

Register of Code of Conduct Breaches – Council Members – 2018-2022 Term

The below register contains all determined and substantiated breaches of the Code of Conduct for Council members in breach during the current term of Council

Council Decision Date	Councillor	Type of Code of Conduct Breach	Link to Meeting Agenda
28 January 2020	Cr Anne Moran	<p>Following a referral under section 24(2)(a) of the <i>Independent Commissioner Against Corruption Act 2012</i> (ICAC Act), the Ombudsman SA issued Council with a report on misconduct in public administration.</p> <p>It's the Ombudsman's view that Councillor Anne Moran contravened section 3.3 of the Code of Conduct by divulging information to a journalist that the Council had ordered to be kept confidential, therefore committing misconduct in public administration for the purposes of section 5(3)(a) of the ICAC Act.</p> <p>In the circumstances, the Ombudsman made the following recommendation under section 263B(1) of the <i>Local Government Act 1999</i> (SA):</p> <p><i>"That the City of Adelaide, by means of a public statement, reprimand Councillor Moran for her misconduct in public administration."</i></p>	Council Meeting Agenda - 28 January 2020
10 August 2021	Cr Alexander Hyde	<p>On 21 January 2021, the Chief Executive received an allegation that Cr Hyde had breached the Code of Conduct for Council Members (the Code).</p> <p>Specifically, it was alleged that at a Special Meeting of Council on Wednesday 23 December 2020 (held on Zoom), Cr Hyde <i>'threatened to leave the meeting and thereby collapse a quorum', in the event an amendment he had proposed to a motion, was not carried.</i></p>	Council Meeting Agenda – 10 August 2021

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		<p>The Complaint was referred to independent legal counsel to be investigated in accordance with the Standing Orders and the principles of procedural fairness.</p> <p>The investigation determined that a breach of Part 2 of the Code occurred specifically in relation to the following clause:</p> <p><i>2.9 Endeavour to establish and maintain respectful relationships with all Council members, regardless of differences of views and opinions.</i></p>	
14 September 2021	Cr Phillip Martin	<p>On 15 May 2021 the (then Acting) Chief Executive Officer received an allegation that Cr Phillip Martin had breached the Code of Conduct for Council Members (the Code) due to certain actions taken at a Council forum held on Wednesday 17 February 2021, comments made at a Special Council Meeting held on Tuesday 23 March 2021, and comments made at a Committee Meeting held on Tuesday, 6 April 2021.</p> <p>The Complaint was referred to independent legal counsel for it to be investigated on an objective basis and in accordance with the Standing Orders and the principles of procedural fairness</p> <p>The investigation determined that Cr Martin's actions which were the subject of the complaint breached the following clauses of the Code:</p> <p><i>2.3 Act in a reasonable, just, respectful and non-discriminatory way when dealing with people;</i></p> <p><i>2.4 Show respect for others if making comments publicly;</i></p> <p><i>2.9 Endeavour to establish and maintain a respectful relationship with all Council members, regardless of differences of views and opinions.</i></p>	Council Meeting Agenda – 14 September 2021

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9 November 2021	Cr Phillip Martin	<p>On 8 April 2021, the (then Acting) Chief Executive Officer received an allegation that Cr Phillip Martin had breached the Code of Conduct for Council Members (the Code).</p> <p>In particular, it was alleged that on Friday 19 March 2021, during an ABC Radio Adelaide interview, Cr Martin made comments pertaining to the health of the former CEO of the Council, Mr Mark Goldstone, along with comments which were said to be disrespectful of the, then Acting CEO and the Lord Mayor (the Complaint).</p> <p>The Complaint was referred to independent legal counsel to be investigated on an objective basis, and in accordance with the Standing Orders and the principles of procedural fairness.</p> <p>The investigation determined that Cr Martin's actions which were the subject of the complaint breached the following clause of the Code:</p> <p><i>2.2 Act in a way that generates community trust and confidence in the Council.</i></p> <p><i>2.4 Show respect for others if making comments publicly.</i></p> <p><i>2.7 Deal with information received in their capacity as Council members in a responsible manner.</i></p>	Council Meeting Agenda – 9 November 2021
14 December 2021	Cr Jessy Khera	<p>On 16 June 2021 the (then Acting) Chief Executive Officer received an allegation from Cr Moran (the Complainant) that Cr Khera had breached the Code of Conduct for Council Members (the Code).</p> <p>Cr Moran's complaint was regarding Cr Khera preparing and circulating a flyer in the North Adelaide area. The flyer contained a number of statements and alleged imputations in relation to Councillors Moran and Martin. The complaint alleged, among</p>	Council Meeting Agenda – 14 December 2021

