

Local Government Act 1993

**CODE OF CONDUCT PANEL DETERMINATION REPORT
GLENORCHY CITY COUNCIL CODE OF CONDUCT**

Complaint brought by Mr Tony McMullen against Ald Peter Ridler RFD

Code of Conduct Investigating Panel

- Lynn Mason AM (Chairperson),
- Phil Cocker (Local Government Member)
- David Palmer (Legal Member)

Date of Determination: 29 July 2025

Content Manager Reference: C37072

Summary of the complaint

A code of conduct complaint was submitted by Mr Tony McMullen to the Glenorchy City Council Manager of Governance and Senior Legal Counsel on 18 February 2025.

The complaint alleges that Ald Ridler breached the following parts of the *Local Government (Code of Conduct) Order 2024* (the Order):

PART 3 - Use of office

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

PART 7 - Relationships with community, councillors and council employees

1. *An elected member must–*

- (a) treat all persons fairly; and*
- (b) not cause a reasonable person offence or embarrassment; and*
- (c) not bully or harass a person.*

5. *A councillor must not, in the councillor's relationships with persons, other councillors, the council, employees of the council or other bodies, engage in conduct that is prohibited conduct.*

PART 8 - Representation

5. *A councillor's personal views must not be expressed publicly in such a way as to –*

(a)

(b) bring the council into disrepute.

6. *A councillor must show respect when expressing personal views publicly.*
7. *A councillor's personal conduct must not reflect, or have the potential to reflect, adversely on the reputation of the council.*

Initial assessment

Following receipt of the complaint, the Initial Assessor (the Assessor) conducted an assessment of the complaint in accordance with the requirements of section 28ZA of the Act. Having assessed the complaint against the provisions of sections 28ZB and 28ZC of the *Local Government Act 1993* (the Act), the Assessor determined that:

- the complainant had ensured that a reasonable effort had been made to resolve the complaint. The reason for this determination was that the Acting CEO of the Glenorchy City Council (Mr Emilio Reale) had met with Ald Ridler on 3 December 2024 to discuss with him the allegations of inappropriate conduct that had been made at that point. Mr Reale said (in a file note made a few hours after the meeting) that he raised each matter with Ald Ridler and Ald Ridler responded that he did not mean anything by the comments and they were said in jest. Further Mr Reale recorded that Ald Ridler said that he was clear the issues raised (in the file note) were not acceptable and that he would not continue with these behaviours. Nevertheless despite this assurance, further allegations of inappropriate conduct were reported following that meeting;
- the complaint substantially related to a contravention of the Order, namely Parts 3.1, 7.1 (a), (b), and (c), 7.5, 8.5(b), 8.6, and 8.7;
- parts of the complaint could not be dismissed on the grounds that they were frivolous, vexatious or trivial. The Assessor found that Ald Ridler's conduct involving female staff members at the Council, whereby Ald Ridler either made physical contact with them or at least put himself in very close proximity to them, in any event so as to cause them discomfort by his invasion of their 'personal space', should be investigated and determined. The Assessor considered that as the Investigating Panel could determine that with these actions, Ald Ridler had engaged in prohibited conduct within the meaning of either paragraph (1) or (2) of section 17 of the *Anti-Discrimination Act*,¹² and for that reason it was appropriate that each of those allegations, as forming part of the complaint, be referred to the Code of Conduct Panel for investigation and determination;
- part of the complaint was deemed not to amount to a breach of the Code of Conduct, viz., the incident which occurred at the citizenship ceremony on 11 December 2024. This was dismissed on the grounds that it was trivial;

¹ The Assessor stated that " 'prohibited conduct' is not defined in the Code of Conduct nor in the *Local Government (Code of Conduct) Order 2024* itself. The only definition of that expression appears in section 3 of the Act, as follows: *prohibited conduct means –*

(a) discrimination, or prohibited conduct, within the meaning of the Anti-Discrimination Act 1998 that is not the subject to an exception or exemption under Part 5 of that Act; or

(b) such other conduct, or behaviour, that is prescribed as prohibited conduct;

This definition applies to the expression 'prohibited conduct' as used in the Code of Conduct."

² See section 19 of the *Acts Interpretation Act 1931*.

- having made enquiries of the Code of Conduct Executive Officer, there was no relevant direction under section 28ZB(2) or 28ZI of the Act that would apply to the complainant and the complaint.³

On this basis, the Assessor determined that the complaint should be investigated.

