




Speech By
Hon. Mark Ryan

MEMBER FOR MORAYFIELD

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SERIOUS AND ORGANISED CRIME LEGISLATION AMENDMENT BILL

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police, Fire and Emergency Services and Minister for Corrective Services) (7.58 pm): I rise to support the Serious and Organised Crime Legislation Amendment Bill 2016. I start by firstly commending the Attorney-General for developing what has been described by many stakeholders, by many Queenslanders, as Australia's most comprehensive, operationally strong and legally robust approach to organised crime in all its forms, not just outlaw motorcycle gangs but also child exploitation networks, drug-trafficking syndicates and financial crime scams.

These laws are built to withstand all stages of the criminal justice system, to secure actual convictions and to prioritise the safety of police and the community while ensuring judicial oversight. These laws draw on the recommendations of the Queensland Organised Crime Commission of Inquiry, the Taskforce on Organised Crime Legislation and the statutory review of the Criminal Organisation Act 2009. They have also been through a rigorous and robust parliamentary committee process with input from all stakeholders including the legal community, police unions and local government.

The Legal Affairs and Community Safety Committee, of which I am a former member, examined this bill. I thank the members of the committee and particularly the chair, the member for Ferny Grove, as well as the stakeholders who made submissions to the committee and took part in the public briefings. Their submissions were a valuable contribution to this important legislative process.

I also take the opportunity to acknowledge the dedication of our Queensland police officers, who are working hard every single day to keep Queenslanders safe. It is my priority as minister to make sure that they have the tools and resources they need to keep Queenslanders safe. It is interesting that I mention the Queensland Police Service because these laws are backed by them. These laws are backed by the police. These laws have been described by the Police Commissioner, Ian Stewart, as 'the strongest laws that possibly exist in Australia to tackle organised crime'. This is the organised crime regime which the Newman LNP government should have implemented in 2013.

Last week I was privileged to visit the dedicated team at Taskforce Maxima. I heard firsthand from front-line officers about how the new powers contained in this bill will support police in tackling serious and organised crime from a practical policing perspective. The current Criminal Code anti-association offence will be replaced by a new habitual consorting offence. Under the bill it will be an offence for a person to consort with two recognised offenders after having been given an official warning with respect to each of those individuals. The use of the consorting warnings is aimed at disrupting criminals from establishing and maintaining their criminal networks. This will be a valuable tool in breaking up serious criminal networks involving not only outlaw motorcycle gang members but all aspects of major crime including fraud and paedophilia networks.

The ban on the wearing or carrying of prohibited items such as outlaw motorcycle gang colours in licensed premises will be extended to cover all public places including motor vehicles. The Queensland Police Union has strongly supported the extension of the banning of colours to public

places, stating during the committee hearings that it enhances public safety and it also enhances the perception of public safety. The wearing of these colours in public spaces only serves to instil fear and intimidation in the community. Outlaw motorcycle gangs also use their colours to attract young and impressionable recruits. Under our laws, this will no longer be the case. Police will investigate and prosecute anyone seen wearing or carrying these prohibited items in public. Police will have the power to seize these prohibited items.

New public safety orders will be made available to police where the presence of the person or a group of persons at a premises, event or within an area poses a serious risk to public safety or security. A commissioned police officer will be authorised to issue a public safety order for up to seven days and a magistrate will be authorised to issue a public safety order for up to six months. Once the order is made, police will be authorised to use a range of powers to address public safety and security concerns including stopping a person who is the subject of an order from entering the public safety area or removing them from the public safety area.

The new restricted premises scheme will allow a senior police officer to apply to a Magistrates Court to declare a premises to be a restricted premises if particular unlawful or disorderly conduct is occurring at the premises and is likely to occur again. While this conduct is normally associated with outlaw motorcycle gang clubhouses, it will apply to other premises where the prohibited conduct is taking place including where habitual consorters frequent. When the order is made, police will be able to search the premises without warrant for prohibited items at any time. Critically, this bill recognises that the threat posed by organised crime is much wider than criminal outlaw motorcycle gangs.

This bill provides tough new laws to tackle child exploitation material on the internet and target those who use technology to promote and distribute offending material and conceal their offending. The bill creates new offences, each with a maximum penalty of 14 years imprisonment, that will target those who administer websites used to distribute child exploitation material; encourage the use of, promote or advertise websites used to distribute child exploitation material; and distribute information about how to avoid detection of or prosecution for an offence involving child exploitation material. The bill recognises the lifelong harm that these forms of offending have on victims, their families and the broader community. The maximum penalties for offenders that involve a child in making child exploitation material and making child exploitation material will increase from 14 years to 20 years imprisonment.

The bill also creates a new circumstance of aggravation with a maximum penalty of 25 years imprisonment if a person uses a hidden network or an anonymising service in committing an offence related to child exploitation. I have spoken with officers at Task Force Argos and they have made it clear they need these powers. Our most specialised police when it comes to keeping our children safe are telling me that these powers will go a long way in distributing and dismantling anyone involved in child exploitation. Sadly, the opposition is opposing these laws. However, the Palaszczuk government agrees with our police officers.

The reports into organised crime also identified a disturbing trend in boiler room and similar high-pressure fraud and scam activity. In response to the increasing prevalence and seriousness of these scams and the evolving threats of financial crimes, particularly in the area of identity theft, the bill increases the maximum penalties for the existing aggravated offence of fraud from 12 to 14 years imprisonment. This bill also introduces tough new circumstances of aggravation for the offence of fraud, carrying a maximum penalty of 20 years imprisonment.

This bill represents the most comprehensive, the most rigorous and the toughest organised crime regime in Australia. It provides our front-line police with the necessary powers to dismantle and destroy serious organised criminal networks in all of their insidious forms. This is an outstanding bill which will put Queensland at the forefront in the fight against serious and organised crime. I commend the bill to the House and, of course, encourage all members to support it.