

From: [Yeerongpilly Electorate Office](#)
To: [Legal Affairs and Community Safety Committee](#)
Cc: [Carl Judge](#)
Subject: FW: Response to Submissions - Criminal Code (Cheating at Gambling) Amendment Bill 2013
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Attachments: [image001.png](#)
[Amendment Bill Doc 2.pdf](#)
[Media Release.pdf](#)

From: Yeerongpilly Electorate Office
Sent: Friday, 28 March 2014 5:28 PM
To: Yeerongpilly Electorate Office
Cc: Carl Judge
Subject: Response to Submissions - Criminal Code (Cheating at Gambling) Amendment Bill 2013

28 March 2014

Mr Ian Berry MP
Chair
Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane Qld 4000

By email: yeerongpilly@parliament.qld.gov.au

Dear Chair,

I refer to the Legal Affairs and Community Safety Committee's (the Committee's) earlier correspondence dated 11 February 2014, setting out the Committee's schedule for the conduct of the inquiry into the Criminal Code (Cheating at Gambling) Amendment Bill 2013 (the Bill).

It is now understood that the Committee has resolved that due to the small number of submissions received on the Bill, that no public hearing will be held.

At this time I am reliably informed that you have been provided with a total of four submissions:

- Bar Association of Queensland;
- Australian Wagering Council;
- Tabcorp; and
- The Coalition of Major Professional & Participation Sports Inc.

I am pleased to read that the submissions by and large confirm overall support for the Bill however it is acknowledged that certain issues have been raised. In particular, by the Bar Association of Queensland as well as the Australian Wagering Council.

The Bar Association of Queensland's primary issue is that the Bill does not specifically refer to a

Territory, only the Commonwealth and/or a State. In response, the *Acts Interpretation Act 1954*, section 36 and schedule 1 defines the term State:

State means a State of the Commonwealth, and includes the Australian Capital Territory and the Northern Territory.

The Australian Wagering Council highlighted that the Bill has not followed the New South Wales approach of distinguishing between the use of “corrupt conduct” information and “inside” information– the latter of which carries the lesser penalty in New South Wales of two years imprisonment. For clarity, the Bill is essentially modelled on Victorian Legislation and therefore in consideration of the issue raised by the Australian Wagering Council amendments to be moved during consideration in detail have been prepared, (attached). Importantly, the proposed amendments will essentially ensure consistency with the national policy on match fixing in terms of introducing corresponding offences and sentences, that is:

- engaging in conduct that corrupts or would corrupt a betting outcome (10 years imprisonment);
- facilitating conduct that corrupts or would corrupt a betting outcome (10 years imprisonment);
- concealing such conduct, agreements or arrangements (10 years imprisonment);
- use of corrupt information for betting purposes (10 years imprisonment); and
- using inside information for betting purposes (2 years imprisonment).

As stated, the above mentioned offences as proposed under the Bill essentially ensures consistency with the national policy on match fixing in terms of offences and sentences.

It should be noted that the Bill being considered by the Committee was introduced on 31 October 2013. On 16 March 2014 the Attorney-General issued a media release announcing that the Newman Government now intends to introduce a similar Bill, targeting the above mentioned offences. The Newman Government’s Bill is yet to be introduced.

On this point it is a matter for the Committee prioritise proposed laws including those critical to fulfilling Queensland’s agreed national policy obligations on match fixing.

As a Member of the Legislative Assembly and on behalf of the broader community, I respectfully encourage the Committee to help the Attorney-General and Newman Government keep pace with important reforms, especially laws designed to target corrupt betting and yet another new wave of organised crime in Australia.

In closing, I thank the Committee for consideration of the Criminal Code (Cheating at Gambling) Bill 2013 and look forward to the report.

Yours sincerely,

Carl Judge MP
Member for Yeerongpilly
PALMER UNITED PARTY (Queensland)



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