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

Investigation

In accordance with section 28ZE of the Act, the Code of Conduct Investigating Panel (the Panel) investigated the complaint.

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

- The complaint submitted by Mr McMullen, attached to a Statutory Declaration dated 17 February 2025, 17pp, with attached Statutory Declarations from:
 - Emilio Reale, Deputy Chief Executive Officer, Glenorchy City Council, 31 January 2025;
 - ██████████ Director community and corporate services, 30 January 2025;
 - ██████████ Coordinator Executive and Strategy, 21 January 2025;
 - ██████████ Executive Assistant to the CEO, Glenorchy City Council, 21 January 2025;
 - ██████████ Senior Communications Officer, 21 January 2025;
 - ██████████ Executive Assistant to the Mayor, Glenorchy City Council, 21 January 2025;
 - ██████████ Inclusive City Officer, 21 January 2025;
- Response submitted by Ald Ridler, attached to a Statutory Declaration dated 28 March 2025, 15pp;
- Answer to Ald Ridler's response from Mr McMullen, attached to a Statutory Declaration, 11 April 2025, 66 pp, including:
 - a Statutory Declaration from ██████████ 8 April 2025, and
 - a Statutory Declaration from ██████████ 8 April 2025, and
 - a statutory declaration from ██████████ 9 April 2025, and
 - a Statutory Declaration from ██████████ Health Wellbeing and Resilience Officer, 3 April 2025;
- The Elected Member Support Power Point, 24 October 2024;
- The elected member induction presentation, June 2024;
- The *Local Government (Code of Conduct) Order 2024*.

³ Section 28ZB(2) and 28ZI of the Act enable the Chairperson or the Panel (as applicable) to issue a direction to a complainant in prescribed circumstances not to make a further complaint in relation to the same matter unless the complainant provides substantive new information in the further complaint.

In accordance with section 28ZG of the Act, the Panel determined to conduct a hearing into the matter.

Hearing

As per section 28ZH of the Act, the Code of Conduct Panel held a hearing on 27 May 2025 in the Glenorchy City Council Chambers. Ald Ridler was accompanied by his advocate, Mr Julian Punch, and his support person, Ms Jennifer Branch-Allen.

The Chairperson opened the hearing with a statement about the procedures to be followed, and a summary of those parts of the complaint being investigated. The Chairperson stated that the complaint alleged that Ald Ridler had:

- On 4/11/24, at Council chambers reached out and grabbed an ID badge attached to shirt of [REDACTED] (staff member) at chest level;
- On 11/11/24, at a Council workshop made a sexist remark to [REDACTED] (staff member), namely 'Stick to your knitting and get back to the kitchen';
- On 18/11/24, at a Council workshop made a racist remark, namely 'That would stick out like a nigger in a woodpile', or words to that effect;
- On 25/11/24, at Council chambers placed an arm around the waist of [REDACTED] (staff member), causing her to step away from Alderman Ridler;
- On 2/12/24, at the Annual General Meeting (AGM) at Council chambers placed a hand on back of [REDACTED] (staff member) and rubbed it while asking for more fruit juice, causing her to step away from Alderman Ridler and to raise her hands;
- On 2/12/24, at the AGM at the Council chambers, said to [REDACTED] 'I'll have to crack the whip on you to make it happen sooner' or words to that effect;
- On 9/12/2024, at a media event at Tolosa Park and while commenting on her name Alderman Ridler grabbed [REDACTED] clothing and pulled it outwards towards himself so as to read her name tag;
- On 12/12/2024, Alderman Ridler came up to [REDACTED] and introduced himself. He then put his hands on both of her shoulders and physically turned her around, saying that he wanted to see what was written on the back of her work shirt, which shocked [REDACTED]

Both Ald Ridler and Mr McMullen took the oath or read the affirmation statement prior to giving their evidence or making statements to the Panel, and all witnesses also took the oath or read the affirmation before answering questions from the Panel.

At the conclusion of the Chairperson's opening address, Ald Ridler indicated that he wished to make a statement concerning his reasons for believing that the hearing should not proceed. These included his belief that the hearing was not being conducted under what he termed 'the proper Code of Conduct'. He alleged that there was no 'uniform Code of Conduct in Tasmania when the complaint was made.' He alleged that at his induction on 11 November 2024 he signed the Declaration of Office (as an Alderman of the Council) that he would comply with the Code of Conduct, but he alleged that the Glenorchy City Council had no code of conduct in place at the time.

