

ANTI-GANG BILL, 2024

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ANTI-GANG BILL, 2024

A BILL FOR AN ACT TO MAKE PROVISIONS FOR MAINTAINING PUBLIC SAFETY AND ORDER, BY DISCOURAGING MEMBERSHIP IN GANGS, SUPPRESSING AND PUNISHING GANG-RELATED ACTIVITIES AND FOR OTHER CONNECTED MATTERS

Enacted by the Parliament of The Bahamas

PART I - PRELIMINARY

1. Short title and commencement.

- (1) This Act may be cited as the Anti-Gang Bill, 2024.
- (2) This Act shall come into operation on such date as the Minister may appoint by notice published in the *Gazette*.

2. Interpretation.

In this Act —

“**ammunition**” has the meaning ascribed to it by section 2 of the Firearms Act (*Ch. 213*);

“**benefit**” means money or property, or any financial or other support, advantage, profit or gain;

“**firearm**” has the meaning ascribed to it in section 2 of the Firearms Act (*Ch. 213*);

“**Minister**” means the Minister responsible for national security;

“**gang**” means a combination of three or more persons, whether formally or informally organized, who act alone or in concert with each other with the aim of participating in gang-related activity, and includes a group declared a gang by the Supreme Court under section 4;

“gang leader” means a person who leads, organizes, plans, finances, directs, manages or supervises a gang;

“gang member” means a person who belongs to a gang, participates in or contributes to gang-related activity, or associates himself with gang-related activity;

“gang-related activity” means the planned, directed, ordered, authorized or requested participation or involvement of a gang in any of the activities specified in section 6 for the purposes of the gang, including —

- (a) an attempt to commit a serious offence;
- (b) the aiding, abetting, counselling, or procuring of a serious offence; or
- (c) conspiracy to commit a serious offence;

“law enforcement officer” means —

- (a) a member of the Royal Bahamas Police Force;
- (b) a member of the Royal Bahamas Defence Force;
- (c) a member of the Department of Customs; and
- (d) a member of the Department of Immigration;

“prohibited weapon” has the meaning ascribed to it in the Firearms Act (*Ch. 213*);

“recruit” means to procure, solicit, incite, induce, coerce, encourage, entice, aid, abet, or to enlist or enrol;

“retaliatory action” means any act of violence or other act by which a person attempts to get even with, or to punish, another person;

“serious offence” means an offence specified in the *Schedule*;

“school” means an establishment for the conduct of educational, technical or vocational training, sporting or social programmes, and includes a playing field or other premises established or maintained for the benefit of the pupils of a school, whether or not such building, playing field or other premises, are within the curtilage of the school, any community residence, recreation ground, or park.

PART II – EVIDENCE OF MEMBERSHIP IN GANG

3. Evidence in relation to a gang.

In any action or proceedings brought under this Act, the following shall be admissible to prove a person’s membership in a gang —

- (a) evidence of the admission by that person, of membership in a gang;

- (b) evidence of any symbols, signs or codes in possession of a person, or on his clothing, or any markings (whether in the form of tattoos on his body or on his clothing or any other item), or other body markings, clothing, signs and codes in possession of, or on the person, that identifies or is associated with a gang and indicates a link or involvement with that gang;
- (c) evidence of criminal activity by the person that indicates a link or involvement with a gang;
- (d) evidence that the person is or has associated with a gang or any of its participants with intent to facilitate the commission of gang-related activity or assist in gang-related activity;
- (e) evidence that the person knowingly assisted in, or in any way facilitated, the concealment, transportation or disposal of evidence of gang-related activity;
- (f) evidence that the person knowingly concealed or shared in the proceeds of gang-related activity;
- (g) any statement made, or information given, distributed, or communicated by that person on behalf of, or in the name of a gang;
- (h) any statement made by a person whether orally or in writing, and published or otherwise distributed by him indicating his involvement in gang-related activity; or
- (i) any other evidence, which reasonably shows or demonstrates membership in a gang.

