

Operation Belcarra Inquiry

Terms of Reference

Context

Following the Queensland local government elections on 19 March 2016, the Queensland Crime and Corruption Commission (CCC) received a number of allegations about the conduct of candidates for several councils. These allegations identified a number of possible breaches of the *Local Government Electoral Act 2011* (LGE Act). These allegations also identified practices that give rise to potential corruption risks, or may otherwise undermine transparency, integrity and public confidence not only in the 2016 elections, but in local government more generally. The CCC established Operation Belcarra to investigate the allegations.

Objectives of the public hearing

Pursuant to sections 176 and 177 of the *Crime and Corruption Act 2001*, the Commission authorises and approves the holding of public hearings in relation to Operation Belcarra. The CCC public hearing is:

- 1) investigating whether candidates in the Gold Coast, Moreton Bay, Ipswich and Logan 2016 local government elections-
 - a) advertised or fundraised for the election as an undeclared group of candidates, an offence contrary to section 183 of the LGE Act.
 - b) provided an electoral funding and financial disclosure return that was false or misleading in a material particular, an offence contrary to section 195 of the LGE Act.
 - c) have not operated a dedicated bank account during the candidates' disclosure period to receive and/or pay funds related to the candidates' election campaign, an offence contrary to section 126 of the LGE Act.
 - d) unlawfully influenced a Council decision in relation to a development application in favour of a donor.
- 2) examining issues or practices that are relevant to the identification of actual or perceived corruption risks in relation to the conduct of candidates and third parties at local government elections, including issues or practices relating to groups of candidates, independence of candidates, election gifts and funding, conflicts of interest or material personal interests by councillors.
- 3) examining strategies or reforms to prevent or decrease actual or perceived corruption risks in relation to conduct of candidates and third parties at local government elections.

Public report

The CCC will issue a public report on the outcomes of Operation Belcarra.

Alan John MacSporran QC