

**CITY OF KALGOORLIE–BOULDER — JOHN WALKER**

*Statement*

**HON KYLE MCGINN (Mining and Pastoral — Parliamentary Secretary)** [9.45 pm]: What is a politician if not a mouthpiece for their constituents? Who said that? I did, and I strongly believe in that. I rise tonight on behalf of the Kalgoorlie–Boulder community who, over the better part of a decade, have been done a disservice by their local government, the City of Kalgoorlie–Boulder. What I will tell members tonight will serve as a strong case study for the reform of the local government act.

On 26 March, the *Kalgoorlie Miner* ran this front page. For *Hansard*, I am holding up the front page of 26 March that says, “Picture of life under former CEO: City staff speak out on culture of bullying, sexism and racism”. Look at this front page, members—shocking. This might seem like a pretty shocking condemnation, but not to me. Over the last two years, countless staff, current and former, councillors, and other members of the community have raised some pretty disturbing concerns about the goings-on at the city.

When the cultural survey of 2021 results, which triggered the *Kalgoorlie Miner*’s headline, were released publicly, I was not surprised. The consistent descriptions within the culture report were: endemic bullying and harassment, open discrimination, highly inappropriate aggressive behaviours, dishonesty and a lack of integrity, inequality, sexism, casual racism, no management of poor performance, lack of accountability, and lack of governance. I stand here today, members, to make sure this report and the incidents of bullying, harassment, sexism and racism—there is no such thing as casual racism—are not swept under the rug, because I know that the people of Kalgoorlie–Boulder deserve better. For those who were unfortunate to be subject to, and I quote from the report, a “toxic” organisational culture that is “not a psychologically safe place to work”, they will certainly not forgive nor forget, unless we see some drastic changes done immediately at the city.

In an ideal world, the people who have lived this experience would have been able to stand and tell their truth. Unfortunately, we have a case in which it seems the former CEO has goaded people into speaking out just so he can sue them or invalidate the non-disclosure agreements of staff who have worked underneath him. For instance, last week, from his new posting in Lismore in New South Wales, the former CEO John Walker said on ABC radio in reference to this survey, according to my notes —

“Because if anyone wants to take me on, if they want to take on any commentary that might defame me or cause me some damage then they will hear from my solicitors”

I do not know how tone deaf one man needs to be. When you are talking about a bully being in the spotlight for bullying, perhaps threatening people for speaking up is not the best way to clear your name, John. I also note that he said “solicitors” plural, like he has more than one lawyer on retainer. That must be nice. That is probably because he was paid up to \$400 000 a year to do what he did at the city. He continued to receive this attractive sum when he was stood down while being investigated for workplace misconduct. It was close to \$400 000 a year, more than what the Premier is paid. But in the City of Kalgoorlie–Boulder, what is good for the goose is not good for the gander. While the CEO was able to convince the council to ensure his yearly raises, he was also hit with a \$2 million back pay claim by the employees. That is right; the man who is paid more than the Premier of this state thought it was prudent to short-change his workers. I am a union man and I can tell members that \$2 million in unpaid wages is a disgrace—an absolute disgrace.

When it came time to face the music, John Walker ditched across the Nullarbor in his City of Kalgoorlie–Boulder paid for car. When the community rightfully questioned why the man who had left under a cloud was able to ride off into the sunset in a ratepayer-funded vehicle, the mayor, John Bowler, assured the community the car would be returned. He later clarified that the cost of the car being returned would be comped by the City of Kalgoorlie–Boulder, much to the dismay of some councillors. We also know that Mr Walker was given a comfortable payout, the sum of which is shrouded in secrecy because the city chose not to provide the information to ratepayers. I know that the current Minister for Local Government has proposed a raft of changes to ensure better transparency in local government, and I would welcome that; it may have made a difference in this situation. What we do know is that the CEO got paid out and also received a three per cent pay increase, despite the findings of the March 2021 investigation into workplace misconduct. The investigation found, according to my notes—listen closely to this, members —

... Mr Walker’s conduct is so serious that a court is likely to be satisfied that the termination without notice is a lawful method of terminating the employment relationship between him and the city.

