REDACTED] and CC'd in [REDACTED] stating that I shared [REDACTED] concern that I was not informed of the updated guideline and found out about the changes after the fact, as is indicated. I was informed the Media Guideline policies from nine other councillors were – were reviewed and only one, Fraser Coast, was found to have a similar point. And you can see it here and I attached the attachment. That information was provided to me by [REDACTED] at that meeting. In relation to proposed anti-bullying campaign, this will go to point 2, I absolutely felt backed into the corner because [REDACTED] email also relates to that. And I'm not at all comfortable. I agreed with your approach regarding finding more information, and this can be viewed in the General Meeting from December, 2024, in terms of the scope messaging, scheduling, delivery and cost of any anti-bullying campaign. As an example of the dangers of publicity around this issue, the Pledge not to Sledge campaign was endorsed by [REDACTED].

[REDACTED] I have screenshots of commentary made about me by some councillors and I'm not at all comfortable standing beside them for an anti-bullying promotion. So I have been called [REDACTED] I do not want to stand beside people who put up a resolution but do not abide by the conduct. [REDACTED] wrote back saying she acknowledged my email that she was copying in – copied into. I replied on the 3rd of January 2025, "Thank you for the explanation that was changed due – that this was changed due to majority councillor sentiment in a councillor workshop." And I did not receive any further commentary after that in that email thread. So sorry, I was provided – on the 19th of December going forward, I was provided – we were provided with a copy of the tracked changes showing what changes were made to the guideline on the 9th of December. So the guideline again was changed on the 9th of December 2024 without advice from me. The – the comment that I referenced in my video online is that the comment changed was elected members who have voted against a majority decision of council or who have a declared conflict of interest in a decision will not be the spokesperson for that decision.

[00:30:08] So as mayor, I'm – I was the spokesperson for council. Now if I don't vote with the majority, my role is diminished because now if I don't agree with the – the – the what is typically a – a – a voting group, I will not be the spokesperson. So it has reduced the scope of my function. And I

Interviewee:	MITCHELL, Jocelyn	Page 11 of 62
--------------	-------------------	---------------



IN CONFIDENCE

also wanted to point out that the changes to this guideline have been minor previously and this – this represents a more – yeah, this represents a more – a – a – a more robust – robust – a bigger changing of the document now in December, 2024 that's existed prior – in prior terms. I should also note too that I've been advised that there are further changes coming. In the February '25 General Meeting, the deputy mayor and councillors brought a motion to introduce portfolios and link the Media Guideline to that – a – to that portfolio system. And there is now another proposed change to the Media Guideline to change it again and include them more broadly across the – that speaking role. Now, going back to previous communication, because I see there was some reference to organisational correspondence, stating that I was advised around advice. As I said, there was a workshop and as you've identified, there was a workshop on the 18th of November. Now, a workshop, being mindful of Belcarra, is for information purposes to – to councillors. It is not a decision-making process. And council provided a information session and I was not of the belief that this was a decision-making forum. If it was to be – to make a change in – in – at odds with an officer recommendation, I would've expected that to come back to a General Meeting for a council decision. I have spoken to other councillors who were of the same view. And it talks to some degree about options and you've probably been provided with a copy of that already. Now, Friday the 23rd of August 2024, there is an email from [REDACTED] to my [REDACTED] [REDACTED] has provided me with these copies. In this [REDACTED] states that he doesn't believe changes are being made to the guideline. And I draw your attention to this paragraph, I will need to brief [REDACTED] which stands for [REDACTED] who is a [REDACTED] within council, and [REDACTED] [REDACTED] "Early next week, as I officers have not fully considered the issues, but do – I don't believe are proposing any guideline change as we believe we have practices to deal with the issues." On the 17th – 27th of August 2024, [REDACTED] wrote to [REDACTED] my [REDACTED] and [REDACTED] states in paragraph 2, "I'm preparing some examples to circulate to councillors to provide clarity on how CET will interpret the media relations and speeches guideline 4.1 media releases that states, 'where the topic is local to a specific division, the divisional councillor will be quoted in addition to the mayor'." And that was already occurring in practice. [REDACTED] had previously provided me with information stating there was councillor pressure wanting them to have a greater role in media releases. I didn't have a problem with that and so they were typically from that point included. If the issue was not citywide, if it related to their division, they provided quotes as well. On the 26th – sorry, I was out of sequence. That was the 27th. The day before, on the 26th of August 2024 [REDACTED] wrote to my [REDACTED] – actually, I'll go back to the beginning. So on Monday, the August the 26th at 4:55 pm, [REDACTED]

Interviewee:	MITCHELL, Jocelyn
--------------	-------------------

Page 12 of 62
---------------

## IN CONFIDENCE

[redacted] wrote to the [redacted] and CC'd in [redacted] God, sorry, going further back. I'll start here, sorry. [redacted] wrote to [redacted] on Monday the 26th of August at 4:48 pm. He says, "Hi [redacted] A number of councillors have raised the issues of the Media Guideline. It is clear in officer's minds that the mayor is and should be the spokesperson for the city. I have suggested to those who have raised it that this is really an item for a mayor-councillor meeting. We agree there have been a few instances where the definition of citywide versus divisional could be clearer and not always consistently applied. Likely a training interpretation issue, but at officer level, we can clear this up, I feel." [redacted] responded back to the [redacted] saying, "Thanks [redacted] Much appreciated. I will let the mayor know. As an aside, the mayor is concerned that officers are copping 'heat' after this – after this from councillors and would like to know if there's anything she can do that would be constructively – that would constructively assist and not make things worse. Given that [redacted] and [redacted] team are closest to the action, I suggest that she reached out to [redacted]" [redacted] replies to [redacted] on Monday the 26th of August at 5:00 pm stating, "Thanks, [redacted] The mayor is correct, hence the request to take it offline and away from officers. It is something the councillors best discussed together as an alternative will be I suspect a continued use of notices of motion, which is not ideal." At 5:07 pm on Monday the 26th, [redacted] wrote to [redacted] and [redacted] and [redacted] and [redacted] who appears in a photograph together later on, writing, "Thanks, [redacted] and [redacted] Confirming I've also taken a call from [redacted] which stands for [redacted] who will be bringing this to the mayor-councillor meeting. I explained, as officers don't see any need for the guideline to change, rather just review its application for correctness." At 5:22 pm same day, [redacted] writes back to [redacted] "Just to – just so you know, the mayor won't support any change to the guidelines. So if [redacted] or others don't accept that, I expect they will bring a Notice of Motion." [redacted] writes back to [redacted] at 6:36 pm, "Understood. And as we discussed today, we can then respond to this if council resolves to make changes." So again, this shows that the process was going to be followed, but it did not occur that way. Decisions to change were made.

92. IM: Sorry, what's the date on that one again?
93. JM: So that's the 26th of August 2024 and the final one in that chain, they started – it's all on the same day. They started at 4:48 pm and the last one that I have here, 6:36 pm. So drawing your attention to all of that indicated the email from the [redacted] and email from [redacted] and staff that there were no changes necessary and it indicated that none were going to

Interviewee:	MITCHELL, Jocelyn		Page 13 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

be made. At no time did I believe following this information, or there was no indication that changes would be made that I have been made aware of. In fact, as [REDACTED] outlines, that a Notice of Motion would be brought back if that was going to be the case. However, that process was not followed. Guidelines were changed on the 9th of December 2024 and I found out about them as I've stated factually in those comments on the 17th of December 2024.

94. IM: Thank you. Firstly, would I be able to receive a copy of all of those that you've referred to?
95. JM: Absolutely.
96. IM: I have some, but not all. And I think it would be best if I get them directly from you or from [REDACTED] if I can have copies of all of those.
97. [REDACTED] I – I'm happy to get them scanned and I could give them (00:39:33).
98. JM: Yep, I'm happy. Yep.
99. [REDACTED] Can I just say I feel, Jos, you haven't answered the question. You've given a heck of a lot of background prior, but the issue in play is, in view of all of that background, (00:39:56) it said that you've been misleading. So with the benefit of knowing that background-----
100. JM: [00:40:06] Yep, so-----
101. [REDACTED] -----i) Is it misleading, firstly, and secondly – or false or misleading firstly and secondly, then answer (00:40:12).
102. JM: Okay, so I do not feel it is false. I do not feel these comment – the comments that I made were misleading and I do not feel they were discourteous, they were factual and they were always intended to be factual.
103. IM: So from the examples, there's suggestions there that you've made comments that changes were made without your knowledge. So you maintain that's an accurate statement?
104. JM: That is an accurate statement.
105. IM: There's also in the comments a number of them, you indicate that the changes diminish your role as a mayor and I think you've referred to that also. Can you tell me why do the changes diminish your role as a mayor?

Interviewee:	MITCHELL, Jocelyn		Page 14 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

106. JM: So can – the mayor has typically been and has – has – has been the case, the spokesperson for all citywide council issues. And that's never been questioned if you look at the tracking of the document in relation to this – that guideline, that's not been raised before until this term. [REDACTED]

[REDACTED] in line with other evidence that I – I can table as well in relation to a campaign to [REDACTED] They – the – the diminishing of the role comes with a reduced capacity to be the spokesperson for council, and this does. This means, and I feel it also implies a pressure that if I do not vote for the majority, I'm removed as the spokesperson for that issue.

107. [REDACTED]

108. JM: That's been – there's been – there's media stating, I have a – a recording where a journalist – an editor is saying – I've got the recording where he's talking to me and saying, "Councillors have contacted me providing information," but he won't say who. So it does. If I cannot – if – at the conclusion of a meeting, if I don't vote with the majority, then I'm simply not the spokesperson anymore. And one of the people who does vote that way, and we have a situation [REDACTED]

[REDACTED] But back to this point, sorry, I divert – I – I'm off the topic. So yes, I believe very firmly in the wording, this does reduce my role.

109. IM: Tell me, where is that role of mayor set out? Where does it say this is (00:43:33)?

110. JM: So under the local – under the Local Government Act.

111. IM: So the change to the guideline, is that contrary to what that role is specified as in the Local Government Act?

112. JM: So it – the – the – the Act is, as I understand it, silent to the depth of some issues. So you have to compare, but very similar to Teresa Harding, Mayor of Ipswich, and that's also documented in media. But I understand she's not the subject of a complaint for providing her views. And again, from

Interviewee:	MITCHELL, Jocelyn		Page 15 of 62
--------------	-------------------	--	---------------

## IN CONFIDENCE

what existed previously for the mayor in the last term, that is a diminishing role. If you take what occurred last term to now.

113. IM: Do you think that that guideline change was in any way a breach of what is set out in the Local Government Act in terms of the specified role of the mayor?
114. JM: I'd have to check. I'm not a lawyer. I'd have to get advice.
115. IM: You haven't had advice on that previously?
116. JM: On?
117. IM: On whether the guideline change is a contravention of the Local Government Act provision about the role of the mayor?
118. JM: No, I don't. Again, this is an area as Teresa Harding's gone through that – that and I've had another – I've had another call from another mayor who was also concerned about it. We are all talking about not only the complaints issue and the dealing of that being an issue, but also the function of a mayo [REDACTED] and how mechanisms can be used to reduce the function of the mayor, which is common practice across the state. As I said, and as identified by the [REDACTED] at the time, [REDACTED] said nine councils were reviewed. That's – that's the information [REDACTED] provided to me in that meeting on the 17th of December. One made a similar reference.
119. [REDACTED] Jos, are you giving your answer based upon the jurisdictional standing of a mayor under the statute or in practice, what mayors do?
120. JM: In practice, what mayors do.
121. [REDACTED] And so when you're saying impinged upon reduced, it's not about statutory function because you don't need to defer to the statute and legal advice. This is about what mayors do.
122. JM: This is about what mayors do and that's what Teresa Harding's point is. And that's what my point is.
123. IM: That aspect, not the jurisdictional or not the legislation, but that traditional role, is that specified somewhere or is that just a customary practice that everybody's used to?

Interviewee:	MITCHELL, Jocelyn		Page 16 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

124. JM: As far as I understand, it's – it's – it's what mayors, when I've spoken to other mayors, consider their function. So they – they are-----
125. [REDACTED] (00:46:20) member of the public (00:46:21)-----
126. JM: They are.
127. [REDACTED]
128. JM: Yes.
129. [REDACTED] That's what happens.
130. JM: It's broadly, if you – if you go and talk to – ring up any of them.
131. IM: Can you tell me what was the process as you understood it for implementing a change to a guideline or a new guideline? What did that entail?
132. JM: I wasn't made aware of that. So on the email – so – but I – I'm – I was firmly of the view for this, that it was an operational matter. There was recommendations that officers made, so then that would be and emails, as we – as we know where officers said they didn't believe there would be any changes made. However, following a workshop without any advice to me or – or other councillors that I've spoken to, changes were made based on feedback provided by councillors. I was made-----
133. IM: Are you aware of whether that process that was undertaken was a complaint process or was there some problem technically with it?
134. JM: So I was made aware by [REDACTED] that one councillor in particular wanted changes to the guideline. I haven't RTI'd those series of emails, but I understood she asked for, I think it was the last five years – every media release for the last five years. And [REDACTED] said that one councillor in particular, [REDACTED] was pushing very hard, hence my comments about, you know, I'm – I'm – there was a push. However, as is appropriate, councillors – that's – that's corruption if we have councillors pushing staff to make changes outside a council decision. So I believe that council would follow proper – proper mechanisms.
135. IM: And those proper mechanisms that you're referring to, where are they set out?

Interviewee:	MITCHELL, Jocelyn		Page 17 of 62
--------------	-------------------	--	---------------

## IN CONFIDENCE

136. JM: So I guess under – well, under the Act, and then Belcarra report drew – drew lines in the sand around the use of workshops as information providing sessions, not decision making because that's not making decisions in a – in a public and transparent forum.
137. IM: Some of the comments, a number of them you refer to there being a lack of transparency and you've mentioned that before. Can you just take me through why do you feel there was a lack of transparency?
138. JM: Because it's not done in a public forum. And because if decision, if – if there wasn't – if there were going to be changes made, why wasn't it circulated? Why wasn't I involved? If it – if it relates to me specifically and my job function, why wasn't I informed until after the fact? Why – you know, why wasn't it done – as they've identified in emails, if a change was to be made, why wasn't a Notice of Motion brought to council and it be appropriately done? Funnily enough now, we are going through a process, will – it will be brought back to council at the next General Meeting, but it wasn't done in this case. Now that I've pointed it out, now it's going to be done.
139. IM: Your understanding is that a Notice of Motion brought by a councillor at a General Meeting can bring about a change to a guideline. Is that correct?
140. JM: Yes.
141. IM: [00:50:00] A number of the comments refer to the change as being made to a majority councillor sentiment at a workshop and I think you've gone through some information where-----
142. JM: There's an email which states that-----
143. IM: -----you (00:50:10) and that's from [REDACTED] to you. Is that correct?
144. JM: That was – that's [REDACTED] at the time, wrote that in [REDACTED] email. That the guideline was changed against the recommendations of officers due to majority feedback from a workshop.
145. IM: Do you agree that your comments could in any way be perceived as implying that either councillors or council officers had behaved in an underhanded way or a sneaky way?
146. JM: I think they're factual. They're intended to be factual. So as I've outlined that the – I've outlined everything as it occurred. So they're intended to be factual.