4. Declaration of a gang.

- (1) Where the Minister has reasonable grounds to believe that a group of persons is involved in any gang-related activity as defined in section 2, he may make application to the Supreme Court for a declaration that the group of persons is a gang for the purposes of this Act.
- (2) Any person aggrieved by any decision of the Court under subsection (1) may appeal that decision to the Court of Appeal within twenty-one days of the decision.

PART III – OFFENCES

5. Gang membership.

- (1) A person who —
 - (a) is a gang leader;
 - (b) is a gang member;
 - (c) performs an act as a condition for membership in a gang; or
 - (d) professes to be a gang member in order to —
 - (i) obtain a benefit for himself or another person;
 - (ii) intimidate another person into joining a gang; or
 - (iii) promote a gang,commits an offence.
- (2) A person who commits an offence under subsection (1) (a) or (b) is liable on conviction on information for a term not exceeding twenty-five years.
- (3) A person who commits an offence under subsection (1) (c) or (d) is liable on summary conviction to imprisonment for a term not exceeding seven years.

6. Gang-related activity

- (1) A gang leader or gang member engages in gang-related activity where he —
 - (a) knowingly advises, causes, encourages or recruits another person to become a member of a gang;
 - (b) acts alone or in concert with other persons in the commission of a serious offence for the purpose of obtaining material or financial benefit for a gang or for promotion of a gang;
 - (c) directly or indirectly instructs, instigates, commands, counsels, procures, organises, solicits or in any manner purposely aids, facilitates, encourages or promotes any member of a gang to commit a serious offence;
 - (d) threatens any person with retaliatory action in response to any act or alleged act of violence against a gang leader or gang member;
 - (e) takes any action for the purpose of retaliation, intimidation, or coercion, against another person on behalf of the gang or any member of the gang;
 - (f) kidnaps or attempts to kidnap any person, or threatens any person with injury or detriment of any kind with intent to

- extort or gain anything from any person for or on behalf of a gang;
 - (g) provides instructions or training to a person recruited for the purposes of or in connection with participation in a gang;
 - (h) possesses an article for the purpose of the preparation, instigation or commission of a serious offence on behalf of a gang;
 - (i) possesses, collects, makes or transmits a document or records for use by a person committing or preparing to commit a serious offence on behalf of a gang;
 - (j) provides, receives or invites another to provide property for the purposes of a gang;
 - (k) uses, causes or permits any person to use property belonging to a gang for the purposes of the activities of a gang;
 - (l) knowingly enters into an arrangement with another person to facilitate the retention or control of gang funds ;
 - (m) intentionally and unlawfully wounds or causes grievous harm to a law enforcement officer during the investigation of a gang leader or gang member;
 - (n) endangers the life of any person or causes serious damage to the property of any person on behalf of a gang; or
 - (o) organizes, attends or addresses a meeting for the purpose of encouraging support of a gang or furthering the activities of a gang.
- (2) A person who engages in any gang-related activity specified in subsection (1), commits an offence and shall on conviction on information be liable to a fine of one hundred thousand dollars and to imprisonment for twenty-five years.
- (3) If as a result of any gang-related activity against any person, that person dies, any gang leader, gang member and any other person responsible for the act which causes death, commits an offence and on conviction on information shall be liable to imprisonment for life.

