

National Press Club Address

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Interviewees:

- Bond University and leading Australian criminologist, Professor Paul Wilson
- United Motorcycle Council of New South Wales spokesperson, Ferret
- God's Squad Christian Motorcycle Club founder Dr Rev John 'Bullfrog' Smith

BROADCAST BEGINS

FACILITATOR: Today at the National Press Club Professor Paul Wilson, an outspoken critic of new anti-biker legislation in South Australia and New South Wales. After recent cases of gang violence, Professor Wilson will be joined by two veteran bikers to argue stronger laws are not the answer. With the National Press Club address, Paul Wilson.

KEN RANDALL: Ladies and gentlemen, welcome to the National Press Club and today's National Australia Bank address. It's a pleasure today to welcome three guests, as you've just heard. They're here to discuss that spate of legislation that's been either enacted or foreshadowed, aimed at motorcycle clubs around Australia.

We have Paul Wilson who's professor of criminology at Bond University and has been already an outspoken critic of these laws, which he sees as selective, dangerous and ineffective. Ferret, down the end of our platform here is spokesman for the United Motorcycle Council of New South Wales, an organisation that was formed by the biker clubs in New South Wales specifically to address this issue. He has a small business in Western Sydney and been a member of the Finks club for 22 years. And the Reverend Dr John Bullfrog Smith - he doesn't mind the nickname - international and founding president of God's Squad which is a Christian motorcycle club been operating in Melbourne for 38 years, and now has eight chapters around, eight other chapters, around Australia and a presence in eight other countries. A major function of God's Squad is to minister to the biker community, of which John is an enthusiastic member himself. Each of them of course has a distinct outlook on this and we'll hear from each of them, starting with Ferret who is going to kick off proceedings. I invite you to welcome all our speakers.

[Applause]

FERRET: Good afternoon, my name is Ferret. I work in a tattoo parlour in the western suburbs of Sydney. I'm a father of two, a grandfather of five. I've been a member of the Finks Motorcycle Club for 22 years and it's as much a part of who I am as being a father or a grandfather. It's where I met my best friends, spent some of the milestones of my life and found people who share my lifelong interest in motorcycles.

Contrary to what you may hear from government press releases, being a Fink doesn't mean that I must be involved in drug trafficking, violence, intimidation or any other form of crime, organising it, participating in it or condoning it, but that's me. I'm not here to tell you that members of motorcycle clubs are all saints. There may be people amongst our members who have been in trouble and what happened at Sydney Airport was a tragedy.

Hopefully, with clubs now sitting on the United Motorcycle Council, communication between clubs can be improved to alleviate any further tension. My message to you today is that the behaviour of the few does not give our state governments the right to punish the majority. It does not give the Government or the police the right to apply a different legal standard to people who look like me, or belong to my club. Most of all it does not make it right for the Government to pass laws that lead to innocent people losing their jobs. But that's exactly what's happening.

About two weeks ago a member of a Christian Motorcycle Club in New South Wales was told to stop associating with people in the United Motorcycle Council or lose his public service job. My message today is that all people living in Australia should be free to lawfully associate. Our existing laws are sufficient to punish crime and corruption. There is no need in this country for a law that says that any citizen can lose their livelihood and be declared a criminal simply by talking to someone else.

The behaviour of the few does not justify punishing, or taking away the rights of the whole. Think about it this way: if the behaviour of the few was enough to justify a criminal tag being applied to all, then Anna Bligh up in Queensland should be declaring her own party a criminal organisation.

[Laughter]

And our Prime Minister Kevin Rudd would also be guilty, because his party has accepted donations from an individual named by US Senate as having associates involved in organised crime. As I said I'm not trying to say all bikers are saints, just like not all politicians or police are squeaky clean. But I would say that there is more organised criminal activity every day in Australia's governments and police services than you would ever find at your local biker clubhouse. I'm honoured to be here today representing the 18 clubs of the UMC of New South Wales and speaking on their behalf. There are two things I would like to achieve from this event. Firstly I'm going to ask you, the members of the media and government, to write and speak fairly about us and our members. And I'm going to ask you to apply a healthy degree of scepticism to what you hear coming out of the Government about bikers and crime.

Secondly, I'm going to challenge the media to apply these laws, the same laws of scrutiny and the same concern for human rights that are applied in this country to the previous government's anti-terror laws. These anti-association laws are continuing the job the previous government started in stripping away our legal rights. Now, firstly about the media. You may have noticed we don't comment on what's written about us. We rarely tell our side of the story. What you think about motorcycle clubs, you probably assume from the way we look, what you've read about in the news, seen in biker movies, or have been told by the Government or police. I guess you could say that the way we've been portrayed over the years isn't something we've fought against. What this means is that what's said about us has gone uncontested.

Many of you may argue that you think the bikers deserve whatever bad publicity we get. However, something we've been looking at pretty closely lately is the fact that there's a double standard from government about the way information released about bikers is treated. And one of my key reasons to talk to you today is to ask you, members of the media, to be aware of how the Government talks about us and to be less accepting of what they give you as fact.

