



Speech by

Annastacia Palaszczuk

MEMBER FOR INALA

Hansard Tuesday, 5 June 2012

MOTION: ORGANISED CRIME



Ms PALASZCZUK (Inala—ALP) (Leader of the Opposition) (5.31 pm): I move—

That this House notes the Newman government's support for the use of the previous Labor government's Criminal Organisation Act 2009 to combat organised crime in Queensland and supports the strengthening of Task Force Hydra and the Major Crime Squad by assigning 20 additional detectives to investigate organised crime.

Late on Friday came the embarrassing backflip by the Attorney-General on the previous Labor government's Criminal Organisation Act. The Attorney-General is on record as criticising that legislation and committing to scrapping it, allegedly because it had not been used since being introduced way back in 2009. Just two weeks after the state election, the Attorney-General announced plans to scrap the Criminal Organisation Act. He said—

The Newman government does not think anti-association laws are the right way to deal with rogue bikie gangs and other organised crime syndicates.

Yet as he was speaking the police were working hard to bring the application that they lodged in the Supreme Court last Friday against a Gold Coast bikie gang. On Friday, the government finally saw the value of the act that this Attorney-General previously wanted to repeal. However—let us give credit where credit is due—it was the police minister who took the fall, because the Attorney-General did not have the guts to make the announcement himself. The announcement made late on Friday was a sneaky attempt to avoid admitting that previous criticism of Labor's law was empty and uninformed.

I note the comments made by Assistant Police Commissioner Mike Condon, who said that the application made on Friday came about because of many months of hard work by officers in the State Crime Operations Command and Task Force Hydra. So, while the Attorney-General was attacking the laws, the police were using them to help them in their efforts to tackle organised crime. The officer in charge of the anti-bikie task force, Detective Inspector Garry Watts, was reported as saying that his team had worked hard on the application lodged last Friday. He said—

It was new legislation. We've gained experience in using that legislation and certainly the next application we make we believe will be in a shorter time period.

So the police themselves see a role for the act. That suggests that the Attorney-General needs to abandon his politically-driven campaign against these laws. If he proceeds to scrap the act, it will be yet another example of this government's twisted priorities—putting politics ahead of police efforts to fight criminal gangs. Yesterday, we heard the Premier saying—

They are there and we will use them even though we don't believe they are the best way to go

The Premier should stop playing politics on this important issue. He needs to act, not play the blame game. The news last week that the Police Commissioner had filed an application in the Supreme Court to have the Finks outlaw motorcycle gang declared a criminal organisation was welcome news to Queenslanders who are becoming increasingly concerned about the increase in organised crime activity in Queensland and its sudden conversion from more clandestine operations to open warfare in our suburban streets. I am not the one who was describing the latest round of bikie attacks as a war. Those are the

words of the Police Commissioner in April in relation to the shooting at Robina. He said that 'the bkie war was the worst he had ever seen in Queensland'.

Shortly after the election we were very concerned about the future of the Criminal Organisation Act 2009 when the incoming Attorney-General declared that he did not support the laws and would be reviewing them. He was reported in the *Courier-Mail* as saying that laws preventing people associating with each other were the wrong way to target organised crime. On 14 April, the *Courier-Mail* reported that the LNP government has refused to sign up to the proposed national unexplained wealth laws because it wanted to retain control over policing of organised crime in Queensland. The state's Attorney-General told his federal and state counterparts that he planned to scrap the Bligh government's Criminal Organisation Act because it could impinge on civil liberties.

Mr Bleijie: You weren't there. How would you know?

Ms PALASZCZUK: It is quoted in the *Courier-Mail*.

Mr Bleijie: Oh, the *Courier-Mail*—the source of all your information.

Ms PALASZCZUK: The minister has used it in the past. He has always stood up in here and quoted the *Courier-Mail* and the *Brisbane Times*. On 24 April the *Brisbane Times* also reported the following—

Queensland Attorney-General ... says the state government will review Labor's Criminal Organisation Act, which makes it illegal to be a member of or associate with members of a 'declared' organisation.

The law is an anti-association law rather than an anti-bkie law and it affects people's civil liberties.

That is what the Attorney-General said.

Government members interjected.

Madam SPEAKER: Order! There are too many interjections from my right. I warn members.

Ms PALASZCZUK: The Attorney-General also said—

The Newman government does not think anti-association laws are the right way to deal with rogue bkie gangs and other organised crime syndicates.

Those are quotes, quotes, quotes. This view was mirrored by the Premier, as he said on 24 April—

As a principle, the team that I lead believe that you shouldn't be sort of penalised for wearing your, if you like, footy team uniform or jersey.

But this view is not supported by the Australian Crime Commission. The head of the ACC, Mr John Lawler, in speaking before a Senate inquiry, said that outlaw bkie gangs are working with organised criminals, have infiltrated Australia's ports and remain a serious criminal threat. He stated further—

The ACC has irrefutable evidence that outlaw motorcycle gangs are connected in many ways and work in partnership with broader organised crime groups.

Outlaw motorcycle gang members continue to represent a real and present criminal threat to Australia.

This should not be confused nor should the general public be fooled by the propaganda that links these individuals to law-abiding motorcycle riders.

Yesterday's dual drive-by incidents—one at a clubhouse at Stanley Street and the other at a tattoo parlour at Milton—follow on from a shooting at a shopping centre at Robina in late April and a drive-by shooting at a tattoo parlour at Mermaid Beach, also in April.

But where did the members opposite stand on this issue when the Criminal Organisation Bill was introduced into this House? Members of the then opposition were opposed to this legislation. The then Deputy Leader of the Opposition and shadow Attorney-General, the member for Southern Downs, led the charge. Of course, those members opposite had been lobbied extensively by the United Motorcycle Council. But what did the then Leader of the Opposition say? There are a lot of new members here. Let us hear what the now Minister for Health said in this chamber. He said—

This bill tears apart the foundation of the rule of law, which has guided us and protected the basic rights and liberties of citizens since King John was forced to cede the absolute power of the crown some 800 years ago.

And further—

Members of the LNP will sleep better tonight knowing that we have fought against this government's draconian laws—laws which extinguish centuries of established natural justice rights which have guaranteed an accused person access to the evidence against them.

Most of his speech, as did the speeches of many of those members who were then in opposition, focused on the civil liberties that the bill allegedly breached. As a government we were, of course, concerned about civil liberties, but we were concerned about the civil liberties of all Queenslanders, not

just the members of outlaw motorcycle gangs. We were also concerned about a citizen's right to go shopping in a shopping centre on a Saturday afternoon and not be shot at in a spate of bikie gang warfare activity that has taken to the suburbs.

The member for Southern Downs was concerned that the bill might prove to be unconstitutional because similar laws in South Australia were found to be invalid. But at the time we put in place safeguards to ensure that this would not happen. The present Attorney-General's main objection to the legislation last year and earlier this year was that it had not been used—after two years in operation not one application had been brought. What this Attorney-General failed to do was consult the then police minister about whether or not the police were utilising the act. You failed to do your job. You failed to go and talk to the police minister.

Madam SPEAKER: Leader of the Opposition, I ask you to address your comments through the chair and desist from using the word 'you'.

Ms PALASZCZUK: The Attorney-General did not consult with the then police minister that there was already an application afoot. If he had known this he would have advised the Premier and they would not have made the statements that they publicly made. The Attorney-General did not go and consult with the police minister. The Attorney-General had no knowledge; he did not do his job properly.