



Speech By  
**Hon. Jarrod Bleijie**


**MEMBER FOR KAWANA**

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Record of Proceedings, 15 October 2013

## **CRIMINAL LAW (CRIMINAL ORGANISATIONS DISRUPTION) AMENDMENT BILL**

### **Introduction**

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (2.38 pm): I present a bill for an act to amend the Bail Act 1980, the Crime and Misconduct Act 2001, the Criminal Code, the Penalties and Sentences Act 1992, the Police Powers and Responsibilities Act 2000 and the Tow Truck Act 1973 for particular purposes, to make a regulation under the Criminal Code and to amend the Crime and Misconduct Regulation 2005 for particular purposes. I table the bill and explanatory notes.

*Tabled paper:* Criminal Law (Criminal Organisations Disruption) Amendment Bill 2013 [\[3741\]](#).

*Tabled paper:* Criminal Law (Criminal Organisations Disruption) Amendment Bill 2013, explanatory notes [\[3742\]](#).

I am pleased to introduce the Criminal Law (Criminal Organisations Disruption) Amendment Bill 2013. After a violent confrontation between two criminal motorcycle gangs recently occurring in Broadbeach, the government vowed that we would act swiftly and decisively to ensure the community is protected from these vicious, violent thugs.

The bill amends the Criminal Code by inserting new offences and circumstances of aggravation for existing offences that target the members of criminal organisations. An additional limb will be added to the definition of 'criminal organisation' in the Criminal Code so that criminal organisations that are prescribed by regulation are captured.

The bill will create three new offences aimed at preventing members of criminal motorcycle gangs from gathering in groups or at prescribed locations and promoting or recruiting for their organisation. The maximum penalty for these offences will be three years imprisonment but they will carry a mandatory minimum penalty of six months imprisonment. The current maximum penalty for the offence of affray will be increased from one year imprisonment to seven years where the offence is committed by a member of a criminal motorcycle gang. This offence will carry a mandatory minimum penalty of six months imprisonment. Any vehicle used before, during or after the commission of these four offences will be confiscated and then crushed on conviction. A mandatory three-year licence disqualification will also attach to these four offences. Criminal motorcycle gang members will face a mandatory penalty of one year imprisonment for serious assaults on police officers.

The bill also amends the Bail Act 1980 so that there is a presumption against bail for criminal motorcycle gang members and they will be forced to surrender their passport if bail is granted. Let us make it clear: this government believes members or associates of criminal motorcycle gangs should be in jail and not get bail. The bill will double the penalty for criminal motorcycle gang members who evade police to 100 penalty units or 100 days imprisonment and will provide for mandatory confiscation and crushing of any vehicle used before, during or after the commission of the offence.

The bill will amend the Police Powers and Responsibilities Act 2000 to enhance police powers to stop and search persons or vehicles without a warrant where the police officer suspects the person is a member of a criminal motorcycle gang. The bill will amend the Crime and Misconduct Act 2001 to give additional powers to the Crime and Misconduct Commission—the CMC—and will expand the CMC's powers to allow for intelligence gathering and immediate response hearings in relation to criminal motorcycle gangs; allow for the use of any information gained in CMC hearings for proceedings under the Criminal Proceeds Confiscation Act 2002; clarify that fear of retribution is no longer a reasonable excuse for refusing to give evidence to the CMC if you are a member of a criminal motorcycle gang called to attend a hearing about a criminal motorcycle gang related matter; mandate a term of imprisonment for a first contempt, 2.5 years imprisonment for a second contempt and five years imprisonment for a third contempt where the contempt relates to a refusal to take an oath, answer a question or produce a stated thing; allow a police officer of the Queensland Police Service to detain individuals pending the contempt application being brought before the court; allow a magistrate to issue warrants where people refuse to attend CMC hearings; and provide that the CMC is not obliged to provide a defendant information from a criminal motorcycle gang related intelligence hearing to assist in the defence of a criminal charge. These amendments will enhance the CMC's function as Queensland's major crime-fighting body and will assist the CMC to investigate criminal motorcycle gang related crime in Queensland more efficiently and effectively. A review of the provisions inserted by the bill will occur three years after commencement.

The reforms contained in the bill require urgent passage as they are crucial to disrupting the activities of criminal motorcycle gangs who are a serious threat to community safety in Queensland. The incident at Broadbeach on Friday two weeks ago drew a line in the sand for criminal motorcycle gangs in Queensland. We said as a government, 'Enough is enough.' When criminal motorcycle gang members are so bold as to go to a restaurant or cafe at Broadbeach in front of victims and innocent individuals, we have to act tough. That is why we fully acknowledge and appreciate that the three bills that I have introduced in the Assembly this afternoon are very tough measures, but warranted in all the circumstances.

We want to rid Queensland of criminal motorcycle gang members. We want criminal motorcycle gang members to understand that the government is serious—serious enough to tackle these issues head-on, to tackle these gangs head-on with legislation and, of course, with our police and CMC. That is why it was particularly pleasing to announce, with the police minister and the Premier, the additional \$20 million in resources for the police and an additional up to \$7 million in resources for the CMC. We fully acknowledge and appreciate that the work of these two bodies will gain momentum and will grow under our new laws. But the objective of this mission is clear: to rid criminal motorcycle gang members from the streets and communities of Queensland. The only effective way that we can do that is to have these tough new measures introduced so criminal motorcycle gang members know that this government is serious. Words are not enough. Summits are not enough. Action is required. That is why these bills are being introduced today—because Queenslanders deserve nothing less than a government that will act on these matters. I commend the bill to the House.

### **First Reading**

**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (2.45 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Debate, on motion of Ms Palaszczuk, adjourned.