



Nice try but bikies won't care and will still flout law

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The editorial in The West Australian yesterday summed it all up. When it comes to bikies, there is almost no law that the Government could bring in which the public might

think was too tough.

They could bring in laws which reversed the onus of proof, reduced the standard of proof, or imposed mandatory imprisonment for anything a



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member of an outlaw motorcycle gang did, and the community would probably not bat an eyelid.

There is no doubt that the latest crowd-pleaser from the McGowan Government will have the desired effect of making the public think that the Government is alive to the "bikie problem" and actively pursuing it.

But the real question is whether the new measures are likely to cause any real disruption to the activities of OMCGs in WA.

One of the first measures introduced when the McGowan Government came to power in 2017 was to lift the penalty for possession of comparatively small amounts (more than 28g) of methamphetamine to life imprisonment.

This measure failed completely and those responsible for trafficking drugs into and around WA (which would appear to include a number of OMCGs) have treated the increased penalty with contempt. It still comes in by the truckload. And boatload.

There is no reason to believe that any new law prohibiting a member of an OMCG from displaying their colours or insignia in public will have any meaningful effect on their activities.

Why would it?

Similar measures in Queensland have had almost no effect.

While any infringement under the proposed law could potentially carry a period of imprisonment, it would seem unlikely that a jail sentence would be imposed on anyone other than the most persistent and flagrant recidivist offenders.

There could also be some very interesting test cases involving persons who were already tattooed with what is now a prohibited insignia.

The law itself could also be subject to challenge at a number of levels as an invasion of civil liberties or personal freedoms. OMCGs have certainly never been shy of litigation.

While politicians will bask in the glory of public approval that these measures will bring, it is unlikely that in clubhouses around the suburbs this week the members of any WA bikie gang will be particularly concerned.

They have always found a way to flout the law and exploiting this one will be little more than a new challenge for them. If anything, it could (as can be seen with some sections of American society's adulation of rap and gangster culture) have the opposite effect on young and impressionable members of the community to whom the whole idea of a secret counterculture society has some real attraction.

At the end of the day, most OMCG's nefarious activities are carried on in extreme secrecy. The inability to openly identify who they are publicly is unlikely to be of much consequence to them.

It is hardly likely to make them shut up shop and leave town. Colours flying or otherwise, I suspect it will be business as usual.