



LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE

Members present:

Mr ML Furner MP (Chair)
Mr MJ Crandon MP
Mr DJ Brown MP
Mr JM Krause MP
Ms JE Pease MP
Mrs JA Stuckey MP

Staff present:

Ms D Jeffrey (Inquiry Secretary)
Ms E Booth (Acting Research Director)

PUBLIC BRIEFING—INQUIRY INTO THE SERIOUS AND ORGANISED CRIME LEGISLATION AMENDMENT BILL 2016

TRANSCRIPT OF PROCEEDINGS

TUESDAY, 4 OCTOBER 2016

Gold Coast

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Committee met at 10.00 am

CHAIR: Good morning. I declare open this public hearing into the Serious and Organised Crime Legislation Amendment Bill 2016. Thank you for your attendance. My name is Mark Furner. I am the chair of the committee and member for Ferny Grove. Also present are Mr Michael Crandon, the deputy chair and member for Coomera; Mr Don Brown, the member for Capalaba; Mr Jon Krause, the member for Beaudesert; Ms Joan Pease, the member for Lytton; and Mrs Jann Stuckey, the member for Currumbin. The committee's proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. The proceedings are being recorded by Hansard. The committee intends to publish the transcript of the hearing.

The media may be present and will be subject to the chair's direction at all times. The media rules endorsed by the committee are available from the committee staff if required. All those present today should note that it is possible you may be filmed or photographed during the proceedings. I ask everyone present to please turn off their mobile phones or turn them to silent mode. Only the committee and invited witnesses may participate in proceedings. As these are parliamentary proceedings under the standing orders, any person may be excluded from the hearing at the direction of the chair or by order of the committee.

The Serious and Organised Crime Legislation Amendment Bill 2016 was introduced by the Attorney-General and Minister for Justice and Minister for Training and Skills, Hon. Yvette D'Ath, on 13 September 2016. The purpose of today is to assist the committee with its examination of the bill. A number of stakeholders have been invited to participate in the hearing. The program for today has been published on the committee's web page. For the benefit of Hansard, when you first speak, please identify yourselves and speak clearly into the microphone at a reasonable volume and pace. First we have representatives from the Queensland Police Service.

CARLESS, Assistant Commissioner Maurice, State Crime Command, Queensland Police Service

CARROLL, Acting Inspector Ian, Organised Crime Legislation Review Project, Queensland Police Service

CODD, Assistant Commissioner Brian, South Eastern Region, Queensland Police Service

JAMES, Inspector Simon, Organised Crime Legislation Review Project, Queensland Police Service

CHAIR: Welcome, gentlemen. I invite you to make an opening statement and then I will hand over to the committee for questions.

Assistant Commissioner Codd: Thank you for the opportunity to brief the committee today about the Serious and Organised Crime Legislation Amendment Bill 2016 with respect to crime on the Gold Coast and proposals in the bill. My name is Brian Codd. I am the assistant commissioner for the south-eastern police region with the Queensland Police Service. Today I am accompanied by Assistant Commissioner Maurice Carless from State Crime Command and inspectors Simon James and Ian Carroll from the Organised Crime Legislation Review Project.

By way of background information, I will let you know my area of responsibility, if that suits you, Chair. I am the senior executive officer within the Queensland Police Service responsible for the management of the south-eastern police region. The region encompasses both the Logan and Gold Coast police districts. The Gold Coast district encompasses the divisions of Coomera to the north through to Coolangatta in the south, and includes Nerang and Mudgeraba to the western corridor.

Assistant Commissioner Carless is the senior executive officer responsible for serious and organised crime investigation throughout Queensland. His command is divided into five policing groups; namely, the drug and serious crime group, the homicide group, Taskforce Maxima, the fraud and cybercrime group and the child safety and sexual crime group. Inspectors James and Carroll will be able to assist today with any particular technical aspects of the bill.

Chair, it is my understanding that last week you were briefed by the Department of Justice and Attorney-General, as well as Police Commissioner Stewart, who provided comment on how the bill could be operationalised. As requested, today I would like to provide you with some crime information specific to the Gold Coast and then outline how some of the key features of the bill could be applied from a policing perspective within the Gold Coast district. I am not in a position to reveal, as you would understand, specific police methodologies or strategies that may be used by the Queensland Police Service to deal with organised crime, but I am more than happy to discuss the bill's application more generally.

The bill is the government's primary legislative response to three reviews relating to organised crime; namely, the Queensland Organised Crime Commission of Inquiry, the review of the Criminal Organisation Act 2009 and the Taskforce on Organised Crime Legislation. As requested, today I propose to provide the committee with a public briefing on some data, statistics, empirical evidence and general observations relating to the proposals in the bill with respect to the Gold Coast. Any more specific detail I would, no doubt, be happy to take on notice if I do not have it with me today.

With respect to data itself, in relation to crime for the Gold Coast, monthly data about crime is freely available to all members of the public via the Queensland government web page, as it is for all 15 police districts across Queensland. In fact, month to month for the past 15 years is all available to be looked at and analysed. Additionally, last Friday, 30 September, the Queensland Police Service publicly released its Annual Statistical Review for the 2015-16 financial year. It should be noted that month to month and year to year crime rates can and do fluctuate, sometimes considerably. To get an accurate picture, it is important to view short-term fluctuations against longer term trends. The reality is that the data shows that, while there have been some increases since the previous year requiring our attention, crime on the Gold Coast remains at its lowest level in 15 years in many categories. In fact, the Gold Coast district experienced significant reductions in the number of crime types, including grievous bodily harm amongst our more serious assault categories, sexual offences and extortion. This is in no small way attributable to the work of both uniform and plain-clothes police, in partnership with our community.