To give you an example, we've all heard recently about TV actress Jodi Gordon being found with an alleged Rebels biker. This story took a life of its own as it was reported and re-reported as fact by media around the country. The fact is the guy in this story is not a biker. He's never been a member of the Rebels or any other club. However, at some point he has had friends in a motor cycle club, or ridden a motor cycle. As a result of this, bikers get the credit for the behaviour of some TV star we haven't even met.

Let me give you another example. The Daily Telegraph, Tuesday 14 July, headline: bikie linked to law chief. We have a look and discover it's about a convicted drug criminal, worked undetected for four years in the State Government's highest law office after changing a name. So this sounds serious. We'll look for the link. On the front page, we don't discover anything about bikers. So we go to page four. Oops, sorry guys - it then mentions the Attorney-General. He's not a biker, or he's not in the Finks. Then it mentions the Premier. He's not a biker and with his popularity he probably wouldn't get in anyway.

[Laughter]

So where's the biker link? So then it mentions a woman's boyfriend. Surprise, surprise, he's not a biker. Then we go to the brother. Another surprise, not a biker, either. But we find that he was, in newspaper speak, allegedly linked to a motor cycle club. So hang on. The headline: biker linked to law chief is actually so far from the real link to the Attorney-General it's ridiculous. Does anyone here in the room know the game, Six Degrees of Separation? I'm pretty sure that if I tried hard enough I could find from within my friends, relatives, people I once met at the gym, a chain of people that would lead me to some

very interesting influential people. It doesn't mean I know them. So I asked around, and someone who works with me now, as an associate, is a former employee to Kevin Rudd. Therefore, Prime Minister... [Laughter]

...I bet you didn't know this, but there is a Fink link directly to your office in Parliament House. It's the same distance of connection of the alleged link to the story in The Daily Telegraph. Of course, do I know Kevin Rudd? No. Have I met Kevin Rudd? No. Do I have any influence over Kevin Rudd? No. Would it be a complete beat-up for any of you to publish a headline tomorrow: Fink link to PM? Yes, it would.

What I would like tomorrow's headline to focus on is the very real threat to civil liberties from the anti-association laws being introduced by most state governments. I'm not going to get into a lot of detail about the laws, as you will see here from one of Australia's leading criminologists and what that will mean for every Australian citizen. But I do want to challenge the media to apply more scrutiny to these laws.

A few years ago, when the former Federal Government proposed some very serious laws to deal with terrorism, there was a national outcry about the impact they would have on civil and legal rights. Speakers in this very room denounced the unjust aspects of those laws and journalists across the country wrote large volumes about their impacts on basic legal rights. Due to that public scrutiny, many of the harshest and most unjust elements of these laws were removed, or watered down. As we have seen in the last 24 hours, that doesn't seem to have affected the ability to combat terrorism. It's ironic that much of the criticism of the anti-terror laws came from state governments, most of whom are now passing equally bad laws at the state level. What's worse is that because governments claim the laws are targeted only at bikers they're going almost unreported by the media.

But these laws do not only affect bikers. In fact the New South Wales legislation doesn't even contain the words biker or motor cycle club. These laws strip away fundamental legal rights such as freedom of association, the presumption of innocence, open court hearings and the right of appeal. And then they can be used against any group or individual. I challenge the media both here today and around Australia to look far more seriously at these laws, apply the same level of scrutiny you apply to the anti-terror laws because the impact on human rights is just as bad.

I might be just one person, I'm just a dad from Western Sydney, but I'm telling you today it's not just about me or even about people who ride motor cycles; it's an issue about human rights. It's an issue for every person listening to me here in the press gallery and at home across Australia. Don't just believe me, find out for yourself, read the legislation. You'll soon see what our governments are doing to us is a lot more scary than a few guys with tattoos and leather jackets. Thank you.

[Applause]

KEN RANDALL: Thank you very much Ferret. The next speaker from our panel today is Paul Wilson, as I said before, Professor of Criminology at Bond University on the Gold Coast.

PAUL WILSON: Thank you very much indeed, Ken, and thank you for allowing me to speak today. The crimes - the Criminal Organisation Act of New South Wales and similar legislation in South Australia and other states is to me at least very repugnant legislation, the likes of which we've not seen since the constitutional failure of the Communist Party Dissolution Act of 1950, which also aimed to proscribe a particular organisation. And as Ian Barker, who many of you will know, the veteran criminal barrister, has indicated, it essentially arose because one biker beat another to death at Sydney Airport, a horrendous incident, but the airport itself was hardly under siege nor were innocent civilians directly harmed.

These laws, I would argue ladies and gentlemen, are undemocratic. They focus on groups and not on individuals and like similar legislation, in other countries like Canada, I will argue that they will not only be ineffective, but they will also be counter productive. Indeed they could lead to more violence among biker groups and more violence in the community generally.

Now, I'm not a biker as you can obviously see, I'm different from Ferret in terms of how we dress, but I've got no doubt there are undoubtedly some people who traffic in drugs and engage in other serious criminal activities in some biker clubs. The evidence is overwhelming. But there are also corrupt police officers, as we've recently seen in Queensland, what was supposed to be a quickie - clean police force,

isn't. There are churches who hide and conceal paedophiles. There are financial and banking institutions whose employees commit fraud and engage in white collar offences and consequently rob thousands of Australians of their life's savings. However we don't close down police forces or police units. We don't close down churches, financial institutions, or companies because of the criminal activities of some of their members. Neither should we attempt to do the same for biker groups.