7. Retaliatory action.

- (1) A person shall not take any retaliatory action against another person or any of that other person's relatives, friends, associates or property on account of that other person —
- (a) refusing to become a gang leader or gang member;
 - (b) ceasing to be a gang leader or gang member;

- (c) giving information to a law enforcement officer in relation to a gang, or gang related activity;
 - (d) assisting in an investigation of a gang, or gang related activity;
 - (e) giving evidence in the prosecution of a gang leader or gang member;
 - (f) refusing to comply with an order of a gang leader or gang member;
 - (g) refusing to participate in retaliatory action ordered by the gang against another person or any of that other person's relatives, friends, associates or property; or
 - (h) refusing to provide funding or resources to a gang.
- (2) A person who contravenes subsection (1), commits an offence and is liable on conviction on information to imprisonment for a term not exceeding twenty years.
- (3) For the purposes of this section, “**relatives**” means, in relation to a person —
- (a) his parent, step-parent or guardian;
 - (b) his spouse, fiancée or any person having an intimate relationship with that person;
 - (c) his child, step-child, or other dependant;
 - (d) his brother, sister, sister, step-brother or step-sister;
 - (e) any of his grandparents;
 - (f) uncle, aunt, or cousin;
 - (g) his father-in-law, mother-in-law, brother-in-law or sister-in-law; or
 - (h) any person responsible for that person's care and support.

8. Counselling etcetera a gang.

- (1) A person who knowingly —
- (a) counsels;
 - (b) gives instructions to;
 - (c) finances; or
 - (d) provides support to,
- a gang leader, gang member or gang in furtherance of the gang's participation or involvement in gang-related activity, or in the commission of a serious offence, commits an offence and is liable on conviction on information to imprisonment for a term not exceeding twenty-five years.

- (2) Subsection (1) shall not apply to a person who counsels or gives instructions with the sole objective of encouraging participants in a gang to desist from so participating.

9. Preventing gang leader or gang member from leaving gang.

A person who prevents, hinders or impedes a gang leader or gang member from leaving a gang commits an offence and is liable on conviction on information to imprisonment for a term not exceeding twenty-five years.

10. Harboursing a gang leader or gang member.

- (1) A person who knowingly shelters, or otherwise harbours a gang leader or a gang member commits an offence and is liable on conviction on information to imprisonment for a term not exceeding twenty years.
- (2) For the purposes of subsection (1), where —
- (a) the gang leader or gang member is a child; and
 - (b) the person convicted is the parent or is acting *in loco parentis* to the child,

the Court in sentencing the person convicted, shall take into consideration mitigating factors such as efforts made by the person convicted to reform or rehabilitate the child.

11. Concealing a gang leader, gang member or gang-related activity .

A person who knowingly conceals —

- (a) the identity of a gang leader or gang member; or
- (b) the occurrence of a gang related activity,

commits an offence and liable on conviction on information to imprisonment for a term not exceeding twenty-five years.

12. Disposing of or sharing in proceeds of gang-related activity.

A person who knowingly disposes of, or shares in, the proceeds of any gang-related activity, commits an offence and liable on conviction on information to imprisonment for a term not exceeding twenty-five years.

13. Recruiting a gang member.

- (1) A person who recruits another person to join a gang commits an offence and is liable on conviction on information to imprisonment for a term not exceeding twenty years.
- (2) Subject to subsection (3), a person who recruits a child to join a gang commits an offence and is liable on conviction on information to imprisonment for a term not exceeding twenty-five years.

- (3) A person who recruits a child to join a gang —
 - (a) on the premises of a school or a place of worship; or
 - (b) within five hundred yards of a school or a place of worship,commits an offence and is liable on conviction on information to imprisonment for a term not exceeding twenty-five years.

14. Providing a benefit to a gang, or obtaining a benefit from a gang.

- (1) A person shall not knowingly provide a benefit or support to a gang or any gang-related activity.
- (2) A person shall not knowingly obtain a benefit or derive any support from a gang or from any gang-related activity.
- (3) A person who contravenes subsection (1) or (2) commits an offence and is liable on conviction on information to imprisonment for a term not exceeding twenty-five years.
- (4) In determining whether a person has committed an offence under this section, the Court may take into account all factors that appear to it to be relevant, including —
 - (a) evidence of activity by the person that is consistent with his having provided a benefit, or otherwise provided support to a gang or to any gang-related activity;
 - (b) evidence of the possession by that person of articles or documents that give rise to a reasonable inference that such articles or documents were in his possession or control for a purpose connected with providing a benefit or other support to a gang or gang-related activity.