I would like to provide you with a snapshot of the reported crime rates for a number of key crime types for the Gold Coast district for the past 12 months and also a brief 10-year comparison. Chair, if it is of assistance, I am able to provide the committee with a copy of the statistics that I will refer to. This data is derived from the QPS Annual Statistical Review.

CHAIR: I will seek leave that those documents be tabled and accepted. Is leave granted? Leave is granted.

Assistant Commissioner Codd: The data is publicly available and can be derived from the Annual Statistical Review for the past financial year and supporting publicly available material. For the 2015-16 financial year, the overall crime rate for the Gold Coast district has increased by nine per cent when compared with 2014-15. The first category of offences, offences against the person, I will speak to now.

The overall crime rate for offences against the person increased by 26.1 per cent in 2015-16. The murder rate that falls within that category has increased from a total of six in 2014-15 to seven in 2015-16. The rate of assaults increased by 42 per cent, and I will talk to that in a little more detail shortly. The rate of rape and attempted rape decreased by 18.6 per cent and the rate of other sexual offences decreased by 14.8 per cent. The rate of robbery offences increased by 12.5 per cent. The number of armed robbery offences increased from a total of 88 in 2014-15 to 96 in 2015-16. The rate of other offences against the person, including kidnapping and abduction offences, increased by 21.8 per cent.

Much public reporting has been directed towards these increases, particularly in the assault category, in stalking and kidnapping and abduction offences, which I think it is important for me to provide some background on. Last year, as a result of a number of incidents, including the tragic homicide of two women in domestic violence scenarios, we saw the coming together of a number of different agencies to respond. We have seen the development and the implementation of the domestic violence court here in Southport. We saw the rollout of body worn cameras on the Gold Coast, some 300. We formed a domestic violence task force, specifically from a police department's perspective, to completely, 100 per cent audit our involvement in the investigation of domestic violence.

Of course, consistent with the recommendations of the Dame Quentin Bryce report *Not now, not ever*, we focused and refocused our attention onto the criminality associated with domestic violence, an area in which we had much room for improvement. I can assure the committee that a significant proportion of the increases in assaults, in stalking and in kidnapping and abduction are directly attributable to the increased work and focus in the domestic violence area. In fact, almost 70 per cent of the increase in assaults is directly attributable to our refocusing on the criminal elements of domestic violence. Of the 70 per cent increase in stalking that has occurred in the last year in the Gold Coast district, I can tell you that that amounts to a total of 28 offences in the sixth largest city and one of the fastest growing in the country. Twenty-one of those 28 are directly related to domestic violence investigations. Of the abduction and kidnapping offences, a total of 12 offences occurred that resulted in that increase, 11 of which are directly related to domestic violence.

I move now to offences against property. The overall crime rate of offences against property increased by 19.1 per cent in the past 12 months. The rate of break-ins increased by 11 per cent, unlawful entry to houses increased by 6.4 per cent and unlawful entry into other premises increased by 27.8 per cent, while unlawful entry into shops actually decreased by 27.8 per cent. I should point out that 'other premises' would be the likes of yards, car parks under buildings, some of those caged areas where different property is stored et cetera, which is a prevalent area for theft in this part of the world. The number of arson offences decreased by 3.8 per cent. The rate of other property damage offences increased by 20.5 per cent. I might add that there is also a correlation between wilful damage in the domestic violence realm, as you would understand.

The rate of unlawful use of a motor vehicle offences increased by 18.9 per cent and, of course, that is a concern. Interestingly enough, we are seeing a large proportion of that in the Gold Coast relating to hire cars and hire cars not being returned within the contracted times. One of the aspects of that is that when the cars are returned then the matter is withdrawn and it skews those types of offences, both here at the Gold Coast and, I understand, in Brisbane, where there are significant hire car arrangements. That is an area that we are hoping to work on with the industry.

The rate of fraud offences has increased by 28.9 per cent. Interestingly, computer fraud has decreased by 53.8 per cent and cheque fraud decreased by 64 per cent, but I think it is pretty much accepted that cheques are almost dying in terms of a transaction item. Where we have seen significant increases is in credit card fraud, which has increased by 31.1 per cent, and identity fraud, which increased by 82.8 per cent. Other fraud increased by 28.5 per cent. One of the main areas that we can attribute the credit card and identity fraud to is the theft of credit cards to then be used in paywave scenarios. You can imagine that we will have break-ins to people's homes or to premises where keys to cars and credit cards are often zeroed in on. The cars are used for unlawful use. Because of the security on more modern cars now, they are more difficult to break into and use without the keys, so we are seeing increasing break-ins where the keys are the actual target, and credit cards for paywave.

Other offences—and I should point out that this category is often a measure of policing community activity rather than necessarily complaints being made in terms of reported crime. The overall rate of other offences decreased by 3.1 per cent in the last 12 months. The rate of drug offences decreased by 7.6 per cent here on the Gold Coast. However, I think it would be important to discuss issues around drugs because, from my perspective, last year—the previous year—was the highest rate of drug offending on the Gold Coast that we have had in the last 15 years. A small decrease from last year does not paint an accurate picture of what I believe is the drug scenario here on the Gold Coast.

