




Speech By
Hon. Jarrod Bleijie

MEMBER FOR KAWANA

Record of Proceedings, 15 October 2013

VICIOUS LAWLESS ASSOCIATION DISESTABLISHMENT BILL

Introduction

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (2.30 pm): I present a bill for an act for the purpose of disestablishing vicious lawless associations. I table the bill and explanatory notes.

Tabled paper: Vicious Lawless Association Disestablishment Bill 2013 [[3737](#)].

Tabled paper: Vicious Lawless Association Disestablishment Bill 2013, explanatory notes [[3738](#)].

I am pleased to introduce the Vicious Lawless Association Disestablishment Bill 2013. This bill is part of a package of measures the Newman government is introducing to tackle organised crime in Queensland. The bill aims to create a new act that will:

- disestablish associations that encourage, foster or support persons who commit serious offences;
- increase public safety and security by the disestablishment of the associations; and
- deny to persons who commit serious offences the assistance and support gained from association with other persons who participate in the affairs of the association.

These aims will be achieved by:

- imposing significant terms of imprisonment for vicious lawless associates who commit declared offences;
- removing the possibility of parole for vicious lawless associates serving terms of imprisonment except in limited circumstances; and
- encouraging vicious lawless associates to cooperate with law enforcement agencies in the investigation and prosecution of serious criminal activity.

The new act will apply to people who participate in the affairs of associations and who commit declared offences for the purposes of or in the course of participating in the affairs of the relevant association. The intention is to characterise persons as vicious lawless associates who belong to associations which encourage, support or foster the commission of offences and who are, therefore, persons who commit offences as part of their membership activities. A vicious lawless associate will be sentenced for the declared offence but will also receive a further 15 years mandatory imprisonment, cumulative to any imprisonment imposed for the declared offence. If the vicious lawless associate was, at the time of the commission of the offence, an office-bearer of the relevant association, they will receive a further 10 years imprisonment, cumulative to the 15 years and the original term of imprisonment.

The bill makes clear that the extra punishment is mandatory and cannot be reduced by the sentencing court. Further, parole will not apply to the extra punishment unless the associate

cooperates with the police and other law enforcement agencies. This lever to induce informants to cooperate is a very important part of the punishment regime. An offender will only be able to mitigate his or her sentence via section 13A of the Penalties and Sentences Act where the Police Commissioner is satisfied that the cooperation will be of significant use in a proceeding about a declared offence. This will ensure that only effective cooperation is rewarded. Especially for recent recruits, where a gang member is facing an additional mandatory term of imprisonment of up to 25 years, they may well choose to become an informant. This will be an important mechanism for destroying these gangs as it will drive a wedge into the membership so that morale is broken. Codes of silence and oaths of loyalty are fractured when it becomes clear that some of those being protected by silence have sold out. The mandatory terms of imprisonment will also make it less attractive for criminals to be part of these gangs and will enhance community safety by providing for the severe punishment for serious offending.

A review of the provisions contained in the new Vicious Lawless Association Disestablishment Act will occur three years after commencement. It is imperative that this bill be passed as a matter of urgency to ensure the public is protected from the serious criminal activities of criminal associations. I commend this bill to the House.

First Reading

Hon. JP BLEIJIE (Kawana—LNP) (Attorney-General and Minister for Justice) (2.34 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.