He then read a portion of the press statement made by the Minister for Local Government at the time of the proclamation of the *Local Government (Code of Conduct) Order 2024* (the Order) (10 September 2024), including the statement from the Minister that:

A single Code of Conduct now automatically applies to all Tasmanian councillors and the Code itself has been adjusted to make clear councillors must not engage in prohibited conduct under the Anti-Discrimination Act 1998.

When asked by Mr David Palmer whether he agreed that this change had been made in September 2024 (prior to Ald Ridler's induction as an alderman), Ald Ridler agreed that it had, but said that it did not apply at Glenorchy City Council because the CEO was 'using' the 2023 Glenorchy City Council Code of Conduct, and therefore, the complaint was 'out of order'. He added that the previous Code of Conduct adopted by Glenorchy City Council on 29 May 2023 was not rescinded until March 2025, and that therefore, since that Code of Conduct had been replaced by the Order in September 2024, the Council had no Code of Conduct in place when this complaint was submitted.

It appeared to the Panel that Ald Ridler had not understood that notwithstanding that Council had not formally rescinded its previous Code of Conduct policy until March 2025, that policy had no relevance after the Order came into effect on 10 September 2024; and the effect of the Order was to provide every Tasmanian council, including Glenorchy City Council, with the Code of Conduct to which councillors were obliged to comply.

The Chairperson informed Ald Ridler that the Panel disagreed with his view on this matter. Ald Ridler was invited to continue, but said that he would 'leave it at that', and reminded the Panel that he had rights of appeal to a 'higher authority' in the event of an unfavourable determination by the Panel.

The Chairperson then invited Mr McMullen to make his opening statement, at which point Ald Ridler stated that he and his advocate and his support person would leave the hearing, as he did not want to 'condone what is going on'.

Before Ald Ridler and his advocate and support person left the hearing, the Chairperson noted that he was welcome to stay, and Mr Palmer said to Ald Ridler to the effect that Mr McMullen would be talking to his complaint, and had summoned witnesses, and that by retiring from the hearing, Ald Ridler would lose his opportunity to challenge the evidence which would come out at the hearing, and cross examine the witnesses, and state his response to the complaint to the Panel. Ald Ridler declined to remain, saying to the effect that that his position was "all in my stat dec".

Ald Ridler, his advocate, and his support person left the hearing at approximately 10.28 am.

Following Ald Ridler's departure the Panel listened to Mr McMullen's opening address, in which he stated that he disagreed with Ald Ridler's assertion that there was no Code of Conduct in place at the time of Ald Ridler's induction, and at the time of making the complaint against him.

In response to a question from the Panel, Mr McMullen explained that prior to the proclamation of the Order, every Council had been required to formally review and adopt its own Code of Conduct into its suite of policies, with the proviso that the council's code of conduct had to include all the clauses of the Model Code in force at the time. However, as noted above in the press statement from the Minister, this was no longer necessary after the Order came into effect.

The Panel noted that in the complaint submitted by Mr McMullen on 18 February 2025, one of the clauses of the Code cited is the version of 7.5 which is the relevant version from

the Order; it was not the same clause 7.5 as had been in the now outdated Model Code version. This clause was also explained in detail in the letter from the Assessor to Ald Ridler. It was therefore determined by the Panel that Mr McMullen was using the correct version of the Code of Conduct.

Mr McMullen told the Panel that he had checked the date on which Ald Ridler had his official Council photograph taken, which was on 11 November 2024, at the time of his induction. He noted that Ms [REDACTED] in her Statutory Declaration of 30 January 2025 had said that this had occurred on 4 November 2024, and that this was an error.

Mr McMullen called several witnesses.

1. Mr Emilio Reale, the Deputy Chief Executive Officer, appeared by video link. He told the Panel that subsequent to making his Statutory Declaration on 31 January 2025, and receiving a copy of the response from Ald Ridler provided on 11 April 2025, he had reviewed the video tape of the AGM, and the exact words spoken by Ald Ridler to Ms [REDACTED] were 'I'll get the whip out'. He stated that contrary to the statement in Ald Ridler's response, that the words were directed to the council in general, he believed that they were spoken directly to Ms [REDACTED] as Ald Ridler was looking straight at the officer when the words were spoken.