In this regard I think the Crime and Misconduct Commission, the CMC revelations of corrupt dealings between some Queensland police officers and prison informers, which have been revealed recently and in the media, it's especially relevant to note the Queensland Law Society has pointed out that in Queensland police may, if these association laws are introduced, give free rein to some bikers and biker groups in return for corrupt payments, while their competitors are arrested and charged. As the Queensland Law Society says - not me, as they say - the hand maiden of organised crime is the corruption of officials with police officers being the number one target.

I think it's important to recognise that in this whole debate, that the amount of violence committed by bikers in Australia is not that large anyway. We are talking as though the violence in the country is committed by biker groups. It's clearly not. Recent figures presented to the joint parliamentary committee to review the Australian Crime Commission Serious and Organised Crime Act, figures presented by Dr Art Venno, generally considered one of the academic experts on biker groups and bikies, and Superintendent Scott Whyte of the New South Wales police revealed that gang related violence - that includes violence generated by street ethnic, and biker groups - represents just 0.6 per cent of all crime in Australia. And biker groups represent probably half of that, about 0.3 per cent. Okay, it's significant. Some of it is horrific, but it's a very small proportion.

Now let me say that contrary to other criminal organisations like the Mafia, it's important to recognise that so-called outlaw motorcycle gangs operate on an individual basis instead of a top down Mafia type hierarchy. There is no Mr Big in America telling some of these gentlemen here what to do. They have autonomy and clearly, as noted earlier, some individuals and some clubs are involved in drug trafficking and other crimes, but so too are some professional groups who have considerable autonomy as well, like priests, police officers, lawyers and financial institutions, none of which seem to be the target of criminal association laws.

Ladies and gentlemen, I would like to look just very briefly at the Canadian experience. Laws that banned outlaw motor cycle gangs and clubs in Canada, led to the institutions of the state in Canada, and especially in Quebec province, coming under attack. Seven bombs were found under police stations. Two prison guards were murdered. An anti-biker journalists crusader was almost killed. One innocent bystander, mistaken to be a prison guard, was murdered. So I would argue there is a very good chance that association laws which target groups, as a whole, will increase the probability of more public violence, indeed public safety and crime both appear not to be controlled by such legislation in Canada.

Since 1994, in Quebec, there have been no less than 85 murders and 92 attempted murders related to Quebec's biker laws as well as 129 arson attacks and 82 bombings. Earlier this year 156 bikers, mostly from the Hells Angels were arrested, indicating that the Hells Angels, despite tough laws since 1997 are alive and well and no-one really seriously suggests that these arrests will put the Hells Angels out of business at all.

Indeed I can't find, and if somebody else has got it I would love to see it, one iota of evidence to suggest that the relevant Canadian laws, especially C-95, which was introduced as I said in 1997 and made - and which is the participation in a criminal organisation legislation much like the legislation in New South Wales and South Australia and planned in other states - I can't find one iota of evidence to suggest that it diminished gang activity, reduced organised crime or led to the demise of biker gangs. Instead, and predictably, gang activity has changed, becoming more displaced and more submerged, and less able, rather than more able, to be accessed by law enforcement. Anyone who believes I would argue, that criminal individuals or groups involved in organised crime will not adapt to new and more draconian laws has simply not studied the history of organized crime.

In any event as Phillip Boulton SC, from Sydney from New South Wales perceptively noted in regard to the Australian association laws: if people are already killing and shooting each other, as they have

unfortunately in Australia, then any new laws will hardly stop them meeting and, in his own words, having a beer together.

Again, just coming down towards the end of what I want to say and referring to Ian Barker, the veteran criminal defence lawyer who I mentioned in the beginning of my talk, he recently pointed out in the same speech that I quoted from, that in his lifetime - and this to me is a very important point - in his lifetime, as a barrister, he has seen in various pieces of legislation, laws that might be attractive to politicians and indeed to voters, but laws that have severely eroded all principles such as the right to silence, freedom of speech, freedom of assembly, freedom from arbitrary arrest, the right of privacy, the right to see evidence against one, the right to confront one's accuser, the freedom of the judiciary and detention without charge.

In various pieces of legislation all these laws have been eroded. Now we add on to that list, laws that stop people from associating with each other. Where does it stop? How many liberties do we have to forsake to preserve the illusion that we're safer in our homes or on the streets?

Ladies and gentlemen it's not as though we're without alternatives. Other countries, Denmark being one have made good progress in curbing crime among biker groups by smart, intelligence-led policing without draconian laws, as well as in a body of evidence-based research and practice that outlines the effective law enforcement practices and crime prevention methods, to deal with gang related violence, encouraging biker group mediations, and meetings of the sort that Ferret has referred to is just one.

And in this whole debate let us not forget the enormous powers that police forces and enforcement, law enforcement bodies have already. Every state has considerable electronic monitoring powers. Some states have crime commissions which can force people to come in and talk and it's a criminal offence if they don't. These are enormous powers to deal with organised crime which we've got already. We hardly need our legal rights to be further eroded by laws that punish groups for crimes, they might - they might or might not - commit in the future in contrast to laws that target individuals for crimes they have committed in the past.

