



**Brief outline of the statutory declaration provided in support of the application  
by the Commissioner for Police for a declaration of the Rebels Motorcycle Club  
operating in South Australia pursuant to the provisions of the *Serious and  
Organised Crime (Control) Act 2008***

**INFORMATION SHEET**

1. The application for a declaration under Part 2 of the *Serious and Organised Crime (Control) Act 2008* ("the Act") relating to the Rebels MC can be viewed at [www.agd.sa.gov.au](http://www.agd.sa.gov.au). It refers to the statutory declaration of Assistant Commissioner of Police, Anthony Gerard Harrison ("the statutory declaration"), made on 7 December 2009. That statutory declaration contains the evidential material that the Police rely upon in making the application and which, along with any submission made by any member of the public and any member of the Rebels MC, will be considered by the Attorney-General in determining whether or not to make the declaration sought. In particular, the statutory declaration sets out the history of the Rebels Motorcycle Club and its structure (including its constitution, unwritten rules and membership structure). The statutory declaration also lists the 27 known members as at 1 January 2009 and three new nominee members who have come to the attention of South Australia Police (SAPOL) since that date. Lastly, it details serious criminal activity and other significant offending of the 27 members.
2. The following is a brief outline of the information contained in the statutory declaration. A proportion of the information relied upon by the Police Commissioner is criminal intelligence and cannot be disclosed under the *Serious and Organised Crime (Control) Act 2008*. Criminal intelligence comprises information which relates to actual or suspected criminal activity the disclosure of which could reasonably be expected to prejudice criminal investigations, to enable the discovery of the existence or identity of a police informant or to endanger a person's life or physical safety.
3. This outline of the statutory declaration is just that, an outline. It does not represent the views of the Attorney-General and should not be taken as indicating any concluded view. The Attorney-General will not proceed to consider the content of the statutory declaration and any consequent



submission and whether they justify granting the application for a declaration made in relation to the Rebels MC by the Commissioner of Police until such time as all consultation required has concluded.

### **History of the Rebels MC**

4. Insofar as the history and structure of the organisation is concerned, the Assistant Commissioner has relied upon the expertise of the Crime Gangs Task Force. The Crime Gangs Task Force has principal responsibility for investigating the criminal activities of the Rebels MC
5. The Rebels MC is an Australian motorcycle gang (MCG), which has Chapters in all states and in Canberra. Rebels also exist in the United States, however, they are not directly related.
6. The Rebels MC is recognised as having the largest membership of all MCGs in Australia.
7. The first South Australian chapter, which became known as the Adelaide Chapter, was commenced in Adelaide in 1991. It was formed by both a voluntary and involuntary take-over of some members of the Mobshitters MCG in Adelaide. The first known clubhouse of the Rebels MC in South Australia was in Stepney. This had also been the clubhouse of the Mobshitters. Membership (including nominees) within South Australia grew quickly to 37, with most of these having a criminal history.
8. Since the establishment of the Adelaide chapter in 1991, chapters have variously been established at Roxby Downs, Whyalla, Salisbury South, Iron Knob, Port Adelaide, Old Noarlunga and Ridgehaven.
9. There are presently only two chapters of the Rebels MC operating in South Australia. They are situated at Old Noarlunga (the 'Southside' chapter) and at Ridgehaven (the 'Northside' chapter). SAPOL is aware that members were also considering establishing a chapter at Victor Harbor.
10. In November 2009, the clubhouse at Ridgehaven was searched by Police while they attended to arrest a (now former) member. He was wanted in relation to an unlawful detention matter and possession of a firearm. This search confirmed



that the premises were being used by the Rebels MC as a clubhouse. The member concerned was not at the clubhouse at the time. However, during the search, a five shot handgun was located in a bag in a bedroom that was being occupied by another member of the Rebels MC. The firearm did not have a serial number or the branding of its manufacturer engraved onto any its component. That member was arrested and charged in relation to the firearm.

11. Members of different Chapters of the Rebels MC in South Australia come together for meetings or have otherwise associated with each other.

### **Club structure**

12. The Rebels MC has a traditional MCG hierarchy of command. At the national level it has a President, Vice President, Treasurer/Secretary, and Sergeant at Arms. Each State also has a State President, Secretary/Treasurer and Sergeant at Arms. Similarly, each chapter usually has a President, Treasurer/Secretary and Sergeant at Arms.
13. The President at each level is the leader and usually presides at meetings. He has the final authority and is usually the Club's spokesman when dealing with law enforcement agencies and the media.
14. The Treasurer/Secretary at each level is responsible for maintaining records and handling club money.
15. The Sergeant at Arms at each level is one of the most influential positions and is in charge of maintaining order and discipline and enforcing the president's orders. He is also integral to any aggressive activity directed towards any other MCGs.
16. All members of the Rebels MC across Australia are bound by the decisions of the national officer bearers. The national President has overriding control of the Rebels MC in Australia, including those members in South Australia, and runs the Club with strict adherence to club rules.
17. The Sergeant at Arms of the Rebels MC at the national level appears to have the authority over all Australian Chapters for the purposes of maintaining order within the Club.



