

CRIME AND CORRUPTION COMMISSION

Crime and Corruption Act 2001
Section 82

ATTENDANCE NOTICE
(CORRUPTION INVESTIGATION)

To: Andrew Sutherland

Of:



I, **ALAN JOHN MACSPORRAN**, Chairperson of the Crime and Corruption Commission [the 'Commission'] require you to attend, until excused, at a Commission hearing for the purposes of a corruption investigation —

At: 10:00 am

On: Wednesday 14 June 2017

To be conducted at: Level 2
515 St Paul's Terrace
Fortitude Valley
Brisbane Qld 4006

to give evidence relating to matters specified in the Schedule to this Notice;

DATED this 9th day of June 2017

A handwritten signature in black ink, appearing to read 'A. MacSporran'.

A J MacSporran QC
Chairperson

The postal address of the Crime and Corruption Commission is:

GPO Box 3123
BRISBANE QLD 4001

Facsimile No. (07) 3360 6333
Telephone No: (07) 3360 6060

The business address of the Crime and Corruption Commission is:

Level 2, North Tower Green Square
515 St Pauls Terrace
FORTITUDE VALLEY, QLD 4006

The Case Officer is: Paxton Booth

SCHEDULE

To give evidence in relation to:

A. The terms of reference for the public hearing in relation to Operation Belcarra, namely:

1. investigating whether candidates in the Gold Coast, Moreton Bay, Ipswich, and Logan 2016 local government elections –
 - i. advertised or fundraised for the election as an undeclared group of candidates, an offence contrary to section 183 of the *Local Government Electoral Act 2011* (LGE Act).
 - ii. 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.
 - iii. 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.
 - iv. 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.

B. Also, but not limited to, the following particulars:

1. Any donations made by the Construction, Forestry, Mining and Energy Union, Construction and General Division, Queensland Northern Territory Divisional Branch (CFMEU) to candidates in the 2016 Local Government Elections.
2. Any communications you had with candidates in the 2016 Local Government Elections in relation to donations made to their campaigns or any activities undertaken by the CFMEU to promote the election of a candidate.
3. Issues that are relevant to reforms in relation to local government elections including amendments to the LGE Act, the forms and information provided by the Queensland Electoral Commission for candidates at an election.

INFORMATION TO ADDRESSEE**GENERALLY****YOU MUST COMPLY WITH THIS ATTENDANCE NOTICE**

Failure to attend in compliance with this attendance notice, or to continue to attend as required by the presiding officer until excused from further attendance, without reasonable excuse, constitutes an offence which carries a maximum penalty of 200 penalty units or 5 years imprisonment.

By complying with this notice, **YOU DO NOT**—

contravene a provision of an Act or law imposing a statutory or commercial obligation or restriction to maintain secrecy in relation to the information, document, or thing;

OR

incur any civil liability in relation to the information, document or thing.

SHOULD YOU FAIL TO ATTEND

Pursuant to section 168 of the *Crime and Corruption Act 2001* (Q), on application to a magistrate, a warrant may be issued for your arrest.

LEGAL REPRESENTATION

You may be legally represented at a Commission hearing.

IF THIS NOTICE REQUIRES YOU TO PRODUCE A STATED DOCUMENT OR THING

You must **bring** the stated document or thing to the Commission hearing, if the stated document or thing is in your possession. 'In your possession' includes in your custody or control.

You must **produce** the stated document or thing to the Commission hearing, unless you have a reasonable excuse. A claim of privilege, other than legal professional privilege, is not a reasonable excuse. However, a claim of legal professional privilege is not a reasonable excuse if you have the authority to waive the privilege and you do so waive it, or the privilege is waived by a person having authority to waive it.

ALLOWANCES FOR WITNESS

A person attending a Commission hearing under an attendance notice is entitled to be paid the allowances and expenses that would be payable if the person were appearing as a witness in a hearing before a Magistrates Court.

FURTHER QUERIES

If you or your legal representative have any queries prior to attending the hearing, please contact Mr Paxton Booth on 3360 6884.