



Speech by

Dr Mark Robinson

MEMBER FOR CLEVELAND

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CRIMINAL ORGANISATION BILL

Dr ROBINSON (Cleveland—LNP) (3.53 pm): I rise to contribute to this debate on the Criminal Organisation Bill 2009. I intend to make a brief contribution that covers just a few selected aspects of the bill. I will keep my comments brief so as not to be needlessly repetitive, noting that other LNP speakers have more than adequately exposed the bill to be the sham that it is. I am deeply concerned about the impact of this bill on Queensland society and I will not be supporting it.

These laws, if not amended, will serve to undermine the heart of this state's basic liberal democratic principles—that of freedom of association, the presumption of innocence, the right to due process and the doctrine of natural justice. Freedom is an axiomatic right that the citizens of this state are granted universally. This bill is bad law, as it reduces every citizen's basic rights and the freedom that they currently enjoy to associate with whatever group, club or society they wish without fear of being discriminated against because of the actions of other individuals within that group.

I wish to express my concern about the aspect of the bill that presumes that an individual will necessarily become party to criminal activity because he or she is a member of an organisation that has been involved in serious criminal activity in the past or he or she associates with people who have been party to criminal activity now or in the past. This guilt by association undermines our longstanding practice of common law.

I am also concerned that good citizens have become bycatch in the very broad net of the government's bill. There is disquiet among good biker groups, for example, Christian biker groups, that they are being unfairly targeted and caught up in this bill.

The proposed benefit being offered by this bill is supposedly tougher legislative instruments with which to fight organised crime. The reality is that similar laws in South Australia and New South Wales have not resulted in any significant impact on organised crime. In New South Wales, they remain untried, with police reticent to use the powers granted to them. In South Australia, where similar laws were enacted and used, they were quashed in the courts. It is most interesting to note that Victoria Police Chief Commissioner Simon Overland recently rejected the need to introduce anti-association legislation similar to this Labor government's bill. The reason he gave is that the police already have sufficient powers to deal with organised crime. This is also the case in Queensland. We do not need such draconian measures. Yet again this power-hungry, autocratic Labor government has crossed the line and has introduced legislation that clashes with the desires of everyday Queenslanders.

It is also of significant concern to me that in the formation of this bill the government failed to sufficiently, in my view, consult the community or to heed the advice of professional legal organisations such as the Queensland Bar Association or the Queensland Council for Civil Liberties. This bill demonstrates that the government has stopped listening to the community and is instead more interested in headlines and appearances. In reality, this government is soft on crime and the purpose of this bill is to create the false perception in the community that it is doing something when it is not.

In conclusion, this bill does little to assist in tackling organised crime in Queensland. Instead, it catches every Queenslanders in its net, undermining the freedom of the individual to an unacceptable degree. I oppose the bill.