

## Police State thwarted by NSW High Court

by staff report via cubic - SMH Wednesday, Jul 20 2011, 8:13am

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A NSW judge has dismissed a bid by the state's police commissioner to have the Hells Angels Motorcycle Club declared a criminal organisation.



Dr James Renwick, for the commissioner, told the judge on Wednesday that as the High Court had found the Crimes (Criminal Organisations Control) Act invalid, the matter was at an end.

Justice Peter McClellan then dismissed the Supreme Court application, but the issue of legal costs will be considered at a later date.

Lawyers for the club had sought their legal costs, but Justice McClellan said his initial view was that he did not have the power to make such an order.

Using laws introduced to NSW parliament in 2009, the commissioner had applied to the court to declare the Hells Angels Motorcycle Club a criminal organisation.

The declaration would have prevented members of the NSW chapter of the club from contacting each other by any means.

A breach would have resulted in two years prison, a second breach extending the term to five years.

In response to the move, Hells Angel member Derek Wainohu went to the High Court, which last month declared the Act invalid.

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