The number of prostitution offences has increased, from four offences to eight offences. The rate of liquor offences has decreased, from 563 in 2014-15 to 225 in 2015-16. That is a decreased rate of 60.7 per cent. The rate of Weapons Act offences decreased from last year by 4.6 per cent. That is another area where I think it is important to look at where the trends have been over the longer term, which have significantly increased in the last 10 years and, consistent anecdotally with advice from the officers working throughout the Gold Coast district, the availability of weapons, particularly firearms, continues to be a concern.

The rate of good order offences fell by 11.2 per cent. The number of domestic and family violence applications has increased from 2,858 in 2014-15 to 3,471 in 2015-16, a 19 per cent increase in the rate of applications per 100,000 people. Again, that is attributable to our increased vigilance in this area and hopefully—and I say this anecdotally—from increased confidence of members of the community who otherwise would not have come forward in relation to domestic violence to come forward.

The number of breaches of domestic and family violence protection orders has also increased, from 1,252 to 1,887. I have given you that in terms of the comparisons over the last year, which is predominantly the content of the Annual Statistical Review. As I mentioned, however, it is important to look over longer trends. Statistics can be made to paint a rosy picture and, equally, can be made to paint a more dire one than actuality.

Homicide rates over the last 10 years have increased, from six to seven. One could fairly say they have remained stable. Of course, any offence is unacceptable and we will not be satisfied with that. Whilst I mentioned assaults have increased by about 42 per cent over the last year, over the last 10 years they have increased by 11.7 per cent, so there is an upward trend.

In terms of sexual offences, even though I highlighted earlier the annual reduction from last year, the reality of it is that sexual offences over the last 10 years have actually increased by 6.3 per cent. I think that is why it is important for us to take the longer view on what the statistics mean before leaping to conclusions about annual changes.

Robbery offences fell, from 366 in 2006-07 to 206 in 2015-16. That is a decreased rate per 100,000 of 53.5 per cent. Other offences against the person including kidnapping and extortion have decreased by 5.6 per cent over that 10-year period. Offences against property have decreased by 21.2 per cent over the 10 years. Break-ins into dwellings, shops and other premises fell, from 7,262 to 3,585, with a decreased rate of 59.2 per cent. Arson, similarly, decreased by 56.2 per cent over the 10-year period.

Other property damage offences decreased by 31.4 per cent. Unlawful use—although I mentioned to you before that the unlawful use of motor vehicle offences increased by some 18 per cent over the last two years, they actually fell from 2,342 to 1,831, a decreased rate of 35.4 per cent over the 10-year period. Other theft offences decreased by 1.5 per cent. Fraud offences, however, have increased by 11.4 per cent over 10 years.

I mentioned to you before that we had a slight reduction in drug offences on the Gold Coast over the last year, but the reality of it is that over the last 10 years drug offences have increased by 101.5 per cent. It is a significant issue that draws our attention.

Prostitution offences have decreased. Liquor offences have decreased. A concerted effort in the safe night precincts by police and the industry representatives themselves have substantially contributed to those improvements. Weapons Act offences have increased by 35.4 per cent over the last 10 years regardless of the small drop over the last 12 months, and good order offences have increased by 36.3 per cent.

I move on to the bill and its general application to police in the Gold Coast district. When passed, the new laws will complement the existing suite of legislation available to all police to address criminal activity in Queensland including the Gold Coast. As you have already been briefed last week on the task force recommendations contained in the bill, I would like to discuss specific aspects of the bill that can be used by police to address serious crime here on the Gold Coast.

The bill introduces the new habitual consorting offence. The offence is committed when a person consorts with at least two recognised offenders, whether together or separately, on at least two occasions and at least one occasion happens after the person has been given an official warning in relation to the recognised offender. Police, both uniform and plain-clothes, will be able to use the new consorting legislation as one of the tools to prevent and disrupt serious criminal activity by deterring recognised offenders from establishing, maintaining and expanding criminal networks. I understand that a number of these issues may have been presented to the committee by the commissioner. If there is any part that you would rather me just push through, I am happy to assist. For example, where police know or suspect the persons of supplying or trafficking dangerous drugs, police could use consorting legislation to issue consorting warnings to persons consorting with those recognised offenders. The use of consorting warnings in that instance is an example of how criminal activity could potentially be disrupted and prevented.

With respect to clubhouses, the bill introduces the new restrictive premises legislation. It will allow police to keep existing clubhouses shut by bringing across the current list of declared premises in the Criminal Code (Criminal Organisations) Regulation to the Peace and Good Behaviour Regulation as a prescribed place. Those existing clubhouses will be prescribed for two years and are treated in the legislation as if a restricted premises order had been made. This will ensure that disorderly activities are not to take place on the premises, including recognised offenders and persons who have received an official consorting warning and persons subject to a control order attending the premises. Mr Carless may well be able to provide more later. The state of play is that there are no active clubhouses open on the Gold Coast at present; they remain shut. Those that are prescribed will continue for two further years.

