



Speech by

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MEMBER FOR SURFERS PARADISE

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### CRIMINAL CODE (ORGANISED CRIMINAL GROUPS) AMENDMENT BILL

**Mr LANGBROEK** (Surfers Paradise—Lib) (7.55 pm): I rise to speak in support of the Criminal Code (Organised Criminal Groups) Amendment Bill. I love Wednesday nights. It is like mufti day for politicians. I congratulate my coalition colleague the member for Burnett on his initiative in bringing this bill to the House. It represents a significant step in the right direction towards quelling organised crime in Queensland.

The bill seeks to amend the Criminal Code to create an offence for someone to be a member of an organised criminal group. The Queensland Criminal Code is a facilitating act because it conceptualises good law. The criminal law was written by the pre-eminent Sir Samuel Griffith, a former Premier of Queensland and the founding Chief Justice of the High Court of Australia. This is among his many other achievements.

At the moment I am reading a history of Queensland by Raymond Evans. It drew me the historical record of Queensland general elections from 1860 to 2006. Among the remarkable things I noticed about Sir Samuel Griffith is that in 1899 when he wrote the Criminal Code there were actually only 97,000 people in the colony of Queensland. It was a remarkable effort to write a statute that has stood the test of time considering there were only 97,000 people in the colony at the time. Interestingly enough, there were only 72 members of parliament in 1899. There were 1,200 voters per member of parliament. When people talk about representation I think maybe we should look back to 1899.

**Mr Lee** interjected.

**Mr LANGBROEK:** I do not want to take that interjection.

I note that in the first parliament in 1860 there were 26 members. For those members who look at the honour boards outside and wonder what it was like back then, I can tell them that the book on the history of Queensland is a remarkable insight into what Brisbane and the colony was like in 1860. It was pretty scary. There were 26 members of parliament in that first parliament and there were only 4,790 electors. Basically if a person had 200 mates they could probably get into parliament then. Things have certainly changed. I digress, but I was just paying homage to Sir Samuel Griffith and what he did when he drafted the Criminal Code in 1899.

Of course Sir Samuel Griffith could not have foreshadowed the kinds of crimes that affect society today. That is really what the honourable member for Burnett has addressed in this bill—that is, the kinds of crimes perpetuated by bikie gangs. That is why he has seen it as necessary—and I support him—to amend the code to extend it to 'novel' crimes and offenders.

A Senate committee inquiry into organised crime in Australia shows that organised crime is rampant in Queensland and Australia, as the member for Moggill outlined. The Australian Crime Commission has identified 18 criminal gangs in Queensland which include outlaw motorcycle gangs and ethnic mobs. It is a staggering number, particularly when we consider that Brisbane has more crime gangs than Chicago according to a veteran crime investigator but obviously fewer baseball teams.

This bill addresses the very serious issue of organised crime gangs in Queensland. The intent of the legislation, which was introduced by the member for Burnett, is to reduce criminal and antisocial behaviour by known crime units. Unfortunately, that is something that we see a lot of on the Gold Coast, with chapters of all of the major national bikie gangs located on the coast. Organised crime gangs on the Gold Coast instil fear in residents and give the area a bad name. The infamous ballroom blitz at Royal Pines in March 2006 in my electorate made the news nationally. Police do not have the legislative support that they need to crack down on thugs who terrorise our streets. This bill is designed to give police this backup. As my coalition colleagues have mentioned and will mention, the bill creates an offence under the Queensland Criminal Code, by way of new section 545A, for someone to be a member of an organised criminal group.

What constitutes an organised criminal group is defined in subsection (2) of that new clause as well as what it means to be a member of such group. The inclusion of these definitions limits the possibility of ambiguity when it comes to prosecuting a person for that new offence. That is of the utmost importance in ensuring the continuity of Queensland's Criminal Code. It is important to note that this new offence in no way impacts upon a person's right to free association—a point I note the Attorney-General addressed in his contribution. Subsection (1) of proposed section 545A details the elements that the prosecution must establish in order to prove the offence. The prosecution bears the onus of proof and must demonstrate, firstly, that the group in question has an objective of obtaining a benefit from or actually engaging in criminal activity and, secondly, that a person charged with the proposed offence is a member of this group.

This amendment has been brought before the House as a result of the coalition's policy objective of eradicating organised crime in Queensland, which has been identified as a major problem and which is on the increase. The 2004 Crime and Misconduct Commission's *Organised crime markets in Queensland—a strategic assessment* bulletin identified significant growth in organised crime markets throughout Queensland since 1999 despite relatively insignificant growth in overall crime rates. Members of groups such as outlaw motorcycle gangs were identified as significant players in illicit drug markets in Queensland as well as being implicated in fraud, identity crime, property crime, theft and the rebirthing of motor vehicles, firearms trafficking, extortion, loan sharking and prostitution. The CMC bulletin also reported high levels of collusion between members of outlaw motorcycle gangs to facilitate criminal activity and that organised crime networks involving such members posed a major threat in our state. Time and time again reports are made linking outlaw motorcycle gangs with criminal activity.

On 8 July a former member of one of Australia's most notorious bikie gangs told Channel 9's *Sunday* program that the gang operated drug labs and was involved in at least two murders and the savage bashing of a woman. But blatant criminal activity is not the only concern. The Australian Crime Commission has reported that organised criminal groups seek legitimate involvement in industries such as transport, security, finance and telecommunications. This is often done in order to plan, support, conceal and facilitate criminal activities and is done whilst still utilising tactics such as intimidation, coercion and extortion. As the member representing Surfers Paradise, where there are many nightclubs where security guards operate, I am concerned that this activity is happening on the Gold Coast. There is certainly anecdotal evidence to suggest that that is the case.

An article that appeared in the *Gold Coast Bulletin* on 23 July referred to a leaked outlaw motorcycle gang document that revealed the gang's lack of respect for society and the 'politician's one-way law'. The document also stipulated that members of these gangs are brothers and family and must defend each other without question. Such violent gang-like behaviour has no place in Queensland. Our law-abiding citizens have a right to conduct their business, move freely in public places and attend public events without the threat of violence and intimidation. Members of organised criminal groups must be removed from the community.

The proposed criminal offence of being a member of an organised criminal group takes a tough stand on members of organised criminal groups. But a tough stand is necessary in order to undermine the mentality of these groups and help eradicate the scourge of organised crime in Queensland. This is an important bill that sends a clear message to the community that this type of criminal behaviour and low association is not acceptable in Queensland. I call upon the members opposite to stand up against such abhorrent behaviour by supporting this bill, as I do.