



Honourable Yvette D'Ath MP  
Attorney-General and Minister for Justice  
Leader of the House

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14 MAR 2019

Mr Neil Laurie  
The Clerk of Parliament  
Parliament House  
Cnr Alice and George Streets  
BRISBANE QLD 4000

Dear Mr <sup>Neil</sup>Laurie

I refer to E-Petition 3028-18 '*Coronial inquest into systemic bullying deaths of staff in Queensland local governments*' tabled in the Legislative Assembly on 12 February 2019.

The petitioners seek that the House call upon me and other Ministers to exercise powers under relevant Acts to call a coronial inquest into Queensland local councils, particularly in relation to work related deaths of Ipswich City Council employees.

I express my deepest sympathy to the family, friends and colleagues of local government employees who have taken their own lives.

The roles of the State Coroner and other Coroners are defined by the *Coroners Act 2003*. A Coroner has powers to investigate<sup>1</sup>, including by way of inquest<sup>2</sup>, when a reportable death<sup>3</sup> has occurred. A death by suicide is a reportable death. An inquest may be held into a reportable death only if a Coroner investigating the death is satisfied it is in the public interest to hold an inquest.

A Coroner is required to make certain findings as a result of an investigation (including an inquest<sup>4</sup>). Those findings must, if possible, provide answers to five (5) discrete questions. These are:

- who the deceased person is;
- how the person died;
- when the person died;
- where the person died; and
- what caused the person to die.

<sup>1</sup> See s 13 *Coroners Act 2003*.

<sup>2</sup> See s 27 *Coroners Act 2003*.

<sup>3</sup> See s 8 *Coroners Act 2003*.

<sup>4</sup> See s 45 (2)(a)-(e) *Coroners Act 2003*.

(2)

As Attorney-General, I can direct the State Coroner to arrange for an inquest to be held.<sup>5</sup> A Coroner who is holding an inquest following a direction by the Attorney-General must make findings in response to the same five questions which are set out above.

A Coroner is empowered to make comments about ways to prevent deaths from happening in similar circumstances in the future.<sup>6</sup>

I have decided that I will not, at this time, direct the State Coroner to arrange for an inquest to be held into the deaths of local government employees.

One of the reasons for this is that the Crime and Corruption Commission (CCC) has recently conducted two major investigations which, among other things, examined how abuse and harassment of council employees and a failure to support the reporting of issues by employees significantly contributes to the risk of corruption occurring at councils. Some of the CCC's work on this topic, and the Government's responses to it, are set out below.

Operation Belcarra investigated allegations that a number of candidates in the March 2016 local government elections committed offences against the *Local Government Electoral Act 2011*. The CCC's report 'Operation Belcarra: A blueprint for integrity and addressing corruption risk in local government' was tabled in the Legislative Assembly on 4 October 2017. The Government's response to Operation Belcarra included the reforms introduced by the *Local Government Electoral (Implementing Stage 1 Belcarra) and other Legislation Amendment Act 2018*. The Stage 1 Belcarra reforms banned donations from property developers for candidates, third parties, political parties and councillors. These reforms also strengthened the processes for the declaration and management of councillors' conflicts of interests.

The CCC's Operation Windage, which commenced on 17 October 2016, investigated allegations of corruption against the then Mayor, Chief Executive Officer and Chief Operating Officer of Ipswich City Council. The CCC's report 'Culture and corruption risk in local government: Lessons learned from an investigation into Ipswich City Council (Operation Windage)' was tabled in the Legislative Assembly on 14 August 2018.

In response to the very serious issues identified by the CCC during Operation Windage, the Ipswich City Council was dismissed following the passage of the *Local Government (Dissolution of Ipswich City Council) Act 2018*. Ipswich City Council employees will be managed by an Interim Administrator until the next local government election in March 2020. The Interim Administrator, assisted by an Interim Management Committee, has taken a number of steps to address the corruption risks identified by the CCC, including workplace culture issues.

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<sup>5</sup> See s 27(1)(b) *Coroners Act 2003*.

<sup>6</sup> See s 46 *Coroners Act 2003*.

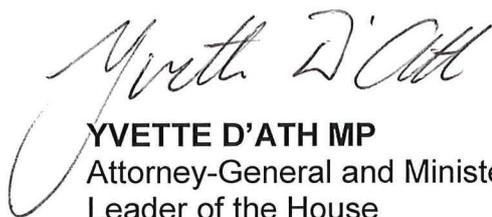
(3)

The Office of the Independent Assessor was established by the *Local Government (Councillor Complaints) and other Legislation Amendment Act 2018* and commenced operation on 3 December 2018. The Independent Assessor is responsible for handling complaints about inappropriate conduct and misconduct by all councillors except Brisbane City Council councillors. The Office of the Independent Assessor will deliver increased transparency, efficiency and independence in the handling of complaints against councillors, including in the handling of complaints made by council employees.

In December 2018, a new Councillor Code of Conduct, applying to all councils except Brisbane City Council, was released by the Minister for Local Government, Minister for Racing and Minister for Multicultural Affairs. This Code of Conduct very clearly identifies that councillors must carry out their responsibilities in the best interests of their council and the community and that they must treat people, including council employees, in a respectful way. Any person who believes that a Councillor's conduct is not in compliance with the Code of Conduct may make a complaint about the conduct to the Independent Assessor.

I thank the petitioners for bringing their concerns to the attention of the House.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Yvette D'Ath', with a large, stylized flourish extending from the bottom left.

**YVETTE D'ATH MP**  
Attorney-General and Minister for Justice  
Leader of the House