

This is an uncorrected proof of evidence taken before the committee and it is made available under the condition it is recognised as such.



LOCAL GOVERNMENT, SMALL BUSINESS AND CUSTOMER SERVICE COMMITTEE

Members present:

Mr JP Lister MP—Chair
Mr AJ Baillie MP
Mr MA Boothman MP
Ms NA Boyd MP
Mrs ME Nightingale MP
Ms JE Pease MP

Staff present:

Ms E Hastie—Committee Secretary
Mr Z Dadic—Assistant Committee Secretary

PUBLIC HEARING—OVERSIGHT OF THE INDEPENDENT ASSESSOR

TRANSCRIPT OF PROCEEDINGS

Wednesday, 4 March 2026

Brisbane

WEDNESDAY, 4 MARCH 2026

The committee met at 10.29 am.

CHAIR: Good morning. I declare open this public hearing with the Office of the Independent Assessor. I am James Lister, the member for Southern Downs and chair of this committee. Other committee members with me here today are: the deputy chair and member for Inala, Margie Nightingale; Mr Adam Baillie, the member for Townsville; Mark Boothman, the member for Theodore; Nikki Boyd, the member for Pine Rivers, who is substituting for the member for Cairns—thank you, Nikki; and Joan Pease, the member for Lytton.

This hearing is a proceeding of the Queensland parliament and subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious matter. I also remind members of the public that they may be excluded from the hearing at the discretion of the committee. These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and my direction at all times. You may be filmed or photographed during the proceedings and images may appear on the parliament's website or social media pages. Please remember to press your microphone button on before you start speaking and off when you are finished. Please switch off your mobile phones and electronic devices.

FINN, Mr Nicholas, Acting Deputy Independent Assessor, Office of the Independent Assessor

KOHN, Mr Charles, Acting Independent Assessor, Office of the Independent Assessor

SAUNDERS, Mr Todd, Director, Media and Engagement, Office of the Independent Assessor

CHAIR: I welcome representatives from the Office of the Independent Assessor. Good morning. I invite you to make an opening statement to the committee, after which we will have some questions for you.

Mr Kohn: Good morning, Chair and members of the committee. I would like to acknowledge the traditional owners of the land on which we meet and pay my respects to elders past, present and emerging. I would like to thank the committee for the opportunity to update on the work of the Office of the Independent Assessor today. I am Charlie Kohn, the Acting Independent Assessor. With me today are Nick Finn, the Acting Deputy Independent Assessor, and Todd Saunders, the Director of Media and Engagement.

I would like to start by providing the committee with an update since our last hearing in August last year. In the first six months of this financial year the OIA has recorded a significant drop in the number of complaints. Between July and December 2025, there were 368 complaints received, which is a 28 per cent decrease from the same period last year. A reduction in complaint numbers during the second year of a councillor term is historically consistent. This trend usually reflects councillors becoming more familiar with their obligations, legislative requirements and how to navigate the public spotlight. It is encouraging to see fewer complaints being made about councillors. With the removal of conduct breaches under the empowering council bill and the jurisdiction of the OIA narrowing, we will continue to monitor the effects that this may have on complaints, understanding that that is yet to be passed.

I am pleased to report the OIA has maintained its performance standards throughout the period and met all complaint-handling timeframe targets for investigations and assessments. Our average time for assessing a complaint this financial year is under three working days, taking into account third-party pauses. Against our benchmark of seven working days for assessment, we have achieved this in 98 per cent of complaints during this period. For investigations our benchmark is 60 working days for general matters and up to 160 working days for complex matters such as corrupt conduct matters referred by the CCC. If we look at all investigations combined, we are averaging 45 working days to complete—a highly efficient outcome in my view considering the complexity and sensitivity of matters involving elected officials.

