




Speech By  
**Jennifer Howard**

**MEMBER FOR IPSWICH**

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**SERIOUS AND ORGANISED CRIME LEGISLATION AMENDMENT BILL**

 **Ms HOWARD** (Ipswich—ALP) (4.48 pm): I rise to speak in support of the Serious and Organised Crime Legislation Amendment Bill 2016. In so doing, I commend the Attorney-General for the outstanding work that she has done on this bill. When the Palaszczuk government, of which I am privileged to be a part, came to power last year we made a commitment to ensure that Queensland's framework for organised crime was capable of targeting new and emerging threats. We made a commitment that this framework would have extensive consultation and be evidence based. I am proud to stand here today as part of a government that has fulfilled that promise.

The government's new regime is the result of comprehensive consultation and based on evidence, something that was sorely lacking from the LNP's vicious lawless association disestablishment laws. Many members will remember that the VLAD laws were a set of laws hastily rushed through parliament with no notice. There was no committee inquiry into these laws and there was certainly no consideration of their implications.

This is in stark contrast to the commission of inquiry commenced by the Palaszczuk government on 19 May 2015. This commission's activities included extensive community and expert consultation. The commission conducted interviews, hearings and wrote to key stakeholders. It advertised in the *Courier-Mail* and other Australian newspapers, as well as on the commission website, inviting submissions from experts and the public alike. What is more, the commission met with key stakeholders, including the Bar Association of Queensland, Director of Public Prosecutions, Legal Aid Queensland, Queensland Law Society and Queensland Police Service.

In conjunction with the commission, the Attorney-General established the high-level task force. This task force conducted a review of the suite of legislation introduced in October and November 2013 to combat organised crime and, in particular, outlaw motorcycle gangs. Continuing on with this process of actual consultation and conversation, the task force proceeded to publish its terms of reference on its website. It called for additional public submissions and made targeted requests for submissions from key stakeholders. Additionally, the Crime and Corruption Commission was consulted by the task force. The CCC and the Director of Public Prosecutions were consulted on an overview of the policy proposals under the bill and were provided with extracts of a draft bill.

Members may be wondering why I am going on about the consultation process. The reason is: I believe it important to highlight the significance of this amendment bill. I believe it is important to highlight just how much consultation has been undertaken. This is no rush job. This is a thorough and well-thought-out process which consulted all of the relevant parties involved. This legislation is not a fly-by-night piece of legislation performed by a near-dictatorial regime. This government's objective and motivation is to provide Queensland with significant and robust legislation that will target criminal organisations. It will target the individuals in those criminal organisations, not blanket innocent people for crimes that they may have committed but can still be punished for.

Unlike the VLAD legislation put forward by the LNP, this well-thought-out and considered legislation is not something that will be passed on the same day that it was introduced to the House.

Praise must be given to the Premier, our Attorney-General, the head of the commission of inquiry, Mr Michael Byrne QC, and the head of the task force, the Hon. Alan Wilson, for producing laws that are fair and just, laws that benefit our state and its people.

The task force, while recommending the retention of amendments made in 2013, has also recommended the removal of those parts which the majority of task force members came to accept were unnecessary, excessive and disproportionate. One offence of particular note was the consorting offence. The new consorting offence will make it a crime for a person to associate with two other people who have previous convictions. This will be preceded by a warning that continued association is a criminal offence. This is a strong law. It is much stronger than the LNP's flawed VLAD laws where it was a crime to simply associate with someone due to membership of a group. This law is based on the criminal history of the associate. This law has been successful in securing convictions in New South Wales and was modelled off their system. I applaud this law as it now no longer discriminates against people's choice of apparel and it notes the difference between a criminal and a member of a motorcycle group. While our government has made the wearing or carrying of a prohibited item in a public place a new offence, no longer will the wearing of this apparel or the membership of a club automatically register as an offence. I commend the Attorney-General for her decision.

Another key element of the task force recommendations is the public safety order. This order will prohibit one or more persons from being in or going to an area, premises or event for a prescribed period if they pose a serious risk to public safety or security. While this order can be issued by police for up to seven days, it can only be maintained and ordered by a court. This means that for anything longer than seven days the order must be made by a court, not the police, and it can only be for a period of up to six months. This court ordered component has been relocated from the Criminal Organisation Act. The key difference is that the applications will be made to the Magistrates Court, not the Supreme Court. It is important to note that public safety orders cannot be issued consecutively or intensively over a short period of time as this would result in circumvention of the court oversight function.

The Palaszczuk government inherited laws that were destructive to personal freedom, needlessly complex and caused much anxiety to innocent Queenslanders across our state. By presenting these amendments tonight our Premier and Attorney-General have maintained their commitment to the people of Queensland. They have removed the elements of the former LNP government's regime that were excessive and poorly targeted. The Palaszczuk government has introduced a suite of new and improved tools that will ensure that we tackle organised crime effectively and fairly. For these reasons I commend the bill to the House.