15. Professing to be a part of, or participating in a gang for benefit.

- (1) A person shall not, in order to gain a benefit, falsely profess to be a part of, or a participant in, a gang, or to be acting on behalf of, or on the instruction of, a gang, whether by —
 - (a) telling other persons that he is a part of, or a participant in, a gang, or is acting on behalf of, or on the instruction of a gang; or
 - (b) otherwise giving the impression by words or actions to other persons that he is a part of, or a participant in, a gang, or is acting on behalf of, or on the instruction of, a gang.
- (2) A person who contravenes subsection (1), commits an offence and is liable on summary conviction to imprisonment for a term not exceeding seven years.

16. Aiding, abetting, promoting or facilitating gang-related activity.

- (1) A person shall not knowingly aid or abet any gang or become an accessory before or after the fact in carrying out a gang-related activity.
- (2) A person shall not, in order to promote or facilitate a gang-related activity, incite or induce another person to —
 - (a) commit a serious offence; or
 - (b) engage in an act of violence or any act intended to intimidate others.
- (3) A person who contravenes subsection (1) or (2) commits an offence and is liable on conviction on information to imprisonment for a term not exceeding twenty years.

17. Hindering or preventing investigation or prosecution of a gang or gang related activity.

- (1) A person shall not hinder or prevent an investigation or prosecution of a gang, or gang-related activity, incite or induce another person to engage in an act of violence against any person involved in the investigation or prosecution, or to engage in any other act intended to intimidate any person involved in the investigation or prosecution.
- (2) A person who contravenes subsection (1), commits an offence and is liable on conviction on information to imprisonment for a term not exceeding twenty years.

18. Possession of bullet proof vest, firearm, or prohibited weapon for gang-related activity.

A person who —

- (a) has in his possession a bullet-proof vest, firearm or prohibited weapon which he knows or ought reasonably to know may be used in the commission of a gang-related activity; or
- (b) uses a bullet-proof vest, firearm or prohibited weapon in the commission of a gang-related activity,

commits an offence and is liable on conviction on information to a fine of one hundred thousand dollars and to imprisonment for a term not exceeding twenty-five years.

19. Disclosure of information-tipping off.

- (1) Any person who, knowing or having reasonable grounds to believe that an investigation is being conducted or about to be conducted in respect of an offence under this Act —

- (a) discloses to a member of a gang any information which —
 - (i) makes him aware of a potential or ongoing investigation into gang-related activity; and
 - (ii) is likely to prejudice the investigation; or
- (b) tampers with evidence which is likely to be relevant to the investigation,

commits an offence and is liable on conviction on information to a fine of one hundred thousand dollars and to a term of imprisonment for a term not exceeding twenty years.

- (2) Nothing in subsection (1) makes it an offence for a counsel and attorney to disclose any information or other matter protected by legal professional privilege —
 - (a) to a client, or his representative, in the course of giving legal advice to that client in connection with that investigation; or
 - (b) to any person —
 - (i) in connection with potential or ongoing legal proceedings; and
 - (ii) for the purpose of those proceedings.
- (3) Subsection (2) does not apply in relation to any information which is disclosed by a counsel and attorney with a view to furthering any criminal purpose.
- (4) It is a defence for a person charged with an offence under subsection (1) if he proves that he did not know that the disclosure was likely to be prejudicial to, or to interfere with, the investigation, or that he had a lawful excuse for the disclosure or interference.

20. Falsifying, concealing destroying or otherwise disposing of documents relevant to an investigation.

- (1) A person who falsifies, conceals, destroys or otherwise disposes of, or causes or permits the falsification, concealment, destruction or disposal of documents or items relevant to an investigation or prosecution of a gang or gang-related activity, commits an offence.
- (2) A person who commits an offence under this section is liable on conviction on information to imprisonment for a term not exceeding ten years.