The restrictive premises order will also allow police to search the premises without warrant to seize any prohibited items. If any of those disorderly activities take place, then the owner or the occupier commits an offence. Should a new clubhouse open on the Gold Coast and disorderly activities are reasonably believed to occur there and are likely to occur again, police may apply for a search warrant under the PPRA, the Police Powers and Responsibilities Act, to search for prohibited items. Should evidence of those disorderly activities be located, they can form part of a civil application to a Magistrates Court for a restricted premises order. A senior police officer, being a sergeant or above, can apply for a restricted premises order where they reasonably suspect disorderly activities have occurred on the premises and are likely to occur again. Once made, a restricted premises order will ensure that should disorderly activities occur on the premises the owner or occupier commits an offence.

With respect to public safety orders, the bill introduces the new police issued public safety order for up to seven days and the new court issued public safety order for up to six months. For a police issued public safety order, a commissioned police officer would be able to issue an order if satisfied the presence of the respondent at the premises, event or area poses a serious risk to public safety or security; and it is more appropriate to make a police issued order than apply for a court issued order; and making the order is appropriate in the circumstances. The conditions of the order could prohibit the respondent from entering or remaining at the premises, event or area. Gold Coast police will be able to use public safety orders to address potential public safety and security concerns at premises, public events and areas. An example of the potential use of such orders is when police become aware of an event, such as a music event or a mixed martial arts or boxing event, which it is believed will be attended by persons who pose a serious risk to public safety and security. Those orders would be able to be served prior to the event, preventing that person or persons from attending.

The final aspect of the bill that I am able to address here in the introductory part is the wearing and carrying of prohibited items in a public place in a way that the item can be seen. The new Summary Offences Act offence of wearing or carrying a prohibited item in a public place so that it can be seen will replace the existing licensed premises offence. This new offence will cover all public places and includes licensed premises. Police will be able to apply these new offence provisions to address the public wearing of clothing, jewellery and accessories of identified organisations that could cause members of the public to feel threatened, fearful or intimidated.

In conclusion, thank you again for the opportunity to address the committee today. The Gold Coast is an exciting place to live, work, study, retire and a variety of other things. It is Australia's sixth largest city and is not immune to the impact of serious and organised crime. In fact, in some areas some would argue that the very nature of the city can attract it.

I can assure you that Queensland police, including those officers working within the Gold Coast district, will use the legislative schemes contained in the bill as part of the full legislative suite available to them in order to address and combat serious and organised crime. At that point we would be happy to take any questions you might have. I have knowledge and material relating to an expansion of the crime rates on the Gold Coast district. My colleague Mr Carless obviously has in-depth coverage of organised and major crime across the state and this part of the world. The technical aspects of the new bill are certainly well known to my colleagues.

CHAIR: Thank you, Assistant Commissioner. I might start by informing you that we have agreement among the committee members to extend time because I think it is valuable to ask questions about the information you have provided the committee. I thank you for your statistics provided on the south-eastern region, which are quite interesting. Can I ask you some questions around those statistics and, firstly, on the description of the first point over the last year of offences against the person. Does that include a police officer?

Assistant Commissioner Codd: Yes, it does. Offences against police officers fall within the category generally of serious assault. There is a provision under the Police Service Administration Act for assault police, but I think you will find we more predominantly use the serious assault provisions under the Criminal Code.

CHAIR: Out of that 26.1 per cent over the last year, would you have the statistics that were attributed towards police officers?

Assistant Commissioner Codd: I do not have that material specifically with me, but I would be happy to take that on notice and provide it to you.

CHAIR: Thank you. Drug offence increases over the 10 years are at 101.5 per cent. Certainly that is alarming and I am wondering whether you can break that down, if not now on notice as well—where those offences are attributed from?

Assistant Commissioner Codd: I certainly can provide that to you on notice and give more definitively the breakdown of the different types of offences. I can advise, on the material I have now, firstly, that within even that drop over the last 12 months here the trafficking of dangerous drugs continues to increase. It is one of the offence types within the drug offence types. As you would imagine, the collective drug offence types include trafficking, producing, supplying as well as possessing. Some of those categories are obviously of greater focus when we are talking about the organised and major crime side of things. I would certainly be able to provide those to you.

The other aspect of drugs is that, as I mentioned, some will call it a victimless crime. It is not a term I prefer to use on the basis that it is not too often that someone will come knocking at the police station door saying, 'I've committed an offence. I have some drugs.' It is often a measure of the activity of law enforcement in this world to reveal it. I guess it is open to the vagaries at times of our operational priorities. We may run some significant operations covertly and overtly in one particular district resulting in the identification of significant drug activity and not do that to the same degree the following year, bearing in mind that sometimes those major operations can take two to three years so the offences get recorded in one year rather than another. I think it is important that those things are placed on the table: even a decrease, from my perspective, in the Gold Coast district should be taken, as you have rightly identified, Chair, over the longer term trend, which is a significant increase.

The other aspect which will be more difficult for us to provide for you, but I will certainly attempt to do that, is the actual drug type. I know that there is significant interest, obviously, in crystalline methamphetamine. Methamphetamine, commonly known as ice, is but one type of drug. Our experience is that, whilst the impact of ice is absolutely significant—it is wrecking lives, damaging health, damaging futures—we cannot afford to keep our eye off any of the crime types. There are interrelationships between transitioning. For example, cannabis continues to be one of the largest financial drivers in the drug world and can often then be a transition drug in the criminal activity towards things such as ice. I give you that by way of background, but I commit to providing the other detail as you requested.