The OIA completed 40 investigations during the six-month period and had 21 investigations ongoing as at 31 December 2025. During the six-month period the OIA referred four matters to councils as suspected conduct breaches, representing around one per cent of all complaints. These referrals typically involved repeated poor behaviour, often occurring after the initial complaint had previously been raised with the councillor. The OIA also issued 24 statutory recommendations during this period. This mechanism for dealing with less serious conduct continues to provide an efficient and effective way to address behavioural concerns without escalating to formal proceedings. Pleasingly, we are seeing councillors respond positively and take steps to remediate their conduct.

Since recommendations began in 2023, there have been 120 recommendations issued, with 70 per cent of councillors receiving only one. This indicates a low recurrence of the specific conduct issues addressed through recommendations. When it comes to misconduct, about 10 per cent of complaints received are investigated by the OIA. This proportion has remained consistent throughout the last financial year and the current one. The most prevalent complaints investigated were in relation to conflicts of interest, failing to act honestly or impartially, noncompliance with an act, issues involving registers of interest and releasing confidential information.

While our core focus remains on pursuing serious misconduct matters, the OIA also plays an important role in capacity building across the local government sector. This financial year the OIA implemented a new method in data collection to better identify the underlying issues raised within complaints. This enabled us to produce tailored snapshots with high-level complaint themes for every council across Queensland. For example, councils can now clearly see the top 5 issues being raised about councillors in their local government area. This then enables CEOs to raise it with the councillors, arrange targeted training or review their local policies. We distributed these snapshots in January and have received positive feedback from council CEOs regarding the usefulness of this information being shared. My team is now looking at enhancing these snapshots for the next release later this year and on an ongoing six monthly basis.

The OIA continues to work closely with its key stakeholders. We maintain productive relationships with both the LGAQ and the LGMA, participating in regular meetings and events. We also collaborate with partner agencies as part of the local government interagency liaison group with representatives from the Queensland Ombudsman, the CCC, the Queensland Audit Office and the department of local government. This group works to tackle common challenges and identify shared opportunities. It has been a highly valuable collaboration.

Finally, I want to acknowledge and thank my staff for their ongoing professionalism and dedication. Despite leadership changes with Bronwyn Blagoev's departure last year, the team has seamlessly maintained strong results and I am grateful for the staff's continued work. We are happy to take questions.

CHAIR: Thank you very much and thank you also for the update you provided the committee of the most recent stats post your most recent report.

Mrs NIGHTINGALE: Thank you for appearing before us today. I have some questions around the dismissal of complaints, in particular how many complaints were dismissed in 2024-25 on the basis that pursuing the matter was not—and I have a list here of the different reasons—in the public interest, a justifiable use of resources, made outside statutory time limits or outside jurisdiction, trivial or vexatious, insufficient evidence or did not meet the misconduct threshold. I am keen to get a good understanding of that breakdown.

Mr Kohn: Thank you, member for Inala, for that question. It is quite a detailed question that is going to require us to go through our system. I can get you an answer, but if I can take that one on notice I could provide it.

Mrs NIGHTINGALE: That would be fine. Thank you.

Mr BAILLIE: Thank you for joining us here today, gentlemen. Looking at the trends of complaints over the years, I see a spike in 2020-21 and also 2024-25, which I imagine aligns with local government elections, as you referenced earlier. There was a big spike in June 2024-25, so a few months after. With regard to the election years, do you put that down to solely councillors not being clear on what would constitute a complaint and, if so, it still does not drop off as much as one would expect if it was all in that learning process for the first year? If we had an 81 per cent dismissal rate, you would expect them to learn and, I guess, adjust what they are submitting as a complaint sooner, but it does not seem to drop if it only gets down to 80 per cent of those peaks. Are there any learnings that you have seen or any comments that you have regarding the peaks from election years and why it does not drop off further as that goes if the dismissal rate is consistently up around that 80 per cent mark?