21. Obstructing justice.

- (1) A person who wilfully obstructs, perverts, or defeats the course of justice, or wilfully attempts to obstruct, pervert or defeat the course of justice under this Act, commits an offence.

- (2) A person commits an offence under subsection (1) who, in any proceedings to which this Act applies —
- (a) intimidates, interferes with, threatens or uses physical force, against a judge, magistrate, counsel and attorney, witness or juror;
 - (b) offers a bribe to any judge or magistrate;
 - (c) dissuades or attempts to dissuade a person from giving evidence;
 - (d) induces a witness to give false evidence or to refrain from giving evidence by promising or offering a benefit to the witness;
 - (e) fabricates or disposes of relevant evidence;
 - (f) conspires with another to obstruct, pervert or defeat the course of justice;
 - (g) interferes with the production of evidence for the purpose of interfering with the judicial process.
- (3) A person who commits an offence under this section is liable on conviction on information to imprisonment for a term not exceeding twenty-five years.

22. Obstructing a public officer.

A person who resists or wilfully obstructs a public officer in the execution of his duties under this Act, or a person lawfully acting in aid of the public officer, commits an offence.

23. False Statement.

A person who, with intent to mislead, makes a false statement under this Act knowing that the statement is false, commits an offence.

24. Intimidation.

A person who, intimidates and causes another person to reasonably fear for his safety for the purposes of compelling that other person—

- (a) to abstain from doing anything that the person has a lawful right to do under this Act; or
- (b) to do anything that the person has a lawful right to abstain from doing under this Act,

commits an offence.

PART IV – POWERS OF POLICE OFFICERS

25. Police powers of entry, search and arrest.

- (1) A police officer may arrest without a warrant a person whom he has reasonable cause to believe is a gang leader, gang member, a person involved in gang-related activity, or a person who he has reasonable cause to believe has committed an offence under this Act.
- (2) A magistrate may issue a warrant to a police officer authorizing the police officer to enter and search a dwelling house where the magistrate is satisfied by evidence on oath that there is reasonable ground for believing that there may be found in the dwelling house a gang leader, gang member, a person involved in gang-related activity, or other person whom he has reasonable cause to believe has committed an offence under this Act.
- (3) A police officer may with consent, enter and search a place or premises not used as a dwelling house including a building, ship, vessel, carriage, box or receptacle, if he has reasonable cause to believe that a gang leader, gang member, a person involved in gang-related activity, or other person whom he has reasonable cause to believe has committed an offence under this Act may be found.
- (4) Where a person refuses to give consent under subsection (3), a police officer may apply to a magistrate for a warrant to search a place or premises if he has reasonable cause to believe that a gang leader, gang member, a person involved in gang-related activity, or other person whom he has reasonable cause to believe has committed an offence under this Act may be found.
- (5) A magistrate may issue a warrant to a police officer on application under subsection (4), authorizing the police officer to enter and search premises not used as a dwelling house where the magistrate is satisfied by evidence on oath that there is reasonable ground for believing that there may be found in the premises, a gang leader, gang member, a person involved in gang-related activity or other person whom he has reasonable cause to believe has committed an offence under this Act.

PART V - FORFEITURE OF PROPERTY

26. Forfeiture of property of gang.

- (1) The court by or before which a person is convicted of an offence under this Act may make a forfeiture order in accordance with the provisions of this section.