Finally ladies and gentlemen, even the devil deserves a trial. This legislation does not give the devil, let alone biker groups, a trial. This is not the way to proceed in Australia. Thank you very much.
[Applause]

KEN RANDALL: Thank you very much Paul Wilson. And now we have the Reverend Dr John Smith.

JOHN SMITH: I'm not seeking to be in any way disingenuous, but I do want to thank the Press Club for a genuine inquiry possibility in a neutral situation, engaging experts and participants in a non-partisan, non-political forum. I think this is one of the most important forums in the land. I shall be slightly repetitive perhaps, but in a different context, to explain why I'm here as an educated resident scholar and Christian minister. Maybe the best way is to present my profound misgivings of the ill-conceived politically motivated legislation. I too am a father with three kids. I beat you, mate, I've got 15 grandchildren.
[Laughter]

But first I come to you as an authentic member of a biker club. And I have to say our brothers have been very warm and open to us as God's Squad, because obviously we're a little bit off-kilter in some ways. But we have come to feel a depth of genuine relationship and I mark some of my best friends in the world as guys wearing a very different set of patches than me.

We earn our colours in God's Squad. We love motorcycling in the context of club loyalty, camaraderie and the indescribable satisfaction of being on the road in association with good friends who are loyal to us. I have almost 40 years of club membership experience and have been associated with the scene for over 40 years.

Now, while no person knows fully the activities of others in a closed society such as the biker scene - and I don't think we're half as closed as the military quite frankly, or the police force - however, when I hear from the media that more than half the members of such clubs have criminal records, I know they lie.

Now clubs were not formed for the purposes organised crime. I know there are many reasons for joining a biker club, almost as many as there are variations of club style. One size simply does not fit all. But crime does occur, and of course it's undeniable. That has already been said by the previous two speakers. Clergy sometimes commit paedophile acts. Lawyers, politicians, psychiatrists, footballers, youth workers, school teachers outrank bikers for the proven incidence of sexual assaults on citizens. Biker clubs overall no more exist for corporate crime purposes than night clubs exist for the purpose of distributing Ecstasy.

Secondly, I come as a human rights activist. I have a Methodist connection to a gospel of justice and care, which gave rise to some Methodist preachers called Tolpuddle Martyrs, led by George Loveless, famous because under unjust British laws he was sent to Oz for seven years as a convict, because he called workers to use the only power they had against industry and that was the withdrawal of labour, thus becoming the foundation to what we accept as an intimate part of our social order called the trade union movement.

I presented to the UN Human Rights Commission the full hearing on behalf of prisoners of conscience in Nepali prisons. I was involved in earlier on in the time of Joh Bjelke-Petersen in non-violent civil disobedience, when he took over the Aurukun Aboriginal community. I was jailed in the Philippines for human rights activities, because of the illegal demolition of the homes of peasant people by a murdering mayor in Kidipawan Mindanao and I chose death before dishonour when execution date was set and freedom was offered by my captors, if I would name the local human rights activists who had brought me there on location.

I have an enduring memory of experiences all over the world, in Central America during the civil wars there, of seeing the abuse of minority groups, by power elites, not subject to sufficient restraining laws of human rights protections. What I do know is this: the laws which suspend basic rights to the assumption of innocence until proper trial, the freedom of association and freedom of information not only suspend fundamental social principles, but permit law enforcement to harass the innocent.

We have always experienced in God's Squad a measure of undue harassment, for being patchwearing bikers by a minority, no doubt, of officers. I was once accused of upsetting the Dandenong Hospital, of terrorising the staff, and a report went through to the police force from a particular officer that hated bikers and he targeted me. And there was a full file which eventually a policeman brought to our club meeting, risking his job to say, look John, your reputation doesn't look good here, what's going on? I found these extraordinary reports that had been put into the files of the police.

In actual fact, while I was supposed to be terrorising the Dandenong Hospital I was 120 miles away at a youth camp with five ministers of religion and 120 other people at the camp. And yet when I asked for that to be removed, the senior officer said, well, that's just your interpretation, that's too bad, these just happen to be our reports.

Now, I could give many other examples, but our time is short. Certainly, some of our members lately have under-come - have undergone quite considerable harassment since the changing of the laws and since Queensland has been considering a possibility of going in the same direction. One of our members who I would describe as a contemplative catholic and very gentle brother has been accused of being in possession of weapons of affray, because in his car when the police, without warrant, did their strip searching and all that other stuff, when the brothers met together to try and look at how we could reduce the violence, he - it's going to cost him thousands of dollars, probably to defend himself against absurd accusations.

The South Brisbane chapter were breathalysed recently, were cleared. No-one had been over the limit. They were made to stand for half an hour in the side of the road while the cars went by. And some of them were personally mocked by officers belittling the possession of a bible and being religious. In the days of abandoned - now abandoned consorting laws in Victoria, young offenders who'd actually been converted to the faith and were exemplary in their behaviour, were arrested at the entrance of our church for consorting because they were worshipping together. Is it any wonder some of us take a strong stand against laws that allow the abuse of power once they're in the hands of an elite like the police force. If society wishes to breed a new generation of haters of law and order then draconian laws and

harassment will be an invitation to the children and spouses of bikers and others to have no respect whatsoever for the police.