CHAIR: Maintaining the focus on drugs, the bill proposes to increase the penalties from 20 to 25 years imprisonment and has a directed focus on criminal organisations and restricted premises. Given the current laws that are in place passed by the previous government recorded only, I believe, three convictions on persons who were other than outlaw motorcycle gangs, would this provision provide you with a greater ability to capture a whole suite of offenders in terms of other than what the current legislation intended to do?

Assistant Commissioner Codd: I will try to answer that as best I can without getting too opinion based. One of the benefits of the sentencing regime is to adequately respond to offenders, but it is also to have a deterrent effect and also be a lever that can be used in our investigative operations. I think that is one of the things that cannot be lost in the notion of the sentencing regime that we have found to prove quite fruitful in addition just to convictions. What I mean by that is: the fact that somebody may well be subject to increased penalties in some areas can be an incentive for them perhaps to provide us further information about the scope of the enterprise. I do not know if you are in a position to add anything further to that in terms of the sentencing regime?

Assistant Commissioner Carless: I agree entirely. There is certainly an incentive as well as the deterrent effect within those legislative programs or legislative regimes that provide an incentive for major and organised crime figures to cooperate, which is part of the deterrent effect.

CHAIR: Turning to the proposal in the bill to outlaw the wearing of OMCG colours, the commissioner indicated at the public briefing the other day that he was very grateful for the suite of new legislation, specifically in this measure. One of the committee members also indicated that they had concerns that the community's genuine concern about the sighting of patch gang members out and about in the community has again raised alarm bells. How significant is this issue in terms of the public feeling comfortable in their environment and OMCG members wearing their colours?

Assistant Commissioner Codd: Thank you for the question, Chair. I will start off and Mr Carless may be able to assist further. It is quite evident that the very nature of that type of organised crime by outlaw motorcycle gangs, for instance, proliferates a market and I guess a persona by its very overt presence and promotion of it as an organised crime entity. In talking to members of the community as I do on the Gold Coast, there have been views expressed to me of substantial relief not to be seeing outlaw motorcycle gang members present, and very overtly present, around their suburbs and business premises, particularly in numbers.

The very nature of displaying these pieces of jewellery and clothing might seem trivial in some people's minds. To me, and talking to the community that I serve, it is a very real promotion of their criminal enterprise and it is designed to intimidate the community and, I guess, fuel extortion attempts,

threats and their market. The provision of the laws that we have been given, although on the lower end of the scale in terms of criminality, is a significant benefit for our officers in dealing with the perceptions of crime and fear in our community by continuing to enforce laws relating to that outward display.

CHAIR: Finally, the member last Monday also questioned the department about the effect of so-called innocent bike riders in that regard. Can you respond to those concerns?

Assistant Commissioner Codd: I can understand those views, Chair. It is not our intention, nor has it ever been our intention, to be interfering with the rights and privileges that all members of the community have. It is really to zero in on those who are actively advertising being part of criminal organisations. There are a number of different motorcycle groups, social groups et cetera, who love that lifestyle and we have no intention of interfering with their rights.

CHAIR: I am not certain how long you have been the assistant commissioner for this region, but in the last two years were there any complaints from any members of the public in respect of being pulled over by police and questioned or interviewed in respect of a likelihood of having some involvement under the current VLAD laws?

Assistant Commissioner Codd: I have been the assistant commissioner for just over 12 months here on the Gold Coast—very honoured and privileged to be. Before that I was actually the commander of the internal investigation group for our Ethical Standards Command. I am not aware of any formal complaints that have been made along those lines. Having said that, my position would be probably only across more serious types of complaints if they were to be made. I would be happy to explore that in more depth for you and on notice.

CHAIR: If you could, thank you.

Mr CRANDON: Thank you for all of that background information. It has been very useful. It is probably going to bring a few questions out as well. It is probably worth starting by talking about the situation, setting the scene a little bit, on the Gold Coast. I think before we even start asking you questions it is probably worth letting you know and noting that we have had several of our witnesses bow out of today. We are here on the Gold Coast for a very good reason. This was central to the whole VLAD thing, the whole bikie laws thing. We had a number of witnesses who were going to fill our day. We have had some of them drop out before we finalised the list and we have had some of them drop out since we finalised the list. That to me sends a very clear message. Some of those people, by the way, have not given us the reasons they are bowing out, but I think it is fairly obvious.

There is a fairly subtle issue there in relation to the intimidation that you spoke about just a short while ago and people wearing their colours. It strikes me, when you were talking about that, that I cannot see the difference, frankly, between two or three musclebound, tattooed, T-shirt-wearing, belligerent-looking bikies and two or three wearing their colours. I am sorry: I cannot see the difference between those two. They are walking down the street, they are looking belligerent, they are looking like they are trouble whether they have got the colours on or not. It just seems to me that, with them wearing the colours, we had a little bit of an opportunity to maybe ping them. If there happened to be more than two—up to three or more—it would have given us more of an opportunity to jump on their case more quickly. Anyway, what we are looking at now is losing the colours and going for T-shirts and musclebound guys walking down the street looking belligerent. We will see where we go from there.

CHAIR: Is there a question?

