

22nd March 2022

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Executive Director
Commission of Inquiry relating to the Crime and Corruption Commission
Level 21, State Law Building,
50 Ann Street, Brisbane Qld 4000
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Submission by FORMER Councillor David Pahlke - Ipswich

Looking at the Terms of Reference - I would like to bring to the attention of the members of the Inquiry that the dismissal into the sacking of the elected officials of the Ipswich City Council also needs to be considered and re-investigated.

The reasons I feel this should be done is because:

- The adequacy and appropriateness of legislation, procedures, practices and processes relating to the charging and prosecution of criminal offences needs to be reviewed to ensure that they are accurate and not weaponised for political outcomes
- Non Ipswich City Council people were also included as the reason for the innocent Councillors removal
- Ipswich unlike Logan still had a quorum and could continue serving the community in their full capacity
- Show Cause notices were issued, even though the QIRC found that the Councillors were not employees . The first Show Cause Notice was defeated due to there being no legal bases to dismiss the Councillors as it did not meet anything within the Local Government Act as there was no wrongdoing against any of the Councillors who remained (10 Councillor)
- Staff who were charged by the CCC were able to be still employed within the Ipswich City Council in the same job roles, and some continue on still there today. This shows the double standards and the harsh and unjust treatment that was applied to the innocent Councillors.
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to his feet in Parliament and proceeded to enact the Bill and did a running commentary that was very hurtful, untrue .

- Many of the announcement on the fate of the 10 Ipswich City Councillors were always done with a press conference first, then the Councillors would receive formal correspondence later that afternoon or the next day relaying and confirming the decisions of the Government [REDACTED]
- The Local Government Act was re drafted and passed in Parliament twice within 4 months to deliver the outcome they sort
- The consequences arising from the laying of criminal charges as a result of the CCC investigation have never been considered, not one person involved considered the impact of those who were not charged but were sacked. They lost everything as there was no financial payment/ termination payment received to assist with trying to find new work and provide for our families. There was still close to 2 years to run on the elected office term.
- Ensuring Qld has an independent Crime and Corruption body that meets the highest standards of integrity and impartiality and the need to protect and promote Human Rights
- Commission may receive submissions and hold public and private hearings but allow people to attend and have their voices heard
- When undertaking interviews with CCC officers allow legal representation for that person as it is not just a “I am clearing a few things up conversation” and not hand over notes to the accused or media

I had previously lodged submissions to the PCCC enquiry and the OIA enquiry. I was a Councillor on the former Moreton Shire then on Ipswich City Council - some 28 years and eight elections – 1991 to 2018.

My life, my career and my reputation have been destroyed by the wrongful actions of the CCC and whose advice was given to [REDACTED] at the time, to unjustly dismiss Ipswich City Council. To correct this, so this does not happen again, one must look at the past and review what happened. I am somewhat very disappointed at the limitations of the Terms of Reference. How does one right a wrong? How does one get Justice?

I truly believe the only way forward is a new set of Guidelines, Protocols and Rules can be implemented and to review past cases (Ipswich) which has now been proven to be highly questionable and ascertain what was done incorrectly and make an apology and financial restitution to the sacked Ipswich City Councillors.

I wish to be provided the opportunity to appear at the inquiry and to answer questions and provide a personal view of the actions of those involved.

COMMENTS OVERALL

Given [REDACTED] got the State to change the Legislation to sack Ipswich Council – on advice from the CCC [REDACTED] (ABC Radio) - and the prompter was the “last straw” charges against Mayor Antonioli - One ponders should we now have been dismissed after the case against Antonioli was appealed twice and he won both appeals?

As time passes and the truth is exposed, hindsight can reveal different perspectives. Time has certainly highlighted that the CCC process was flawed, and steps were taken without due process that destroyed my life and so many other lives and indeed our grand cities reputation. This stain will stay with all of us forever.

Action for the dismissal was taken by [REDACTED] and in his words “ the CCC told me to sack the Council” Was this an unlawful process by the CCC?? Only revisiting the issue will give that answer.

[REDACTED]

It would appear some parties , the CCC and [REDACTED] Cabinet colleagues did not maintain an independent impartial administration of justice. As there were no criminal matters at foot on any of the 10 Ipswich City Councillors , one can only come to the conclusion that they all failed in the civic duties and engaged in conduct that may be seen as by some as conduct that would diminish the public confidence. The “Integrity Scandal” that has gripped the current State Government gives some truth to these words.

