

MANAGEMENT PRACTICE

EM 12

Orderly Conduct at Meetings

This Management Practice has been developed to assist Presiding Members cope with instances of disruptive behaviour by the public at Council held meetings.

Rationale

The Local Government Act promotes participation of the community in Council held meetings through public question time and observation of the decision-making process which should be conducted in an open and transparent manner. It is important that meetings of Council be conducted in an atmosphere of inclusiveness and openness to foster productive relationships with the community. The general conduct of meetings of Council, particularly during public question time, depends upon mutual respect and good faith between Councillors and the public.

There can be instances at council held meetings where a member of the public fails to show respect or consideration for the presiding member, councillors, council staff and other members of the public. Such disruptive behaviour makes the conduct of the meeting more difficult and stressful, reducing the efficiency and effectiveness of meetings. Disruptive behaviour also denies other members of the public the opportunity to participate and observe council proceedings.

Suggested Strategies for Coping with Disruptive Behaviour

Most interjections whether from an individual or a group will be of limited duration. In such instances the dignity of the meeting can often be retained by the Presiding Member simply ignoring the interjection(s) and moving onto the next item of business. If the interjections continue it may be appropriate for the Presiding Member to ask the offending person(s) to cease.

If the disruptive behaviour continues then it may be appropriate for the Presiding Member to adjourn the meeting for a specific time during which time, the CEO or Senior Officer may be requested by the Presiding Member to speak with the offending person(s) about behaving more appropriately. It is important during such times that the Presiding Member and other Councillors not interact with the offending persons. Upon resuming the meeting, the Presiding Member may issue a cautionary advice to the effect that any further disruptive behaviour will be cause for firmer action to be taken. Should the disruptive behaviour nevertheless continue, the Presiding Member might then further adjourn the meeting during which time the Presiding Member may request the CEO or Senior Officer to again speak to the offending parties advising them that unless the disruptive behaviour stops, they will be required to leave the premises and that failing to heed this final request, will lead to the Police being called to remove them from the premises ***(NB: The CEO, or his delegate must take this action for whilst the Presiding Member is in charge of the meeting, it is the CEO who,***

under section 5.41(d) of the Act, has control or management of council's premises, including the meeting forum).

Examples of disruptive and inappropriate behaviour may include:

- constant interjection, particularly when the presiding member or councillors are speaking;
- members of the public calling for points of order;
- booing councillors;
- contemptuous laughter or derisive comments at decisions or during debate;
- refusal to give up the floor to allow other members of the public to ask questions or demanding to ask questions before others in contradiction of an order by the presiding member;
- refusal to accede to a presiding member's instructions, particularly when asked to desist from disruptive behaviour;
- use of abusive and/or inflammatory language when addressing council with a question;
- unnecessarily repetitive questioning; and
- aggressive/threatening behaviour towards either councillors, council staff or other members of the public.

NOTE:

- A person who, without lawful excuse, trespasses on a place is guilty of an offence and is liable to imprisonment for 12 months and a fine of \$12,000;
- Clause 8.6 of the City's Standing Orders Local Law also refers, namely:

Prevention of Disturbance

1. *Any member of the public addressing the Council or a committee is to extend due courtesy and respect to the Council or committee and the processes under which they operate and must take direction from the person presiding whenever called upon to do so.*

Penalty \$1,000

2. *No person observing a meeting, is to create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.*

Penalty \$1,000

Last Reviewed

Authority