Mr CRANDON: We are coming to the question now. Can we start, then, by asking about the situation on the Gold Coast at the moment. The CCC reported to the Wilson task force that they had concerns about bikie gangs actively recruiting on the Gold Coast because of a perceived softening of the laws. Are you able to give us an update on the situation at the moment, obviously without revealing information that may compromise any investigations?

Assistant Commissioner Codd: In terms of initial comment, I can inform you that the data that I have given you relates to—and I should have made the point earlier—reported crime. Of course, what is more difficult to get into is unreported crime. We know that domestic violence, for example, has been for too long a scenario wherein we know there are many, many offences that occur that are unreported. We are also aware that things such as extortion and intimidation are often unreported crime. It is not lost on me that sometimes these statistics can say one thing but not necessarily give you a full picture of what is happening in the crime space. I continue to be concerned by the activities of organised crime groups here on the Gold Coast, including outlaw motorcycle gangs, and I certainly do not think for one moment they have gone away. I think we need to be continually vigilant as to how they are adapting their operations. Mr Carless has specific data in relation to the enforcement of law around those activities.

Assistant Commissioner Carless: In terms of recruiting, your question was around the use of—

Mr CRANDON: Yes, the CCC reported to the Wilson task force that they had concerns about bikie gangs actively recruiting on the Gold Coast because of a perceived softening of the laws. Can you give us some sort of idea on where the police see things at the moment?

Assistant Commissioner Carless: Certainly. Thank you for the question. I guess it is always the intention of organised crime to recruit. OMCGs make up a significant proportion of organised crime across Queensland. The nature of organised crime is such that the sum is greater than the individual parts so their networked and connected nature is very important. Given the strong police reaction to organised crime, they are in need of new recruits to expand territory or to continue their operations. It has never been the case that they are not recruiting. I guess from our point of view we are always alive to that fact and we continue to monitor their recruiting activities. One of the things unique to OMCGs is that they advertise the fact that they are an organised crime group through wearing their particular colours.

Mr CRANDON: So the CCC's concerns are unsubstantiated, in your view? It is not happening?

Assistant Commissioner Carless: I would not say that. My comment is that they are always recruiting. The outlaw motorcycle gangs form part of a larger organised crime group with which they are connected and they are always recruiting.

Mr CRANDON: Assistant Commissioner Codd, could you set the scene for us? The Gold Coast was central to the whole thing. We had the particular landscape leading up, we had the front page of the *Gold Coast Bulletin* 'We run this town' and all of those sorts of things. Pre the 2013 laws and the turf wars that occurred, can you set the scene for us? What was it like back then versus where things are at now? We are looking at a snapshot in time prior to the VLAD laws to where we are today in relation to those gangs and those activities on the coast?

Assistant Commissioner Codd: Specifically with respect to outlaw motorcycle gangs?

Mr CRANDON: Yes, in relation to the outlaw motorcycle gangs.

Assistant Commissioner Codd: Again, this will be anecdotal rather than any material that I have specifically with me. Needless to say, in the past another one of my hats was the director of crime operations for the then Crime and Misconduct Commission. I have had some overview and involvement over the years in major and organised crime investigation, particularly in this part of the world. We saw quite overt demonstrations of gangs' activities in numbers in their colours, in the lifestyle they lead and how they congregate. We saw a number of those activities being perpetuated out of clubhouses.

I am advised by our Taskforce Maxima personnel that all clubhouses are now closed and that there has been no net increase in known members since the time of the enforcement of the new legislation. That can paint one picture, but of course that is as good as the information we have to hand. What I also know about organised crime is that it is very adaptable, and contemporary organised crime is shifting to being multicommodity based. I am not suggesting for one moment that that has made the organised crime activity that a number of these individuals have been involved in go away. As my colleague Mr Carless mentioned, there is continual recruiting, new members adapting, coming in, going out and connections being made. The short answer is that the outward demonstration of a lot of the activities of these gangs has certainly been curtailed. To what extent that has curtailed their significant organised crime activities is more difficult to answer.

Mr CRANDON: To follow on from that, the 2013 laws were about preventing crime and reducing crime. That is the whole concept. We brought them in, closed them down and shut down their operations. The feedback that I have been getting is that the new laws are more about compliance and requiring members of the police force to actively confront individuals in that criminal realm. Can you comment on that? Do you have concerns in that regard in the difference between the two—reducing crime and shutting them down versus this compliance regime which is coming in, assuming these new laws go through parliament?

Assistant Commissioner Codd: Some aspects of your question rely on opinion, which I believe, under standing orders, would be better referred to my commissioner. What I can tell you that I think is factually based from a police perspective is that there would be a change of how we would go about our business from an association based regime to a consorting based regime. We adapt to changes in law and procedures all the time, and all I can really add in terms of a factual basis is that we will continue to apply the laws provided to us as best we can to fulfil our charter of promoting the safety and security of our community.

Mr BROWN: Thank you all for coming in today and giving us those crime stats. I want to refer to the alarming statistic which the chair mentioned in regard to drug offences. I saw reports over the weekend about how the economy of scale in regard to methamphetamines being produced here means that the cost of production cannot compete with overseas. Are the federal government and the immigration minister failing us in regard to stopping drugs from entering our shores?