In 2017 A fresh Ipswich Mayoral election had been held There was 10 Councillors in place and that constituted a quorum. We developed and passed a budget for the city and just after all of this work was complete, we were sacked.

[REDACTED]

[REDACTED] But the higher numbers sell the fallacy so much better which was a total disgrace.

[REDACTED] I thought that the rule of law was that you are innocent until proven guilty. We were never charged, found guilty in a court of any wrongdoing, but only found guilty by people with a personal vested interest and for power.

If this was the trigger for dismissal, why when a former Health Minister found guilty the government was not removed by the Governor or when the current Premier was found guilty of contempt? We live in a country where democracy should reign , and the voters have the rights to choose who represents them and they had done that, but the state government took away their decision of who they wanted to represent them, they did not vote for [REDACTED] No

thought or consideration has ever been given to the poor and bias decision making of [REDACTED] and the CCC as to consequences their personal bias and conveying their own personal opinions on the merits of the cases that at the time were pending . The life changing decisions they made that ruined 10 Ipswich City Councillors and their families show they should be held accountable for it.

To understand why the CCC process was wrong and unjust, the Ipswich City Council matter also needs to be investigated as it was a flawed process. Similar to the Logan Matter, the same behaviour was done to us first then rolled out in Logan as we could see during the hearings the same actions were being done to individuals, same tricks but a different pony. Please add the Ipswich City Council dismissal into the review, this request is not just for me but also for our city as the standard you walk past is the standard you accept. A full review is absolutely necessary transparency was a key platform of the elected government .

A fresh investigation into the dismissal of Ipswich Councillors given the findings of the Logan Councillors dismissal is now warranted .

We can only learn from the mistakes of the past by reviewing the mistakes of the past.

Below are three Media stories of the day. The Innocence of Ipswich 10 Councillors and a Mayor need to be HIGHLIGHTED.3 stories in the press back in 2018 when Ipswich Councillors were sacked

1. IPSWICH CRISIS: Minister moves to sack council

Seven fraud charges laid against mayor Andrew Antoniolli were the final straw, with Minister Stirling Hinchliffe electing to dismiss the council.
By Haydenjohnson May 3, 2018 - 10:08AM

<https://www.couriermail.com.au/news/queensland/ipswich/ipswich-crisis-minister-moves-to-sack-council/news-story/a939c1301117bd60a3bcac0fdf564536>

Click on the link and story also below

[REDACTED] sacked us because of the charges against [REDACTED] His words were "he had had enough, and this was the last straw". [REDACTED] has now been proven innocent of all charges. In hindsight we should have not been sacked given he was innocent. [REDACTED] received advice from [REDACTED] to sack us.

2. Head of CCC 'wanted me to sack council': Minister

Stirling Hinchliffe said his decision to remove the council was him "acting on the advice that I've had from the chair of the CCC".
By Haydenjohnson July 10, 2018 - 1:37PM

<https://www.couriermail.com.au/news/queensland/ipswich/head-of-ccc-wanted-me-to-sack-council-minister/news-story/0955cf56ccfafc207a441a87ed166e86>

[REDACTED] took advice from [REDACTED] to dismiss us. The was quite clear in the press at the time. Now [REDACTED] and many of [REDACTED] Charges against so

many have fallen over. Lives and reputations have been destroyed including mine. How do I get Justice.

New legislation announced to replace Ipswich council
10:00pm Jul 9, 2018 CHANNEL 9

<https://www.9news.com.au/national/queensland-government-dismisses-ipswich-council/cec3e70d-7e61-4abe-975c-ad55e50c98ac>

Click on the link and story also below

We endeavoured to challenge the States Dismissal in the Supreme Court, but they simply changed the Legislation in order to dismiss us - Innocent as we were. In my submissions I requested evidence of where I was found corrupt evidence of bullying. I pleaded to leave us in place whilst an administrator was appointed. I asked for a meeting with [REDACTED], but it was not granted.

<https://www.couriermail.com.au/news/queensland/ipswich/ipswich-crisis-minister-moves-to-sack-council/news-story/a939c1301117bd60a3bcac0fdf564536>

IPSWICH CRISIS: Minister moves to sack council

Seven fraud charges laid against mayor Andrew Antoniolli were the final straw, with Minister Stirling Hinchliffe electing to dismiss the council.

By Hayden johnson May 3, 2018 - 10:08AM

THE Local Government Minister will begin the process to dissolve the entire Ipswich City Council. Seven fraud charges laid against mayor Andrew Antoniolli yesterday were the final straw, with Minister Stirling Hinchliffe electing to dismiss the council. Mr Hinchliffe has told parliament he would start the process to remove all elected councillors. A spokesperson for the council said it was "considering its options" and intended "to show cause within the required timeframe".



