WCC’s past dodgy dealings – did anyone break the law?

Description

Acting W’bool City Council CEO Vikki King and sacked CEO Peter Schneider. Image: WCC.

Carol Altmann – The Terrier

I have been thinking about consequences and wondering if there will be any for what unfolded in the last 12 months of the last Warrnambool City Council.

Because while we wait to see if sacked CEO Peter Schneider wins his court case, there are some other potentially illegal dealings that also require attention.

The first is alleged fraud or alleged theft (take your pick) of public money as part of the corporate credit card scandal.

The council confirmed that the credit card misuse involving former tourism manager David McMahon was referred to the police, as recommended by the Ombudsman in her report tabled six months ago.

The police, I can only assume, are now investigating Mr McMahon's repayment of more than $6000, the doctoring of receipts, and writing fake invoices that saw staff parties at the Lady Bay put down as "room hire" so they would be picked up by the public purse.

Despite leaving messages, I have been unable to get an official update from the detectives involved.

I wonder if charges will be laid, or if there are two sets of rules for so-called white collar and so-called blue collar crime?

Under that form of justice, if you pinch a mixed grill from Woolies, you are charged, but if you misuse thousands of dollars in public funds, you get to pay it back and that's the end of it.

We shall see.

Second, we have confirmation that four former councillors sought detailed legal advice from the council lawyers, Maddocks, in Melbourne, to work out how to sack Mr Schneider.

This legal advice, as the Supreme Court heard last month, was not approved by the full council.

This is against the law.

Such legal advice normally costs money and is paid for from public funds.

Maddocks sent the council an invoice, but it was withdrawn and never paid.

These are the simple facts, so the question is: does an illegal act by four councillors become legal if the bill is torn up?

Can the former councillors involved – knowing the public was expected to pay the bill – just get away with it?

And, if so, who decided that the invoice would be withdrawn and why?

All of this was referred to the Local Government Inspectorate last year as part of a request for a broader investigation into the sacking of Mr Schneider.

Another spurious decision was also referred to the Inspectorate, which was the re-appointment of

acting CEO Vikki King for another five years to her position as manager of Community Services.

Ms King's contract was due to expire in August last year.

Ms King was appointed acting CEO the night Mr Schneider was sacked on 13 July.

As Acting CEO, Ms King delegated off the authority to re-appoint herself for another five years.

We still don't know exactly who signed off on Ms King's reappointment, but I understand it was a casual staff member.

These are the simple facts, so the question is: can a casual worker sign off on a $240,000 a year position and why didn't a senior manager put their name to it?

The Local Government Inspectorate confirmed last August it has launched an investigation into Mr Schneider's dismissal, and that investigation is ongoing.

Any details on the scope of the investigation, however, and how it is coming along, are strictly under wraps.

I recently contacted the LGI and the latest update is this:

"The Local Government Inspectorate is investigating a complaint in relation to Warrnambool City Council. This investigation is ongoing.

"The Inspectorate deals with complaints or requests for investigation in strict confidence and does not provide comment on investigations that are yet to be finalised."

The passing of time does not diminish the importance of these ongoing investigations and the need for either closure or consequences.

Only then will this sorry chapter in our civic history be fully laid to rest.

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