Mr Kohn: There appears to be a correlation between an election period and the number of complaints that we do get. After an election period there are a significant number of new councillors who are not familiar with the role and we would attribute a proportion—I could not give you a percentage—to the learning curve that councillors undergo. For that reason we do have an amnesty period historically for new councillors whilst they are learning the role. Unless it is particularly serious or deliberate conduct, we generally look at it and try to deal with it as an ability to learn. The drop-off is not something that I could specifically say is in relation to a particular reason. I think what is a valuable metric is the number of investigations that are raised. It sits consistently at around 10 per cent presently. Prior to the amendments in 2023 it was a higher figure, but at that time we did not have the ability to make statutory recommendations which, had we had that ability, we probably would have used it earlier. The raising of investigations is a more accurate indicator of the complaints that have some substance to them that require more effort to determine whether there has been some breach or not.

Mr BAILLIE: Through that election cycle do you see the number of investigations raised as a percentage increase, or is that generally around that 10 per cent mark? If it is a learning curve I see the spike in the first year, but I do not see it continue to curve down; it seems to stabilise at about that 800-odd complaints mark.

Mr Kohn: Yes, that is correct. The number of investigations raised tends to sit around the 10 per cent generally. In terms of the reasons as to why it does not continue to go down after the period of an election, I could not put my finger on it. One thing of note is that the number of complaints that we receive outside of the local government sector remains constant; it is the complaints from the sector that tend to fluctuate.

Mr BAILLIE: Thank you.

Ms PEASE: Thanks very much for coming in today. I am interested in hearing about anonymous complaints and wonder if you can provide some information on which councils have recorded the highest proportion of anonymous complaints in 2024-25 and what proportion of anonymous complaints in that period involved repeated allegations against the same councillor.

Mr Kohn: The number of anonymous complaints per council is a figure that I would have to obtain, but I can say that the smaller, remote councils tend to have a percentage of anonymous complaints. A lot of complaints that relate to Indigenous councillors tend to be anonymous and the smaller councils as I said, and I think the clear reason for that is that they are small communities and people would like to raise an issue about a councillor but not put their name to it.

Ms PEASE: Are you able to provide that information on notice, if possible?

Mr Kohn: Yes.

Ms PEASE: In particular with regard to the highest proportion of anonymous complaints in the period 2024-25 and if there was any particular information around a particular councillor and if it was a repeated complaint against a particular councillor.

Mr Kohn: To clarify, you would like, per council, the percentages of anonymous complaints and if there is a repeat about a particular councillor?

Ms PEASE: Yes, thank you. That is a question on notice, if possible.

Mr Kohn: Yes.

Ms PEASE: I am also interested in what the average cost per dollar each investigation undertaken by the OIA is and what proportion of the OIA's total budget for 2024-25 was spent on investigation activities as opposed to the assessment and triage process?

Mr Kohn: The average cost for an investigation for that period was \$7,520 per investigation. The average cost per assessment was \$444.

Ms PEASE: How many hours would have been spent assessing the complaints that were ultimately dismissed in 2024-25? Do you have an indication of that?

Mr Kohn: The average time to make a decision in assessment was 2.68 days during that period.

Ms PEASE: Per complaint?

Mr Kohn: Per complaint.

Ms PEASE: Or per complaint that was dismissed?

Mr Kohn: Dismissed or raised for investigation or referred somewhere else, yes.

Ms PEASE: Finally, how does the resourcing for the OIA for FTE and headcount for the period 1 July 2025 to 1 December 2025 compare to the previous period, 1 January 2024 to 30 June 2024? Given that there has been a decrease in complaints, has this impacted resourcing?

Mr Kohn: The resourcing has not changed between 2023-24 and 2024-25 in terms of full-time equivalent staff. In the earlier period, 2023-24, we had significant backlogs of investigations. At one period I think we had nearly 160 investigations—what we call—parked, awaiting the availability of an investigator. We also had a backlog in the Councillor Conduct Tribunal of up to 60 matters at that time. Our investigators and legal staff were under-resourced, in my view, during that period. We are now at a stage where it is very manageable. Of the number of investigations, there are zero that are parked awaiting the availability of an investigator.