Mr Reale explained in answer to a question from the Panel that the reason he had asked Ald Ridler to attend his office on 3 December 2024 was because he had had several verbal complaints made to him about Ald Ridler's behaviour, and because he had had a phone call from the Deputy Mayor, saying that he was concerned about Ald Ridler's comments in various situations. At this time Mr Reale was Acting CEO, as Mr McMullen was on leave. When Ald Ridler went into the meeting with Mr Reale on 3 December 2024, he said that he already knew why Mr Reale had asked him to come into the meeting, and explained that another Alderman from the Glenorchy City Council had already spoken to him about his behaviour.

2. Ms [REDACTED] the Inclusive City Officer at Glenorchy City Council, appeared as the next witness. To assist the Panel to understand what had occurred on 12 December 2024 at the community barbecue, at which it is alleged Ald Ridler had put his hands on Ms [REDACTED] shoulders and physically turned her around to see what was written on her work shirt, Ms [REDACTED] showed the Panel one of her work shirts, to illustrate to the Panel that the name of her work team was clearly written on the back of her shirt. She added that she could see no reason for Ald Ridler to have turned her about by putting his hands on her shoulders, as her team had been cooking the lunch at the barbecue, and Ald Ridler had been in attendance with opportunity to read the shirts of the council team in charge of the barbecue for 'quite a while' when the incident occurred

Mr McMullen asked the Panel to note that this incident occurred nine days after Mr Reale's interview with Ald Ridler, during which he was warned that touching staff was inappropriate behaviour and had to stop.

3. [REDACTED]

[REDACTED]

4. Ms [REDACTED], Executive Assistant to the CEO of the Council, appeared as the next witness. Ms [REDACTED] alleged in her Statutory Declaration that when she was setting up the room for the AGM on 2 December 2024, Ald Ridler had approached her as she was attempting to adjust the fan settings to make the room cooler. She alleged that Ald Ridler approached her from behind so that she was 'up against the wall' whereupon he rubbed her back while making a comment about liking apple juice. Ms [REDACTED] said she left the room almost immediately afterwards and went straight to her supervisor to report the incident.

The Chairperson informed Ms [REDACTED] that Ald Ridler in his response to the complaint had said that he 'absolutely' refuted this allegation, and had attached pictures of the juxtaposition of the food table and the meeting table to illustrate his statement that he was attempting to 'slide past' Ms [REDACTED] at the food table, and had not rubbed her back.

In response to this statement from the Chairperson, Ms [REDACTED] said that the incident had not happened at the food table, but on the opposite side of the room. The Panel agreed to go into the relevant room, immediately next door to the hearing room, to be able to envisage more clearly what Ms [REDACTED] alleged and what Ald Ridler said had happened. On returning to the hearing room, the Chairperson summed up the statements made by Ms [REDACTED] viz., that she was not at the food table when the incident occurred but rather on the other side of the room trying to adjust the fan next to the door into the corridor when Ald Ridler approached her from behind and rubbed her back. Ms [REDACTED] affirmed that the Chairperson's summation of her statements was correct.

5. Ms [REDACTED] Co-ordinator Executive and Strategy of the Council, appeared as the next witness. Ms [REDACTED] alleged in her Statutory Declaration that on 25 November 2024, Ald Ridler had put his arm around her waist when she was showing him a form which he had to complete. Ms [REDACTED] described her reaction to this close physical contact as making her feel 'quite disgusted' and that it had made her feel sick. At the hearing Ms [REDACTED] said that of the number of incidents she had reported in her Statutory Declaration, this was the one which was the most uncomfortable for her and had had the greatest impact on her at work.

Ald Ridler in his response said that her allegation was not true.

Ms [REDACTED] alleged in her Statutory Declaration that on 11 November 2024, Ald Ridler said, when Ms [REDACTED] was handing around food and napkins to the councillors, "Stick to your knitting and go back to the kitchen." Ms [REDACTED] said that another councillor had approached her later to 'see if I was alright'. Ms [REDACTED] said that Ald Ridler's remark belittled her and that she was stressed by the situation. Ald Ridler denied that he had said it. Mr Reale stated that another councillor who had been sitting next to Ald Ridler at the time the comment is alleged to have been made had confirmed it to the Acting CEO in writing on 12 November 2024.

