

TRIM Ref: 2019/000031-038

**Portfolio:** Minister for Police & Emergency Services

Attorney-General

**ISSUE: CRIMINAL MOTORCYCLE GANG INCIDENTS**

This QTB focuses on the ACT Policing operational aspects. Information about legislative reform, fortification removal laws, crime scene powers and drive-by shootings can be found in the QTB titled "Serious and Organised Crime Response".

**TALKING POINTS:**

- Countering serious and organised crime by criminal gangs and maintaining public safety is of primary focus for the ACT Government and ACT Policing.
- 2017-18 saw an increase in the number of criminal gang clubs operating in the ACT.
  - As at 28 May 2019, there are four known Criminal Motorcycle Gangs operating in the ACT.
  - As at 28 May 2019, the total number of members associated with ACT chapters of these Criminal Gangs is estimated at approximately 60 people.
- Through Taskforce Nemesis, ACT Policing continues to proactively disrupt criminal gang members to deter and detect criminal activity. This includes the confiscation of criminal assets.
- Serious and organised crime is not limited to openly-identifiable criminal gangs and ACT Policing will continue to proactively target, prosecute and disrupt those involved in serious and organised crime in the ACT - regardless of their individual affiliations.
- ACT Policing has, and will continue to deploy resources flexibly to ensure an appropriate police response to target and disrupt those seeking to cause harm in our community.
  - ACT Policing is in a unique position, in that it has the ability to call on resources from the broader AFP as operational requirements arise.

Cleared as complete and accurate:	29/05/2019	
Cleared by:	Executive Group Manager	Ext:
Contact Officer name:	Sch 2, s2.2(a)(ii)	Ext:
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	David Pryce	
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- These specialist and surge capabilities afford ACT Policing additional resources, to meet fluid and changing operational environments.
- The Government's commitment of \$1.594 million over four years to bolster the capability of Taskforce Nemesis provides funding for two Forensic Accountants, one Surveillance Team Member, and associated equipment and training. These funded positions will enhance ACT Policing's capability to respond to serious and organised criminal activity in the ACT.
  - The surveillance team member position has been filled.
  - Recruitment for one Forensic Accountant has been completed. Recruitment for the second Forensic Accountant is currently underway. Exact commencement date is dependent on completion of recruitment and security processes.
  - Funding allocated to combating Criminal Gangs in August 2016 has been applied, and eight members were appointed to Taskforce Nemesis.
- In 2017, the Federal Government boosted resources for dealing with organised crime through the National Anti-Gangs Squad (NAGS). Taskforce Nemesis has a NAGS members seconded / embeded into the Nemesis team enabling inoperatability and liaising on matters of operational and strategic importance. NAGS bring together the resources and expertise of Federal and state/territory agencies to cooperate and share information to identify, target, disrupt and deter gang-related crime.
- ACT Policing has had additional powers available since 2017 that have enhanced our ability to respond to and prosecute criminal gang related acts of violence after the fact.

#### Recent strategic activity

- ACT Policing has established a Whole of Government interagency working group with representatives from a number of local and Commonwealth government agencies to consider all aspects of criminal gang behaviour in the ACT.
- The group is based on the Commonwealth National Anti-Gang Squad model that brings a whole-of-government approach to addressing this issue.

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- Members of the working group include ACT Policing, ACT Housing, NSW Police (Monaro LAC), Australian Border Force, Australian Criminal Intelligence Commission, AUSTRAC, Department of Human Services, and the Australian Taxation Office.