Ms PEASE: Do you have any positions vacant at the moment?

Mr Kohn: We have one position vacant—that is, the director of the legal team. That is being backfilled by a staff member in an acting role. We are currently advertising an assessment officer position due to the resignation of one of our assessment officers.

Ms PEASE: You are replacing those two positions?

Mr Kohn: Yes, we are planning to advertise the director role in the next month or within a month.

Mr BOOTHMAN: I refer to your report at 3.2.1, dismiss and no further action: 54 per cent were clearly not considered misconduct or breach. What is the threshold? How is this worked out? Secondly, do you feel that there is sufficient training for councillors when it comes to actually understanding what is misconduct and how the threshold actually works? I am curious about what the threshold is and whether you feel there is adequate training for councillors.

Mr Kohn: During our assessment meetings, and we go through and do that twice a week, we have a process that we go through when we assess the complaints and there is a variety of considerations as to whether it is a breach of the code of conduct or the Local Government Act that we go through. Each one is determined on its own merits, complaint wise. Contributing to the threshold would be: were they performing a function as a councillor or were they exercising a power as a councillor when the conduct occurred? If not, that will be dismissed as not a conduct breach or misconduct. We would consider those to be personal conduct, essentially. If we have a councillor who has declared a conflict of interest, for example, but technically did not get it 100 per cent accurate then that is a matter that we would dismiss as well.

In terms of learning for councillors, I think they get good training from the department which is responsible for the training side of things for councillors. The 81 per cent of dismissed complaints that we get feeds back into the department to focus or target training on particular areas. Since establishment, we have provided information to the department on 73 occasions in relation to local governments where we have seen an issue that we think, rather than go down the disciplinary process, we will dismiss those complaints and ask the department if they can go and provide guidance or assistance to build the capacity of those councils.

Ms BOYD: I have many questions. Were any councils responsible for a statistically disproportionate share of complaints within the 368 complaints between 1 July and 31 December 2025? In relation to those complaints, I am also interested in which councils have the highest proportion of complaints that were dismissed without further action and how many of them referred to conflict-of-interest complaints?

Mr Kohn: On the first part of the question, are you asking for specific councils that represented the most—

Ms BOYD: Yes, that would be ace, thank you.

Mr Kohn: I can give you the top five. The top five that we have for the 2025-26 period, for six months, are Redland City Council, Brisbane City Council, Gold Coast City council, Southern Downs Regional Council and the Logan City Council. In relation to Logan, I need to put some clarification on that. We had a complainant who was deemed to be making vexatious complaints and a lot of them so I think in terms of Logan that is skewed somewhat by that activity.

Ms BOYD: And No. 6 is Ipswich?

Mr Kohn: I don't have—

Ms BOYD: If we were to take Logan out of the equation?

Mr Kohn: No.

Ms BOYD: Which councils have the highest proportion of complaints that were dismissed without any further action?

Mr Kohn: Which councils and which percentage of those councils?

Ms BOYD: Had the highest proportion of complaints. If you were to look across the LGAs around which have complaints that were referred to the OIA and that were dismissed without any further action, what does that look like? We can do it in the top five, again.

Mr Kohn: In relation to the top five, I would have to take that on notice. We do not have that drop-down data here.

Ms BOYD: Do you have it drilled down in terms of the complaints that are of a nature that refer to conflict of interest?

Mr Kohn: Not per council. That would have to be taken from our database.

Ms BOYD: Wonderful, thank you. I appreciate that.

CHAIR: When you conduct—I believe you described it is—an assessment, which is the very first stage when a complaint is received, what is a typical activity associated with that? Is it a case of the party being complained about has asked for a response or the council or the entity has asked for a response? What standard of certainty do you require for such responses? Are they made in the form of affidavit or a statutory declaration?