Ms [REDACTED] alleged that at the AGM on 2 December 2024, Ald Ridler had asked if the Annual Report could be made available to the elected members 30 to 60 days earlier than the AGM. Ms [REDACTED] is responsible for releasing the final report. She had explained the difficulties in acceding to this request. Ald Ridler said, "I'll have to get the whip out".

[REDACTED]

On 9 December 2024, Ms [REDACTED] said that Ald Ridler had come to her office and while she was trying to show him some information on her computer screen when he stood 'directly behind me only centimetres apart. I was completely trapped against the desk....I could feel my heart racing with anxiety. I felt totally trapped.' Ms [REDACTED] said that there had been no need for Ald Ridler to position himself thus, and Ms [REDACTED] was turning her computer screen so that he could see it from where he was standing when he moved to stand behind her. Ms [REDACTED] asked Ald Ridler to step back, and as he did so he said that he did not want to invade her personal space. Ald Ridler said in his response that there was no intention of impropriety on his part.

6. Ms [REDACTED] Senior Communications Officer of the Council, appeared as the next witness. Ms [REDACTED] said in her Statutory Declaration that on 9 December 2024, at a media event at Tolosa Park, Ald Ridler had commented on her name and then 'grabbed' her clothing in an apparent attempt to read her name tag, which was hanging on a cord around her neck. Ms [REDACTED] said that she did not believe that Ald Ridler's gesture was malicious, but rather, that he did not understand, that he was 'just unaware' that he should not grab her clothing.

Ald Ridler in his response denied that he had touched her clothing.

In a later incident, Ald Ridler had asked on the phone for Ms [REDACTED] to give him her mobile phone number, which Ms [REDACTED] felt obliged to do, as he was 'abrupt and demanding'. She stated that she felt she had no opportunity to say no, and that she was worried what his reaction would be if she refused to give him her number. In the hearing Ms [REDACTED] said that she feared that Ald Ridler would 'make things difficult' for her in the future if she refused to give him her phone number. She felt there was a 'power imbalance' in their interaction.

Ald Ridler made no response to this allegation.

In response to a question from the Panel, Mr McMullen stated that Council has an *Aldermanic Interaction with Council Officers Directive* which 'sets out clearly which members of staff I authorise elected members to contact'. Mr McMullen said that Ald Ridler had been provided with a copy of the Directive with the documents provided to him at or around the time of his induction in November 2024. Mr McMullen said that the Directive was clear that elected members should only contact staff members with the status of directors. This group did not include Ms [REDACTED].

7. Ms [REDACTED] Director Community and Corporate Services, appeared as the next witness. Ms [REDACTED] alleged in her witness statement that on 11 November 2024 in the Council meeting room, Ald Ridler seized Ms [REDACTED] name badge from where it was clipped to her clothing on her chest when she introduced herself to him. Ms [REDACTED] said that it was 'awkward and annoying', particularly as she had just introduced herself clearly to Ald Ridler. Ald Ridler in his response to the complaint wrote that he was partially deaf and that her badge was not facing outwards, and that he did not touch her clothing.

At a council workshop on 18 November 2025, Ms [REDACTED] alleged that Ald Ridler used the phrase 'nigger in the woodpile'. At the Council's AGM on 2 December Ms [REDACTED] alleged that Ald Ridler had told Ms [REDACTED] that he would 'get the whip out' to hasten the release of the Annual Report. Ms [REDACTED] considered that the phrase 'nigger in the woodpile' was 'insulting and wrong', and the remark to Ms [REDACTED] was condescending. In answer to a question from the Panel, Ms [REDACTED] said that

she saw Ald Ridler address Ms [REDACTED] directly on the matter of the release of the Annual Report.

In his response to the complaint, Ald Ridler indicated that the Heritage Review workshop had taken place on 4 November 2024, before his induction as an Alderman. He did not dispute that he had attended a council meeting or workshop on the date given by Ms [REDACTED] for the use of the phrase 'nigger in the woodpile', and did not refer to the use of the phrase in his response. The Panel notes that testimony provided by Mr Reale included reference to the use of the phrase at a council workshop on 18 November 2024, and therefore gives little weight to the error about the topic of the particular workshop held on 18 November 2024, being satisfied that Ald Ridler did attend that workshop on that day.