#### Recent ACT Policing operational activity

<b>Key Taskforce Nemesis figures (criminal gang related figures)*</b>	<b>2018</b>	<b>1 Jan 2019 to 24 May 2019</b>
Criminal gang members charged**	27	12
Offences charged	78	29
Search warrants executed	100	23
Firearms seized	20	11

\*As at 28 May 2019

\*\*Person may be charged on numerous occasions

- On 22 May 2019, a 27-year-old senior member of the Comanchero Motorcycle Gang was arrested and charged with eight counts of trafficking a commercial quantity of a controlled drug (other than cannabis).
  - In February 2019, Taskforce Nemesis, with assistance from the National Anti-Gangs Squad, commenced a joint investigation into the activities of the gang member.
  - On 22 May 2019, search warrants were executed in the ACT and NSW. Drugs seized as part of this investigation included:
    - Approximately 300 grams of Methamphetamine
    - 30 grams of cocaine
    - 30 grams of MSMA
  - The total estimated street value is \$154,00.00.
  - The gang member was remanded in custody and will next appear in court in June 2019
- On 10 April 2019, police received reports of a number of shots fired in the vicinity of **Sch 2 s 2.2 (a)(ii)** in Chisholm.

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- ACT Policing attended and established a crime scene, which was examined by AFP Forensic Services. This examination revealed one 9mm shell casing.
  - No one was injured in the incident, and a number of witnesses are assisting police with their enquiries.
  - ACT Policing is investigating any possible links between this incident and Criminal Motorcycle Gangs.
- In the early hours of 4 April 2019 during a traffic stop, Police identified two males believed to be associated with the Comanchero Motorcycle Gang.
  - The males were taken into custody where one male was charged with:
    - Possess false document
    - Breach of good behaviour obligations
    - Possess prohibited substance (MDMA)
  - The second male was charged with;
    - Breach of bail conditions
    - Provide false name/information
  - The first offender was convicted and fined. The second offender has been released on bail and is due to appear in the Magistrates Court on October 2019.
- On 11 March 2019, ACT Policing responded to a firearm incident in Richardson. Investigations reveal a number of shots were fired into a residential premise.
  - Three people were in the premise at the time.
  - A female received non-life threatening injuries as a result of being struck in the upper arm with bullet fragments.
  - While there are some links between the incident and a criminal motorcycle gang member, the motive behind this incident remains one avenue of enquiry being pursued by police.

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- On 2 March 2019, ACT Policing responded to a firearm incident in Theodore. Investigations reveal a number of shots were fired into three separate residential premises, resulting in one person suffering non-life threatening injuries. The victim was transported by ambulance to hospital for further treatment.
  - When initially reported to Police, the motive for this attack was unclear.
  - Since that time, Investigators have made significant in-roads into this matter. Those investigations indicate the involvement of former Criminal Motorcycle Gang members and/or associates, and lead Police to believe the matter relates to disputes between rival criminal motorcycle gangs.
  - On 8 March 2019, a search warrant was executed at a business address in Fyshwick. Police seized ammunition, explosives and a bolt from a rifle. Investigators believe these items are linked to the incident on 2 March 2019.
  - On 18 April 2019, a search warrant was executed at a residence in Calwell. Police seized a .3030 calibre lever action rifle believed to be used in the shooting on 2 March 2019. Ammunition and an amount of Methyl amphetamine were also seized.
  - On 1 May 2019, ACT Policing Criminal Investigations arrested a 32-year-old male from Calwell in relation to the shooting. He was charged with attempted murder and discharging a firearm into a building.
    - The male appeared before the Magistrates Court on 16 May 2019 and was remanded in custody. The male is next before Court on 10 July 2019.
  - On 10 May 2019, a second male presented himself to the City Police Station in relation to the 2 March 2019 shooting in Theodore.
    - The 27 year old male was charged with aiding and abetting an attempted murder.