I come also as a culture researcher whose doctoral dissertation was an examination of social movements from the 1960s to 1980s. My experience has been this: biker clubs are in our society for a very real social purpose and anthropological purpose. They are part of a statement that a society no longer provides ritual process, no longer provides a basis for camaraderie and no longer provides really a sense of patriotism, self giving, loyalty and mateship for men. And strangely enough, my observation from an anthropology point of view, is that the only groups in society that offer this are sometimes the police force, sometimes the military, certainly the bike scene and, lamentably, sometimes the Christian church when they're really serious about it.

As a pastor and chaplain to the biker scene, having officiated at funerals and weddings many times and acting for a mentor for children of outlaws who've been at risk, I have learned that everybody is somebody's son. You know, Rodney Stark, an outstanding sociologist, pointed after the Branch Davidian tragedy, that cult groups only usually become a social menace when they are placed under siege and cornered. And now I come to you as a follower of Jesus. What does that got to do with it? My own brothers might wonder that. I think you will be interested to hear this.

I know what the scriptures say of Jesus. It says in the Old Testament in a prophecy regarding Christ, he was numbered with the transgressors - that's guilt by association. It is indisputable that guilt by association, a fundamental violation of human rights enshrined in this new legislation, was one of the reasons for the indictment and crucifixion of Jesus Christ. Frequently in the gospels, it reports he was a friend of publicans, prostitutes, sinners and other outcasts. In fact he converted two terrorists, or zealots, to his cause. But without association and dignity afforded to those people they would never have been transformed. I know he taught me that you cannot judge a book by his cover.

Man looks on the outward appearance, Jesus said but God looks on the heart and I want to do the same thing over the hearts of so many of my brothers. And I now they love their children, they love their families as much as any middle-class person in my street. If you educate a devil you create an educated devil not an angel and frankly a lot of the bad people look real nice. They don't look like my mates in the bike scene. I know that the first century Christians were slaughtered not for religion, but civil disobedience in refusing to submit to Caesar. They believed in death before dishonour. At least to that extent, true Christians share a cherished value enshrined in the biker culture. Finally, let me say to my brothers in the bike scene, brothers we must pursue means of conflict resolution so that turf wars put neither innocent people at risk nor put at risk our unequal incredible lifestyle of camaraderie on the road.

As one who's seen people I love destroyed through amphetamines, I pray that the love of money that is the root of all evil will cease to attract a very small minority to corporate crime. To the legislators I give you a bible verse: woe unto those that make injustice legal. Legality doesn't mean justice. Do not allow cynical short-term expediency in the post-9/11 terrorist era to dismantle fundamental principles of human rights. To law enforcement I say power corrupts and the public with which you deal are no different from your own children. To behave with oppressive coercion and bullying tactics undermines the necessary respect for real law.

And finally. Again - as my brother's already said – a word to the media. Yesterday there was a gentleman supposed to be a good research documenter who wrote a cynical article against the Prime Minister because he was attending St John's Anglican Church, very cynical article indeed. Now as a fellow attendee at St John's Church, viewing his obvious commitment to his faith week by week, I know as most people that have anything to do with that family know, that Theresa's church is her home church, and it's the place where they got married. So there's nothing cynical or elitist about that. I was appalled to read this journalist described as a researcher. And I'll finish with this: that there is nothing compared to the wild, ill-researched sensationalism exhibited in reporting on biker issues.

Please brethren, will you be responsible, will you be thorough and above all will you write in such a way that you promote humanity, freedom and peace.

[Applause]

KEN RANDALL: Thank you very much Dr Smith. Thank you all. Let's move onto our period of questions today, starting with David Stockman.

QUESTION: David Stockman from The Canberra Times. I just - thanks for the opportunity. I just wanted to ask with the formation of the United Motorcycle Council, what role do you see the organisation has in stamping out illegal activity within motorcycle clubs?

FERRET: Well, each club is responsible for their own members. What we're mainly together for is to fight the legislation, which is being - I suppose the Government's put it down as anti-biker legislation, where it's not, it's an anti-association legislation. With anti-bikie written in the media, they can stir the people up easier. Anyone we talk to says no, we're not interested in that law. It's about the bikies. But when we tell them that, no, it's about everybody, they start to listen.

KEN RANDALL: Next question's from Karlis Salna.

QUESTION: Karlis Salna, Australian Associated Press. Firstly to Ferret, is the violence over, the violence that we saw in Sydney recently, the get squares, the acts for revenge, the turf wars, it is over or was there a turf war going on?

FERRET: We can never see what's going to happen in the future, but as the council sits together at the table, we can mediate and hopefully sort any tension out before it starts and gets carried away.

QUESTION: And to Professor Wilson, I just wanted to ask you - and all of you in fact - the events of the last 24 hours, the arrests of four people and a fifth person in custody over this terrorism related event, are you concerned that that will only ensure that these laws are passed, that it will make it more likely these laws are passed?

