




Speech By  
**Ros Bates**

**MEMBER FOR MUDGEERABA**

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## **CRIMINAL PROCEEDS CONFISCATION (UNEXPLAINED WEALTH AND SERIOUS DRUG OFFENDER CONFISCATION ORDER) AMENDMENT BILL**

 **Ms BATES** (Mudgeeraba—LNP) (5.53 pm): I rise to speak in support of the Criminal Proceeds Confiscation (Unexplained Wealth and Serious Drug Offender Confiscation Order) Amendment Bill. Before the election, the government committed to introduce legislation that is tough on crime and criminals. This bill is one more piece of the tough-on-crime strategy that the Newman government continues to deliver, now with regularity. It seems there is a new initiative introduced in this place almost every sitting week to address crime, and I applaud the continued efforts of the Attorney-General in this regard.

We will continue to put pressure on organised crime in this state. For too long the criminals have had it too easy, and the courts and the police need us to provide them with the tools that they need to combat the criminals. It is not just about apprehension and prosecution; it is about ensuring those who are punished for their crimes do not find they are still better off than they would have been otherwise.

This bill delivers by amending the Criminal Proceeds Confiscation Act 2002 and the Penalties and Sentences Act 1992 to introduce a drug-trafficking declaration scheme in the form of a serious drug offender confiscation order scheme and by amending the CPCA to include unexplained wealth laws. If the state can prove on the balance of probabilities that there is a reasonable suspicion an individual has been involved in serious criminal activity, then the onus would fall on that individual to prove the legitimacy of their assets. Simply, if you cannot show that your assets were earned legitimately, do not expect to keep them.

This bill is not just about being tough on outlaw motorcycle gangs or tough on drug traffickers. It is about ensuring that those responsible for the spread of illicit drugs throughout our communities are appropriately punished so that the appeal of a residual benefit following conviction does not encourage these behaviours and reduces the availability of illicit drugs in our suburbs and towns by discouraging the source. Unlike the ALP, we are going to hit drug manufacturers and distributors where it hurts—their hip pocket.

The drug trade is motivated by the extraordinary wealth that players in this trade can accumulate. With the threat it can all be taken away in an instant, in conjunction with your freedom, we act to reduce the trade's appeal. This bill also acts to ensure that criminals cannot try any funny business to protect their assets gained through illegal activity. In the first instance the Supreme Court can make restraining orders over property so that the property cannot be disposed of by the offender when a possible forfeiture of property is still an option. This bill will ensure against trickery by criminals—those gifting their ill-gotten gains to friends or family members in order to keep these assets out of the hands of authorities. Any property gifted by an individual under a serious drug offender confiscation order in the six years previous to their being charged is forfeited to the state, as is of course any other property still held by the person convicted.

There should never be a case where a criminal, having 'gotten away with it' for an extended period of time, finds that following time served they continue to enjoy the benefits of their criminal

activity. If a potential criminal is summing up the risks and benefits of illegal activity and the conclusion is that the risks are worth the benefits, as there will still be benefits even with a conviction, we have failed as legislators and failed Queensland's predominantly law-abiding citizens. There are safeguards in place to ensure innocent dependents of a person are not placed under undue hardship and safeguards protecting the public interest.

The communities that I represent in Mudgeeraba I know will applaud any initiative that is tougher on crime and criminals. They have embraced the changes we have already made since the LNP came to government, and I know they will embrace these. They are sensible and they go to address a serious problem. Law and order issues have always been one of those that truly resonate with the Mudgeeraba electorate. Many of the families have lived there for generations. They have seen Mudgeeraba become less of a rural and somewhat remote community to one that shares the issues of suburbia that occur elsewhere on the Gold Coast. One of these issues is the production and distribution of illegal drugs.

I have mentioned this in this place before, but when doorknocking the electorate as a candidate before my election in 2009, with the assistance of residents with whom I shared a chat, we discovered an illegal methamphetamine drug lab on a suburban street. It was operating out of a normal suburban house in a normal suburban street, not unlike any of the others within my electorate. Thankfully, the local police acted quickly and the lab was shut down, but it is indicative of how widespread a problem this is. Offenders should not, and cannot, continue to enjoy the benefits of their community-destroying actions. I commend the bill to the House.