In his closing remarks, Mr McMullen said that he had brought the complaint against Ald Ridler because as CEO, he is responsible for the psychological safety of the people under his management while they are working. It had come to his attention that a number of female workers were distressed after interactions with Ald Ridler, matters which were reported to him by the Deputy CEO upon his return from leave on 9 December 2024. He noted that several further reports of alleged inappropriate conduct with female staff had been made since the Deputy CEO's meeting with Ald Ridler on 3 December 2024, indicating to him that Ald Ridler was not changing his behaviour despite his assurances to the Deputy CEO on 3 December 2024.

Mr McMullen gave a number of reasons for bringing matters to a head with this complaint, including his concern that such behaviour exhibited by an Alderman towards female staff members potentially endangered the reputation of Glenorchy City Council as a safe workplace and an employer of choice. He considered that the alleged interactions with female staff members were 'completely out of step in a modern workplace', and would provide 'carte blanche' for an elected member to continue to behave in this way if there were no consequences. Mr McMullen stated that the female staff members who had provided Statutory Declarations had done so voluntarily, and that there was no coercion by senior management.

Mr McMullen said that while Ald Ridler had alleged that 'council officers had colluded to tarnish his reputation', Mr McMullen denied that this was the case. He noted that where the alleged behaviours had occurred in a public or group context, Ald Ridler had not denied that they had happened, although he did downplay the significance of such behaviour in his response to the complaint. Where there were no witnesses to the alleged incidents, Ald Ridler absolutely denied that they had occurred, even though the affected employees had reported the incidents to their supervisor immediately after the event. The inference arises that Ald Ridler's version of events, given in his statutory declaration but where he did not present as a witness to be tested or questioned at the hearing, is to be given less weight than the testimony of witnesses who appeared and gave evidence at the hearing.

Mr McMullen stated that the obligation to comply with the Code of Conduct is individual to each councillor who has signed the declaration of office, including Ald Ridler; and that the sections of the Code which Ald Ridler is alleged to have breached reflect ordinary expectations of behaviour in contemporary society. However, Mr McMullen stated, Ald Ridler continued his pattern of behaviour contrary to the Code of Conduct between 11 November 2024 and December 12 2024, the period specified in this complaint.

At the conclusion of the hearing, Mr McMullen was asked about sanction for Ald Ridler, in the event that the complaint or any part of it were to be upheld. Mr McMullen said that he wanted Ald Ridler to understand that his behaviour was inappropriate and had to stop, and

that he attend training to assist his understanding of the Code of Conduct and appropriate councillor/staff interaction.

Determination

As per section 28ZI(c) of the Act the Code of Conduct Investigating Panel upholds the complaint that Ald Ridler has breached Part 3.1, Part 7.1(a) and 7.1(b), Part 7.5, and Part 8.7 of the Code of Conduct. The Panel dismisses the complaint that Ald Ridler breached Part 7.1(c), Part 8.5, and Part 8.6 of the Code of Conduct.

Reasons for determination

1. That Ald Ridler breached Part 3.1 of the Code of Conduct, viz.,

3.1. The actions of a councillor must not bring the council or the office of councillor into disrepute.

The Panel determines that on several occasions Ald Ridler acted or spoke in ways that are unacceptable in a council workplace. Two of these incidents occurred in interactions with female staff members, and the third in a council workshop before other participants. The Panel considers that such unacceptable behaviours cause the office of councillor to be brought into disrepute.

The Panel determines that the following actions by Ald Ridler breached Part 3.1 of the Code:

- His physical approach to Ms [REDACTED] when she was adjusting the fan in the committee meeting room on 2 December 2024;
- His remark to Ms [REDACTED], 'stick to your knitting and get back to the kitchen', made in a council workshop on 11 November 2024;
- His use of the phrase 'like a nigger in the woodpile' at a council workshop on 18 November 2024, witnessed by both Mr Reale and Ms [REDACTED]

2. That Ald Ridler breached Part 7.1(a) and (b) of the Code of Conduct, viz.,

1. An elected member must–

(a) treat all persons fairly; and

(b) not cause a reasonable person offence or embarrassment; and...

The Panel determines that Ald Ridler treated members of staff unfairly on the following occasions, thereby breaching Part 7.1(a) of the Code:

- On 11 November 2024 at a council workshop, by telling Ms [REDACTED] to 'stick to your knitting and go back to the kitchen', a remark which was not denied by Ald Ridler and which the Panel determines was unfair to Ms [REDACTED]
- By requiring Ms [REDACTED] to give him her personal phone number in a way that made her feel as if she had no choice but to comply with his demand, contrary to the *Aldermanic Interaction with Council Officers Directive* of the Council.