PAUL WILSON: That's a good question. I don't really know the answer to that. I think these laws, which as Ferret points out, do potentially apply not only to bikies but other groups, were initiated by the incident at Sydney airport. Now whether the current incident will lead to other states quickly taking up the association laws it's hard to see. I see the issues as being completely separate myself. I think it's unlikely that they will necessarily propel the association laws being taken up in other states, but others might think differently.

FERRET: If I could just put a bit into that? This is today's Australian and this is a part of it relating to that. In here it says: the carefully orchestrated cover story was that security levels at Holsworthy had to be upgraded due to fears that bikie gangs were planning to break into the army base and steal weapons. This is the sort of thing we're up against. I'm from Sydney. I heard this when it was happening and it was treated by the media as fact.

PAUL WILSON: But the rest of - to be fair, the rest of the article does go onto say that that was found not to be the case, or implies that it was another terrorist group, so...

FERRET: Yes, but at the time it was led that it was the fact.

PAUL WILSON: Oh, yes, yes, some would have taken it as that.

JOHN SMITH: The irony of this is that in my experience of 40 years, if there's one thing about bikers they are fiercely loyal, almost to a Judeo-Christian culture, and as far as them wanting to join forces with the kind of terrorist thing we're looking at it, it's quite absurd. I mean, patriotism gone wild almost as in the heart of any my biker mates. It's why they were so pro the war in Vietnam and so on. So many were involved at that level. So I think it's quite ludicrous to put the two groups together.

KEN RANDALL: Ferret just going back to the beginning of Karlis's question, could you tell us a bit more about the structure and the operations of your council?

FERRET: Of course. Our aim is to seek to repeal the Crimes Act and amendments, and I've got some of our objectives here. I will just run through a few, if you like. To educate the general public about dangers of this law. We also - it's to provide a formation for the peaceful resolution of differences between

member clubs. And another is to print and publish any material the UMC considers necessary to support its objectives. Sorry, I'll do another. And to support likeminded organisations such as the Free Australia Party.

KEN RANDALL: Good, thanks. Next question's from Ari Sharp.

QUESTION: Hi, Ari Sharp from The Age and The Sydney Morning Herald. Just following up, Ferret, on your previous remark that the primary purpose of the organisation is to defeat the proposed laws. Does that therefore mean that once there is an outcome either way, the organisation will cease to exist?

FERRET: This organisation has been going under this banner for 20 years, as part of the Motorcycle Council of New South Wales. So we've gone for 20 years. This is just the stage we're up to now, so I don't see if any outcome happens, we're not going to just say that's the end of the council. In the short time we've had the clubs together we've made major progress. So I don't think anyone in the council would say; well, that's enough. Everyone in the council knows how well we've gone.

QUESTION: A second question. You mentioned that there are other social groups that have criminals in their midst and the bikers are being unfairly singled out. To what extent is the difference in the relationship with law enforcement, the factor that leads to that, that there's a historic reluctance among bikers to cooperate with law enforcement. How true is that perception and is that part of the problem that's leading to the particular legislation?

FERRET: We like anyone have the right to silence. So – a motorcycle club is an extension of your family. Would you go to the police and dob someone in your family in? That's the way we see it.

KEN RANDALL: Let me ask each of you this question. The incident in March at Sydney Airport was admittedly a very violent - and one that shocked a lot of people, but do you think that the spate of legislation that we've seen, or has been foreshadowed, is a reaction of politicians under pressure? And do you think that there is pressure on them also, from the police, who seem to have a particular aversion to motor cycle clubs?

FERRET: Of course there is. As with any government, the Government needs to create an evil and looks like they conquer it to be satisfying the people. We saw the same thing happen in Iraq. They moved in on Saddam Hussein for weapons of mass destruction, never found any. Today he's a dead man and the Americans have taken his country over.

PAUL WILSON: Let's say that some politicians actually believe that bikers are a major threat to Australian society and they're not being hypocritical and they're not just assuming that this legislation will be good for them electorally. I think there's a combination of people who honestly believe that bikers are a real threat, and those who see it as a law and order issue which will in fact attract votes. I think it's a combination of both.

I think it's a pity that they haven't looked at the amount of crime that bikers actually cause, and I think those figures are now on the public record. And I think it's a great pity that they haven't seen through the consequences of this legislation in terms of just what it's going to cost, and the fact that if you're going to spend literally millions of dollars on new squads, it means you're going to take money away from searching for missing kids, and bank robbers, and other forms of crime which some which - and white collar crime, especially now - which others would argue is damaging Australian society far more than bikers ever did.

KEN RANDALL: Is that reflecting police attitudes?

PAUL WILSON: I do believe that there is considerable pressure from within some sections of some police. On the other hand, again to be fair, I've heard some police officers tell me privately that they think it won't make an iota of difference. But I've heard another police officer in another state saying, gee whiz, my squad's now gone up from 20 to 31 and very proud of the fact. And there's a lot of that going on. Bureaucracies like building bigger empires.

KEN RANDALL: John Smith

JOHN SMITH: It's interesting that just the other day 70 officers descended on our club and another club that were on a poker run to raise money for a medical helicopter, and that was genuine. I mean, it didn't get a big thing in the press, it wasn't PR for the God Squad, or for this other group, it was just things that bikers often do for their community.