Assistant Commissioner Codd: One part of the question I do not think I can get into, but what I can tell you is that there are some interesting statistics. We are not seeing any less of a drug market and supply and demand in our community. What we are seeing is some shifts within it. Interestingly enough, one of the things we have seen is a reduction in the identification of amphetamine production labs. I do not think that is necessarily something we can hang our hat on as a great success. It appears that the regime we have has been so effective on precursor chemicals and the importation of those that it has now raised the issue as to whether the end product itself is any more difficult to import. What we are seeing is still the proliferation of drugs, particularly in the methamphetamine area, where there seems to be more and more imported. We work very cooperatively and in partnership with a range of other agencies including our federal colleagues the AFP, Border Force and the new Australian Criminal Intelligence Commission, and we certainly will continue to do that.

Mr BROWN: To follow on from that, there is the darknet and ordering of drugs through the mail. I noticed that last year Australia Post said that it lacked the legal authority or technology to detect illegal goods coming in by mail. Have you seen any movement by the federal government to address this inadequacy?

Assistant Commissioner Codd: I could only comment to say that we continue to work hand in glove with our federal and international colleagues around the broad range of activities that can be promulgated through the darknet and similar activities—whether that be in child exploitation material, drugs, firearms et cetera. We will continue to develop our capacity in that area.

Mr BROWN: Do you believe there needs to be more cooperation to invest in those technologies for Australia?

Assistant Commissioner Codd: We are continuing to do more and more, getting on top of the developing capability. It is almost as if as soon as you get your head around one particular type of technological advancement there are others being developed. The partnerships and networks that we have will continue to be developed.

Mr BROWN: I want to move on to the broader suite of legislation that this bill proposes. With the boiler rooms that we have on the coast, will the changes that are put forward in this legislation equip officers in this area to better deal with those frauds?

Assistant Commissioner Carless: Cold-call investment frauds are a difficult area of organised crime. I guess in this suite of legislation there are opportunities for us to disrupt or make it more difficult for people to operate cold-call investment fraud activities, particularly if they meet the criteria of recognised persons. There are definitely opportunities there for us to use this suite of legislation to address that. As was mentioned by Assistant Commissioner Codd, though, the nature of crime is changing to some extent where we are seeing a lot more use of the internet and the darknet to facilitate crime. We are seeing a significant shift in the way in which organised crime is occurring.

Mrs STUCKEY: I have been looking at these figures, too, and, with great respect, there seem to be swings and roundabouts. Drug offences over a 10-year period have still increased by 94 per cent. Weapons offences have still increased by 30 per cent. They are still pretty scary figures for you to be working with. I was particularly shocked to learn of the frequency and the voracity of extortion of small businesses in my electorate and on the Gold Coast. Some were very well known businesses. I see that you have included extortion in the 'other offences' section in your 10-year figures along with kidnapping as a decrease of 5.6 per cent. Would you be able to provide the committee with a breakdown of extortion offences by year? I am happy for you to take that on notice, but I think it would be very helpful for us to have.

Assistant Commissioner Codd: I would be happy to provide that to you on notice. I would add one aspect to that. Again, those statistics relate to reported crime and it is not lost on me, nor our department, that extortion and those types of offences all too often do not get reported. It is the aspect of the intimidation that you were mentioning before. Certainly we would be happy to provide you with a breakdown of the categories that our systems allow us to in the extortion area.

Mrs STUCKEY: Thank you. I would also like to reinforce the member for Coomera's comments about people perhaps fearing retribution as a reason to not appear here today. My question is about keeping existing clubhouses closed. I did ask this of the department at the earlier hearing. They are

meant to be closed for up to two years. Given that a lot of former clubhouses were rented, what will stop new premises from opening up and will they still fall under that or will there have to be a special search warrant? Secondly, the Lone Wolf club is based in my electorate, it is still heavily fortified—well, it looks heavily fortified from the outside—and ready to be opened any day. We know that they were actively recruiting youth from our schools and that some of those youths were caught for offences. I want to know what is going to stop new clubs from springing up. How will that two-year clause affect that? What is being done to address the issue of recruiting our youth? We know that they are still very active in houses and we know that neighbours are terrified of reporting this activity.

Insp. Carroll: In relation to your first question about new clubhouses opening up in your electorate and your concern as to what the police could do—

Mrs STUCKEY: Not just in my electorate; they own the premises. I am concerned about others that were rented but were closed down that could open in other rented premises. Would they then fall under this two-year clause or would they require a special restricted premises order?

Insp. Carroll: No, in that case a club that is not already listed in the criminal organisation regulation in the Criminal Code—that is, a club that is not already listed in that address—will not be brought across into the Peace and Good Behaviour Regulation for the purpose of a declared organisation. That list is an existing list that would be brought across to the Peace and Good Behaviour Regulation. That will enable those addresses to have an automatic restricted premises order made against them.

In relation to a new clubhouse that has opened up, once the bill has commenced police will be able to apply for a search warrant if they reasonably believe that disorderly activities have occurred on the premises and are likely to occur again. They will be able to apply for a search warrant from there. Police will be able to search the premises, if we obtain a warrant, and obtain evidence of prohibited items on the premises, seize those and, if we have sufficient evidence from there, apply for a restricted premises order.

Mrs STUCKEY: Just to get this straight, you are saying that, with clubhouses that were rented and have been shut down, if those premises actually reopened the two-year order would apply. However, if those very same clubs decide to open up in a totally different rented premises then you actually have to apply under this special order?

