

Media Release

Public Inquiry into Liverpool City Council to proceed immediately as time expires on postponing elections

Thursday, 5 September 2024

There will be no further delays to interrogating the evidence of serious maladministration and dysfunction inside Liverpool City Council with a public inquiry to proceed urgently.

Legal proceedings initiated in the Land and Environment Court and continued in the Court of Appeal by Liverpool City Council have effectively run out the clock on the Minister for Local Government's powers under the *Local Government Act 1993* that would enable him to consider suspending the council and defer the elections while a public inquiry is underway.

The matter before the Court of Appeal has been discontinued this afternoon. The public inquiry will proceed urgently, and further consideration by the Minister for Local Government to postpone the September 14 elections and suspend the current council will not proceed.

On 18 July 2024 the Minister ordered an urgent public inquiry into the council as well as issued a notice of intent to consider whether he should suspend the council for the remainder of its current term and postpone the elections until the conclusion of the public inquiry.

Proceedings launched by Council in the Land and Environment Court prevented the public inquiry commencing and the Minister considering whether to exercise his decision-making powers in relation to the election and the suspension of council.

The injunctions were due to expire at 4pm today. However, an appeal filed by Liverpool City Council to the Court of Appeal included a motion to continue those injunctions until the appeal could be heard and judgment delivered.

Legal advice indicated there was a strong likelihood the court would continue the injunctions which would have prevented the commissioner from commencing the public inquiry and the outstanding consideration of deferring the election and decision whether suspension was necessary, until the appeal was determined.

Even if Liverpool Council was unsuccessful in the appeal, they then had further appeal rights to the High Court.

Minister for Local Government Ron Hoenig said:

“Aggressive legal tactics from Liverpool Council have effectively run out the clock on my statutory powers to consider whether to suspend the council or defer the elections.

“The Mayor has spent huge amounts of ratepayer funds challenging the public inquiry and the original notice of intent in the Land and Environment Court.

“Despite losing the overwhelming majority of their case in the ruling by Justice Robson, Liverpool Council has then decided to continue spending ratepayers money through the Court of Appeal. What would be next, the High Court?

“Reaching a settlement today means the public inquiry is full steam ahead urgently.

“We've run out of time, it's that simple.

“I remain extremely concerned by the information uncovered during the early stages of the investigations. It’s some of the worst I’ve seen in more than 30 years in local government.

“I am solely focused on ensuring the serious concerns of maladministration and dysfunction are aired fully and transparently in the public inquiry.”

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