Now, 70 officers harassed them and we haven't got time to go into it, but they did. They harassed them, and carried on, they found two guys that – their hangers-on - that were over the legal limit. They found nothing to charge any of the patch wearing, colour wearing bikers at all. And I would say that it's a ridiculous waste of the taxpayers' money when there are many issues of public safety reported.

Second thing I want to say is this. Mike Rann began the South Australian thing before what happened in Sydney. So it's really got nothing to do with that. That's a trigger that gave an excuse for something.

Third thing I want to say is the public have always been easily turned on to a law and order issue and if ever the New South Wales Government needed some phoney reason to try and stay in power, they've got one now.

Third thing I'd say is this: if these people are serious, why don't the politicians talk to us? They might say, oh, we think those are bad guys. Well I mean God Squad is supposed a fine Christian group and we're supposed to have real relationships with the blokes. No-one's approached us. There's no excuse saying that that's because we have priors, because we have no priors. But why don't they talk to all of us. Why don't they come and talk to the council and come and talk to you as the person who is up there in the council.

And finally let me say that the real threat - let me ask this audience here, who of you in this audience have ever felt a personal threat by bikies next door to you?

[Laughter]

I think you get my point. It's a media generated phobia and fear. It's not something that's coming from the average citizen at all.

KEN RANDALL: Just following on from what John said there, Ferret, has there been any attempt by the New South Wales authorities to talk to the council?

FERRET: No, no attempt at all. Our first meeting that we – an organised meeting for the council was raided by the police and people were held there for two hours while their cars were searched, while they were strip searched, while their identification was taken.

JOHN SMITH: That's when our God Squad member was charged with this ludicrous charge that he probably has to spend thousands of dollars on to fight.

KEN RANDALL: Next question's from Tony Melville.

QUESTION: Tony Melville, director of the National Press Club. A question for Professor Wilson. I was trying to - I'm not a lawyer, but I was just trying to think of comparative laws against individual groups that might have had some impact and one that came to mind was the laws that created the Australian Building and Construction Commissioner, who, they had extra interrogation powers for example and it was aimed at lawlessness and the construction industry, and that is having an effect at decreasing lawlessness in that industry.

The Government's agreed to phase that out. I'm just wondering whether there is going to be a period perhaps where you could campaign for these laws to be assessed and then phased out rather than opposing them altogether and seeing whether they are having any impact?

PAUL WILSON: I'm not all that familiar with the interrogation laws in the building industry, but these association laws are very different. They are quite unique laws, actually. Laws like this have been banned in the United States, laws where you convict people of a crime without a trial, which is essentially what these laws are. So I would not want any sort of experimental period where they're introduced. I think they should never be introduced, because I think they'll be counterproductive. And I think the

Canadian experience shows that they actually lead to more violence rather than less violence, because if you push people underground, and you give them nowhere else to go, some of them in some clubs - and Ferret mightn't want to say this, but I will say it - some of them are going to get very violent and nasty about this.

FERRET: I wish you didn't say that, Paul.
[Laughter]

KEN RANDALL: Paul, just expanding on the central point there, would you like to talk a bit about the old consorting laws and what brought about their downfall?

PAUL WILSON: Well Ken, you probably know as much about those as I do in terms of the Queensland experience.

KEN RANDALL: But you're the expert.

PAUL WILSON: No, no, no, no.
[Laughter]

Well, I mean I think the consorting laws were one of the major problems that arose pre the Fitzgerald inquiry. And I think the relationships between some criminals and some police was a very sick relationship. We're finding, by the way, the same relationship has developed between prison informers and police, these aren't the consorting laws.

But I believe that the association laws, just taking your question on one step, are laws which could also be very dangerous for police forces because they do give the police the chance, the potential, to reward some organised crime groups - and I'm not talking about bikers only, I'm talking about groups generally - and cut others out of the organised crime market place, if you like, as I implied in my talk.

KEN RANDALL: If I was a strict subeditor, I'd say what he said then was that it gave police a degree of uncontestable power that led to corruption.

PAUL WILSON: That's putting it very well.

KEN RANDALL: Peter Phillips.

QUESTION: Peter Phillips, one of the directors of the National Press Club. My question in the first instance is to you, Ferret. Do you and your colleagues from the UMCC embrace and endorse principles such as unity in strength and safety in numbers, and if you do I wonder whether, in the embrace of that principle, you also look towards other organisations across the total community: sporting organisations, community organisations, surface organisations, other groups, other organisations across the total community which might identify with the sorts of principles which you've articulated very, very eloquently today, and your colleagues have articulated very eloquently today - those sorts of principles which might generate further support for you in the recognition which you seek for the legitimate aspirations and the legitimate goals which the UMCC espouses.

FERRET: Of course, that's one of the reasons we came here today, so people could hear. And we've invited anyone who would like to come, who represents an organisation, who would like to come and sit at one of our council meetings, is welcome to come, can liaise with us and we'll have them here. We can hear what they have to say and they can hear what we have to say and they can pass it on to their people.

We're not under any misguidance that we're not the first cab off the rank. We know we are, and we know - but we want to spread the message that after us, everyone else is available to be controlled as well.

KEN RANDALL: Thank you very much. This is our last question today, and I warn you this is often found to be quite difficult.

