




Speech By
Curtis Pitt

MEMBER FOR MULGRAVE

Record of Proceedings, 15 October 2013

**CRIMINAL LAW (CRIMINAL ORGANISATIONS DISRUPTION) AMENDMENT
BILL; TATTOO PARLOURS BILL; VICIOUS LAWLESS ASSOCIATION
DISESTABLISHMENT BILL**

 **Mr PITT** (Mulgrave—ALP) (11.00 pm): I rise to make a brief contribution to this debate. I was not going to speak in this debate; however, I think it is important to note that this process has not allowed quite a few things to be put on the record. It has not allowed much divergence of opinion—or any opinions, for that matter. I will let the comments of the Leader of the Opposition and the member for Rockhampton stand as the opposition’s position on these bills. As people are aware, we will not be opposing these bills. Given the process that has seen these bills rushed through faster than many other bills I have ever seen, we need to have at least some suggestion of a legal opinion on the record. I will read into *Hansard* an opinion by Peter Callaghan SC, President of the Law and Justice Institute of Queensland, to ensure that we have on the parliamentary record at least one legal opinion—certainly not the opinion of the Attorney-General or someone who has been involved in the legislative drafting process. Mr Peter Callaghan SC states—

All Queenslanders should be concerned about a brazen gang that is emboldened by a pack mentality and flexing its power, with regard for the concerns of others. We might also be concerned about the bikies.

Unlike the bikies, the first group is certain to get its own way. The “Vicious Lawless Associates Disestablishment Bill” will be passed by Parliament. The measures contained in this Bill might be necessary or not. We could comment if we were allowed to see it in advance. But the process by which it will pass into law is alarming. It will, apparently, become part of our law without disclosure, without public consultation, without input from people who could actually help make it work, and after completely bypassing the parliamentary committee process. This is good for lawyers—when governments make laws in this fashion, they create work for those who have to interpret and apply them. But it is a disaster for democracy.

These laws are urgently needed, we are told, because this is nothing less than a war on bikies. As in any war, truth is the first casualty. And it falls early, with the very exciting title of the Bill. This title is being used to disguise content with implications far beyond anything to do with bikies. For example, it contains more provision for mandatory imprisonment—yet another attack on the concept of judicial discretion. A responsible debate would involve questions about respect for the separation of powers, evidence proving the need for such a provision, and whether any appeals against the inadequacy of sentences imposed on bikies have been lost.

Why are we not going to have such a debate? At first, it might seem mysterious that the passage of this Bill should be attended by such subterfuge, arrogance and hubris. After all, given the size of the government’s majority, we know they will get what they want. But perhaps it is not so surprising after all. The prevailing attitude towards dissent and debate in Queensland has all the characteristics of bullying. As in the case of many bullies, there is always the suspicion that they are actually driven by fear and ignorance. And it is not fear of bikies—this is the behaviour of those who are afraid even to understand anything that might clash with their own agenda. And it is the ignorance of those so insecure that they choose to avoid hearing any suggestion that they might be wrong.

Those are the words of Peter Callaghan SC. At least there is currently on the parliamentary record an opinion—an opportunity that was denied—

Mr Bleijie interjected.

Mr PITT: Mr Deputy Speaker.

Mr DEPUTY SPEAKER: Order! Members will cease interjecting. The Manager of Opposition Business has the call.

Mr PITT: We have time and time again explained that the opposition—

Ms Palaszczuk interjected.

Mr Bleijie interjected.

Mr DEPUTY SPEAKER: Order! Members will cease the crossfire across the chamber.

Mr PITT: The Attorney-General may not wish to listen to anyone else—he likes to hear the sound of his own voice—but let us be clear here: we are not opposing the bill. All we are suggesting—

Mr Bleijie interjected.

Mr PITT: Mr Deputy Speaker, all we are suggesting is that this process—

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! Members will cease interjecting. Attorney-General!

Mr PITT: This process has been shortened. There has not been adequate time to allow any divergence of opinion—whether we in this House agree with that opinion or not. This is about process. It is about having respect for creating laws that we all hope will withstand any legal challenge. That is the importance of having legal opinion, or non-legal opinion for that matter—having opinion from community members who may wish to have their say. This is the people's parliament but, I have to tell you, sometimes it really does not feel like it.