Mr Kohn: The officer responsible for decisions and assessments is the Acting Deputy Independent Assessor so I will ask Nick to address that?

Mr Finn: Certainly. Could I get you to repeat the substance of the question?

CHAIR: For an assessment, which I understand is the initial ground-level approach, do you require responses received in making that assessment to be made in the form of an affidavit or a statutory declaration or some other certified document?

Mr Finn: No, we do not require it to be sworn in any manner. It is received through a web portal typically, the vast majority of our complaints. A person typically provides the council that they are making the complaint in relation to and their own details as far as they are comfortable doing so, so that we can continue with the investigation and the information of substance for the complaint. In the assessment process, we may need to seek further information so we will contact them through various means to further examine what the details of the matter might be. Certainly, at that point, if we are going to go to an investigation, any evidence that we would rely on later in the investigation process would be gathered through a formal sworn affidavit.

CHAIR: Have you ever had cause to think that information that is provided in the course of making that initial assessment has been false?

Mr Finn: Certainly we get a wide range of complaints and complainants who come to us with different motivations.

CHAIR: But the respondents or other parties that are participating—

Mr Finn: Yes, there would be a certain amount of information that may be motivated to be false or misrepresented. I think that would also be fairly consistent across any complaint-taking organisation.

CHAIR: Are you referring there to perhaps the council itself or other parties that are involved somehow in that complaint when you go to them and seek information in order to make an assessment of that initial complaint by a councillor or by a member of the public? Do you have reasons to suspect that is the case with third parties providing information back or the subject of the complaint providing information at your request?

Mr Finn: Typically not. Obviously when we do the assessment we examine the matters for, I guess, their likelihood of being true. We will certainly reality test certain claims and that is a matter that does feed into the assessment process in terms of credibility of information; that might be a better way of putting it.

CHAIR: So you do not have an institutionalised assumption, for instance, that this is a council and it is a public sector agency and therefore what they say is the truth? That might, I suggest, lead to, 'We've asked the council or we've asked the other party if this happened and they said no so we are not proceeding any further.' Is that what you are saying is possible?

Mr Finn: We take it as far as reasonably practical in terms of our use of resources. Certainly at the assessment stage we cannot drill down to the bottom of every single element of an allegation. There is a threshold in the assessment process, whether or not it is then justified and continuing. Where we suspect there may be something that is not quite represented accurately, that is an indication for us that we need to dig deeper.

Ms BOYD: I have a question around QCAT matters that are outstanding. What steps has the OIA taken since 30 June 2026 to progress the four QCAT matters older than two years? One review relates to more than 130 complaints but is reported as one complaint. What is the underlying conduct issue in this matter and which council is involved?

Mr Kohn: We do not have control over when QCAT conduct hearings so we are guided by QCAT as to when a hearing is to occur. These are matters where a councillor has made application for QCAT to conduct a review of a decision by the Councillor Conduct Tribunal. As you may be aware, it is a full merits review so it is essentially a rehearing of the matter.

Pleasingly, the number of matters with QCAT has been moving over the last 12 months. However, I think the oldest matter with QCAT has been sitting there nearly five years. In terms of which council that matter relates to, I do not believe that it would be appropriate to go into specifics about those matters because they are currently before a tribunal to be heard. That is something I could possibly talk about in a closed session, if you wish to go into some details about that.

Mr BAILLIE: Earlier when responding to the member for Lytton, you mentioned that in 2023-24 there was a significant backlog of 160-odd investigations and you were under-resourced, yet when another question was asked about resourcing you said there had been relatively constant resourcing last year versus this year. How have you managed to achieve catching up and having no backlog yet being in an election cycle where the number of complaints have spiked? How does that all compute? How did you manage to do that?