Interviewee:	MITCHELL, Jocelyn		Page 18 of 62
--------------	-------------------	--	---------------

## IN CONFIDENCE

147. IM: I think you've already indicated that you've maintained your comments were courteous. Is that correct?
148. JM: Yes.
149. IM: And fair?
150. JM: Absolutely. As supported by the documentation, my comments state to me – stated that – that I found out on the 17th of December that the changes were made on the 9th of December. I outlined in my video online the changes that were made and that I did – and it – and I stated my opinion, which I'm entitled to do.
151. IM: Do you agree that your comments adversely affected the reputation of the council? Any of those comments.
152. JM: I believe that they're true.
153. [REDACTED] Firstly, who – who and what is the council?
154. JM: Yes, I guess what is the definition, who are we?
155. [REDACTED] The council is the statutory entity Redland City Council. It's represented by the mayor and the councillors and the others. So did it – did your comments diminish the standing of the statutory council?
156. JM: Well, I'm part of council.
157. [REDACTED] Or of the mayor or of the council?
158. JM: So I'm trying to in – I'm – I'm stating facts and I have always campaigned for transparency. That was my campaign platform. That's what got me voted and I want us to do things the right way.
159. [REDACTED] Well, in which case it doesn't diminish the standing of council. In your submission, what does it do about enhancing the transparency and reputation of council?
160. JM: So yeah, exactly that.
161. IM: And in terms of the process that you went through which brought about that change in the guideline and the workshop that happened, and then---  
--

Interviewee:	MITCHELL, Jocelyn		Page 19 of 62
--------------	-------------------	--	---------------



## IN CONFIDENCE

162. JM: I didn't – I didn't have any part in that. That's been done without my input. That – that – that bringing about was done by a push from a councillor by the sound of it.
163. IM: My understanding is, and we'll go through some documents in a minute, but my understanding is there was a workshop on the 18th where this amendment was discussed and you said that you first became aware of it much later on the 17th of December. So that's almost a month later although the amendment actually came into place on the 9th of December. So you became aware on the 17th, so we're talking about eight days later after it was implemented, you became aware. What do you think should have happened in hindsight in terms of that?
164. JM: How does this relate to the complaint or?
165. IM: I think it's important to understand you're indicating that your statements were accurate and truthful and it wasn't transparent.
166. JM: Yeah.
167. IM: So tell me, what do you think should have happened?
168. JM: So a notification should have been – well, to be honest, I don't – I don't think a change should be brought about. If a councillor has a recommendation, this is an operational issue. If a councillor wants to change that direction, that should be brought in an open forum visibly to the public as is appropriate. It should not be made in a workshop or as a result of a workshop. The decision should be taken to council, Notice of Motion should be brought and the change should be voted on publicly and made.
169. IM: You're talking about a councillor, do you have any evidence that any councillor or councillors were responsible for this specific amendment?
170. JM: Well, that's what [REDACTED] talked about saying that [REDACTED] and as you've heard, [REDACTED] wrote to the [REDACTED] commenting on that because it was a discussion had – that the staff were getting and particularly [REDACTED] was getting pressure to change the guideline.
171. IM: Did [REDACTED] tell you that this particular-----
172. JM: When we were at NAIDOC-----

Interviewee:	MITCHELL, Jocelyn		Page 20 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

173. IM: -----amendment was being-----
174. JM: Not that particular amendment
175. IM: -----written by a particular – no?
176. JM: No, not the – not the amendment. I've never – that was never-----
177. IM: That was a surprise. I think you said-----
178. JM: That was a surprise.
179. IM: -----it was a shock to you.
180. JM: Yes, that was a surprise. But she spoke in general terms that – that they wanted to make or that she and other councillors wanted to make changes. That [REDACTED] had requested and I think it was from memory, the last five years of media releases. And [REDACTED] said that to me on Stradbroke Island during NAIDOC week. But as is indicated by the emails, it was expected that – and obviously indicated by staff too, that if a change was to be made by a councillor and a councillor was pushing for a change, that they would raise it in a Notice of Motion and bring it back into a council meeting.
181. IM: My understanding is that this particular change appeared in a perhaps the Fraser Coast's similar policy. Do you think it's possible that that change may have been identified by a council officer rather than a councillor and simply put before the council as a possible amendment to the guideline to make it more effective?
182. JM: Well, I'm referring back to the media – the – the – I guess the workshop. I don't know. All I know is that [REDACTED] said when I – in response to my question, how many – this guideline – this – this change had been made. And I said, well, that – I said to [REDACTED] "That – that affects my role then as spokesperson for council," which if you look at the document tracking, has historically been the case and now it's changing. And [REDACTED] said, "We considered other councils." And I said, "How many?" So I think from memory it was about nine. And I said, "And what did you find?" And [REDACTED] said, "Well, one was similar," that was Fraser Coast. And I said, "One out of nine."
183. IM: If what occurred was, there was this workshop on the 18th of November and there was a discussion of these possible changes including the change which was actually made and the councillor sentiment as you said, was in

Interviewee:	MITCHELL, Jocelyn		Page 21 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

favour of this particular amendment. And I think you've said you weren't present during that workshop. What do you think should have happened at that point in time?

184. JM: If there were going to be changes made to a document like this, then I thought it should have been clearly articulated and circulated to all councillors.

185. IM: And you didn't become aware until the 17th of-----

186. JM: Until the 17th of December.

187. IM: So do you think you should have been made aware before the 9th of December when it was implemented?

188. JM: Yes.

189. IM: And who should have made you aware of the change or the prospective change?

190. JM: The – [REDACTED] or a member of [REDACTED]

191. IM: And why should they have done that?

192. JM: Because it was a – an issue affecting my role as mayor.

193. IM: So the communication of that to you following the workshop, was that a technical requirement or was that more a matter of courtesy that they should have informed you?

194. JM: Well, I would assume – I'm not across all of the – I've only been in a year, so I'm not across all of the documentation. But I would assume in talking to other mayors, they are kept apprised of – of issues. In my case, I found it very difficult because I have had – I'll give you some examples. [REDACTED]

IN CONFIDENCE

195. IM: Are we talking about a lack of communication here between-----
196. JM: We're talking about-----
197. IM: -----significant officers of the council and yourself in terms of keeping you informed of relevant issues including this particular guideline.
198. JM: We are, and we are talking about a general display of a lack of respect.
199. [REDACTED] So Jos, isn't the way you were asked, how should they bring it in? If you say, should be in a council meeting, isn't there notice of meeting to councillors prior to meeting?
200. JM: Absolutely. There's an agenda.
201. [REDACTED] That's a statutory process.
202. JM: That's a statutory process.
203. [REDACTED] Well, the question is, how should it come in via the normal statutory process meetings.
204. JM: Absolutely. So normally with a council, a council meeting is made, you know, there's an agenda, it's set out. All councillors are notified. I've got a process in that.
205. IM: [01:00:06] And you think this amendment should have followed the same process and gone via the-----
206. JM: Once councillors become involved, and I've got an email there stating that it was – a change was made due to majority sentiment, then once councillors – a workshop is for information sharing, once councillors become involved to make a decision, it should go to do a General Meeting.

207.

208.

Interviewee:	MITCHELL, Jocelyn
--------------	-------------------

Page 23 of 62
---------------

IN CONFIDENCE

209.

210.

211.

212.

213. IM: I'm going to share some information with you now and perhaps ask for your comment. This information has been received by me. Obviously, we've mentioned that these example comments in the allegation have been

Interviewee:	MITCHELL, Jocelyn		Page 24 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

drawn from three different sources. One's your Facebook page, one's an ABC radio interview and one's a Courier Mail statement. So the Courier Mail article, and in that article, and I'll show it to you for what it's worth. I'm not sure if you've seen this before.

214. JM: No, I don't read her.

215. IM: This is the information given to me in relation to the Courier Mail and the statement that's been attributed to you.

216. JM: Well, that's not my statement. That would be [REDACTED]

217. IM: So in that, you'll see and I'll read out this section here, that it's been attributed to [REDACTED] that she said the changes, we're talking about the guideline changes, were agreed to at the December meeting of councillors, which the mayor was invited but did not attend.

218. JM: So that would be-----

219. IM: Could you comment on that?

220. JM: So that would be a workshop. And if I had a conflicting appointments, it's not that I declined to attend. These are workshops, they're no – not statutory requirements. But I have sometimes not been at workshops, but that's because there's been something conflicting that took priority.

221. IM: Tell me, you mentioned [REDACTED] before.

222. JM: Yes.

223. IM: Is his role to assist you? Is that what he does?

224. JM: His role – yes, he's the [REDACTED] to the mayor.

225. IM: Does he get to attend these workshops if for instance you can't make it?

226. JM: Not that I know of.

227. IM: So that he wouldn't normally attend a workshop like that?

228. JM: No.

229. IM: So also in that, it's been attributed to [REDACTED] that she said the new rules applied equally to all councillors and [REDACTED] I think

Interviewee:	MITCHELL, Jocelyn		Page 25 of 62
--------------	-------------------	--	---------------

## IN CONFIDENCE

she's referring to you there, was aware that changes were proposed a month before the changes were made.

230. JM: That's not correct.

231. IM: We all knew that the Media Guideline was going to be updated in November and all councillors had been advised by officers before the meeting.

232. JM: That's not correct.

233. IM: Disagree with that?

234. JM: Absolutely disagree. [REDACTED]

[REDACTED]

And so I categorically disagree with these statements.

235. IM: I'll grab that one back for now. So I spoke to [REDACTED] who's the [REDACTED] And I'm paraphrasing here, but she essentially said that she met with you fortnightly – on a fortnightly basis.

236. JM: That's incorrect because it's often a lot longer between the meetings.

237. IM: And she said, including between the 14th of October 2024 and the 14th of November 2024, and that she'd informed you during that time that there had been a lot of feedback regarding the way in which media was being managed and a review might result in changes to the guideline. She said that she'd informed you at a very high level of the topics which were being considered. During a review of the guideline, you had been aware that there were potential changes which might impact your role as mayor, as the council spokesperson.

238. JM: That is untrue. Councils-----

239. IM: Disagree with that?

240. JM: I disagree with that.

Interviewee:	MITCHELL, Jocelyn		Page 26 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

241. IM:

242. JM: I'm – I represent myself fairly evenly. [REDACTED], I've never used that term. This – the changes that were made were never – categorically, never discussed with me. What [REDACTED] discussed with me as I said, was being contacted by councillors that she said that [REDACTED] were under pressure. That [REDACTED] at NAIDOC week on Stradbroke Island had contacted her or the team asking for the five years of media releases; that they wanted a bigger like, slice of the pie. They wanted more exposure.

243. IM: Okay.

244. JM: I had always said that I felt that the mayor's role had been consistent and I did not see why that needed to change. We discussed that councillors already were quoted in their divisional sections in media. At no time did [REDACTED] give any depth to changes at all, and she more certainly did not talk about the change that related to my not voting with the majority that I would not be the spokesperson.

245. IM: Okay. In relation to that guideline change, what was the situation before the change? Were there occasions where you had voted against the majority but still remained the spokesperson for the decision?

246. JM: So, prior to that change, that was not in the guideline at all. So, the mayor was always considered the spokesperson regardless.

247. IM: So, did you actually speak on occasions to the media in relation to things that you had voted against?

248. JM: So, at that stage, I spoke to the media about everything. So, for example, on my first day in council, I spoke to the media about Toondah Harbour, which was a matter that I had nothing to do with. It was my first day.

249. IM: Before your time?

250. JM: Yeah, before my time.

251. IM: But did you actually speak on anything that you had voted against? Were there any instances where that occurred?

252. JM: I'd have to go back through all the meetings but –

Interviewee:	MITCHELL, Jocelyn		Page 27 of 62
--------------	-------------------	--	---------------



IN CONFIDENCE

253. IM: Can you recall any?
254. JM: I spoke to everything that they had asked me about. I spoke to – they had asked me and run me through media training, wanting to know if I could speak about the whitewater facility because I did not vote in favour of that. There was six councillors who voted for it, five that voted against it. It has always been the role of me though, to represent the council decision, and I take that very seriously. A majority is a democratic – yeah, the majority vote is – becomes the decision of council, and so –
255. IM: Did you speak in relation to that particular decision?
256. JM: Yes.
257. IM: You did?
258. JM: Yep.
259. IM: Okay.
260. JM: And I continue – I continue to do that now.
261. IM: I think when I spoke to [REDACTED] she said that she thought the amendment was likely to be of benefit to you as the mayor because you would not have to speak for a decision that you voted against and you would then have the opportunity to publicly express your opinion regarding the decision, so you wouldn't have to speak for something that you disagreed with.
262. JM: If that was the case, then why wouldn't they discuss this with me before? Why are they coming up with this argument when [REDACTED] talking to you late in the day? If that is the process and they were trying to help me out, why not discuss it with me and point that out?
263. IM: Okay. [REDACTED]
264. MR: So, in writing rather than these verbal things where it's they said –
265. JM: But [REDACTED] never said that. That's never an argument that's been posed.
266. IM: Not in writing or verbally, you are saying? Yeah.
267. JM: So, why –

Interviewee:	MITCHELL, Jocelyn		Page 28 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

268. [REDACTED] It's not even verbally because she has said it didn't happen.
269. IM: Didn't happen, yeah.
270. [REDACTED] But it – that – that level of thing, had it occurred, would ordinarily be in writing, not secret kind of verbal discussion.
271. JM: Yes. Like, why – why? And this comes back to transparency. This is – and I – so – yeah.
272. IM: Okay. So, [REDACTED] again said [REDACTED] believed that your comment, the guideline had been implemented without your knowledge, was misleading and inaccurately implied that councillors or council officers had behaved in a sneaky or an underhanded manner. And I may be paraphrasing there but that's the nature of what [REDACTED] said.
273. JM: So, that' [REDACTED] interpretation. I stated very factually, the sequence of events that happened.
274. IM: Yes.
275. JM: I put a video up on Facebook explaining that, and then I give my opinion, which is my – my right, based on that. I have not used the words sneaky or – so attributing those kinds of comments is not correct.
276. IM: Yes, and I don't think [REDACTED] suggesting you made those comments but I think [REDACTED] saying that there's an implication and [REDACTED] perceived that your comments were an indication that councillors or council officers had behaved in a sneaky or an underhanded manner, which [REDACTED] thought was inaccurate and misleading because of the way the events unfolded. In particular, [REDACTED] said that, and some of the documents you've referred to leading up to that workshop, that you would have had a general, at least, awareness that there was going to be changes. There was a review process, so they shouldn't have come as a shock to you.
277. JM: To the contrary. I've got emails stating that there was going to be no change, including from the [REDACTED] who said there is not going to be any change. But any change to be made would come back in an open forum. If you speak to [REDACTED] who actually wrote to the [REDACTED] – the – [REDACTED] at the time, as I've outlined, he had the same concern. So, if you ask [REDACTED]  
[REDACTED]  
[REDACTED] I think you'll find that none of us understood that there would be changes made. Because I understand from the emails and

Interviewee: MITCHELL, Jocelyn

Page 29 of 62

IN CONFIDENCE

from process, that if – and the emails back this up from the [REDACTED] – if there was going to be changes made, we would have been made aware of it because it would have gone through a General Meeting, it would have been on the agenda, we would have all known, we would have known what the changes proposed were going to be. But in this case, no.

278. IM: So, you deny that you were advised then, that there were actually going to be changes made, but you're not sure what they were going to be?

279. JM: Well, they've - so, they've put –

280. IM: Is that accurate?

281. JM: So, they brought a – they brought a workshop here.

282. IM: Yes.

283. JM: But I didn't – I thought that if there were going to be any changes made, that this wouldn't be the end of the story, that this would be – they would be discussed.

284. IM: Prior to that workshop though, did you have any indication, did anyone say there were going to be changes to the guideline?

285. JM: No.

286. IM: No. It was just discussed?

287. JM: Yeah. From the emails, as you can see, that there weren't – from – yeah, weren't going to be any changes.

288. [REDACTED]

289. IM: Understood. Yes, and we have said the submissions I have, and they'll be taken into account.

290. [REDACTED] You'll account for –

291. IM: Yep.

292. [REDACTED] I'm just highlighting the – it's relevant to this point.

Interviewee:	MITCHELL, Jocelyn
--------------	-------------------

Page 30 of 62
---------------

IN CONFIDENCE

293. IM: Thank you for that. Yep.

294. JM:

295. IM: Okay.

296. JM:

297. IM: Okay. We'll continue on with what [REDACTED] had to say.

298. JM: Actually, I will. Can I raise some issues?

299. IM: Sure?

300. JM:

301. IM: You're talking about [REDACTED] here?

302. JM: Talking about the [REDACTED] within – in [REDACTED] case, that changing advice and changing information has been hard for me to manage because it – it negatively impacts me when I don't have the correct information and then, it changes.

303. IM: Are you saying [REDACTED] inconsistent with what [REDACTED] reporting to you? Is that correct?

Interviewee:	MITCHELL, Jocelyn
--------------	-------------------

Page 31 of 62
---------------

IN CONFIDENCE

304. JM: Inconsistent – inconsistent, yes.

305. IM: Okay. [REDACTED] said that while it was accurate that the amendment had not been discussed in the public domain, it had been implemented in accordance with the council requirements and in consultation with councillors, which was the correct process. She disagreed that there had been any lack of transparency. Do you want to – I mean, you’ve made comments on that before. Do you want to comment on that?

306. JM: I do not – I do not – yeah, I do not – I’ll do it again. I do not agree. I was not made aware of those specific changes. And as you can tell from the [REDACTED] the expectation was that no decision would come out of a workshop by a majority decision of council that, in accordance with the email – email trail, that if there was to be changes, that it would come back via a Notice of Motion.

(1:20:04)

307. [REDACTED]

308. JM: Is there – is there documentation?

309. [REDACTED]

310. IM: Can I enquire when these allegations have been said, did you enquire of this person what written documents show me, please?