We get school groups here - the national capital attracts all sorts of educational tours - and they often come here, thank you very much for coming. Today's group is from the Millpark Secondary College and they've nominated Beau Curren to ask you a question.

QUESTION: Hi I'm Beau Curren, from Millpark Secondary College, Melbourne. My question is to Professor Wilson. With the introduction of a bill of rights, as a preamble to our constitution, help to address such concerns as the right to assembly?

PAUL WILSON: Sorry, will it...

QUESTION: Yeah, help with those concerns, yes...

KEN RANDALL: Would it address the question of right of assembly.

QUESTION: ...surrounding the right of assembly and other such rights.

PAUL WILSON: My - I'm not an expert on the bill of rights, but my answer is yes, it would. Yes, it would.

QUESTION: Would there be any other - certain legislation which would help to defend those rights as well, like Ferret said, like the right to trial, right to assembly and those other such rights to help the civil rights and human rights, as such?

PAUL WILSON: Well the point I'm trying to make, and I think all of us are trying to make, is that these association laws actually violate all those rights. Association laws just say that a particular group is a criminal organisation. There is not a trial, so it violates the whole tradition of British and American law. The Americans have banned laws like this in their constitution. The British used to have laws like this so that kings can get rid of their rivals, but they haven't been used since 1790. These are unique laws, and the only countries that I know of in the industrialised Western world which use them, are Canada, Australia and New Zealand.

JOHN SMITH: Paul, the other thing that gets to me on this is I'm asked about the imprisonment of not only Mandela but before that Steve Biko, and the very reasons we wouldn't even play sport with South Africa was because they could apprehend people, hold them in detention, without making proper charge and they had no access to being able to have due process. That's the very reason we cut South Africa off with their apartheid laws. To me they're very, very related to these present set of laws.

PAUL WILSON: Yes.

KEN RANDALL: And we still have a lot of people who say sport and politics don't mix.

MALE SPEAKER: That's right.

PAUL WILSON: Just one - Ken, just if I can make a very quick comment, I've just come back from the Cambodian genocide trials where Duch, who was the commander of S21, the prison where between 12,000 and 13,000 people were executed, was giving - being cross examined and giving evidence. He's being prosecuted for genocide now and he looks very much like a Canberra public servant, like

I do, he's dressed like this. There is no doubt that he is responsible for these crimes. He might not be found guilty but he's admitted he's - that he was responsible and said that he's sorry for them. My point really is that even though he dresses and talks like a Canberra bureaucrat, Gordon Grigg, was it, very much like him actually in some ways, do not judge a book by the cover. Just because bikers dress and look differently does not mean that they are necessarily evil. Just because Canberra public servants dress nicely, doesn't mean that they're necessarily good.

KEN RANDALL: Hear, hear.

[Applause]

Let's actually have final question from Karlis Salna.

QUESTION: Karlis Salna, Australian Associated Press again. I would just like to take up - I guess, you've raised the media and their role in all of this quite a bit today, and in defence of the media I would like to say they weren't the guys brawling on at Sydney Airport. And you guys say that it's unreasonable for these laws to be introduced; is it not reasonable to expect - for the rest of society to expect not to be able to witness, not to have to witness, what went on at Sydney?

FERRET: Of course, we're not saying that's not a tragedy, but with these laws, I will give you an example in South Australia. The Finks Motorcycle Club in South Australia has had a control order placed on it. Nine of our members have control orders placed on them. Two of those members have no criminal record. How many people in New South Wales have no criminal record who can also have a control order placed on them under secret police intelligence? That's what it's come to.

JOHN SMITH: I don't want to sack you at all, but let me say this: I love the media. I'm glad of this kind of media opportunity. When I was in prison in the Philippines, I would have been executed if it wasn't for AAP journalists who snuck around my prison when the guards were going around, there they came around here. And they got the story, hit the media with it and embarrassed the Filipino Government so they had to take action against that madman. I would have been shot if it wasn't for the media, so I have a profound regard for the media. But I'm just saying to you in this regard, where the cards are stacked against us, give us a break, that's all and look at it properly.

[Applause]

QUESTION: ...have to court the media more - you know, have a greater association, relationship, with the media?

FERRET: We've sent out packages to the media. We have a PR company they can liaise with, they can ask us questions with. Before they put one of their stories in from the police spin doctors, they can liaise with us. We will tell them if we want to talk to them, we'll tell them if the story's true, then they can go from there. What I brought up before about 0.6 per cent, many of the stories in the newspaper of alleged motor cycle club members or associates, we don't even know. So that figure is nowhere near where it's represented.

If the stories - as you can see now in the media, we're not reading much biking related stuff. If you can liaise with us now and find out that's not true, why run it? We don't want to - for years we laughed and said we must have 10,000 members in our club, look at all this. Now we know that that's working against us. So now we will liaise with you. You can hear the right story and if you want to put rubbish in the paper, that's your freedom of expression, but if you want to put the right thing in the paper, we will talk to you about it.

KEN RANDALL: Is that it? Thank you very much. I would like to thank all of you for - and the questioners for the past hour. I will present each of the panel up here with a membership card, which will allow them to come back as often as they like in the next year, and also something to celebrate with if they score any significant victories. Thank you.

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