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Victoria's tough laws best for dealing with bikie gangs

Victoria has the most comprehensive suite of laws and arrangements to tackle organised crime in the country while other states are playing catch-up, the Brumby Government said today.

Deputy Premier and Attorney-General Rob Hulls said Victoria had the balance right in terms of effective policing that targeted criminals and criminal activity, ensuring the kingpins of the drug trade were caught.

“Focusing on membership of bikie gangs, rather than the criminal behaviour of their members, is not sufficient to address serious and organised crime in the complex and changing environment which Australia faces,” he said.

“Victoria’s tough laws attack all forms of organised crime, whether perpetrated by bikie gangs, underworld groups, triads or any other form of organised criminal association.

“Victoria’s laws make sure our justice system deals with the ‘Mr Bigs’ of organised crime. Our laws are all about treating the cause, not just the symptoms of organised crime.”

Mr Hulls said Victoria had a range of laws that effectively targeted organised crime including:

- Coercive questioning powers to assist in the investigation of organised crime offences with a view to gathering intelligence and information to secure prosecutions and disrupt criminal organisations;
- An asset confiscation regime that enables assets that have been used in or derived from criminal activity to be confiscated, removing the profit motive for criminality;
- Legislation to prevent people from consorting for the purposes of organised crime which effectively targets all persons who associate with organised crime figures and not just bikie gangs; and
- Surveillance devices, controlled operations, assumed identities and witness protection legislation, which was agreed by the Leaders’ Summit on Terrorism and Multijurisdictional Crime in 2002.

Mr Hulls said only Victoria and Queensland had implemented the full suite of legislation for cross-border investigative powers and, as a result, these investigative tools were not being appropriately used across jurisdictions.

“Since 2002, other states for whatever reason have failed to implement the range of reforms agreed to at this terrorism and organised crime summit,” he said. “We need a measured response rather than a kneejerk reaction to bikie crime.

”There is no evidence to suggest that the legislation to criminalise outlaw motorcycle gangs, including the laws introduced in South Australia, have been effective in addressing the organised criminal activities of these groups.”

Victoria will propose a considered approach to organised crime at this week’s Standing Committee of Attorneys-General, based on an analysis of the effectiveness of current legislation and taking into account the outcomes of the Federal Parliamentary Joint Committee on the Australian Crime Commission.

“Should events similar to those that have occurred in NSW and South Australia happen in Victoria, the full force of these laws would be brought to bear on the perpetrators,” Mr Hulls said. “The Commonwealth’s draft resolutions are a starting point, but they require refinement.”

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