Mr Hinchliffe has told parliament he would start the process to remove all elected councillors. The bombshell revelation comes one hour after Cr Antoniolli announced he would stand down, despite defiantly declaring yesterday he had no intention "to step down any time soon". The resignation was not enough, with Mr Hinchliffe telling the Queensland Parliament enough was enough.

"The Ipswich City Council can no longer function effectively," he said. Premier Annastacia Palaszczuk said people of Ipswich voiced their concerns at her recent governing from the regions event. "The work leading to this day has been underway for some time," she said.

"The people of Ipswich come first." Several councillors who entered the council chamber this morning for crisis talks were concerned Mr Hinchliffe would take the extreme action. Mr Hinchliffe will recommend the council be sacked to Queensland Governor Paul de Jersey, a formality he is expected to approve. Earlier this year Mr Hinchliffe used his power to remove Fraser Coast Mayor Chris Loft. Mr Loft has challenged the decision in the Supreme Court.

"The people of Ipswich come first," she said.

COURIERMAIL 10.7.2018 HEAD OF CCC WANTED ME TO SACK COUNCIL - MINISTER

<https://www.couriermail.com.au/news/queensland/ipswich/head-of-ccc-wanted-me-to-sack-council-minister/news-story/0955cf56ccfafc207a441a87ed166e86>

Head of CCC 'wanted me to sack council': Minister Stirling Hinchliffe said his decision to remove the council was him "acting on the advice that I've had from the chair of the CCC".

By Hayden johnson July 10, 2018 - 1:37PM



Minister Stirling Hinchliffe said his decision to remove the council was him "acting on the advice that I've had from the chair of the CCC". Picture: GLENN HUNT

THE head of the state's Crime and Misconduct Commission advised the State Government to sack the council, Minister Stirling Hinchliffe has said. Mr Hinchliffe, speaking on ABC radio, said his decision to remove the council was him "acting on the advice that I've had from the chair of the CCC". "The chair of the CCC wants me to take this action," Mr Hinchliffe said.

"I've been speaking to him about this matter." Fending off strong comments from councillors he has sacked, Mr Hinchliffe said the council's problems ran "deep into the organisation". "I believe after the turmoil that the council's been through that the best thing for the city and the community is to have a period of stability, a root and branch reform within the organisation and then facing those fresh elections along with others across the state when the council elections are due in March 2020," he said. He acknowledged some people would be hurt. "I completely believe that there is going to be some innocent people damaged out of this process, there has been already, but I know that there are people out there and about in the community of Ipswich and certainly amongst the staff of the Ipswich City Council who will be damaged."

<https://www.9news.com.au/national/queensland-government-dismisses-ipswich-council/cec3e70d-7e61-4abe-975c-ad55e50c98ac>

New legislation announced to replace Ipswich council
10:00pm Jul 9, 2018 CHANNEL 9

The Queensland government will take new action to sack Ipswich Council when state parliament resumes in August. Local Government Minister Sterling Hinchliffe announced today that the government would introduce specific new legislation that would allow them to remove the embattled council and bring in administrators. "When state parliament resumes in August the government will introduce legislation to dismiss the Ipswich city council and appoint an administrator until March 2020," Mr Hinchliffe said



Mr Hinchliffe made the announcement this afternoon. Image: 9News (9news)

"After a year of turmoil, arrests, multiple charges and a recent supreme court challenge it's time to give the Ipswich community certainty," he said about the intended changes. He said the decision was also about ratepayers and staff with many contacting him to voice their despair. "They talk about poor decision making, secrecy, a lack of respect and a serious erosion of trust," he said. In May, Mr Hinchliffe requested Ipswich's councillors show cause why they should not be sacked, because the community had lost faith in its elected leaders. The decision came in the wake of Mayor Andrew Antonioli being charged with seven counts of fraud. A second show cause notice was issued last month

after the Parliament gave Mr Hinchliffe new powers to sack councillors if it was in "the public interest".



Three weeks ago the council lodged an application with the Supreme Court in a bid to argue against the show cause notice. The minister's jurisdiction to sack the council was challenged in the Supreme

Court last month. Mr Hinchliffe has previously said he will not make a decision on the council before the Supreme Court returns on July 31. The minister said these changes should not be seen as a threat to the broader institution of local government, "It's about restoring the respect and trust our people have for local government." The new legislation will come into effect at the beginning of next month.