

## Legislative Council

Tuesday, 12 May 2009, Page 2240

### FINKS MOTORCYCLE CLUB

**The Hon. A. BRESSINGTON** (15:17): I seek leave to make a brief explanation before asking the minister representing the Attorney-General a question about the handling of police intelligence.

Leave granted.

**The Hon. A. BRESSINGTON:** As members are no doubt aware, the Attorney-General currently has before him an application by the Police Commissioner to declare the Finks Motorcycle Club a declared organisation in accordance with the Serious and Organised Crime (Control) Act 2008. As part of this process, the act requires the Police Commissioner to provide the Attorney-General with a detailed and thorough account of the criminal activity undertaken by members of the organisation, either individually or in concert.

As was explained during the many briefings provided to both myself and other members in this place, elements of this police brief may include criminal intelligence - information sourced by the police that, if released publicly, may jeopardise criminal investigations, enable the discovery of a police informant or, more generally, endanger a person's life or physical safety.

Criminal intelligence, due to its inherent secrecy, especially being denied to defendants during judicial proceedings, has been one of the most controversial elements of the act; however, I rationalised this when debating the bill for the aforementioned reasons. It is for this reason that I was horrified to see Nigel Hunt boast in the *Sunday Mail* of 10 May that he had obtained a copy of a police brief. He proceeded to selectively quote and list some of the many offences attributed to the Finks Motorcycle Club. In an all-too-familiar scenario, it would seem that the media has again been leaked sensitive information relating to an ongoing police investigation.

My questions to the minister are:

1. Given that only the Attorney-General and the police commissioner are privy to this information, which one of them is more likely to have leaked this to the media?
2. If it was not the Attorney-General, will he refer this to the Anti-Corruption Branch of South Australia Police for investigation and report the findings to this place?
3. What time frame will be desirable for such an investigation to come to a conclusion?
4. What security measures does the Attorney-General recommend to be implemented to overcome the public mockery now of the criminal intelligence provisions of this act?

5. Given that section 13(2) of the Serious and Organised Crime (Control) Act may have been compromised, what guarantees can be given to witnesses in the future to ensure their safety?

**The Hon. P. HOLLOWAY** (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (15:20): I thank the honourable member for her very important questions. I am sure that the government shares her concern in relation to what appears to have been a breach, and I will refer her questions to the Attorney and bring back a reply.