311. [REDACTED]

312. IM: Okay. Well, we’ll continue. So –

313. JM: That might be coming.

314. IM: In relation to what [REDACTED] said, [REDACTED] said, “While the amendment did affect your ability to act as a council spokesperson in specific circumstances, it did not prevent you from speaking publicly on any issue provided you made it clear you were voicing your own opinion and were not the spokesperson for the council on that issue.” Did you have a comment on that?

Interviewee:	MITCHELL, Jocelyn		Page 32 of 62
--------------	-------------------	--	---------------

## IN CONFIDENCE

315. JM: It does diminish because as I've said and that [REDACTED] – as [REDACTED] acknowledged, it does. It means that I'm not speaking as the council spokesperson which I previously had done, and going into the future, this also has an impact. It means then, that if I vote against – is that – that raises the question, too. That means that if I don't vote – and typically if we look at – at voting records, there's a group that do vote together – that means if I don't vote with them, then I – I'm not the spokesperson.
316. IM: Okay. Alright.
317. JM: I – my – my grave concern is that a group of councillors, not only on this occasion but consistently, impact the direction of operational council outside the bounds of a general council meeting. [REDACTED] I have very grave concerns about the manner of operation.
318. IM: Okay. We've spoken before and you've spoken about a series of things which happened before that workshop. You spoke that there was an email from [REDACTED] There was also an email from [REDACTED] talking about the guidelines. And then, there was an email from [REDACTED] on the 4<sup>th</sup> of September, which you referred to, I believe –
319. JM: 4<sup>th</sup> of September, I don't think I've got that one.
320. IM: Okay, I'll take you through that one, then. So, this is an email from [REDACTED] to councillors, subject councillor request 5 years of press releases on 5 council projects.
321. JM: Okay. That would be the one that – that must be the one that she referred to me at the – oh, that might be the one that she was referring to me at NAIDOC Week.
322. IM: So, [REDACTED] told me that this was brought on by [REDACTED] who specifically wanted this information. But all of these types of communications, [REDACTED] indication is that this shows that you should have been aware that there was going to be changes to the guidelines –
323. JM: No, because that is a request for a councillor that goes back to the councillor about major projects and press releases. That's got nothing to do with the changes to the guidelines.
324. IM: Okay. Alright. And one other one, I think I'll mention, [REDACTED] provided, and that was. So, [REDACTED] said on 24<sup>th</sup> October she met you as part of your

Interviewee:	MITCHELL, Jocelyn		Page 33 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

regular meetings, discussed potential changes to the Media Guideline. I may have mentioned this previously but she's provided me with a meeting agenda for her meeting with you on 24<sup>th</sup> October.

325. JM: Yes.

326. IM: And there's in the agenda items, [REDACTED] just got a General Meeting, media releases approval process. So, [REDACTED] indicating again that this would have been discussed during that meeting with you –

327. JM: No.

328. IM: And somehow, that you should have had wind of this change, if you like.

329. JM: Absolutely not.

330. IM: Okay.

331. JM: Because if I had, I would have provided written advice. And as you can see, and through [REDACTED] emails as well, I've been pretty consistent. I –

332. IM: Yes. Can I ask you this? If you were aware that, at that workshop, there was going to be some form of informal vote to determine the – set the majority sentiment, would you have gone out of your way to attend or at least, make some submissions at that time?

333. JM: Absolutely. So, as I have raised, and workshops at Redland City Council are just one of the issues that very much concern me. [REDACTED]

[REDACTED] I have raised with the [REDACTED] before that I do not agree with how this raw polling that's taking place or the impact that councillors are pushing – a group of councillors – are placing it on – on [REDACTED]

334. IM: Okay.

335. JM: So, I have raised time and time again that straw polling or decision-making in this way should be transparent. I have taken this issue to the Minister of Local Government as well, in a Zoom meeting and discussed. I've been trying to get a one-on-one meeting with her too, because I feel very

Interviewee:	MITCHELL, Jocelyn		Page 34 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

passionately about this. This is one small issue. There is a much bigger picture and now as I said, I'm now taking that to another agency because I feel very strongly. We are a Local Government Authority. We need to be responsible. We need to do things in the appropriate, transparent way.

336. IM: Okay, understood. So, I'll continue going through this. I'm attempting to be as thorough as possible to ensure that you have an opportunity to respond to the information given to me.
337. JM: So, categorically, just to summarise, I disagree with everything [REDACTED] has said.
338. IM: Alright. Some other information given to me was that on the 14<sup>th</sup> October, council officers informed councillors they were reviewing the Media Guideline and would provide councillors a future briefing on potential changes to the guideline. The mayor and councillors were present during that discussion. Can you recall a discussion of that nature?
339. JM: I know I was at a discussion for a Media Guideline but no specific changes were going to take place. And again, as always, and as per the emails, I assumed – have always assumed the appropriate process would – would play out.
340. IM: Okay. Alright. The next piece of information, I'll show that to you now. Just for the purpose of the audio, this is an email from [REDACTED] on Friday, 15<sup>th</sup> November, 2024, to undisclosed recipients, subject: new material available in diligent boards councillor briefing program 18<sup>th</sup> November, 2024, sections 8 and 9. Dear Councillors and ELT, the booked councillor briefing program 18<sup>th</sup> November, 2024 contains new material for you to view, sections 8 and 9. Thanks, [REDACTED] Please log into your Redlands City Council site in diligent boards to view this new material.
341. JM: So, that would be related to this – this workshop.
342. IM: That's my understanding.
343. JM: Yes.
344. IM: Yeah.
345. JM: Yep.

Interviewee:	MITCHELL, Jocelyn		Page 35 of 62
--------------	-------------------	--	---------------



IN CONFIDENCE

346. IM: So, information given to me is that what you were shown there is the workshop slides, is my understanding, from [REDACTED] presentation at the workshop.
347. JM: Yes.
348. IM: And I'm advised that those slides were made available to councillors on 15<sup>th</sup> November, prior to the workshop. Do you agree with that?
349. JM: Yes.
350. IM: Okay. Did you have a look at those workshop slides prior to the workshop on 15<sup>th</sup> November?
351. JM: I think I did. I'd have to go back and see when it was printed out for me. Typically, I get the office staff to print out documentation for me.
352. IM: Okay. Would that have included [REDACTED]
353. JM: Or one of the officers – yeah, one of the office staff. Yes. They printed out – [REDACTED] but there is – [REDACTED] as well. So, yep.
- (1:29:54)
354. IM: Alright. Now, you've got the workshops slides there and I've got an excerpt of them as well. So, media relations and speeches guideline, councillor workshop 18<sup>th</sup> November, 2024. [REDACTED] On page 8 of that, I'll take you to that. Comparative review. When official spokesperson votes against the majority decision of council, for consideration, the current guideline states the mayor can delegate another councillor as spokesperson and could do so if this situation arises. For consideration, similar to Fraser Coast, elected members who have voted against a majority decision of council or have a declared conflict of interest in a decision, will not be the spokesperson for that decision. That's the amendment to the guideline, isn't it?
355. JM: Well, it's not the amendment. It says, for consideration.
356. IM: Yes, but that ultimately became the amendment to the guideline?
357. JM: That became the amendment.
358. IM: Okay. And for the record, there are some other options or proposals suggested there as well.

Interviewee:	MITCHELL, Jocelyn		Page 36 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

359. JM: Yes.
360. IM: Did you have a look at that on 15<sup>th</sup> November?
361. JM: I don't know. I'd have to go back out and – and try and find out when I actually read it.
362. IM: Alright.
363. JM: Yep.
364. IM: Do you accept though, that you had an opportunity to do that?
365. JM: An opportunity to read it? Yes.
366. IM: Alright. Does that alter your comments about transparency at all? Do you feel that that – yep?
367. JM: No, because the transparency relates to the decision-making process. So, again, workshops are for – workshops are for information-providing. You know, providing information. There was no – there was no advice which changes were being made. There was no – and please speak to other councillors and see if they – like, the ones that I've mentioned, to see if they thought – we all thought – I've spoken to them since, because of – on the basis of [REDACTED] email that he sent, that if there were going to be changes, that councillors would have been advised. There are options here, so if – if council is making a decision in a workshop by a majority decision, then as per the advice and the emails from the [REDACTED] then that should have come back or we should have been advised.
368. IM: Okay.
369. JM: There was no advice that it was going – there was no advice that they were going to make the changes or –
370. IM: Yeah. So, the guideline – and you showed it to me before and I've got a copy of it here, approved on 9<sup>th</sup> December, 2024 by the [REDACTED] – so the information-----
371. JM: And the [REDACTED] is the one that provides the email which says –
372. IM: This is [REDACTED] isn't it?

Interviewee:	MITCHELL, Jocelyn		Page 37 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

373. JM: Yes. Which says, if I can go back to it. I'll just have to find which one it is. She provided an email back to [REDACTED] It's one of the ones that I read out. Sorry, I just had it here. [REDACTED] So, [REDACTED] makes reference to council resolves to make changes. [REDACTED] I explained to office we don't see any need for the guideline to change, rather just review its application for correctness. So, previous advice from [REDACTED] didn't give an indication that it was going to change.
374. IM: Okay. The information provided to me is it's within the authority of [REDACTED] to implement the change to a guideline. Do you have a comment on that? Does that alter your response at all?
375. JM: Well, [REDACTED] said here that given [REDACTED] give an indication that if councillors are going to impact a change, that it would be through a Notice of Motion. But [REDACTED] then says that it was changed due to the majority council decision in a workshop.
376. IM: Yep, okay. The next document I want to discuss with you is titled Councillor Briefing Sessions and Workshops, councillor attendance sheet, 18<sup>th</sup> November, 2024. Can you recognise that one?
377. JM: 18<sup>th</sup> of November. [REDACTED] – what time, what day was [REDACTED] letter to me? What was that?
378. [REDACTED] Yeah, it would be about that day.
379. JM: At that time? [REDACTED]
380. IM: Sorry, [REDACTED]
381. JM: [REDACTED]  
[REDACTED] so I wasn't at workshops around that time because of that.
382. IM: [REDACTED]
383. JM: [REDACTED]
384. IM: Because if, looking at the attendance sheet, there are 9 sections of the meeting. And the first reference in relation to you is item 1, mayor and councillor preparation discussion, wasn't in calendar. Is that what you've written there?

Interviewee:	MITCHELL, Jocelyn		Page 38 of 62
--------------	-------------------	--	---------------

## IN CONFIDENCE

385. JM: Yeah. I went back to updated – so that, to be accurate. So, if that portion wasn't in my calendar, I wanted to note it.
386. IM: Alright. Was the workshop in your calendar for the 18<sup>th</sup> November?
387. JM: I don't know. Again, I'd have to go and check. But if I was away, then I would have been away, I think, for that.
388. IM: How are those workshops scheduled? Who notifies you?
389. JM: [REDACTED] office schedules them.
390. IM: So, they normally send like, an outlook calendar invitation or something of that nature, is that correct?
391. JM: Yes. As I understand it, yes. Other council – other councillor – other councils, from mayors I've heard this, in consultation with the mayor, usually set the workshop agenda and dates. For example, I think it was the week before last, [REDACTED] unilaterally changed workshop dates but I had conflicts in my calendar. I wrote back, or the office wrote back for me – or [REDACTED] and – because I said to [REDACTED] "I've got," [REDACTED] said on there, "I don't know what to do. You've got – already got scheduled appointments." So, I said, "Could you please contact [REDACTED] and advise [REDACTED] that it would be good if she could notify me first or check with me."
392. IM: Okay.
393. JM: I rang – [REDACTED] rang me and said, "Oh, you – you don't want to change the dates," and I said, "Can I ask why the dates are being changed?" And she said, "Oh, councillor wants them changed." And I said, "Okay." It's usually the same councillors or the same – and I said, "Okay, I've already got existing appointments in my diary. They can't, you know, they can't be changed. I can't move those appointments now. Can we keep it the same?" And she said, "Oh yes, it was just this councillor wanted them changed." I said, "Do we know why?" and she said, "No." And I said, "Okay." So, one councillor wanted them changed but we – there is 11 of us and as the mayor, if you could please, before you send those out, discuss it with me, that would be very helpful. [REDACTED]
394. IM: This particular meeting, the 18<sup>th</sup> November, it's ticked that you attended the second item General Meeting questions and key messages. Is that correct?

Interviewee:	MITCHELL, Jocelyn		Page 39 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

395. JM: Yeah.
396. IM: So, you would have had notice of the meeting?
397. JM: So, maybe I left at that point. I'll have to check with the [REDACTED]  
Maybe –
398. IM: That's how it appears to me. There's a line put through items 3 to 9 with  
the comment, personal reasons.
399. JM: Yep.
400. IM: And is that your signature?
401. JM: Yes.
402. IM: Okay. So, from what you're telling me, it's quite possible that this was due  
to your [REDACTED] at the time.
403. JM: Yes. Yeah. Sorry, can I just –
404. IM: Sorry, yep. On this attendance sheet, and the line goes right through to  
items 8 and 9, item 8 is review of media relations, speeches and guidelines.
405. JM: Yes.
406. IM: I think you've covered previously. This indicates you were in awareness of  
the discussion but as you've said, you were not aware that that was going  
to bring about any changes.
407. JM: No, I was not – not aware that there was going to be any changes because  
the – any previous discussion did not indicate that changes would be made  
as a result of a workshop. A workshop is for information purposes. I didn't  
expect that changes would be made without notification to councillors,  
including myself as mayor, particularly if they related to me.
408. IM: Did you have any curiosity based on that, your awareness of that item, as  
to what took place during the workshop?
- (1:39:55)
409. JM: So, typically – well, typically they follow the slides and typically if – if - well,  
typically, decisions aren't made-----

Interviewee:	MITCHELL, Jocelyn		Page 40 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

410. IM: If they followed the slides, wouldn't that have given you cause for concern based on what we've just seen on the slide?
411. JM: Well, no. Typically, what they do is if they're proposing something, they will come back and say it or they will narrow it down, or if they are going to take an action, they would advise.
412. IM: But just from thinking at it from your perspective, if you'd seen that slide, you saw this was the first proposed change, do you think then that you would have immediately taken steps to put some kind of a hold on that or at least express your strong disapproval?
413. JM: Well, it's – it's been – it's for information. I did – I did verbally as – as we did – like, as everyone was aware, as indicated by previous emails, I – I've already said I didn't see the need for change. Everyone-----
414. IM: Okay, so you did express that previously?
415. JM: Everyone was aware of – of that.
416. IM: So, the people involved in this process, in particular, those who implemented the guideline, [REDACTED] should have been aware because of your emails, that you did not want any changes to the guideline?
417. JM: Absolutely. Yeah. At that NAIDOC – at that NAIDOC thing when we're – the NAIDOC celebrations on Stradbroke Island when [REDACTED] was over there at the same time-----
418. IM: When was that?
419. JM: NAIDOC Week –
420. IM: Roughly is fine.
421. JM: I'll have to look it up – and she told me about the councillor.
422. IM: I can probably Google it. That's alright. That's fine. But I take it that precedes this workshop?
423. JM: Yeah, it precedes - yeah, it precedes the workshop. And [REDACTED] told me that – it was probably around the time that that email was sent, sorry – because she talked about the councillor. She'd already disclosed that [REDACTED]

Interviewee:	MITCHELL, Jocelyn		Page 41 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

██████ was pushing. ██████ already disclosed that her team was experiencing, you know, felt pressured.

424. IM: Given that you're aware that ██████ was pushing, should this not have alerted you to this workshop and this discussion to make sure that you had your say?

425. JM: I had had my say, though.

426. IM: So, you feel that what you said previously was adequate at that point?

427. JM: They knew. They knew. This –

428. IM: Do you think you needed to have another say, based on the workshop slide?

429. JM: They knew that I did not – I did not believe, and through councillor comments, they didn't indicate that they were going – there was going to be any change. They've made – they've made-----

430. IM: What did you think was the purpose of the workshop then? Just to talk about it and for it all just to dissipate?

431. JM: No, no. So – no, no, to talk about it, but then it would be continued on. That if –

432. IM: So, if there were going to be any changes, then they would be brought to your attention saying, "This is what we're considering,"

433. JM: Yes.

434. IM: And then, you could then have your full say then?

435. JM: Yes. Yes, because – because workshops aren't decision-making vehicles typically. Workshops for councillors are to provide information.

436. IM: Other information given to me was that was on or around 20<sup>th</sup> November – so after the workshop – the audio and video recording of that session were uploaded for councillors' reference and review at their discretion. Did you have a look at that?