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- The male appeared in the ACT Magistrates Court on 11 May 2019 and pleaded not guilty. He did not apply for bail. The male was remanded in custody and will return to court in July 2019.
- On 15 and 21 February 2019, ACT Criminal Investigations officers conducted a search warrant at a residence in Isaacs, where a 25 year old man was arrested and charged with numerous serious offences.
  - The male was charged with offences including making demands with a threat to endanger health, blackmail, taking a motor vehicle without consent and possessing a prohibited weapon.
  - It will be alleged the gang member unlawfully took possession of a vehicle using threats and intimidation.
  - The offender is currently remanded in custody and will appear again in the Magistrates Court in May 2019.
- On 4 February 2019, ACT Policing responded to a reported firearms and arson incident in Kambah. Investigations reveal a number of shots were fired into a residential premise and three vehicles set alight. No people were injured in the incident.
  - ACT Fire and Rescue also attended and extinguished the vehicles.
  - The incident is believed to be targeted and related to criminal motorcycle gang activity.
  - As the matter remains subject to investigation by Taskforce Nemesis, it would be inappropriate to provide further comment.
- On 25 January 2019, Taskforce Nemesis arrested a 30 year-old man for aggravated robbery, inflict grievous bodily harm, make a demand with a threat to kill, and attempting to pervert the course of justice in Oaks Estate on 10 January 2019.
  - The alleged offender was the President of the ACT Chapter of the Satudarah Criminal Motorcycle Gang and is presently remanded in custody with the matter still before the court.

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- On 31 January 2019, a female offender was arrested and charged in relation to this matter. The alleged offender was remanded in custody and the matter remains before the court.
- On 5 February 2019, a third person was arrested and charged with driving a motor vehicle with offences related to the use of a stolen motor vehicle. The alleged offender was subsequently charged in relation to the aggravated robbery and was remanded in custody. This offender is believed to be the interim president of the ACT Chapter of the Satudarah Criminal Motorcycle Gang.
- On 9 March 2019, a fourth person was arrested in relation to this matter. The alleged offender was remanded in custody and the matter remains before the court.
- A fifth offender has been identified and extradition proceedings are being prepared by ACT Policing.
- On 18 January 2019 a physical altercation was reported at the Southern Cross Club in Woden. Approximately 16 Comanchero Criminal Motorcycle Gang members and a number of Nomads Criminal Motorcycle Gang members were involved in the affray.
  - While members of the public were in close proximity and became fearful for their safety, no members of the public were physically harmed in the incident however one member of the Nomads suffered facial injuries.
  - On 8 February 2019, Taskforce Nemesis executed a search warrant on the residence of a Comanchero member. Five Comanchero members, including the Commander of the ACT Chapter of the Comanchero Criminal Motorcycle Gang, were arrested and charged in relation to the Southern Cross club incident.
  - On 12 February 2019, a subsequent Comanchero associate was arrested and charged arising from the same matter.
  - This matter is in brief preparation phase.
- On 11 December, 2018, ACT Policing's Criminal Investigations Detectives executed a search warrant on an Isabella Plains residence.

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- During the search police located and seized approximately 134 grams of crystal methamphetamine. Police also seized more than \$20,000 which is believed to be the proceeds of selling methamphetamine.
  - A 51-year-old male from Isabella Plains with criminal motorcycle gang links was arrested and taken to the watch house where he was charged with trafficking in a controlled drug other than cannabis.
  - The matter is currently before the court.
- On 9 November, 2018, ACT Policing's Taskforce Nemesis executed search warrants at the residence of the ACT Nomads President.
  - A significant quantity of cocaine, with an estimated street value of \$100,000, ammunition, cash and a prohibited item were seized by police from the residence.
  - A male has been charged with trafficking a prohibited substance, possessing ammunition, proceeds of crime and possessing a prohibited item.
  - The matter is currently before the court.
- On 6 September 2018, a senior member of the Nomads Criminal Motorcycle Gang pleaded guilty to charges arising from a violent incident at a Monash Tattoo Parlour on 1 February 2018.
- On 5 September 2018, a previously convicted Comanchero Criminal Motorcycle Gang member completed a sentence of imprisonment arising from a firearms incident in March 2015.
  - Upon completion of his sentence, the Comanchero Criminal Motorcycle Gang member was apprehended by Australian Border Force and has been deported due to visa revocation.
- On 3 September 2018, Taskforce Nemesis extradited a male from Victoria to the ACT in relation to a firearm shooting incident at two Calwell residential properties on 28 June 2018.
  - The alleged offender was charged with attempted murder and refused bail. This matter is currently before the court.