Mr Kohn: In 2023 after an inquiry into the councillor conduct framework and the Office of the Independent Assessor, there were significant changes to our jurisdiction in the Local Government Act. That removed certain types of conduct from our jurisdiction such as personal conduct if a councillor is no longer in their councillor position. It also gave us the ability to withdraw matters from the tribunal for these reasons. It also gave us the ability to make decisions other than prosecuting such as making statutory recommendations that a councillor attend training. Those new provisions were utilised from 2023 forward. That gave us an ability to rationalise all of the matters that we had and essentially bring our jurisdiction back under control.

Ms BOYD: I am interested in training and what the threshold is for when a determination is made on when conduct issues become systemic at a council level. Are you able to talk us through that in a bit of detail?

Mr Kohn: We have had some occasions where a single complaint about a single councillor, when we assess it, has given indications that it is a whole-of-council issue—there are mistakes all the way through. An example of that would be on one occasion when we had a complaint about a councillor not properly dealing with a conflict of interest in a statutory meeting, and we identified that the whole council did not follow the statutory process properly. In those circumstances, and in that particular one I am thinking about, we wrote to the department and identified the problem in a high-level way and recommended that some training be provided to those councillors, rather than deal with it on a disciplinary basis.

Ms BOYD: I noted that in the reporting period zero councils were subject to systemic training notifications. Given 44 misconduct investigations commenced in the same period, why aren't they being issued? Are you able to close the loop on that so there is a broader understanding around that particular component?

Mr Kohn: Yes. It fluctuates when we identify systemic issues. In relation to systemic issues, it depends on whether we identified them or not. It might be that we identify a lot of systemic issues in one year. In 2024-25 there were none identified that involved the whole council. We also utilise our statutory recommendations to councillors. Occasionally we might raise something with the CEO to say, 'This is an issue that we've identified in your council and you might want to seek some guidance or training for your council if they would wish to have it.'

Ms BOYD: I note that within the reporting period essentially you have a councillor a week who you are recommending gets that guidance or training. What does the nature of that look like? What typically are they looking to brush up on or be more informed around?

Mr Kohn: It depends on the nature of the complaint. If it is a technical complaint that relates to a register-of-interest failure or a conflict-of-interest failure, it would range from recommending that the councillor seek guidance from the CEO and provide the councillor with specific online training that the department has provided so they can go through that with the CEO. If it is a little bit more complex and detailed, we will write to the councillor and say, 'We recommend that you seek guidance from the

department.’ Then we will write to the department representative and suggest, ‘This councillor may reach out to you for guidance.’ It is not a requirement on the councillor; it is a recommendation, so it is up to them.

Ms BOYD: Is there a suite of resources that have been pre-agreed to by the LGAQ, the LGMA and the department that sits centrally? I am conscious of potential changes and that with a changed framework people may be less familiar or less clear on what it is they need to do so. Is there a current suite and is that something that is being updated?

Mr Kohn: The responsibility for training is the department. The OIA, I think up until late 2021, had a statutory training function. That has not existed since 2021.

Ms BOYD: It is over to the department, yes.

Mr Kohn: The department has an online training portal called LG Central that all councillors have access to. I understand that is actively updated. I also understand that councillors do reach out to bodies like the LGAQ for guidance, specific advices or assistance. In terms of the OIA’s role, we do not oversee any of that. The only input we have is to recommend areas where we are seeing issues.

Ms BOYD: Are you collaborating in the creation of that material so there is clarity between the department and the OIA around what you are looking for and what you are likely to investigate and what they are advising elected officials about?

Mr Kohn: Yes. The department, if they are publishing a new training package, historically have come to us and presented it for comment. We will actively go through it and say, ‘We’re not sure about this example because there is a better real-world example to demonstrate that issue.’ Yes, we do collaborate with the department on their training packages.

Mr BOOTHMAN: In the types of investigations, you allude to 12 per cent when it comes to release of confidential information. Obviously leaking confidential information is quite a serious breach. As parliamentarians, having closed committee hearings, that is seen as quite a serious infringement. When it comes to leaking confidential information, where is that prevalent when it comes to councils? Which councils are worse than others, so to speak? What type of confidential information is most prevalent when it comes to leaking confidential information?