437. JM: I didn't – I didn't, no. The –

438. IM: What about ██████ Was that part of his role to do that?

Interviewee:	MITCHELL, Jocelyn		Page 42 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

439. JM: I – so we’ve – we’ve spoken about this. [REDACTED] was of the view, this, that we thought the proper process, if – if there’s a councillor recommendation, and as they’ve said, this – the – the – as [REDACTED] has said, the officer’s recommendation, the majority of councillors didn’t agree with the officer’s recommendation. They’ve gone a different way, but if – if – if that’s the case, then that should go to a Notice of Motion.
440. IM: Does [REDACTED] normally become aware when, after a workshop, the audio and video recording is uploaded for councillors to look at? Is that part of his role to go and review that on your behalf?
441. JM: I don’t – I don’t know. [REDACTED] – I haven’t asked [REDACTED] to, but I haven’t – like, we – I’m – I’m new to the role. There’s been – there has been a lack of – I don’t have [REDACTED] I don’t have a – yeah.
442. IM: Can I take it though that, from what you’ve said, you were in shock when you became aware on 17<sup>th</sup> December, that you didn’t go and look at what was uploaded after the session?
443. JM: But – but that – I mean, if a decision has been made in a council from a majority council decision, then I’ve got grave concerns about that process. So, I was in shock because – and in talking to the other councillors, [REDACTED] as I said, did not – they were also of the view that they did not believe that this was a decision-making vehicle.
444. IM: I think we’ve been clear on that. Other information, 10<sup>th</sup> December, the new Media Guideline was published on the council’s intranet for viewing by councillors and staff. Do you get notice when something like that happens?
445. JM: Nope.
446. IM: Do you think you should?
447. JM: That would be a good change in process, yes. I do – I do believe – actually, I asked [REDACTED] about this last night before [REDACTED] left work because obviously, I had to stay behind to try and print off some of these emails. And I said, because we were looking at this and I said, “How does it – how do you become,” because again, I don’t – I have had nil training. [REDACTED] There’s no – no training on any of this, so I haven’t seen one since I’ve started. It’ll be there somewhere. I just have to ask someone how to do it. I asked [REDACTED] last night because I said, “How do we – how do we – I asked [REDACTED] about, you know, getting another copy of when

Interviewee:	MITCHELL, Jocelyn		Page 43 of 62
--------------	-------------------	--	---------------



IN CONFIDENCE

– this bit, to show that it was made on 9<sup>th</sup>. And I said to him, “Where does it - where does it – where does it go? How do we get notified,” because I didn’t even get notified. And [REDACTED] said, “Oh, it would be uploaded, onto the system.” And I said, “Well, how do we – how do we know that?” And [REDACTED] actually told me last night that it was uploaded on the 9<sup>th</sup> – 10<sup>th</sup>. And I said, “How do I – how do I know?” and [REDACTED] said, “You don’t know.”

448. IM: So, without knowing, you’ve really got to be attentive and keep looking to see if something is uploaded, don’t you? There’s no other way.

449. JM: Well, there’s no advice of any change. I don’t even know, I’ve never been told how to look for that.

450. IM: Alright. So, information given to me again, by [REDACTED] was that [REDACTED] met with you on 17<sup>th</sup> December –

451. JM: Yes.

452. IM: The meeting was ahead of the upcoming Council General Meeting and [REDACTED] said [REDACTED] went in preparation for that and her regular meeting with you, [REDACTED] looked up and found out [REDACTED] that day that the guideline had been implemented and [REDACTED] made arrangements to discuss it with you in that meeting.

453. JM: That’s not correct.

454. IM: I think you said earlier that you sort of prised it out of [REDACTED] during that meeting. Is that your take on it?

455. JM: Well, I didn’t prise it out of [REDACTED] came as is – it wasn’t ahead of the General Meeting. It was her usual. It’s the usual [REDACTED] meeting which I asked if they could be regular, but they get – often get cancelled. [REDACTED] often doesn’t – [REDACTED] sends the agenda through at the last minute. But that, you know, that’s okay. I understand that they’re really busy so I’ve been – I’ve tried to be – I – I always say to [REDACTED] “It’d be good if I could get the agenda a bit ahead of time instead of as you walk in or if I don’t have it at all, so I know what’s upcoming.” [REDACTED]

[REDACTED] But in relation to this meeting, it was as per normal. [REDACTED] sat in on it as well. During that meeting, we were talking about press releases, you know, the signing of press releases during the General Meeting, that

Interviewee:	MITCHELL, Jocelyn		Page 44 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

they – you know, to get them out, make sure they went out straight after the General Meeting. And then [REDACTED] said, “Oh, well,” [REDACTED] said – and then [REDACTED] said, “Oh, well it depends on how the vote goes.” And I said, “What do you mean?” And [REDACTED] said, “Well, with the changes to the guideline.” And I said, “What changes?” and [REDACTED] said, “Well,” and then [REDACTED] outlined it. So, it wasn’t – [REDACTED] didn’t plan to tell me. It was because I asked a question and then, [REDACTED] and I were both sitting there. Because then I asked [REDACTED] a series of questions and then, [REDACTED] asked some too. Because I said, “When was this?” That was when I said, “When – when did this change come about?” And [REDACTED] told us that it had come about on 9<sup>th</sup>.

456. IM: Alright.

457. JM: So, the intent from my perspective, didn’t seem to be to come and tell me about it. It came as a result of me asking a question.

458. IM: Okay. I’m just going to share you some of her notes. Now, this is, I think it’s probably an aside but it might go to background in terms of the allegation. But in her notes of this meeting with you and [REDACTED] via Teams, she says –

459. JM: It wasn’t via Teams. That was in person, I think.

460. IM: 18<sup>th</sup> December.

461. JM: [REDACTED]

462. IM: Oh, she’s got 18<sup>th</sup> December, file note, regular [REDACTED] mayor meeting. Attendees: mayor, [REDACTED] via Teams? Okay.

(1:49:54)

463. JM: Yes, [REDACTED] was via Teams. Yes.

464. IM: So, [REDACTED] got some various things been discussed and then towards the end of [REDACTED] notes [REDACTED] got added, elected members who have voted against the majority decision of council or have a declared conflict of interest in the decision will not be the spokesperson for that decision. Mayor stated that this change was effectively councillors trying to prevent her being the spokesperson relating to the Olympics. [REDACTED] stated concerns. Mayor asked if this applied retrospectively. [REDACTED] said the mayor could direct the [REDACTED] to have the change removed and if councillors want to add it, they can bring out NOM, or notice of Motion I think that is.

Interviewee:	MITCHELL, Jocelyn		Page 45 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

465. JM: That would be a Notice of Motion.
466. IM: [REDACTED] I think that's [REDACTED] shared the councillor workshop presentation where the example was drawn from the Fraser Coast policy. Mayor asked if-----
467. JM: I actually asked – no.
468. IM: And there's one last line, mayor asked if there was only one example from the 77 LGA's. [REDACTED] confirmed only 9 councils were reviewed and can't be certain on other council areas.
469. JM: So, that didn't come about from her providing that. Again, that was questions I asked.
470. IM: Okay. It came about because of your questions.
471. JM: I asked, yes.
472. IM: I think generally, overall, I've got your response to that allegation. Just in terms of that meeting with [REDACTED] was that the first scheduled meeting – can you recall, with [REDACTED] – after that guideline was implemented on 9<sup>th</sup> December? So, if this meeting was on 17<sup>th</sup>, eight days later, would that have been your first meeting with [REDACTED]
473. JM: It could very well have been. I could find out.
474. IM: Is it possible that [REDACTED] from her perspective, [REDACTED] was simply doing what [REDACTED] role was and [REDACTED] saw it and discussing the Guideline with you at that point in time?
475. JM: So, no. The meeting was about the – like the other agenda that you got. So, typically, apart from, I think, there's an occasion where [REDACTED] didn't have one and then, typically, [REDACTED] to provide an agenda and we go through it. So, it wasn't – it wasn't – it wasn't a meeting to discuss the changing guideline. That came about because [REDACTED] said, "Oh," when we talked about getting the media out in a timely manner, like after a General Meeting that it had to go out. And [REDACTED] said, "Well, it depends," and then [REDACTED] made the comment, "Oh well, it depends on how the vote goes." And then, I said, "What do you mean?" So, it wasn't – [REDACTED] didn't raise the issue as an agenda topic. It was – it came about because I asked a question.
476. IM: Alright. I think I've got your response in relation to that.

Interviewee:	MITCHELL, Jocelyn
--------------	-------------------

Page 46 of 62
---------------

IN CONFIDENCE

477. JM: Did you want me to find out if that was the first meeting?
478. IM: Sure. Yep. If you're able to do that, that might be helpful.
479. JM: So, that was the date of 17<sup>th</sup> of December.
480. IM: Just for an abundance of clarity, you've denied emphatically, allegation 1, correct?
481. JM: Absolutely denied emphatically.
482. IM: Okay, we've been going for a while now and I think allegation 2 will take us considerably shorter. I'm hoping, at least. Do you want to have a short break or are you happy just to keep on?
483. JM: You've got – you've got a work function.
484. [REDACTED]
485. IM: It's hard to predict but I reckon 10 to 15 minutes should wrap it easily.
486. [REDACTED]
487. JM: Okay, let's do it.
488. IM: And apologies if I'm wrong on that but we'll do our very best. So, I'll read out the allegation again, or the main parts of it.
489. [REDACTED] Just because it's lengthy, here's the transcript of it, Jos. We're all aware of it.
490. IM: Alright, we're all aware of it. Okay, I won't read out the allegation. What's your response to that allegation?
491. JM: Okay. Some of those comments were removed so I query – I query from the complainant when the complaint was done. And the – in reference to the OIA's comments about moderating and removal, what is the length of time for removal of comments, given that I moderate as soon as I can and remove comments. I query the definition of bullying and – I'll go back. So, in terms of the resolution of council, I have already raised my concerns around that resolution - and it was done during that General Meeting in December – around – the boundaries around free speech, around who

IN CONFIDENCE

determines what comments are bullying and defamatory and how we measure that. Because what you have is you can have exactly this, that that resolution be used as a means to make complaints, to curtail, to waste public funds in investigations like this without any proper framework. We were told during the meeting by the [REDACTED] that we could – that could be reviewed. There was a push at the time, a political push though, to vote. I did not, as I said in that email, want to vote for this because I did not believe that the due – that the proper probity had been given to this resolution. It was bought on the fly, but there was a political push to vote for this because if you vote against something that's trying to curtail bullying, then that would look bad in the press. At the conclusion of the resolution, we stood up to have a group photo. [REDACTED]

[REDACTED] I don't have the time to go over these councillor's pages. I do take my role very seriously and remove comments as soon as I see them. If councillors, if their intent was to stop bullying, then they could ask me at any time to remove a comment that they had an exception with and I would – I would do that. No councillor ever, ever – no one commented or asked me to remove any comments or – or point out any comments. I do that because I go through them as soon as I have an opportunity to go, oh, that's not – that's not right. So, some of the comments that are listed here – well, I haven't gone back to check them all – but I go through and remove them. If they have names, you know, personal names, I don't – you know, I don't put them up. I've written to the OIA asking about where's the level we draw between people's right to have a comment or an opinion on council and council laws, but if it's going to be personal, then I don't – you know, I don't – I don't believe that's okay. I'm very conscious of my obligations for defamation, as well, so I don't want action so I'm – I monitor to that level. However, as I said, if the intent of the motion was to be – to stop that, no one contacted me. The first advice I've got is this complaint.

492. IM: Okay.

493. JM: Now, yes, so I've got queries about bullying. So, bullying has its own definition. So, it would have to be a repeated sort of action or – and then defamation, well then, you know, again, this is a broad-brush stroke. I'll also point out that [REDACTED] on the very day that [REDACTED] brought that motion, [REDACTED] put that up on council. [REDACTED] made a comment on [REDACTED] own Facebook page that [REDACTED] brought the motion for anti-bullying. And then, [REDACTED] left up a comment on his Facebook page which states that [REDACTED]

Interviewee:	MITCHELL, Jocelyn	Page 48 of 62
--------------	-------------------	---------------

IN CONFIDENCE

[REDACTED] assaulted another female councillor and that I should have taken action. And that remained on [REDACTED] Facebook page until [REDACTED]

494. IM: Alright. This is the Notice of Motion that we're talking about from the 18<sup>th</sup> December, 2024. It's unanimously carried, so you agree that you voted in favour of the motion?
495. JM: But if you listen to the meeting, you will see that there were concerns around the legality of that. That – that – that – that the pressure that would bring to bear and where the boundaries are and how that would impact free speech and where the parameters are. No parameters here about, you know, what's acceptable, what's not. There was no – no proper process around that, and that was identified at the time. However, voting against it would have brought – and I've got through press release – I know that they were ready to vote, and so did all of us. We all said the same thing, we felt pressured. By all of us, I mean the councillors that – that think differently, that raised concerns.
496. IM: Alright. I've got copies of all of those comments in the examples in the allegation. I can provide those to you if necessary, and you will get copies of them in any event, but they're there. They were on your Facebook post, it would appear.
497. JM: They were, yeah. Are you saying they're there now?
498. IM: No, no. They were at one point.
499. JM: They were at one point, yes, but they – yeah. But as I said, I go through and moderate and pull anything down that I consider to be defamatory or damaging.
500. IM: Do you think that any of the posts were – you said you'd removed some posts.
501. JM: Yeah.
502. IM: Did you remove them because they were unfair or damaging to reputation of councillors?
503. JM: So, yeah. If I – so, like this one, I'm sure I removed that one. Let's name the local obstructionists, [REDACTED]  
So –

Interviewee:	MITCHELL, Jocelyn		Page 49 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

(2:00:00)

504. IM: Okay, so there are a number of posts where individual councillors are named. So, you're saying that you removed those, is that correct?
505. JM: Yes. Yeah.
506. IM: When did you remove them?
507. JM: As soon as I become aware of them, I remove them.
508. IM: Okay. So, it's alleged that these posts were made on 28<sup>th</sup> and 29<sup>th</sup> January. Can you recall when you would have removed them?
509. JM: Whenever I next check the comments, I would remove them if I saw them.
510. IM: Would that have been on 28<sup>th</sup> or 29<sup>th</sup> January or in close proximity to that?
511. JM: I don't know, I'm sorry. So, sometimes-----
512. IM: I'm just trying to get a general idea. Would it have been weeks or months later?
513. JM: Wouldn't have been months later.
514. IM: How often do you monitor the page?
515. JM: Sometimes it's – sometimes it can be up to a week before I look at it again. Sometimes, it's the next day, depending on time and what I've got available.
516. IM: My understanding from looking through the posts, there are quite a volume of them. Would it be right to say you had a general awareness that there was this highly emotive subject being discussed on your page by members of the public?
517. JM: On posts, if posts get a lot of traction like Southern Thornlands, then yes. Yeah.
518. IM: So, do you think it would be likely then that this was not an instance where you would have been delaying up to a week to monitor the page? That you more likely would have been monitoring them on 28<sup>th</sup> and 29<sup>th</sup> January?

Interviewee:	MITCHELL, Jocelyn		Page 50 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

519. JM: Again, it depends. It depends on my time that I've got available because this role has been really difficult.
520. [REDACTED]
521. JM: Because I'm involved in another appointment, and if you look at my calendar and my diary, I just haven't got time to sit. And I'm often at work late at night working. I just don't have time to monitor every day.
522. IM: Alright. So, some of the comments – and you previously indicated you – comments of the nature that the guideline was changed on 9<sup>th</sup> December and you only became aware of it after that date. You maintain that they're accurate. Can I take it that they're not the types of comments you would have removed, is that correct?
523. JM: Yeah, they're not the types of comments I would have removed because I – they're factual so I – I wasn't aware of the changes and I did become aware of them on 17<sup>th</sup> December.
524. IM: And again, the comments that –
525. JM: And I can't see how that is discourteous to anyone.
526. IM: Alright. You've mentioned you would have removed comments naming particular councillors, is that correct?
527. JM: Yeah, if they – and if they – if they – they see me, if they had said to me at any time, "We've got a comment." When I – so frequently, I have – and community members write to me saying there are comments that are terrible about you, that I've been a fraudster, on council's own Facebook page. They don't remove them typically until I write to them and say, "Can you please remove the comments." And then, sometimes, it's not until the next day. [REDACTED] "Oh, we don't have the resources to monitor," and then [REDACTED] you know, eventually they'll come down.
528. IM: Okay. So, I'm going to read out some of the comments. I'm just going to ask you whether these are comments which you would have deleted.
529. JM: Well, I'll have to go back and check, but if I – yeah, if I – if I thought they were – yep.
530. IM: So, comments about, we all need to front up at the next general council meeting and heckle the crap out of [REDACTED]

Interviewee:	MITCHELL, Jocelyn		Page 51 of 62
--------------	-------------------	--	---------------



IN CONFIDENCE

531. JM: Yeah, I think I deleted that one.
532. IM: You would have deleted that?
533. JM: I'd say so, yes.
534. IM: And do you have any evidence of when, of deletions being made?
535. JM: Well, there wouldn't – if you go to my Facebook page now, we could see. Sorry, what date was this? But no, I don't. Oh, screenshots. Screenshots, I guess.
536. IM: Would tell you when you've deleted comments, is that correct?
537. JM: Yeah. Yeah.
538. IM: If you're able to provide me with that, if possible, that may be of assistance. So, another comment, okay, let's name the local obstructionists [REDACTED] This is one that you would have removed, is that correct?
539. JM: Yes, that would have been one that I removed, I'm sure.
540. IM: [REDACTED] just don't even think about it. If you do, you should think about another career path or retirement. Is that one you would have removed?
541. JM: I'd say so. Again – again, going through – typically, if I become aware of them and I see them, I remove them. And again, if anyone had made that – they see me all the time. If they had had a comment, if they have a problem with them, tell me. Like, I have to do with council. Council doesn't remove the comments until I have asked for them. I've got multiple examples of that, and I reach out to them and I say, "Could you please remove them."
542. IM: Sorry, who's responsibility is it to monitor your council Facebook page?
543. JM: So, it's my – it's my responsibility to manage mine, as is council's, yep. And I reach out and ask them to remove the comments.
544. IM: You're talking now about the council's one?
545. JM: Yeah.