- On 2 December 2024 at the AGM, by telling Ms [REDACTED] that he would 'get his whip out' to try to have the Annual Report released 30 to 60 days before the AGM. This was said in public at the AGM and witnessed by all elected members and staff present, and was embarrassing to Ms [REDACTED], as Ald Ridler was looking directly at her when he said the words;
- His physical approach to Ms [REDACTED] when she was adjusting the fan in the committee meeting room on 2 December 2024;
- On 25 November 2024, when Ald Ridler had put his arm around Ms [REDACTED] waist when she was showing him a form which he had to complete;
- His offensive remark to Ms [REDACTED], 'stick to your knitting and get back to the kitchen', made in a council workshop on 11 November 2024;
- On 9 December 2024, when Ald Ridler came into Ms [REDACTED] office and while she was trying to show him some information on her computer screen, and he stood unnecessarily directly behind her only centimetres from her, and she felt trapped against the desk;
- On 11 November 2024 in the Council meeting room, when Ald Ridler seized Ms [REDACTED] name badge from where it was clipped to her clothing on her chest when she introduced herself to him, which Ms [REDACTED] described as 'awkward and annoying'.

3. Breach of Part 7.1(c) of the Code, viz.,

An elected member must....

(c) Not bully or harass a person.

The Panel notes that the term 'bullying' is not defined in the Code of Conduct, but notes that 'bullied at work' is defined in the *Fair Work Act 2009* (section 789FD). Bullying generally implies that there is an imbalance of power in the relationship, which is the case in Glenorchy, where the respondent is an Alderman and the witnesses are staff members. Bullying is also likely to include conduct or communication which is insulting, offensive, intimidating, degrading, ridiculing or humiliating of another person.

The Panel determines that while a number of actions or words spoken by Ald Ridler were offensive and/or embarrassing to the affected employees, and his behaviour may have been intimidating, there was not a sustained pattern of behaviour towards any one employee.

The Panel therefore determines that Ald Ridler did not breach Part 7.1(c) of the Code of Conduct, and dismisses that part of the complaint.

4. That Ald Ridler breached Part 7.5 of the Code of Conduct, viz.,

A councillor must not, in the councillor's relationships with persons, other councillors, the council, employees of the council or other bodies, engage in conduct that is prohibited conduct.

The Panel determines that Ald Ridler engaged in prohibited conduct with employees of the council on the following occasions, thereby breaching Part 7.5 of the Code:

- On 12 December 2024 at a community barbecue, Ald Ridler had put his hands on Ms [REDACTED] shoulders and physically turned her around to see what was written on the back of her work shirt, an action which was witnessed by Mr [REDACTED]
- His physical approach to Ms [REDACTED] when she was adjusting the fan in the committee meeting room on 2 December 2024;
- On 25 November, when Ald Ridler had put his arm around Ms [REDACTED] waist when she was showing him a form which he had to complete;
- On 9 December 2024, when Ald Ridler came into Ms [REDACTED] office and while she was trying to show him some information on her computer screen, and he stood unnecessarily directly behind her only centimetres from her, and she felt trapped against the desk.

5. That Ald Ridler breached Part 8.5(b) of the Code of Conduct, viz.,

A councillor's personal views must not be expressed publicly in such a way as to –

(a)

(b) bring the council into disrepute.

The Panel determines that Ald Ridler, on the occasions cited in the complaint, was not expressing his personal views on any topic. The Panel concludes that his use of phrases such as 'I'll get the whip out' and 'nigger in a woodpile' and 'stick to your knitting and get back to the kitchen' are his patterns of speech, rather than expressions of personal views.

The Panel therefore determines that Ald Ridler did not breach Part 8.5(b) of the Code of Conduct, and dismisses that part of the complaint.

6. That Ald Ridler breached Part 8.6 of the Code of Conduct, viz.,

A councillor must show respect when expressing personal views publicly,

As above, in the Panel's determination of the allegation that Ald Ridler breached Part 8.5(b) of the Code, the Panel determines that Ald Ridler was not expressing personal views on the occasions cited, and therefore dismisses the complaint that Ald Ridler breached Part 8.6 of the Code.