- (2) Where a person is convicted of an offence under this Act the court may order the forfeiture of any property in his possession or under his control at the time of the offence, and which —
 - (a) he intended should be used for the purposes of gang-related activity;
 - (b) he knew would or might be used for the purposes of gang-related activity; or
 - (c) he knew was the property of a gang or would be used for the purposes of gang-related activity.
- (3) Where a person is convicted of an offence under this Act, the court may order the forfeiture of any property which is wholly or partly and whether directly or indirectly received by any person as a payment or other reward from the person convicted, in connection with the commission of the offence.
- (4) Before making an order under this section, a court shall afford any person —
 - (a) who is not a party to the proceedings; and
 - (b) who claims to be the owner of, or otherwise interested in, any property which may be forfeited under this section,an opportunity to be heard.
- (5) For the purposes of this section “**property**” means all property wherever situated and includes —
 - (a) money;
 - (b) all forms of property, real or personal, heritable or moveable; or
 - (c) things in action and other intangible or incorporeal property.

PART VI – MISCELLANEOUS

27. General penalty.

Any person convicted of an offence under sections 21, 22 and 23 is liable on summary conviction to a fine not exceeding fifteen thousand dollars or to a term of imprisonment not exceeding seven years.

28. Regulations.

The Minister may make regulations for the better carrying out of the provisions of this Act.

SCHEDULE

(sections 2, and 6)

SERIOUS OFFENCES REFERRED TO IN SECTION 6(1) (b), (c), (h), and (i).

1. Offences under the Penal Code (*Ch. 84*):
 - (a) assault and similar offences;
 - (b) kidnapping;
 - (c) homicide and similar offences;
 - (d) arson and mischief to property;
 - (e) robbery, fraud, extortion and stealing;
 - (f) burglary and house-breaking;
 - (g) forgery and false coin;
 - (h) threats of death;
 - (i) possession of an article for the purpose of the preparation, instigation or commission of an offence in this Schedule.
2. Offences under the Firearms Act (*Ch. 213*):
 - (a) possession and use of a firearm or prohibited weapon with intent to injure;
 - (b) possession of a firearm or prohibited weapon;
 - (c) possession of a firearm without a licence, certificate or permit;
 - (d) use or possession of, an imitation firearm in certain cases.
3. Offences under the Dangerous Drugs Act (*Ch. 228*):
 - (a) possession of dangerous drugs with intent to supply;
 - (b) possession of dangerous drugs;
 - (c) importation of dangerous drugs without an import authorization or the export of dangerous drugs without an export authorization;
 - (d) smuggling of dangerous drugs.
4. Offences of money laundering and other offences under the Proceeds of Crime Act 2018 (*No. 4 of 2018*).
5. Offences under the Trafficking in Persons (Prevention and Suppression) Act (*Ch. 106*).
6. Offences under the Prevention of Bribery Act (*Ch. 88*).
7. Offences under the Anti-Terrorism Act, 2018 (*No. 27 of 2018*).
8. Offences under the Gaming Act (*Ch. 388*).

9. Rape, indecent assault and procurement for the purposes of prostitution under the Sexual Offences Act (*Ch. 99*).
10. Instructs, instigates, commands, counsels, procures, organises, solicits or in any manner purposely aids, facilitates, encourages or promotes any person to commit any offence in this Schedule.

OBJECTS AND REASONS

The Anti-Gang Bill, 2024, makes provision for maintaining public safety and order, by discouraging membership in gangs, suppressing and punishing participation of gang members in serious offences, and in gang-related activity.

Clause 1 of the Bill makes provisions for the Short Title and the appointed day notice provision to reflect the date on which the Bill when enacted will come into operation.

Clause 2 of the Bill defines those terms which are used in the Bill.

Clause 3 of the Bill prescribes the evidence which is admissible to prove membership in a gang.

Clause 4 empowers the Supreme Court on the application of the Minister, to make a declaration that an organized group is a gang for the purposes of the Act and gives a right of appeal to a person aggrieved by the decision of the Supreme Court.

Clause 5 makes gang membership unlawful and any person who is a gang leader or a gang member commits an offence. This clause also penalizes a person who performs an act as a condition for membership in a gang.

Clause 6 defines gang-related activity, and a person who engages in gang-related activity commits an offence. If as a result of gang-related activity against any person, that person dies, the penalty prescribed by this clause is imprisonment for life.