Interviewee:	MITCHELL, Jocelyn		Page 52 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

546. IM: Right.
547. JM: And if councillors had seen – have seen them or become aware of them or anyone, I'd remove them straight away. It's not my intent to leave damaging comments up.
548. IM: Alright. There's reference in these comments to [REDACTED] Do you know what that relates to? Is that a –
549. JM: No.
550. IM: You're not familiar with that terminology?
551. JM: No.
552. IM: Alright.
553. [REDACTED]
554. JM: Well, don't tell me [REDACTED] wants to silence our new mayor – probably [REDACTED] then.
555. IM: Alright. So, you've mentioned that posts where specific councillors were named, you would have removed. Is it possible that other posts like, this feels very much like a deliberate calculated move to attack our community's democratic process, absolutely disgraceful, shame on these people. Would you have removed those posts?
556. JM: I don't know. I make assessments at the time so I could have.
557. IM: It's possible that some of these posts would not have been removed, is that the case?
558. JM: To be honest, I don't know. I'd have to go and have a check. Like, I post – I post and then, I – yeah, I don't know. I'd have to check.
559. IM: Are any of these posts still on your Facebook at the moment?
560. JM: There are comments on the page. If these are on my Facebook page, I don't know. I'd have to go and check. But I remove anything that I – and this is why I wrote to the OIA, but anything that I consider to be like, person – personalised comments, like with names, I'd remove. But I'm mindful of trying to draw the line where people can comment – I can't – you can't

Interviewee:	MITCHELL, Jocelyn		Page 53 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

whitewash everything. Like, I leave – I leave negative comment – comments up about me.

561. IM: Would it be correct to say that you removed any comments which you considered would be contrary to that notice, that general motion?

562. JM: Yes.

563. IM: Would that be correct?

564. JM: Yes.

565. IM: Okay.

566. JM: But I want to reiterate my concerns about that particular motion and the – and the – the – the legalities around that motion. I don't believe – I think there's that – that poses a – real issues and it doesn't outline the definition of bullying, the definition of defamation. So, we're trying to prosecute this without determining what comments are bullying and harassing, what – what – what are defamatory. So, we're trying to make a judgement call on comments that haven't been, so I – I've –

567. [REDACTED] Under the Defamation Act, something is defamatory if it brings you down but you don't have a right to defamation until there's some serious harm. So, what does defamatory mean?

568. JM: Yeah.

569. IM: Got you.

570. JM: So then, I can't – you know.

571. IM: Alright. So, part of that allegation refers to engaging with these types of comments which would be contrary to that Notice of Motion. So, I'm going to show you this particular post which I'm told is from Tuesday 28<sup>th</sup> January, 2025.

572. JM: Is this on the same post?

573. IM: Yes, so it starts from [REDACTED] don't tell me [REDACTED] wants to silence our new mayor just because you vote against them. [REDACTED] at the moment it's Ipswich council but you can bet [REDACTED] would love to try too. [REDACTED] for sure. I think it's time something was done to make the ratepayer community

Interviewee:	MITCHELL, Jocelyn	Page 54 of 62
--------------	-------------------	---------------

IN CONFIDENCE

aware of what is going on. And then, there is a post from you. [REDACTED]  
[REDACTED] changes were made to our Media Guideline without my knowledge. It was changed to majority of councillor sentiment from a councillor workshop.

574. JM: As that was provided by [REDACTED] wrote that to me. So, I believe that to be factual because she wrote that in an email.

575. IM: That's based on information you received from [REDACTED]

576. JM: From [REDACTED] yep.

577. IM: Okay. Can I take it then, that your response is that you would disagree that that post that you've just made there is somehow engaging with communications which would be contrary to that Notice of Motion?

578. JM: So, it would be in response – if it's to [REDACTED] so her comment would be – so her comment, it pops up in my – like, in your feed you get a – a comment.

579. IM: Okay. So, the Notice of Motion says –

580. JM: So, is that comment still there? I don't know.

581. IM: Councillors resolve to develop a – to commit to taking proactive action against bullying and poor conduct towards council officers on social media by refusing to engage with any social media posts pages which could reasonably be determined to defame or unjustly damage the reputation of council officers and/or councillors. Did your engaging there, was that in breach of that Notice of Motion?

582. JM: I don't believe so, no.

583. IM: And again, is that because your comment was fair, accurate?

(2:09:55)

584. JM: Yes, it's a fair – so my comment is, changes were made to our Media Guideline without my knowledge, which is correct. It was changed due to majority of council sentiment from a councillor workshop, which was information provided to me by [REDACTED] And so, I have replied in a factual way. So, sorry, is-----

Interviewee:	MITCHELL, Jocelyn		Page 55 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

585. [REDACTED] You've engaged – what's been read out is about three series of things. You've engaged with all three, or one only?
586. JM: One.
587. [REDACTED] So, because you've been led into a series of two or three, what have you engaged with?
588. JM: So, I've replied to [REDACTED]
589. [REDACTED] The enquiry against you is you engaged with something. What is it? So, it's that last one.
590. JM: So, I've replied to [REDACTED] So, when it comes up in your feed, you get notified of a comment and I've replied to –
591. IM: Would you have seen these preceding comments at the time?
592. JM: Far out, not – well, generally, when you get a – when you get a notification, you go – it – it takes you to that comment. So, unless I – unless I went looking and then, went back to the original post and then, scrolled back up. But that – I mean, that thread could still be there. I honestly don't know.
593. MR: So, your point is that engagement that is discussed, whether it is appropriate, is solely that very last one?
594. JM: Yes. Because that's the – that's the one I've responded to. So, I get notified that there's a comment, and then I've responded to it.
595. IM: Alright. And again, so I'm clear, are you saying that you would not have seen the preceding comments?
596. JM: Well, if they're on the Facebook page, I could have. Honestly, like, I can't--  
---
597. IM: So, isn't this a general conversation that you're contributing to and engaging in? Isn't that essentially what Facebook is?
598. JM: So, Facebook is, it's a social media. So – so I – but are you saying – is the – so the allegation is – the allegation is –
599. IM: The allegation is that you've failed to comply-----
600. JM: On my Facebook – on – on my Facebook page-----

Interviewee:	MITCHELL, Jocelyn		Page 56 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

601. IM: ----- with the motion by – because you did not refuse to engage with social media posts or pages which are reasonably determined to defame or unjustly damage the reputation of council officers or councillors.
602. JM: So, it was on my Facebook page on a post that I made.
603. IM: Yeah. I think I've got your response, is that as put by [REDACTED] and also, that you would – the comments that you made were accurate and fair comments.
604. JM: Yes.
605. [REDACTED] Just, it's my understanding of Facebook is if you were to go into the post, her post – she went into her post-----
606. JM: So, it's on my – it on my Facebook page on my post –
607. [REDACTED] ----- all the things were there but if she has a comment that's in Messenger notifications, a Messenger notification would say, woo, there's some – a message.
608. JM: Yes.
609. [REDACTED] And so, what you've got is, it comes up with a fact, message.
610. JM: There's a comment. It comes up as a comment and then – and then I go, oh okay, so-----
611. [REDACTED] There's an email trail. You could do it if you were in your Facebook account and looking, but if you're in Messenger it woos up and you've got a message.
612. IM: So, how do you normally look at your messages? Do you normally look at them on Messenger?
613. JM: It depends. Both, yes. So, if my – yeah, so I've got Messenger and Facebook.
614. [REDACTED] But to trawl through and delete things and assess things, you'd have to go into the app.
615. JM: Yeah.

Interviewee:	MITCHELL, Jocelyn		Page 57 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

616. IM: So, you're saying you're not actually sure at this point when you made that comment, whether it was on Messenger and you were only responding to that particular comment or whether you were on Facebook and had seen all the preceding comments at the time.
617. JM: So, over the course of the last year, I have made hundreds of posts with – and – and there's thousands of comments. I know, unfortunately I cannot remember this specific two-line comment, if I made that directly in Messenger or on Facebook. But this post was made on my own page and – and it's my Facebook page and yes, it is a post that I put up. So, these comments would have appeared under that.
618. [REDACTED] But had you seen those other ones, would you have left them there?
619. JM: If I – if I think that they are damaging, I'm – I – I've got to make, and I wrote to OIA about this. And I've also written to council about my concerns about this Notice of Motion, being used for purposes like this. I'm very frustrated that I have, as I said, so many examples of council – like this post of [REDACTED] it names a councillor specifically and says that [REDACTED] has assaulted a female officer. This very post was the one where [REDACTED] says, "I've raised this motion of anti-bullying." And on that post for over a week, was a comment about [REDACTED] and naming me as well, and that was left there, on the very post of talking about bullying, is a comment naming specifically a councillor, which is defamatory. It says, "He assaulted a female councillor." That is defamatory by – that's damaging and [REDACTED] under [REDACTED] post saying that he had made a resolution about anti-bullying, [REDACTED] left that up.
620. IM: Okay. Just, I think, one final question. I'm just trying to get a sense of the timing of these email posts. So, this is the one which follows, we're looking at now from Mayor Theresa Harding, that-----
621. JM: I understood that was a different investigation. Is that – are we moving into that, as well?
622. IM: Well, it's background, I think –
623. JM: For the next one?
624. IM: No, no.
625. JM: There's four – there's four investigations going.

Interviewee:	MITCHELL, Jocelyn		Page 58 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

626. IM: My question is, is this email – sorry, this Facebook post where Mayor Theresa Harding has made some comments about that councillor's guideline and then you said, "I also want to speak about this issue." Does that occur prior to these other posts that we've just been looking at?
627. [REDACTED] Can I ask, I thought that this has got ----
628. JM: The comments, you mean? Or the post?
629. [REDACTED] This has got something under – we're still talking about allegation 2.
630. IM: We're talking about allegation 2.
631. [REDACTED] And it says, examples are.
632. IM: Correct.
633. [REDACTED] And then, you've got I asked you yesterday, is this what you're talking about?
634. IM: Correct.
635. [REDACTED] And you said, yes, this is it.
636. IM: Yes.
637. [REDACTED] Is this – is your enquiry within this? Or is it other-----
638. IM: Yes, I'm just trying to get a sense of when these posts were made relative – no, this is the allegation. This was part of the first allegation.
639. JM: Okay. Hang on a second.
640. [REDACTED] Right. So, which one?
641. IM: Here we go. That's the post.
642. JM: So, sorry, the first allegation. Where's that one?
643. [REDACTED] So, he talks about Mayor Harding.
644. IM: It's background, okay? I'm trying to establish or find out essentially, is this post we're looking at now which followed from your comments about Mayor Theresa Harding, is this essentially what brought on all of these

Interviewee:	MITCHELL, Jocelyn		Page 59 of 62
--------------	-------------------	--	---------------



IN CONFIDENCE

communications on your Facebook post and subsequently the interviews on the ABC and The Courier Mail? I'm just trying to get a sense of how it all played out.

645. JM: There was – yeah. So, it was about the same time. So, there were – yes, it was the same time. And Theresa and I met up and spoke about the difficulty that mayors are facing. And then, since then, another mayor has contacted us. So, I'll have to go back to my Facebook page but I made a post. It was a video and it was a – an – it tried to be an explanatory video about the Media Guideline and the change to it. So, I did that one. And based on a----

646. [REDACTED] Do you still have a copy of that?

647. JM: It would be on my Facebook.

648. [REDACTED] Okay.

649. JM: Yeah, publicly available. And then, this post, yes, about what Theresa Harding was going through which again, was an issue about her being removed as spokesperson. So, we both commented that what she is experiencing, she – she made the comment that what you're going through seems to mirror what I go through. She made that comment. So, she was removed as a – a chairperson for a committee. T [REDACTED]  
[REDACTED]

650. IM: Alright. Look, I don't think I've got any other questions at this point. I take it that you've, again, strongly denied allegation 2, is that correct?

651. JM: I strongly deny allegation 2 and I want to comment that I do my best to moderate within the time that I've got. At any time, if a councillor approached me, or a staff member, stating that they are concerned, my door is always open. I have said that time and time again. My intention is never to offend. As I said, I take this role very seriously. I also take good governance very seriously. I also take bullying and harassment very seriously. So, my intent is not to cause damage or allow damage. I have made repeated requests myself, as I said to the council's own Facebook page and mentioned to other councillors about the comments on their pages, so we have a history, if anyone cares to look, of – of councillors that are extremely vocal. [REDACTED]  
[REDACTED]

Interviewee:	MITCHELL, Jocelyn		Page 60 of 62
--------------	-------------------	--	---------------

IN CONFIDENCE

652. IM: Alright. You've made a lot of, I guess, comments about this type of conduct. Can I take it that you're familiar with the correct process to refer this type of conduct?

653. JM: I have – I have been familiar with that process but in instances, I've been told many times that – like, I know that the OIA is a small team, that it's overburdened, in trying to test the mark, the – the – you know, with – with things that I find, they haven't been progressed. [REDACTED]

(2:20:00)

[REDACTED] Meanwhile, I have been – I've got four complaints about my Facebook page and they all relate to issues that I've tried to point out factually that occurred. Because I am concerned, I want us to be a transparent, uplifted organisation but I feel like I am battling against a tsunami in a – in a – in a council that I don't understand why, except that when I've asked questions – and this goes towards the bigger picture – I am vehemently shut down. [REDACTED]

654. IM: Okay. Would it be possible for you to indicate to me after this interview, which of those comments and that allegation you have removed and if possible, approximately when.

655. JM: Okay.

656. IM: And which of them, if any, still remain or have remained.

657. JM: Yep. Yep.

658. IM: Thank you. Alright.

659. JM: So, do we have a date of that post, so it makes it easier for me to –

END OF RECORDING (CUTS OUT)

Interviewee:	MITCHELL, Jocelyn		Page 61 of 62
--------------	-------------------	--	---------------

## Attachment 23

**From:** [REDACTED]  
**Sent:** Monday, 26 August 2024 6:36 PM  
**To:** [REDACTED]  
**Subject:** Re: Media Guideline

~~SHOWS NO CHANGES~~  
INDICATED  
BY ELT  
MEMBERS

Understood and as we discussed today, we can then respond to this if Council resolves to make changes.

Thanks to you and Mayor for support on this today.

Get Outlook for iOS

CEO  
ACKNOWLEDGES  
COUNCILLORS  
WANTING  
CHANGES

**From:** [REDACTED]  
**Sent:** Monday, August 26, 2024 5:22:23 PM  
**To:** [REDACTED]  
**Subject:** RE: Media Guideline

Just so you know, the Mayor won't support a change to the guideline, so if [REDACTED] and others don't accept that, I expect they will bring a NOM.

**Sent:** Monday, August 26, 2024 5:07 PM

**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Media Guideline

Thanks [REDACTED]

Confirming I have also just taken a call from [REDACTED] who will be bringing this to the Mayor/Councillor meeting.

I explained as officers we don't see any need for the guideline to change, rather just review its application for correctness. If she wants change, she needs to raise with her peers which she was happy to do.

Then if there is appetite for change after the Mayor/Councillor meeting, the Mayor can advise us at the session next Monday. [REDACTED] was happy with this way forward.

Just FYI

**From:** [REDACTED]  
**Sent:** Monday, August 26, 2024 5:00 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]

**Subject:** RE: Media Guideline

Thanks [REDACTED] The Mayor is correct, hence the request to take it offline and away from officers.

It is something the Councillors best discuss together as the alternative will be, I suspect, a continued use of notices of motion which is not an ideal way to bring such discussions to a reasonable compromise.

