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## **VIC COALITION TO OUTLAW CRIMINAL BIKIE GANGS**

A Victorian Liberal Nationals Coalition Government will introduce tough legislation to outlaw criminal bikie gangs.

John Brumby and Rob Hulls have turned Victoria into a haven for criminal bikie gangs by refusing to enact laws that would allow criminal bikie gangs to be declared illegal.

John Brumby's inaction means Victoria is becoming the soft underbelly for bikie crime.

Criminal bikie gangs are already setting up shop in Victoria after relocating from other states which have introduced or intend to introduce laws banning these gangs.

Victorian families need protection from bikie gangs who are engaged in serious criminal activity such as drug production and trafficking, violence, blackmail, extortion, arson and intimidation and represent a major threat to public safety and order.

Yet while the criminal bikie gang threat has grown in Victoria in recent years, John Brumby has failed to act and refused to introduce legislation allowing criminal bikie gangs to be outlawed.

Our plan will put Victoria at the forefront of tough and effective action against criminal bikie gangs.

It will allow criminal gangs to be outlawed and enable demolition orders if criminal bikie gangs erect fortified premises in suburban streets.

Our plan means that if a gang is declared illegal, it will be a criminal offence for gang members and associates to continue to participate in or stay a member of such a gang, consort with other gang members or associates or wear and display gang patches or insignia.

Members of these criminal gangs intimidate and coercing people by openly displaying gang patches and insignia and being able to call in other gang members.

# Policy

Specific laws that allow criminal gangs to be outlawed are needed so police can act without having to prosecute numerous individual offences and prove that explicit threats were used.

Gang assets found to have been used for criminal activities will be forfeited, and if the gang continues to try to operate after being declared illegal other gang assets and the gang-related assets of members and associates such as motorbikes and other gear can also be forfeited.

Under the Coalition's legislation:

- applications to have a bikie or other gang declared a criminal organisation will be able to be made to the Supreme Court by the Chief Commissioner of Police or the Director of Public Prosecutions;
- the Supreme Court will be able to make such a declaration whenever it is satisfied beyond reasonable doubt that members of the organisation use it to associate for the purpose of organising, facilitating, supporting or engaging in serious criminal activity such as drug trafficking, extortion, intimidation or violence, and that the continued existence of the organisation represents a serious threat to public safety and order;
- the Supreme Court will be given powers to make interim orders restricting the movement and use of alleged gang assets pending the hearing of an application;
- the court will be able to order the removal of fortifications from premises owned or used by outlawed bikie or other gangs or where it is reasonable to believe the premises may be used in connection with a serious criminal offence;
- the alleged gang and its members will have the right to contest the application and have access to the evidence against them, subject to restrictions on access to intelligence based information. Such restrictions will be under the control of the court;
- in cases where the court is satisfied that an organisation is being used for criminal purposes by some members or associates but is not satisfied the organisation as a whole should be outlawed, the court will have powers to make orders restricting the activities of and use of assets by the organisation and banning or restricting the involvement of certain individuals.

This plan builds on the Coalition's initiatives to toughen sentencing by scrapping suspended sentences and home detention and introducing a two-year ban on violent drunks from entering licensed premises, which have already received widespread support from Victorians.