Insp. Carroll: Correct, yes. I understand your question. Just to reiterate, there is a current list in the Criminal Code, Criminal Organisation Regulation, with the list of clubhouses now. That will be brought across at the commencement of this legislation into the Peace and Good Behaviour Regulation. They are specific addresses.

Ms PEASE: With regard to the exceptionally high increase in drug offences, could you give me some information about how the new offences for consorting and drug offences will potentially reduce such a high figure?

Assistant Commissioner Codd: The new provisions will add to and complement the existing suite of offences that already exist in the Drugs Misuse Act and in other pieces of legislation. It will conceivably enable us to address the issues of all aspects of major and organised crime, but particularly drug offences where we identify people meeting or carrying on the business of networking, particularly where there are recognised offenders who are a party to that. One of the things that I note from the new provisions is that that will extend, obviously, to a more contemporary view of networking which is not just reliant on personal connection or meeting but will extend to electronic means, whether that is by phone or other electronic means. The association—the consorting—can be done through those means. That would be, again, when coupled with other aspects of the criminal law in Queensland, another tool to assist us in hopefully restricting the networking.

Ms PEASE: With regard to the figures that you have provided, you have not provided any information about child exploitation in the area. Do you have any figures on that?

Assistant Commissioner Codd: I would be happy to explore that for you on notice. I did not bring those details with me.

Mr KRAUSE: My other role is as shadow minister for tourism. The tourism industry on the Gold Coast has been very resolute in their opinion that the approach taken to policing in 2013 by the former government and the legislative tools given to police at that time have been very beneficial for their industry and they are very adamant that approach should remain and be strong and not be watered down. In that context, could anyone explain to us how the provisions in the new laws will do better in helping the police prevent and disrupt organised crime on the Gold Coast?

Assistant Commissioner Codd: I understand the nature and the importance of the tourism industry, particularly in this part of the world. It is fantastic to see the large increase that is happening in tourism numbers. That bodes really well for this part of the world. While I will not necessarily enter into opinion about comparing one to another, I can say that our officers will continue to be as vigilant and work as hard as we possibly can, within whatever legislative framework we are given, in recognition of the important task of keeping the community safe in this part of the world.

Mr KRAUSE: Which provisions in the new laws will enable you to better prevent and disrupt organised crime here on the Gold Coast?

Assistant Commissioner Codd: The proof will be in the pudding. It is hard for me to say which will be more beneficial for something that really has not been passed yet or we have not determined how we are going to apply yet. We will have to do a body of work as to we will operationalise some of these laws in a tactical form. I can offer the view that, as was mentioned, it is seen at the lower end that the visible presence of members of any criminal gang, particularly outlaw motorcycle gangs, should not be made light of. When we are talking about influencing people's view of their own safety and their community safety, it will continue to be a very important part of what we focus on.

Mr KRAUSE: That is good to hear. Has there been any discussion or consultation between the government informing this bill and you, as the assistant commissioner for this region, as to how the provisions in the bill will actually operate in practice to prevent or disrupt organised crime here on the Gold Coast?

Assistant Commissioner Codd: Members of the service have been involved in the task force that has been developing the bill. There is a steering committee that has been established at a high level within our organisation as to how best to apply those. Until the bill is passed, there will still need to be a body of work that is done as to how we will strategically, operationally and tactically apply those.

Mr KRAUSE: I note that in the bill the anti-association provisions continue for two years but the anticonsorting provisions commence after three months. Operationally, do you see police continuing to utilise the anti-association provisions when they are in place together with the consorting laws or will police simply begin enforcing consorting laws straightaway and not the anti-association provisions?

Assistant Commissioner Codd: Both of the sections will be available for us to use on a case-by-case basis, as I understand it.

Mr KRAUSE: On a case-by-case basis?

Assistant Commissioner Codd: There may well be determinations that we can adequately address something through a consortium provision. However, it may well be that the section 60A provisions may more adequately apply for that period, until they are no longer on the statute.

CHAIR: Assistant Commissioner, unfortunately we are out of time, but I understand that the deputy chair has a question to ask you on notice.

Mr CRANDON: Commissioner Stewart gave evidence regarding the rollout of iPads to front-line staff. He provided evidence to us at the last hearing. If you read the transcript when it becomes available, you will see what he had to say. Could you provide, in the same way that you are providing other statistics, how the rollout is going on the Gold Coast? What numbers do we have out there so far? What are the time lines? When do we expect what percentage of the rollout of iPads to front-line police over the next however long it will take?

Assistant Commissioner Codd: Certainly I would be happy to provide you with that detail on notice. I can tell you that one of the final stages of the rollout across Queensland is occurring right now, but I will get more specific data as it applies here. As I think you have probably connected, the provision of those instruments will be a great tool for us in determining the consorting and recognised offender provisions.

Mr CRANDON: Hence the importance of it.

Mrs STUCKEY: Mr Chair, I did not get an answer to the second part of my question about the recruitment of youth into feeder gangs. I would be very happy if we could place that on notice so that the committee could be furnished with that information.

CHAIR: Answers to questions on notice are to be provided by 5 pm on 11 October. Thank you for your attendance here this morning. It has been very insightful. Keep up the good work.

Committee adjourned at 11.08 am