Regards

[REDACTED]  
From [REDACTED]

Sent: Monday, August 26, 2024 4:55 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Media Guideline

Thanks CEO, much appreciated.

I will let the Mayor know.

As an aside, the Mayor is concerned that officers are 'copping heat' about this from Councillors, and would like to know if there is anything she can do that would constructively assist and not make things worse.

Given that [REDACTED] and her team are closest to the action, I suggested that she reach out to [REDACTED]

[REDACTED]

From: [REDACTED]

Sent: Monday, August 26, 2024 4:48 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: Media Guideline

A number of Councillors have raised the issue of the media guideline.

It is clear in officers' mind that the Mayor is (and should be) the spokesperson for the city.

I have suggested to those who have raised it that this is really an item for a Mayor / Councillor meeting.

We agree there have been a few instances where the definition of citywide vs divisional could be clearer (and not always consistently applied – likely a training/interpretation issue) but at officer level we can clear this up I feel.

Regards  
[REDACTED]

## Attachment 24

**Mayor Jos Mitchell**

---

**From:** Mayor Jos Mitchell  
**Sent:** Friday, 3 January 2025 12:25 PM  
**To:** [REDACTED]  
**Subject:** RE: ENG-002-001-G Media Relations and Speeches Guideline (A214624)

Good afternoon [REDACTED]

I copied you in for continuity (reply all) as you were part of the previous emails.

Yes, thank you. In future I would like to be advised of any operational changes to guidelines, particularly those affecting the role of mayor, prior to them taking effect.

Thank you for the explanation that this was changed due to majority councillor sentiment in a councillor workshop.

Regards

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Friday, January 3, 2025 11:40 AM  
**To:** Mayor Jos Mitchell <Jos.Mitchell@redland.qld.gov.au>  
**Subject:** RE: ENG-002-001-G Media Relations and Speeches Guideline (A214624)

Thank you Mayor

I acknowledge your email that I was copied into. Just checking is there any specific action you are seeking as a result of this email that you would like me to follow up for you?

Regards

[REDACTED]

---

**From:** Mayor Jos Mitchell <Jos.Mitchell@redland.qld.gov.au>  
**Sent:** Friday, January 3, 2025 10:20 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: ENG-002-001-G Media Relations and Speeches Guideline (A214624)

Good morning [REDACTED]

I share your concerns. I was not informed of the updated guideline and found out about the changes after the fact.

I was aware from previous conversations with a staff member that some councillors had been making comments about the guideline and that it was subsequently being reviewed. I wasn't aware that wouldn't come back before a general meeting.

I was told this followed on from a councillor request to have media releases from the last 5 years reviewed. Although, the media guideline existed through the last term, there now seems to be concerns about it.

The guideline was later brought to a workshop. I understood workshops should be for information sharing only.

I was informed that media guidelines/policies from 9 other councils were reviewed and only one, Fraser Coast, was found to have a similar point. You can see it here- <https://www.frasercoast.qld.gov.au/downloads/file/774/council-media-council-policy>

Since I commenced, I have found there to be general concern about my having been voted into council on a platform that did not support the white water facility. That platform was developed from community feedback. This addition to the media guideline could ensure I am circumnavigated on this and any other issues that I do not vote with the majority.

Other background -

After I commenced in April 2024, I requested media training. Prior to my attending, I was informed the deputy mayor and other members of the ELT would also be attending. During the training, everyone was asked to respond to a media question while being filmed. I was asked to respond positively to the white water facility. Everyone viewed the recordings during the session.

In relation to the proposed anti-bullying campaign, I absolutely felt backed into a corner and I am not at all comfortable.

I agreed with your approach regarding finding out more information in terms of scope, messaging, scheduling, delivery and cost of any campaign.

I have screenshots of commentary made about me by some councillors and I am not at all comfortable standing beside them for an anti-bullying promotion.

I have previously advised [REDACTED] that I need to see any image that I appear in prior to considering approval for its use.

The resolution, in particular point 2(b) is already being used by some councillors to make comments/complaints in relation to my social media and I anticipate more of that to come. A political tactic could be to use that resolution for leverage and possible action in the future.

As the [REDACTED] operational council made a decision to amend the guideline.

Kind regards

Jos Mitchell

From: [REDACTED]  
Sent: Tuesday, December 24, 2024 3:32 PM  
To: [REDACTED]  
Cc: Mayor Jos Mitchell <Jos.Mitchell@redland.qld.gov.au>; [REDACTED]

Subject: FW: ENG-002-001-G Media Relations and Speeches Guideline (A214624)

Good afternoon [REDACTED]





I know I spoke to you about your email last week when I received it, however I would like to just formally respond to you to close the loop.

I note your comments and the feedback you have provided to the latest version of the Media Relations and Speeches Guideline. There were mixed views about this in the Councillor Workshop as well, when officers presented their recommendations. You can view this Workshop again if you would like to, as it was one of the ones that has occurred since we started recordings.

You may recall from the Workshop, officer recommendations were not supported in each instance by the majority of Councillors, and as is our custom and practice, the Guideline was then adjusted to reflect the feedback we received from the majority of Councillors, even where this was different to the officer recommendation.

As this is a Guideline and not a Policy, it will not need to go back to the Council for formal adoption. Rather, it was updated following the Workshop by officers and approved based on the feedback from Council. I hope that answers your questions.

If you still have ongoing concerns, it is always open to you to consider bringing a Notice of Motion if you wanted to seek a resolution of Council to amend this Guideline? Please let me know if you are thinking of proceeding along this path or if you require any further assistance.

Regards,



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

From:

Sent: Tuesday, December 17, 2024 7:18 PM

To:

Cc: Mayor <mayor@redland.qld.gov.au>;

Subject: RE: ENG-002-001-G Media Relations and Speeches Guideline (A214624)

Hello

I have a concern with the Guideline in terms of the following:

'Elected members who have voted against a majority decision of Council, or who have a declared conflict of interest in a decision, will not be the spokesperson for that decision.'

3

re. Directed by councillors without resolution  
OUTSIDE A GENERAL MEETING

THIS WAS NOT KNOWN (BELCARRA)

ADVISE THAT

THE OPERATION BELCARRA

WANTED CHANGED

RTI EMAILS BTW COUNCILLORS

A GUIDELINE WAS PRESENTED TO COUNCIL FOR INFORMATION IN A WORKSHOP

AT NO TIME WAS UNDER THE IMPRESSION THE GUIDELINE WOULD BE CHANGED WITHOUT ACKNOWLEDGEMENT

STATES DECISION TO CHANGE WAS MADE

DUE TO MAJORITY FEEDBACK

I believe a Mayor should always remain the spokesperson for any Council related decision. (Unless the Mayor chooses to elect another spokesperson for a specific matter eg: Conflict or Conscience.)

A Mayor should not be fettered or have their representative/spokesperson right removed – if/ when they choose to vote against a majority decision by councillors.

That's effectively what this aspect of the guideline enshrines, which is a concern.

Until any vote is taken, individuals may not be aware how the balance of views will unfold (support/not support and numbers associated) – so this lever- that prevents speech by the mayor could force erroneous or pressured decisions in a moment that should be devoted to the issue at hand, not consideration of potential impacts/consequences.

Any decision deserves to be respected by all parties – even if there are diverse views on a matter, and a Mayor should acknowledge any differences accordingly.

This guideline wording seems to risk being perceived as punitive and potentially has a biased interpretation of the rights and responsibilities afforded to a Mayor.

It will likely lead to anomalies and inconsistencies.

When voting on a matter, consideration of one's professional rights (eg: the right to speak as representative) should not be part of the decision making process – subliminally or overtly.

It also creates a leverage point for majority councillors – if they choose to reinforce a political perception. It has overtly political tones associated that are a concern to democratic freedom of rights and expression in my view.

Acknowledge that if a Mayor is the spokesperson, they should respectfully acknowledge the decision of council, and endorse that view as the 'decision' – even if they do hold a conflicting opinion.

To turn the perception of a mayor's right to vote on their conscience (whether they realise or not it may be against the majority view after a vote) amounts to a removal of the Mayor's voice as spokesperson.

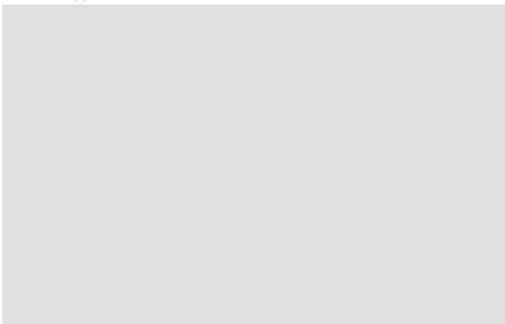
This is a concern and in my view limits the democratic process in a punitive manner.

I do not support this view.

A final question:

Has this updated guideline come to council in a formal manner for consideration and adoption?

Please let Governance & Legal officers know of my opinion and concern.



[REDACTED]

---

**From:** [REDACTED]

**Sent:** Tuesday, 17 December 2024 1:30 PM

**To:** [REDACTED]

**Subject:** ENG-002-001-G Media Relations and Speeches Guideline (A214624)

Good afternoon Councillors

In responding to a question about the impact to Councillors and the organisation for the Notice of Motion prepared by [REDACTED] for the General Meeting tomorrow, we have determined the likely outcomes should Council decide to support this NOM tomorrow, by way of a media release, photos, social media posts and the like, will be deliverable within business as usual resourcing and therefore at no additional cost to Council, and managed within the media guidelines.

Further to the Councillor workshop on 18 November when we discussed the Media Relations and Speeches Guideline, the feedback from this workshop has now been incorporated into the updated Guideline, which I attach for your reference.

Regards

[REDACTED]



I acknowledge the traditional custodians of the lands and seas where I work. I pay my respects to Elders, past, present and future.

(2)

THIS WAS  
THE FIRST  
ADVISE  
RECEIVED  
OF CHANGES  
BY ANYONE.  
(AFTER [REDACTED] COMMENTS)



## Attachment 25

## GENERAL MEETING MINUTES

18 DECEMBER 2024

## 18 NOTICES OF MOTION

## 18.1 CR JASON COLLEY - TO DEVELOP AND DELIVER AN ADVOCACY CAMPAIGN CONDEMNING BULLYING AND POOR BEHAVIOUR TOWARDS COUNCIL OFFICERS AND COUNCILLORS

Objective Reference: A11682575

Attachments: Nil

In accordance with section 6.16 of *Council Meeting Standing Orders*, at the General Meeting scheduled for Wednesday, 18 December 2024, notice is hereby given that Cr Colley intends to move the motion as follows:

**COUNCIL RESOLUTION 2024/28371**

Moved by: Cr Jason Colley

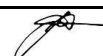
Seconded by: Cr Lance Hewlett

That Council resolves as follows:

1. To develop and deliver an advocacy campaign, fronted by the Mayor and Councillors, condemning bullying and poor behaviour towards Council officers and Councillors.
2. To commit to taking pro-active action against bullying and poor conduct towards Council officers and Councillors on social media by:
  - (a) Removing any comments which could reasonably be determined to defame or unjustly damage the reputation of Council officers and/or Councillors from social media posts/pages which are managed by Councillors, where able to do so.
  - (b) Refusing to engage with any social media posts/pages which could reasonably be determined to defame or unjustly damage the reputation of Council officers and/or Councillors.

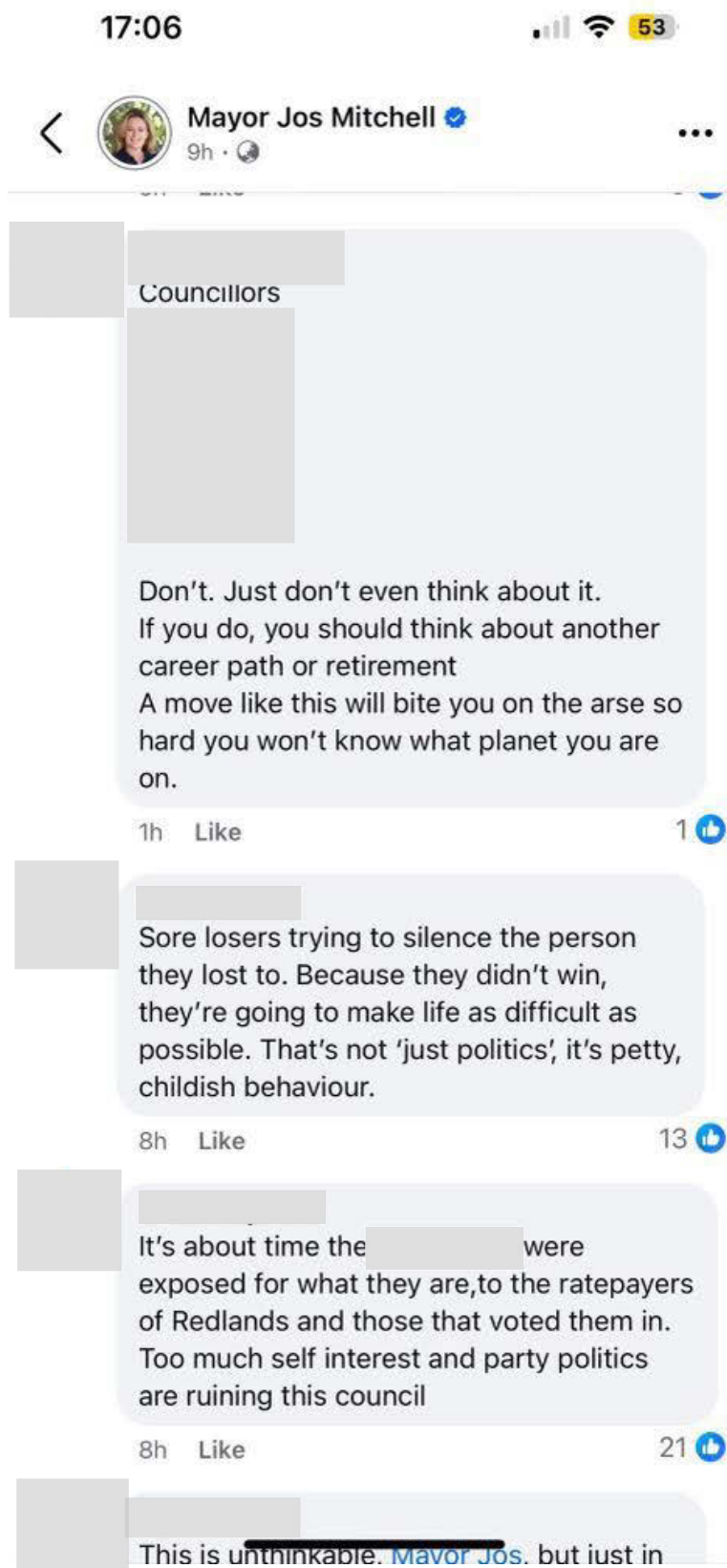
CARRIED 11/0

Crs Jos Mitchell, Wendy Boglary, Peter Mitchell, Paul Gollè, Lance Hewlett, Shane Rendalls, Julie Talty, Rowanne McKenzie, Tracey Huges, Jason Colley and Paul Bishop voted FOR the motion.