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- During 2018 various criminal motorcycle gangs held organised club motorcycle run's to the ACT;
  - Between 5 October and 7 October 2018, the Black Uhlans Criminal Motorcycle Gang held a National motorcycle run into Canberra. The incident saw approximately 97 participants. The Black Uhlans do not currently have an established chapter in the ACT.
  - On 25 August 2018, the ACT saw its first motorcycle run by the Nomads Criminal Motorcycle Gang. The incident saw approximately 30 participants.

### Background

- Developments in criminal gang membership in the ACT have highlighted the fluid nature of the criminal gang operating environment. Criminal gang membership has traditionally been relatively stable, however, changes to criminal gang membership in recent years highlights a shift towards more fluid concepts of membership. Currently, it is not uncommon for club members to 'patch-over' and change membership to other criminal gangs.
- While such 'patch-overs' have been known to occur from time to time, large numbers of patch overs have occurred in recent years. These changes to club numbers can affect the structure and strength of a criminal gang, and has had a significant impact upon the strength and rivalry between criminal gangs in the ACT.
- Appropriate legislative frameworks are an essential component to enable police to effectively disrupt and dismantle criminal organisations. A number of legislative amendments have been made to increase the tools available to police and enhance the response capacity of police officers. Most recently, these have included legislation passed on fortifications, drive-by shootings and crime scene powers.
- ACT Policing works closely with police in other jurisdictions by sharing intelligence, best practices, and collaboratively monitoring and combating criminal gangs.
- The increase in criminal gangs and conflict in the ACT has placed increased resource pressure on ACT Policing. This requires ACT Policing to divert considerable resources in support of Taskforce Nemesis.

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TRIM Reference MIN:2019/000031-036

**Portfolios:** Police & Emergency Services**ISSUE: SAFETY OF WOMEN IN OUR COMMUNITY****Talking points:**

- Canberra remains one of Australia's safest cities.
- Crime statistics between April 2018 and March 2019 showed a 3.2 per cent decrease in family violence related assaults, down to 1152 from 1190 when compared to the previous 12 months.
- ACT Policing treats all reports assaults seriously and invests every available effort in providing a safe community for ACT residents.
- For July 2018 to March 2019 the ACT recorded a result of 92.9 per cent for community members who feel safe at home during the night. This is 5 per cent above the National average (88.4 per cent).
- 39.5 per cent of ACT community members surveyed had feelings of safety on public transport in the ACT at night. This is well above the National average of 33.2 per cent.
- These strong results reflect the efforts of the ACT Government and ACT Policing continuing to work with partner agencies and the community to maintain and improve community safety in Canberra's public spaces and in the intelligence led targeting of criminal activities.

**Key Information**

- There is often a disparity between community perception and realities when it comes to crime types. Continued community liaison and engagement is helping to bridge this gap. One example of disparities between community perception and realities is the prevalence of criminal incidences in Haig Park. Haig Park has seen a reduction in offences since 2013 from 19 down to 15 in 2018.

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Year (Calendar)	Number of Incidents
2013	19
2014	19
2015	14
2016	18
2017	12
2018	15
2019 (YTD)	8

- There have been four reported sexual assaults in Haig Park since 2013.

Cleared as complete and accurate: 03/05/2019  
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Contact Officer name: Sch 2, s2.2(a)(ii) Ext:  
Lead Directorate: Justice and Community  
Safety  
Cleared for release Yes  
Information Officer name: David Pryce  
TRIM Ref: 2019/000031-036

TRIM Ref: 2019/000031-021

**Portfolio:** Police & Emergency Services**ISSUE: ACT POLICING KEY DATA****ACT Policing**Staffing as reported in previous annual reports

2015-16	2016-17	2017-18
FTE – 968.48	FTE – 946.47	Average FTE - 931.27*
Headcount - 909	Headcount - 884	Headcount - 893

\*As per Annual Report 2016-17, in future reporting ACT Policing will be reporting FTE utilising an average FTE.