Clause 7 makes unlawful, retaliatory action as defined in this clause, by a person against another person or that other person's relatives, friends, associates or property.

Clause 8 creates an offence where a person counsels, gives instructions to, finances or provides support to a gang leader or a gang member in furtherance of the gang's participation or involvement in gang-related activity.

Clause 9 makes it an offence for a person to prevent, hinder or impede a gang leader or gang member from leaving a gang.

Clause 10 prohibits a person from knowingly harbouring a gang leader or gang member.

Clause 11 makes the concealment of the identity of a gang leader, gang member, or the occurrence of any gang-related activity, an offence.

Clause 12 makes it an offence to dispose of, or share in, the proceeds of gang related activity.

Clause 13 makes the recruitment of another person to join a gang, an offence. Where the recruitment is of a child to join a gang, this clause makes it a more serious offence.

Clause 14 makes it unlawful to provide a benefit to a gang or to obtain a benefit from a gang or from any gang-related activity.

Clause 15 makes it an offence for a person in order to gain a benefit, to falsely profess to be a part of or a participant in a gang.

Clause 16 provides that a person who knowingly aids or abets any gang or becomes an accessory before or after the fact in carrying out a gang-related activity commits an offence.

Clause 17 makes it unlawful for a person to hinder or prevent an investigation or prosecution of a gang, or gang-related activity, by inciting or inducing another person to engage in an act of violence against any person involved in the investigation or prosecution, or to engage in any other act intended to intimidate any person involved in the investigation or prosecution.

Clause 18 makes it unlawful for a person to have in his possession a bullet-proof vest, firearm or prohibited weapon or ammunition which he knows or ought reasonably to know may be used in the commission of a gang-related activity. It is also an offence under this clause to use a bullet-proof vest, firearm, prohibited weapon or ammunition in the commission of a gang-related activity.

Clause 19 prohibits the disclosure of information or tipping-off, by any person to a member of a gang, which makes him aware of a potential or ongoing investigation into gang-related activity. Counsel and attorneys are exempted where the disclosure of information is protected by legal professional privilege.

Clause 20 makes it unlawful for a person to falsify, conceal or otherwise dispose of documents or instruments relevant to an investigation or prosecution under this Act.

Clause 21 deals with the wilful obstruction, perversion or defeat the course of justice under this Act by intimidating, threatening or offering a bribe to persons involved in the administration of justice, witnesses and jurors in any proceedings under this Act.

The penalties for offences under clauses 4 to 20 are specifically stated in the Bill. These penalties range from ten to twenty-five years on conviction on information and in some cases, fines of up to one hundred thousand dollars or to both fine and imprisonment. In the case of those offences which are summary, the penalty is imprisonment for a term not exceeding seven years.

Clause 22 makes it an offence for a person to resist or wilfully obstruct a public officer or a person lawfully acting in aid of the public officer in the execution of his duties under the Act.

Clause 23 makes it an offence for a person, who with intent to mislead, makes a false statement.

Clause 24 makes it unlawful for a person to do any act which intimidates and causes another person to reasonably fear for his safety for the purpose of

compelling that person to abstain from doing anything that the person has a lawful right to do under this Act, or for compelling that person to do anything that the person has a lawful right to abstain from doing under this Act.

Clauses 25 re-enforces the general powers of entry, search and arrest by police officers in relation to offences under this Act.

Clause 26 makes provisions for forfeiture of the property of a gang, or property used or intended to be used for gang-related activities on conviction of any person in possession of or in control of the property.

Clause 27 provides for a penalty on conviction of the summary offences in clauses 22, 23 and 24 to a fine not exceeding fifteen thousand dollars or a term of imprisonment not exceeding seven years.

Clause 28 provides for regulations to be made under the Act.

The Schedule lists the serious offences referred to in Clauses 2 and 6.

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