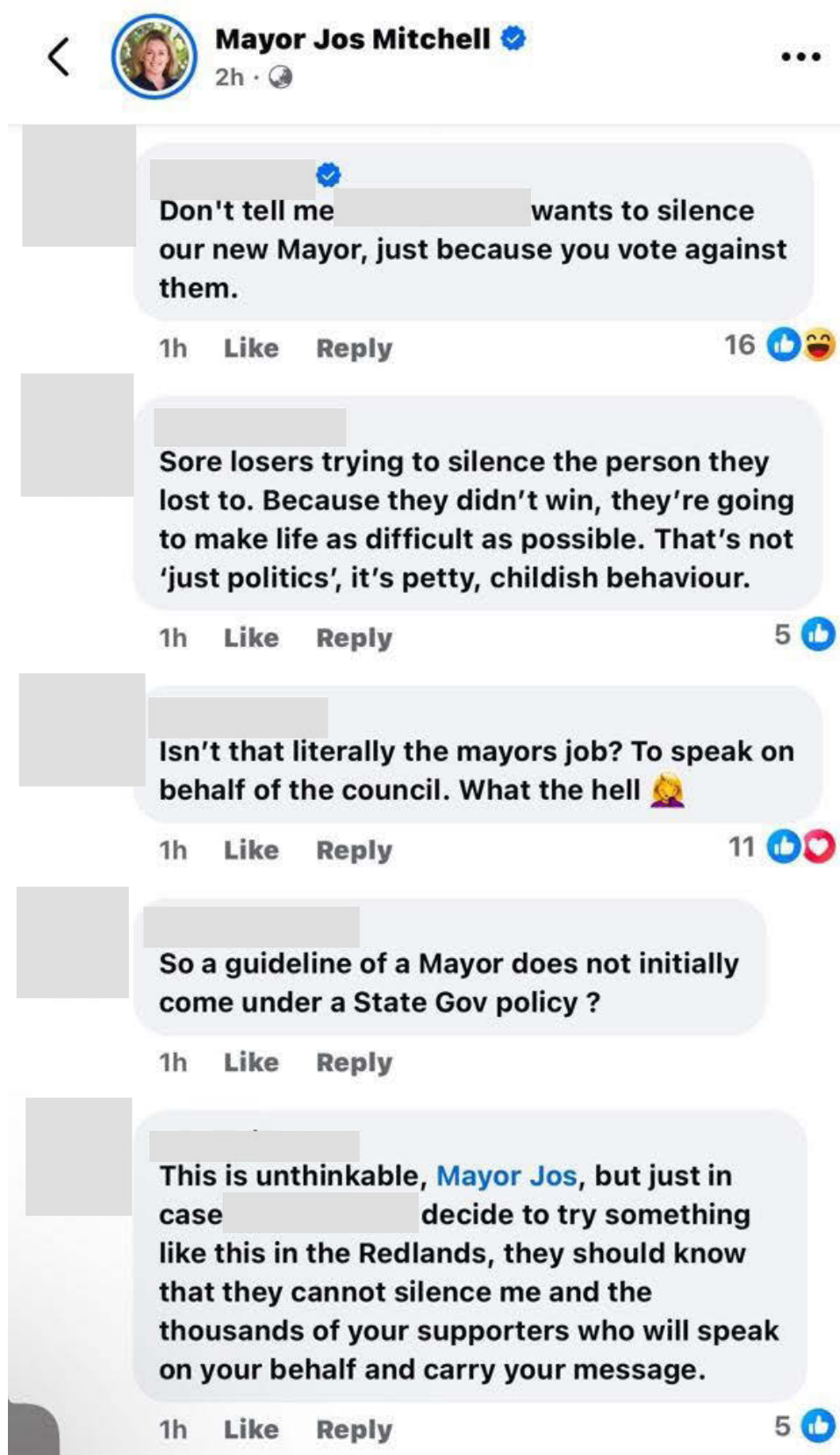


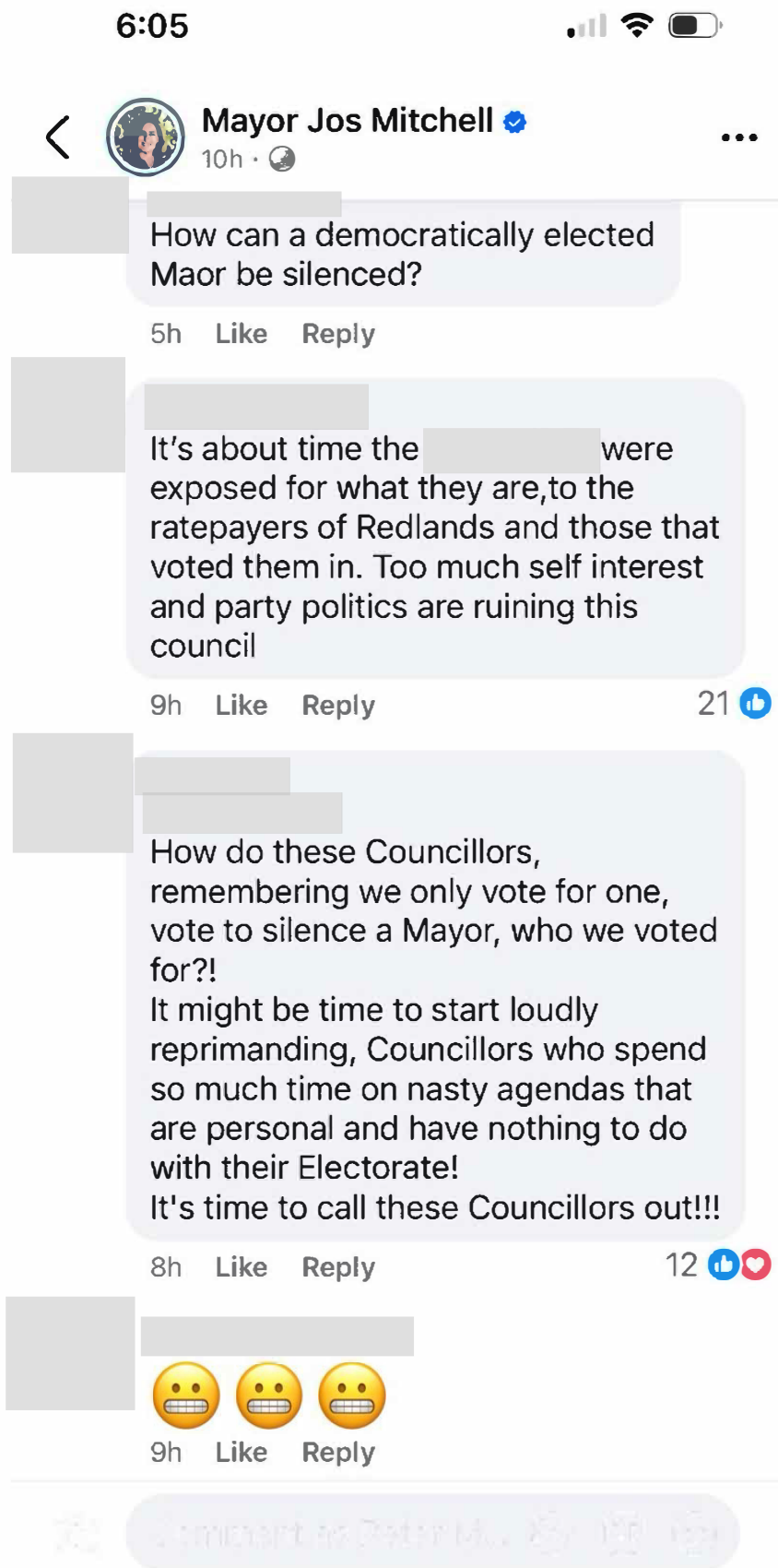
## Attachment 26

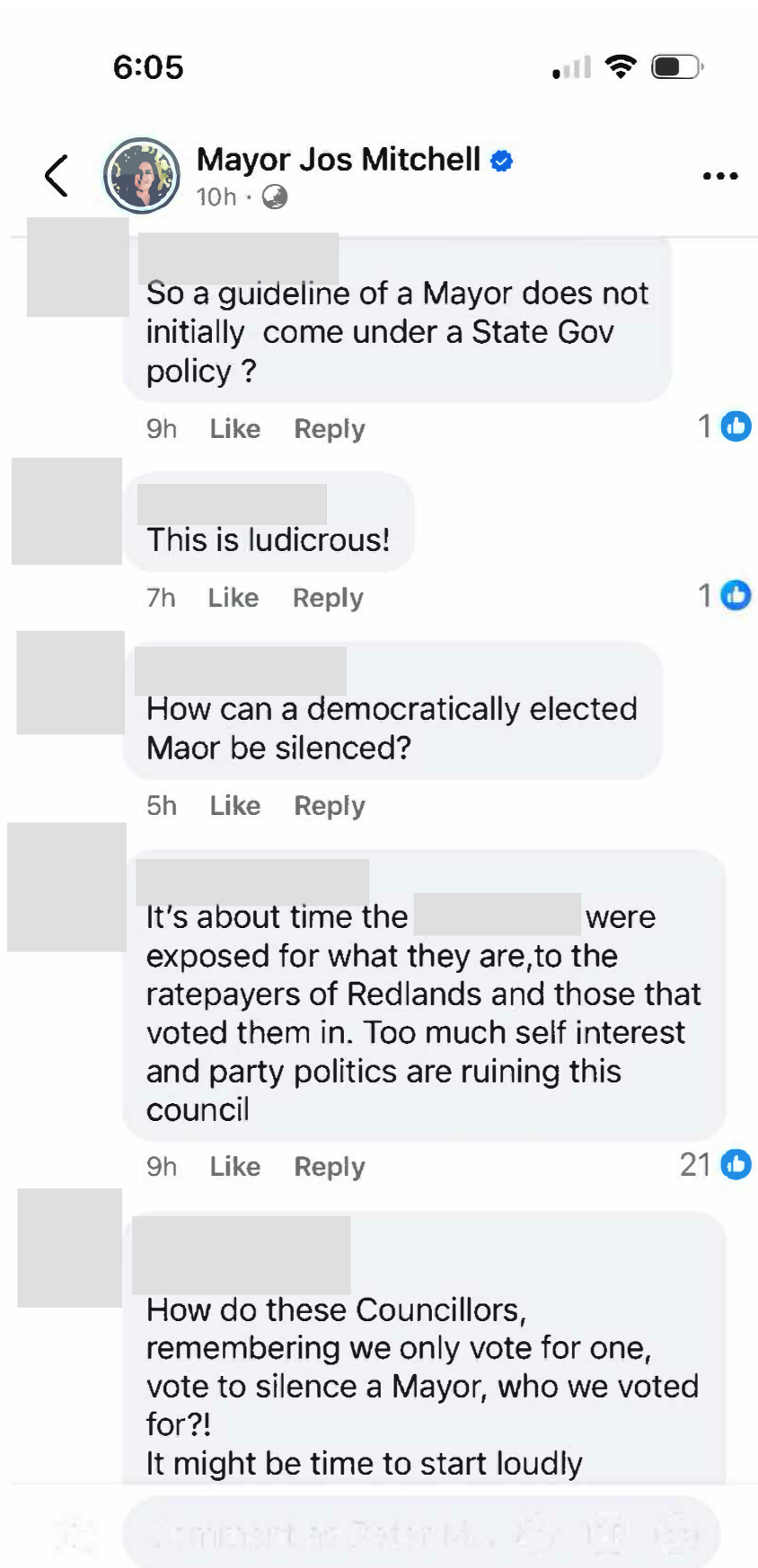


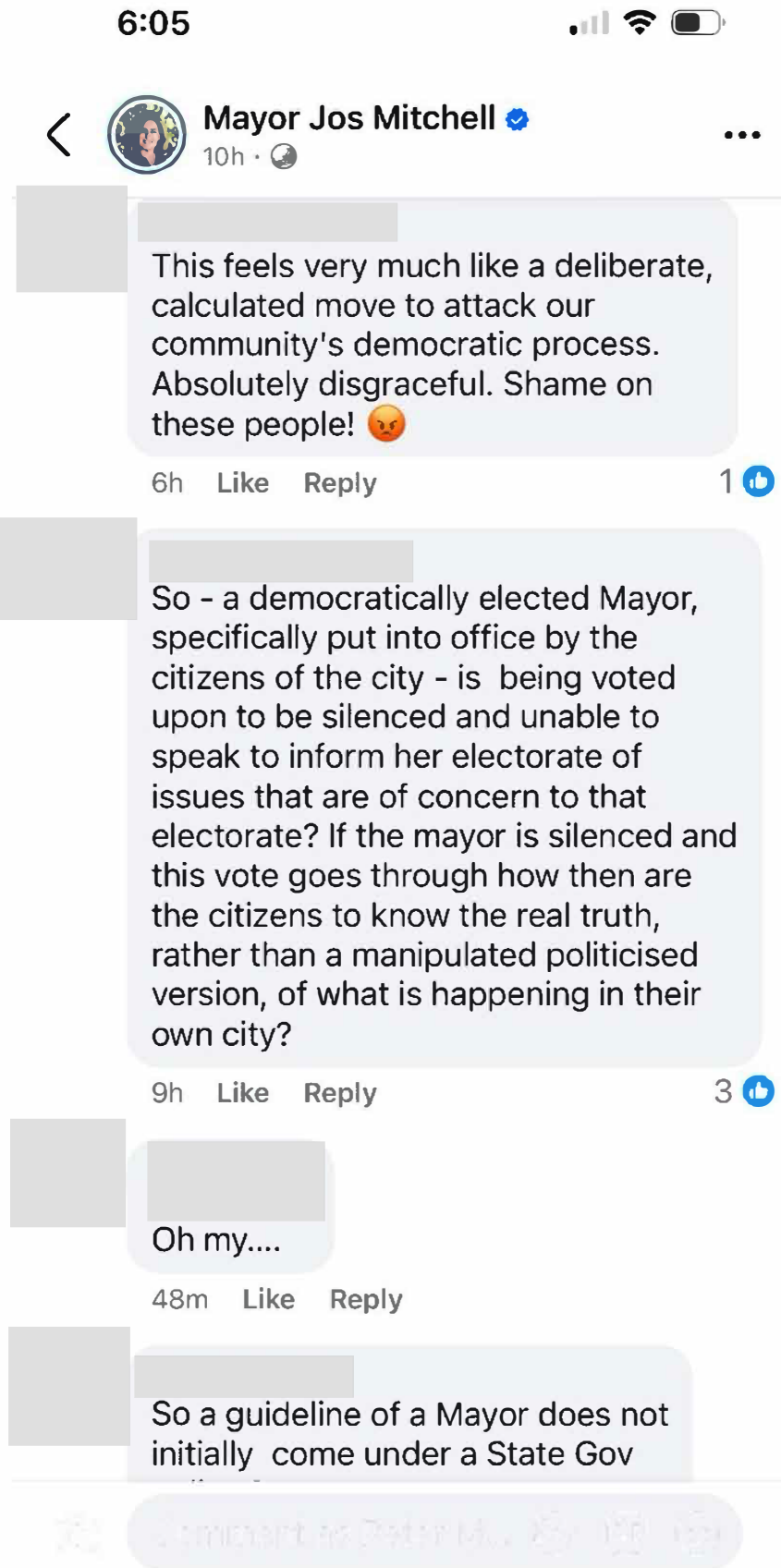












6:04

**Mayor Jos Mitchell**

10h ·



I think it's a big issue in politics in Australia and the country is suffering for it. The tactic of the opposition is always attack, spread false information and make the current party look bad. Both sides do it and it is destroying our country, we are going backwards through weak leadership always trying to attack each other rather than do their job. The public are fed up with both major political parties.

7h Like Reply

3

Dear heaven!!! What is going on? That's why you are the Mayor is it not? The role is to represent and lead Council and the Residents who voted for the Mayor. If this is passed why bother having a Mayor? Someone has to lead Councillors or the whole process will fall apart.