7. That Ald Ridler breached Part 8.7 of the Code of Conduct, viz.,

A councillor's personal conduct must not reflect, or have the potential to reflect, adversely on the reputation of the council.

The Panel determines that Ald Ridler's personal conduct had the potential to reflect adversely on the reputation of the Council on the following occasions:

- On 12 December 2024 at a community barbecue, Ald Ridler had put his hands on Ms [REDACTED] shoulders and physically turned her around to see what was written on the back of her work shirt, an action which was witnessed by Mr [REDACTED] and potentially by community members at the barbecue.

Summary

In accordance with section 28ZI(c) of the Act, the Panel determines that Ald Ridler has breached Part 3.1, Part 7.1(a) and (b), Part 7.5, and Part 8.7 of the Code of Conduct, and dismisses the complaint that he has breached Part 7.1(c) and Parts 8.5 and 8.6 of the Code.

Sanctions

In determining appropriate sanctions to impose on Ald Ridler for these breaches of the Code of Conduct, the Panel took into account several factors.

Ald Ridler is an experienced Alderman. He was first elected to Glenorchy City Council in 1987, where he served until losing his seat at the 2014 election. He was successful in returning to Council when a recount was held to fill a casual vacancy on the Council in November 2024. He has therefore served more than 27 years as an elected member. For 9 of those years all Tasmanian local government elected members have been subject to a Code of Conduct. While the Code of Conduct policy has introduced slight changes during the period 2005 to 2014, when Ald Ridler lost his seat, the Panel assumes that Ald Ridler would be familiar with the Code and the need to comply with it.

The Panel noted that Ald Ridler continued to behave inappropriately and in breach of the Code after he had been addressed on the matter by the Acting CEO on 3 December 2024, the day after the Annual General Meeting. At that time he had said to the Acting CEO that he was 'clear on the issues raised' in the interview, and that he would not continue with these behaviours. In his response to the complaint Ald Ridler did not deny the accuracy of the Statutory Declaration provided by the Acting CEO, Mr Reale, as part of the complaint.

The Panel determines that Ald Ridler's behaviour is in breach of the Code of Conduct, but also exhibits a lack of awareness of proper conduct in modern Australian society, particularly in a workplace. He has also exhibited wilful disregard for the advice given him by the Acting CEO. The Panel concludes that his behaviour was not inadvertent or accidental, and risks damaging the reputation of the Council within its community, and bringing disrepute to the office of Councillor.

The Panel noted also that another Alderman had also spoken to Ald Ridler about his behaviour with staff, and that these behaviours had been raised in a phone call to the Acting CEO from the Deputy Mayor. The Panel reasonably concludes that Ald Ridler's behaviour was causing concern within the elected member group, as well as within the staff.

In accordance with section 28ZI(2) of the Act, the Panel therefore determines to impose the following sanctions on Ald Ridler⁴:

- A reprimand;
- A requirement to attend training. An appropriate training provider is to be advised by the Office of Local Government to the General Manager of the Glenorchy City Council; and
- A suspension from performing and exercising the powers and functions of his office as a councillor for a period of one month. The suspension is to commence on the day following the date of the Council meeting in respect of which the determination

⁴ The Panel wrote to Ald Ridler on 14 July 2025, emphasizing that while no determination had been made, the Panel was considering upholding the complaint that Ald Ridler had breached Part 3.1, Part 7.1(a) and (b), Part 7.5 and Parts 8.5 and 8.6 of the Code. Ald Ridler was asked to provide a submission on what sanction he considered would be appropriate if the Panel confirmed these draft determinations. Ald Ridler submitted that he would accept the sanction of attending counselling or a training course.

report is included within an item on the agenda, in accordance with section 28ZK of the Act.

Timing of the Determination

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

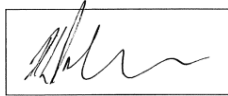
The Panel has been unable to determine the Complaint within 90 days, owing to granting extension for responses and appearances, intervening holiday periods, and other commitments by members preventing preparation of the final report.

Right to review

A person aggrieved by the determination of the Code of Conduct Panel, on the ground that the Panel failed to comply with the rules of natural justice, is entitled under section 28ZP of the Act to apply to the Tasmanian Civil and Administrative Tribunal for a review of the determination on that ground.



Lynn Mason
Chairperson



David Palmer
Member



Philip Cocker
Member

DATE : 30 July 2025