




Speech By
Hon. Yvette D'Ath

MEMBER FOR REDCLIFFE

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MINISTERIAL STATEMENT

Serious Organised Crime Legislation

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (9.57 am): At the 2015 state election, Labor committed to reviewing the 2013 suite of laws that the LNP brought in known as the VLAD laws. Labor promised a commission of inquiry into organised crime for the purpose of having a comprehensive review of serious and organised crime in this state. That important body of work was undertaken to ensure that Queensland has the best laws going forward to tackle organised crime in all its forms. The Palaszczuk government initiated a task force made up of highly experienced people in the field of criminal law to review the suite of laws currently in place. The task force on organised crime legislation recommended the repeal of the greater part of the 2013 antibikie legislation, including the VLAD act, and establishing a new regime that focuses on individual offending rather than a defined organisation.

The new serious and organised crime bill will balance the need for strong and robust laws, both legally and operationally, for both police and prosecutors. Importantly, the regime includes judicial oversight in key areas. The new regime will provide a wide range of tools to tackle organised crime, providing police with the powers they need to target organised crime in Queensland. The new serious organised crime regime will include a new consorting offence; a new public safety order scheme consisting of public safety orders, restricted premises orders and fortification orders; mandatory cumulative sentencing to encourage cooperation with police; and a new post-conviction control order scheme.

This will give the police the powers needed to disrupt and dismantle criminal organisations. Just as it is an offence to wear criminal motorcycle gang colours in licensed venues under the current Liquor Act, it will now be an offence to wear those prohibited items in public. The current laws brought in by the previous government recognise that families should be able to eat in a licensed restaurant without being intimidated by individuals wearing or displaying bikie colours, yet the same protections are not provided to a family eating in an unlicensed cafe. This just does not make sense.

One of the key provisions of our new laws will be a new consorting offence, based on the New South Wales laws, that will make it an offence for a person to consort on two occasions, following a warning on at least one occasion, with two others who have convictions of serious indictable offences. In addition, we will provide for a new public safety order scheme. The scheme will consist of three orders. Firstly, the public safety order will empower police to issue public safety orders for up to seven days. Orders for periods longer than seven days can be issued by a magistrate. Secondly, the restricted premises order will maintain the closure of outlaw motorcycle gang clubhouses. However, it will go further. A restricted premises order declared by a court will empower police to search, seize and forfeit specified property linked to specified activities. Thirdly, the fortification order will require an owner or occupier of premises frequented by participants in criminal organisations or who engage in certain

activities to remove any fortification that hinders entry to that property. In urgent circumstances police can issue cease and desist fortification orders to prevent further fortification while obtaining a court order.

The laws will provide for a new serious organised crime circumstance of aggravation punishable by a mandatory term of imprisonment with the length of the additional mandatory imprisonment being seven years for offences that carry a maximum sentence of seven years or more or alternatively, where the offences carry a maximum sentence of less than seven years, the maximum sentence for the offence. These offences are in addition to those outlined by the Premier this morning, which target organised crime in all its forms. These laws will be strong, robust and, importantly, have the scrutiny of this parliament by going through a proper parliamentary committee process to ensure we get these laws right.