It also found —

... the Investigation Report reveals a pattern of behaviour which is inappropriate for someone in a senior role of CEO and gives rise to a finding of serious misconduct and a right to terminate at common law without notice in accordance with clause 11.3(1)(e) of the contract.

These damning findings were not enough to convince the majority of CKB councillors to send John Walker packing, though, and eight out of the 13 councillors thought it fit to reinstate him and give him a pay increase. It was Mr Walker who pulled his own plug, secure in the knowledge that he would have a soft landing on the other side of the country, with a nice little pay packet as a sweetener.

Following his departure, the city began a review into workplace culture. This survey garnered 176 responses and there were more than 120 participants in focus groups. I will table the report to make sure it is on the record, but let me just highlight a few things. The data indicated that the culture at the City of Kalgoorlie–Boulder had deteriorated over the past five years and trust in the leadership had been severely eroded. It is worth noting that Mr Walker started in 2015. Another interesting excerpt from the cultural survey said that a significant number of comments also suggested that individuals had attempted to raise claims relating to discrimination and harassment. However, the view was that these cases had been settled with legal agreements to make the issue go away, and nothing had been done to change the behaviours in the organisation. Settled with legal agreements—wow! Twenty-seven individuals specifically said the organisation was toxic. One worker said the leadership under the previous CEO was toxic and that the leaders learnt to copy his behaviour. The culture of the leadership is toxic. In the net culture score, between plus 100 and minus 100, the city scored minus 56. The average across local governments is 47. It was minus 56 under the leadership of the former CEO, John Walker.

A shift in thinking is needed. The administration leadership and elected leadership need to turn things around. As we know, local government elections were held last year so the council has had a bit of a refresh. The mayor, John Bowler, was not up for re-election and remains the mayor. He has overseen this disaster and is now unapologetic about it. Councillors who were not even part of the council during this period apologised at the meeting on Monday night. Unfortunately, Mr Bowler does not seem to have the same appetite for change. He has all but dismissed the findings of the report and continues to shower Mr Walker with praise. In the face of mounting evidence of misconduct, last year he released a glowing recommendation of the former CEO, which I will also table. Instead of acknowledging the misdeeds, Mr Bowler instead blamed the community of the City of Kalgoorlie–Boulder. Referring to the community sentiment against Mr Walker, Mr Bowler said, according to my notes —

For the first time in my life I'm ashamed of my home town.

The mayor said he considered Mr Walker a good person and a friend, and that the best thing he had done was to be part of the selection committee that had appointed him to the top job. Mr Bowler said that in the five and a half years since, he had not let him down.

A truly weird hill to die on, John. Surely, this is untenable. Surely, he needs to have a closer look at the leadership that he wants to attract to the City of Kalgoorlie–Boulder.

Like I said at the beginning, I bring this story to light not to condemn Mr Bowler, although I know that people who have suffered would disagree with that. I want to shine a light on the fact that the items released in the survey were well known to the community and the workforce, both current and former. As the report mentions, and from the people who have told me, complaints were made to the employer, to councillors, to the mayor and to the investigators, and surveys were also conducted, but the mayor remains, and the CEO has a new posting and a considerable payout. The only people who were punished are the ones who remained, to the detriment of their physical and mental health, or the ones who left and took a financial hit.

I would like to think the City of Kalgoorlie–Boulder is isolated, but I know that is not the case. I urge the CKB to do better. I urge it to take a serious look at where it is heading into the future. I know that the Minister for Local Government, John Carey, has got true reform planned, and hopefully we will see that come to fruition. This type of situation is not good enough for the people of the City of Kalgoorlie–Boulder. It is a disgrace that it has gone on. I feel sorry for all the staff, all the workers and all the councillors who have suffered.