Mr Kohn: I will start with the types of confidential information that we are seeing as being alleged to have been leaked. It might be a confidential council report that has been discussed during a workshop that a journalist may have possession of a copy of, or it might be that councils have a confidential discussion about a matter in a workshop which is meant to be a safe environment for councillors to discuss things in the confidence that it is not going to be released. There may be a journalist with a string of emails that related to that conversation—that sort of thing.

There may be an occasion where a councillor is presenting on a matter before council during a statutory meeting and discuss something that is of a confidential nature which may be commercial-in-confidence, for example. Generally that last category we have found those to be innocent mistakes which we would not generally deal with on a disciplinary basis. In terms of which specific councils we get complaints particularly about that, there is a risk of identifying individual councillors if I delve into that.

CHAIR: That concludes the public hearing.

Ms BOYD: Chair, given there is still five minutes left on the clock, are we able to continue to ask questions?

CHAIR: Yes, okay. We will go into a private hearing after that.

Mrs NIGHTINGALE: My question is about investigation timeframes and complexity. What are the three most common reasons that investigations exceeded the benchmark timeframes during that 2024-25 period?

Mr Kohn: We do get a number of matters from the Crime and Corruption Commission where they say, ‘This is corrupt conduct, but we would like the OIA to investigate this under its jurisdiction.’ Generally those matters, because they have reached the threshold of a criminal standard, they tend to be more complex generally in nature.

We have other investigations where there are multiple witnesses who need to be providing affidavits and it might require travel of the investigator to various parts of the state to do that. These are the sorts of things that create extra timeframes for the investigations to be completed. Then there is just the general complexity sometimes in how many allegations are involved in a complaint.

Mrs NIGHTINGALE: Could you tell me which councils were involved in the four applications made to the Councillor Conduct Tribunal during 2024-25?

Mr Kohn: The councils?

Mrs NIGHTINGALE: Yes.

Mr Kohn: I am just wondering if I should be careful with that on the basis that it might identify an individual councillor who is before a tribunal matter. There is a risk.

Mrs NIGHTINGALE: That can be added to the closed session.

Mr Kohn: Yes.

Ms BOYD: I have a question which is related to investigation timeframes and complexity. Which councils were associated with the investigations classified as 'complex' matters within 2024-25?

Mr Kohn: I think Townsville would have been one. Because 'complex' is such a specific categorisation, for the other councils it would be a matter of going into our system and pulling out which ones have been identified and then I can give you a list, because it is broadly spread across 77 local governments.

Ms BOYD: Of course. Are you happy to do that on notice?

Mr Kohn: Of course.

Ms BOYD: Thank you so much. How many investigations remain open for more than 12 months as at 30 June 2025?

Mr Kohn: Investigations open for more than 12 months—zero is my understanding.

Ms BOYD: In terms of council investigations?

Mr Kohn: Yes.

Ms BOYD: Thank you. I just wanted to clarify that. Has the OIA formally amended its internal guidance or threshold for initiating misconduct investigations since 2024? Has there been change to the assessment criteria between 30 June 2025 and 31 December 2025 that may explain the 85 per cent dismissal rate? I appreciate in a previous question you talked about targeted training. Is there more you can add to the specifics of that question?

Mr Kohn: Essentially, our assessment processes have not changed since the legislative amendments in 2023. The thresholds would remain the same. The only difference would be the matters or the particular essence of each complaint that is addressed on its own merits as to which way the decision goes. Our first port of call is: is there an alternate way to deal with this rather than discipline? That is where we will look at statutory recommendations. It may be the case that a councillor will receive a number of recommendations before we decide to raise an investigation. It depends on a variety of factors, but the actual template for making those decisions has not changed since 2023.

CHAIR: I declare the public hearing closed.

The committee adjourned at 11.15 am.