ACT Policing Budget

Original 2017-18 Appropriation	Revised 2017-18 Appropriation	Original 2018-19 Appropriation
\$161,331,000**	\$158,895,000	\$166,919,000

\*\*As published in 2017-21 Purchase Agreement.

2017-18 Budget adjustments:

The following adjustments occurred:

- -\$695,000 for the Eastman trial rolled over to 2018-19;
- -\$1,329,920 for the Enterprise Agreement rolled over to 2018-19 due to delays in implementation;
- -\$448,000 rolled over to and re-profiled for 2018-19 due to changes and delays in procurement of CEWs.
- \$37,000 additional funding received through the 2017-18 second appropriation for Drug and Alcohol court establishment.

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Call Outs –Financial Year comparison

Number of Call outs YTD, as at 31 March 2019 (End Q3 2018-19Y).

Category	2017-18 FY # of call outs	2017-18 FY Average Response time H:MM:SS	2018-19 FY (YTD) # of call outs	2018-19 FY (YTD) Average Response time H:MM:SS
Priority 1	328 7.2% increase from 2016-17 (306)	0:10:34 0:03:21 increase from 2016-17	212	0:08:41
Priority 2	13,437 2.6% decrease from 2016-17 (13,802)	0:34:08 0:01:00 decrease from 2016-17	10635	0:55:08
Priority 3	24,415 23.8% decrease from 2016-17 (32,026)	3:44:07 1:05:39 increase from 2016-17	17510	5:00:10

Summary of Key Strategies

As part of the *Purchase Agreement 2017-21* ACT Policing supports a whole of government approach in achieving the objectives of ACT Government Strategies, particularly those addressing crime. These Strategies include, but are not limited to:

- *Property Crime Prevention Strategy.*
- *Blueprint for Youth Justice in the ACT 2012-22.*
- *ACT Prevention of Violence Against Women and Children Strategy 2011-17.*
- *Aboriginal and Torres Strait Islander Agreement.*
- *Aboriginal and Torres Strait Islander Justice Partnership.*
- *Road Safety Strategy 2011-20.*
- *Justice Reform Strategy.*

Stations

There following policing locations in the ACT provide a response capability:

- City
- Belconnen
- Gungahlin
- Woden
- Tuggeranong
- Winchester Police Centre
- Traffic Operations Centre

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- Maritime facility – Shared facility between ACT Policing and the AFP.

#### Confiscation of Criminal Assets (COCA)

This is a summary of forefeiture matters under the *Confiscation of Criminal Assets Act 2003* (ACT). COCA matters are listed before the ACT Magistrates Court, on average, once a month.

	2017-18	2018-19 YTD*
Total Number of matters subject to forfeiture	29	19
Total Asset value subject to forfeiture	\$13,355,172	\$671,672
Assets subject to forefeiture, for which value is yet to be assessed:	-	8 vehicles 1 residence
Penalty order value	\$7,179,000	-

\*As at 28 May 2019.

- COCA proceedings are complex, often lengthy matters. Values of assets in COCA proceedings are approximations only and final asset values realised can be higher or lower than initial estimations.
- Asset values provided are market estimates and do not take into account potential mortgages affecting assets. Amounts realised from Penalty Orders are dependent upon the respondents' capacity to service those orders and may be significantly less than the full value of the Penalty Order.
- Assets for which restraint and/or forfeiture are sought under COCA are subject to judicial processes. Developments in these proceedings can result in changes to the estimation of asset values and ultimate realisable asset values. Such changes may affect reported totals.
- The last COCA sitting of the ACT Magistrates Court was on 21 May 2019. A number of matters were heard and restraining orders were granted by the Court.

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