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		<p>other things, that the flyer was inaccurate, misleading, malicious and defamatory.</p> <p>The Complaint was referred to independent legal counsel for it to be investigated on an objective basis and in accordance with the Standing Orders and the principles of procedural fairness.</p> <p>The investigation determined that Cr Khera's actions which were the subject of the complaint breached the following clause of the Code:</p> <p><i>2.9 Endeavour to establish and maintain a respectful relationship with all Council members, regardless of differences of views and opinions.</i></p>	
15 March 2022	Cr Phillip Martin	<p>On 11 August 2021 the (then Acting) Chief Executive Officer received an allegation that Cr Phillip Martin had breached the Code of Conduct for Council Members (the Code).</p> <p>The Complainant (who wishes to remain anonymous) alleged that Cr Martin breached the Code by way of comments made by him, primarily during an ABC Radio interview. The Complainant alleged that Cr Martin had misrepresented the Council's resolutions regarding the Adelaide Aquatic Centre.</p> <p>The Complaint was referred to independent legal counsel for it to be investigated on an objective basis and in accordance with the Standing Orders and the principles of procedural fairness.</p> <p>The investigation determined that Cr Martin's actions which were the subject of the complaint breached the following clause of the Code:</p> <p><i>2.8 Endeavour to provide accurate information to the Council and to the public at all times.</i></p>	<p>Council Meeting Agenda – 8 March 2022</p> <p>(Meeting adjourned on 8 March 2022 and reconvened on 15 March 2022. This item was considered at the reconvened meeting.)</p>

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15 March 2022	Cr Arman Abrahamzadeh	<p>On 24 August 2021 the (then Acting) Chief Executive Officer received an allegation that Cr Arman Abrahamzadeh had breached the Code of Conduct for Council Members (the Code).</p> <p>Cr Phillip Martin and Cr Anne Moran (the Complainants) each alleged that Cr Abrahamzadeh breached the Code due to his use of the social media platform, Facebook. The Complaints concern a comment made by a member of the public on Cr Abrahamzadeh's public Facebook page. The Complainant's allege that the comment was false, offensive and inflammatory and that by allowing, facilitating and maintaining the comment, Cr Abrahamzadeh breached the Code.</p> <p>The Complaint was referred to independent legal counsel for it to be investigated on an objective basis and in accordance with the Standing Orders and the principles of procedural fairness.</p> <p>The investigation determined that Cr Abrahamzadeh's actions which were the subject of the complaint breached the following clauses of the Code:</p> <p><i>2.2 Act in a way that generates community trust and confidence in the Council.</i></p> <p><i>2.3 Act in a reasonable, just, respectful and non-discriminatory way when dealing with people.</i></p> <p><i>2.4 Show respect for others if making comments publicly.</i></p> <p><i>2.9 Endeavour to establish and maintain a respectful relationship with all Council Members, regardless of differences of views and opinions.</i></p> <p><u>An administrative error occurred when this Register was published on 11 April 2022. This entry incorrectly stated that Cr Martin's actions breached the Code of Conduct. The entry has been rectified and we apologise to Cr Martin for the incorrect statement.</u></p>	<p>Council Meeting Agenda – 8 March 2022</p> <p>(Meeting adjourned on 8 March 2022 and reconvened on 15 March 2022. This item was considered at the reconvened meeting.)</p>

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10 May 2022 No decision of Council was made	Cr Mary Couros	<p>On 13 October 2021 the Chief Executive Officer received an allegation that Cr Couros had breached the Code of Conduct for Council Members (the Code).</p> <p>Cr Phillip Martin (the Complainant) alleged that Cr Couros breached the Code by way of publishing a Facebook post, which referred to a Council Code of Conduct Investigation Report, as well as an organisation dedicated to preventing disrespect and violence towards women. Cr Martin alleged that the Facebook post clearly identified him as being the target of the post and inappropriately conflated his conduct with the aims of the organisation.</p> <p>The Complaint was referred to independent legal counsel for it to be investigated on an objective basis and in accordance with the Standing Orders and the principles of procedural fairness.</p> <p>The investigation determined that Cr Couros' actions which were the subject of the Complaint breached the following clauses of the Code:</p> <p><i>2.2 Act in a way that generates community trust and confidence in the Council.</i></p> <p><i>2.3 Act in a reasonable, just, respectful, and non-discriminatory way when dealing with people.</i></p> <p><i>2.7 Deal with information received in their capacity as Council members in a responsible manner.</i></p> <p><i>2.8 Endeavour to provide accurate information to the Council and to the public at all times.</i></p> <p><i>2.9 Endeavour to establish and maintain a respectful relationship with all Council members, regardless of differences of views and opinions</i></p>	Council Meeting Agenda – 10 May 2022

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9 August 2022	Cr Jessy Khera	<p>On 18 November 2021, the Chief Executive Officer (CEO) of the City of Adelaide (the Council) received an allegation that Councillor Jessy Khera had breached the Code of Conduct for Council Members (the Code).</p> <p>Councillor Anne Moran (the Complainant) alleged that Cr Khera breached the Code due to his conduct following the 16 November 2021 Special Meeting of Council through a series of emails circulated on 17 November 2021 among Council Members. The Complainant alleged that the emails demonstrated abuse and bullying committed by Cr Khera.</p> <p>The Complaint was referred to independent legal counsel for it to be investigated on an objective basis and in accordance with the Standing Orders and the principles of procedural fairness.</p> <p>The investigation determined that Cr Khera's actions which were the subject of the Complaint breached the following clauses of the Code:</p> <p><i>2.3 Act in a reasonable, just respectful and non-discriminatory way when dealing with people.</i></p> <p><i>2.9 Endeavour to establish and maintain a respectful relationship with all Council Members, regardless of differences of views and opinions.</i></p> <p><i>2.10 Not bully or harass other Council members.</i></p>	Council Meeting Agenda – 9 August 2022