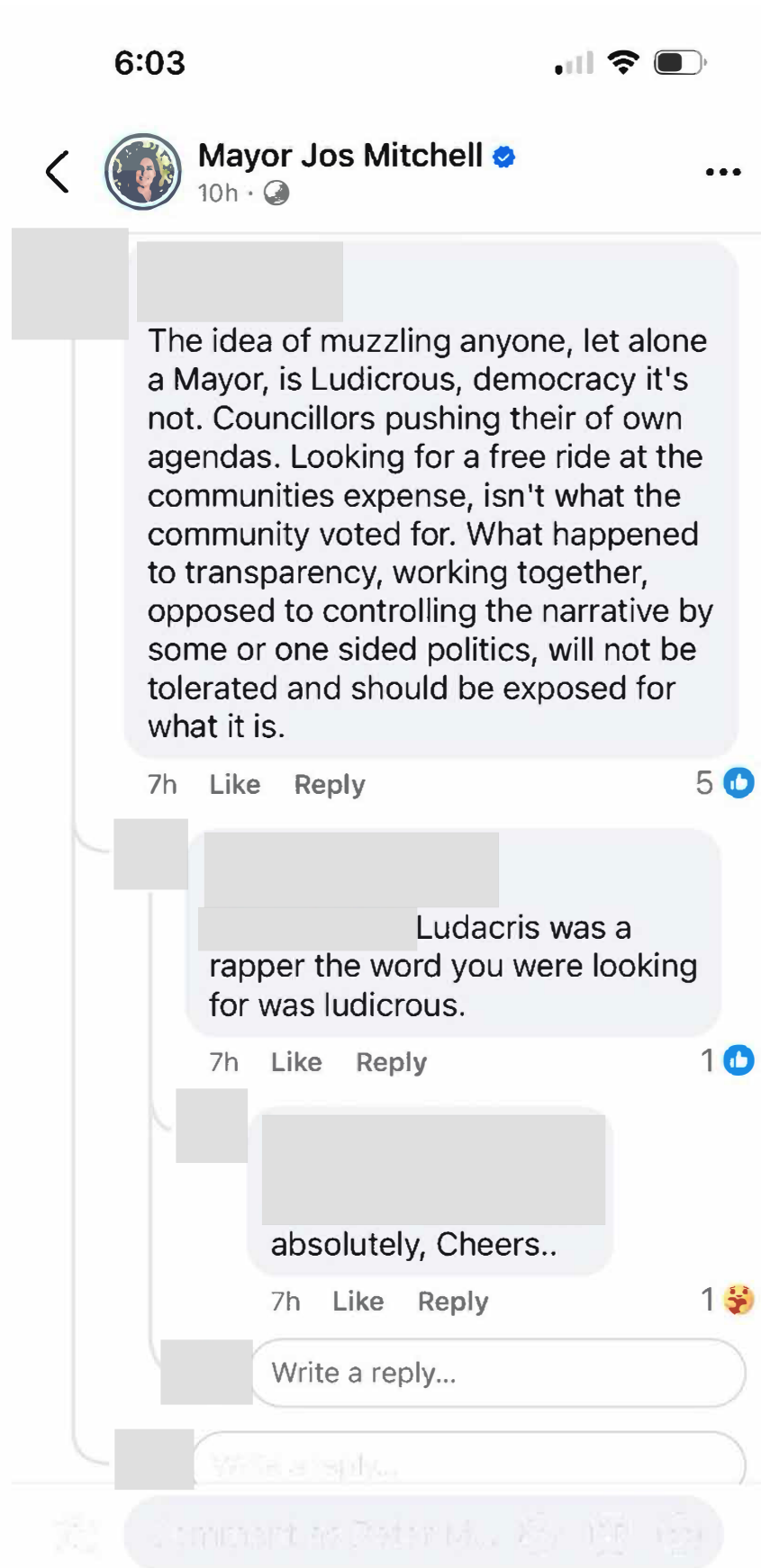
9h Like Reply

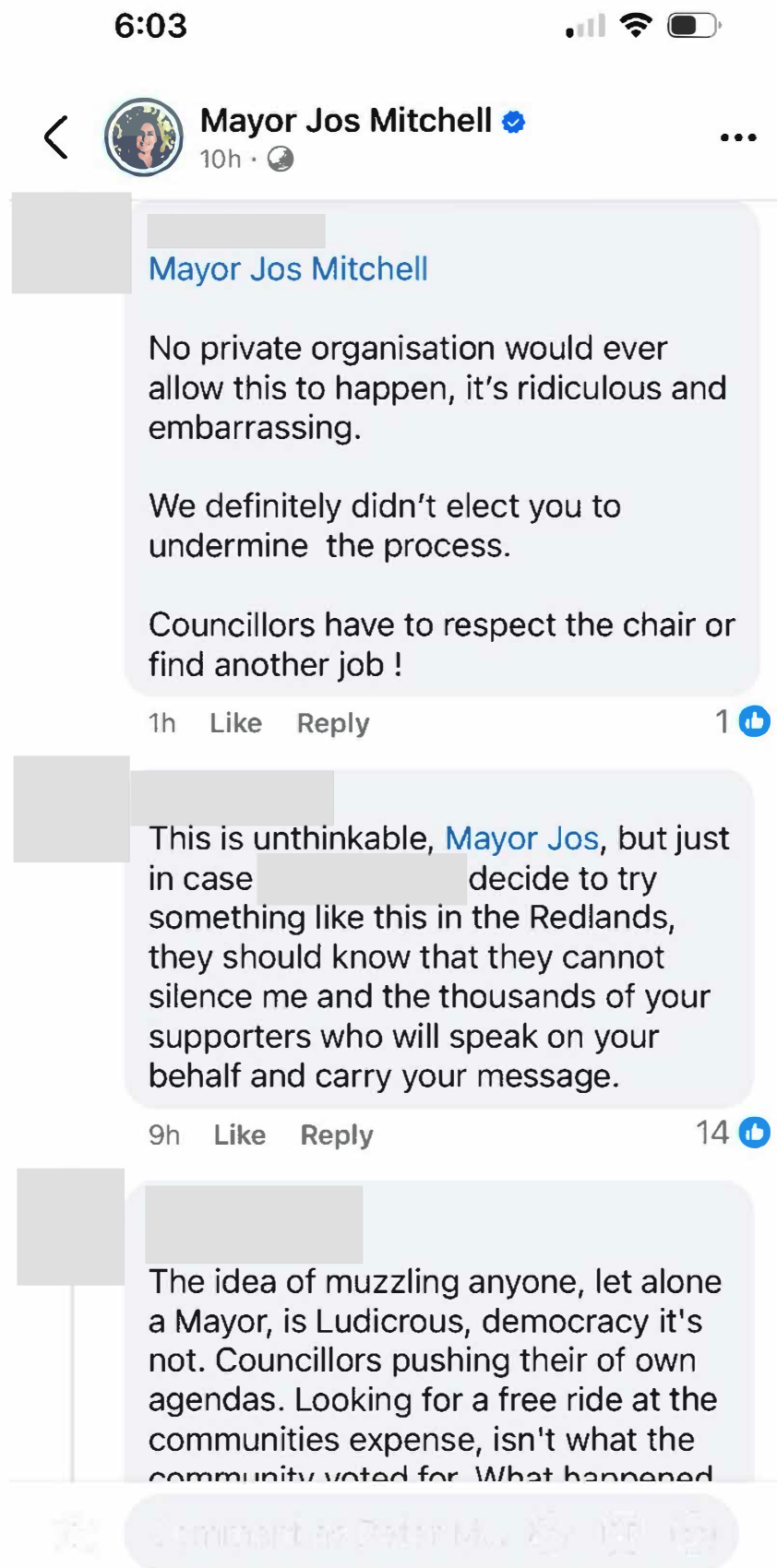
9

UNBELIEVABLE!!! If they do this in one council then it should be accross all councils. Otherwise its merely an attempt to silence and control individuals is it not?

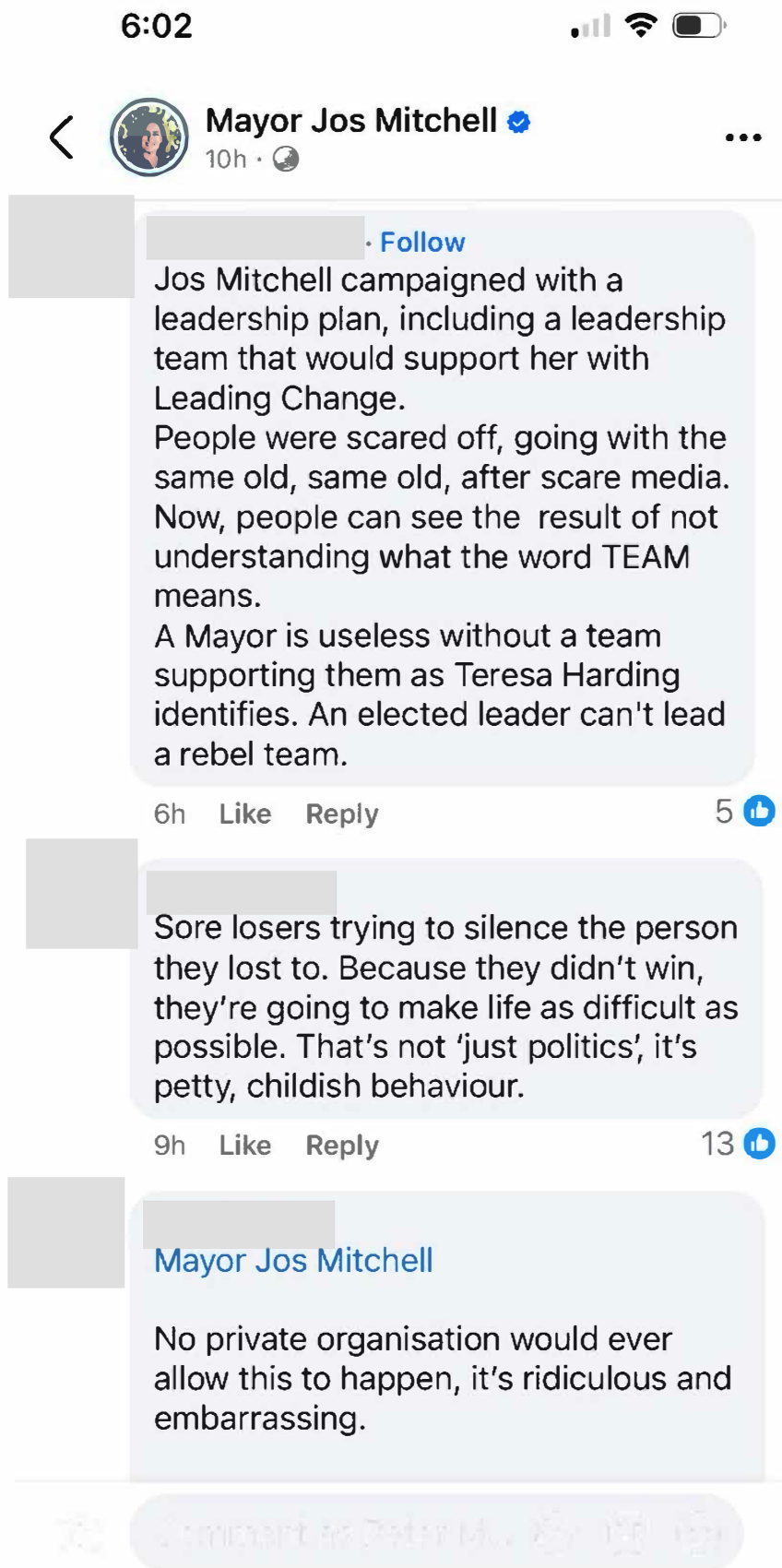


Smart as Water M...

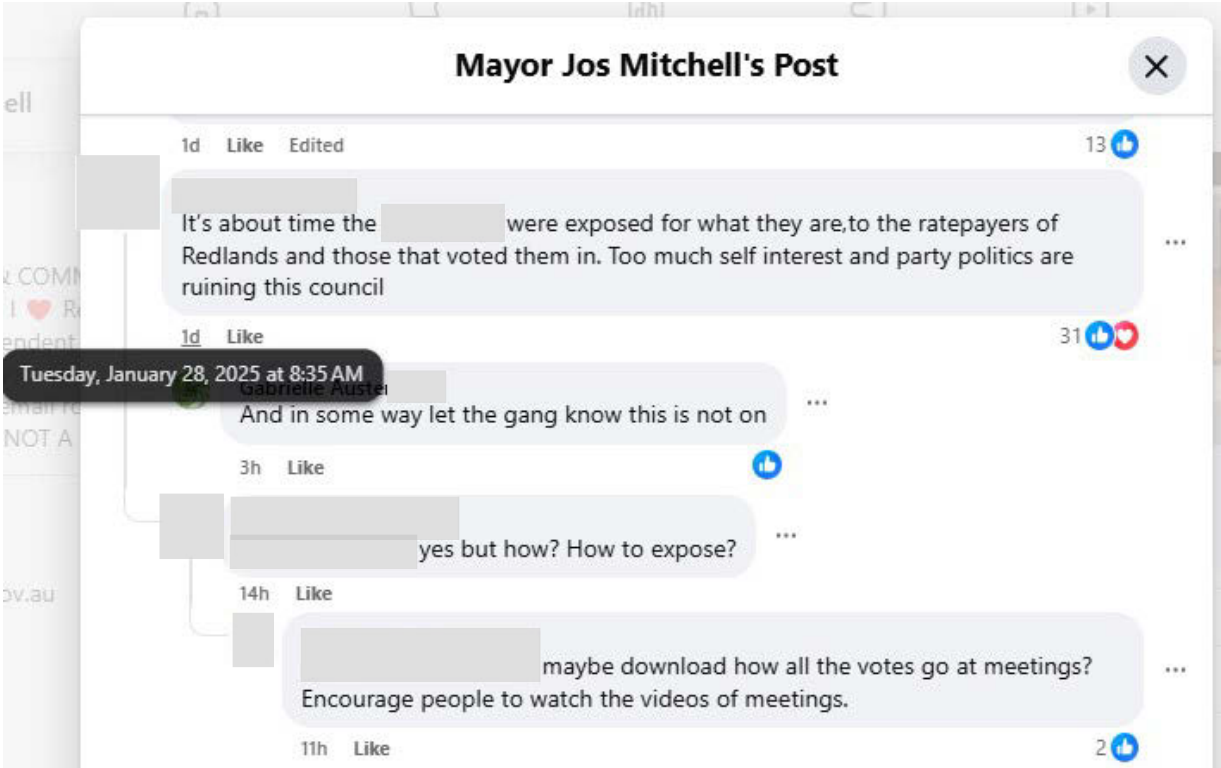


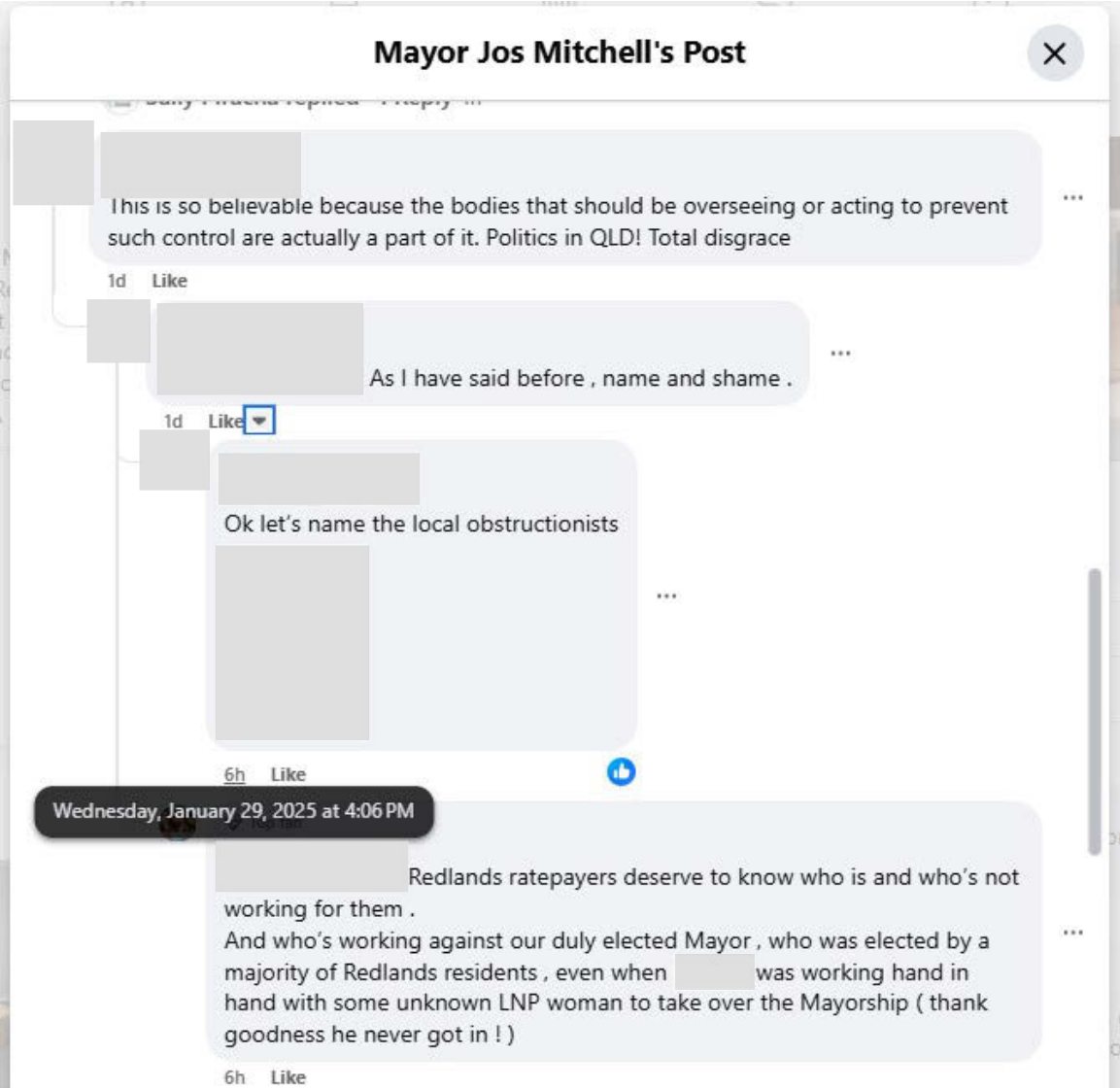












Mayor Jos Mitchell's Post

2d Like Edited

13

How do these Councillors, remembering we only vote for one, vote to silence a Mayor, who we voted for?!

It might be time to start loudly reprimanding, Councillors who spend so much time on nasty agendas that are personal and have nothing to do with their Electorate!

It's time to call these Councillors out!!!

3d Like

22

We all need to front up at the next General Council Meeting and heckle the crap out of the

2d Like

Tuesday, January 28, 2025 at 8:20 PM