18. The statutory declaration names the national President. It also names those who are suspected of holding the offices of national Vice-president and national Sergeant at Arms.
19. The Sergeant at Arms at a State level is often referred to as the enforcer of the club due to the responsibility he has to 'enforce' rules upon members who have strayed from them. The Sergeant at Arms may issue fines or invoke other methods of discipline which at times includes assaulting nominees or members for bringing the club into disrepute or straying from club rules. His duties will at times extend to retrieving the colours of former members and ensuring club tattoos are blacked out, altered or end dated. The Sergeant at Arms is the only club member allowed to use violence against another member in club meetings.
20. The statutory declaration names the State President, the current President of the Southside chapter and the inaugural South Australian President. It also names those that are suspected of being State Sergeant at Arms and State treasurer.
21. Senior members regulate dealings between members of Rebels MC and Police. For example, the State President has requested Police to notify him of those Rebels members who are wanted on warrants or other matters and he would arrange for them to be delivered to Police. On another occasion, senior office holders requested that the Crime Gangs Task Force advise them of any incidents within licensed premises concerning Rebels members and they would order their members to leave. Other members were also present and all stressed that to avoid conflict, Crime Gangs Task Force should liaise with their senior members first. Senior office holders may also arrange for clubrooms to be opened for Police in order to facilitate a lawful search of the premises.

*Written constitution*

22. In August 2007 a document entitled *Rebels MC Constitution* (the constitution) was located during a Police search of an ex-member's home. The constitution provides that "The club is for your enjoyment of riding motor bikes and companionship"; and "The club is a non profit organization which promotes (*sic*) the riding of Harley Davidson motor cycles". The constitution stipulates that members are to own a Harley Davidson.



23. The constitution provides that “What said (sic) in a meeting stays in the meeting”.
24. It also states “Fines have been put in place by the club and will be enforced for anybody who pushes the boundaries”. Examples of fines are provided and include “Not coming to a meeting \$50”.
25. The constitution envisages membership by nomination and during this period the prospective member is referred to as a nominee. A nominee is also referred to as a “nom”.
26. The constitution states that “Drugs are looked down on ... [and] are something you and your club can go without. Heroin and smoking ice is totally taboo ... any person dealing using or lending money to other persons in connection to make money on heroin and ice you will lose your colours and your bike will be confiscated. If you have a woman ... and she is a known informant or takes heroin ice (sic) you will loose (sic) your colours if you decide to stay with her”.
27. Members are only permitted to join the club once. “He will join once and leave only once. Never to join another club”.

#### *Written nominee rules*

28. Prior to becoming a full member of the Rebels MC, a person must go through a period in which they are ‘nominees’ of the Club. In 2002 a document entitled *Introduction into Nomination for the Membership into the Rebels Motorcycle Club Australia* (the nominee rules) was located during a search of a member’s home. The same document was also located during a search of another member’s home in 2007.
29. The nominee rules provide that to become a nominee for the club the person must ride a Harley Davidson motor cycle.
30. A nominee is required to have “110% Dedication and Devotion...it does mean that your commitment when required will be without question and undoubtedly and absolutely 110%”.
31. If a nominee wishes to leave the club, “you can only do so at the meeting table were (sic) given your nominee patch, on a meeting night this is a compulsory



procedure so that when summing (*sic*) up will break free with no ongoing resentments”.

32. The nominee rules imply that the club also has unwritten rules and practices that are to be followed. They provide that “for you to become a nominee you are obliged to spend time with members of the club so that you are familiar with the purposes and the practices of the club”. They further provide that “Once you have become a nominee there are many rules to follow, this will determine if you are to become a full member or not”. Similarly, they also relevantly provide “... there are a lot of regulations to follow. If you have been spending time with the club you should be well aware of them...”.

#### *Unwritten rules and practices*

33. Unwritten rules and practices of the Rebels MC include the following.
34. Before obtaining full membership a nominee may be required to perform illegal activities on behalf of full members.
35. It is normal procedure when members of the Rebels MC go out together for the nominee to carry a firearm for the protection of members. In the event of trouble the nominee gives the firearm to a member or uses it himself. The nominee carries the firearm to protect full members from police detection.
36. A nominee is required to transport drugs in a vehicle separate from a full member and must drive in a manner that avoids police detection. Again, this protects full members from police detection.
37. In the event of confrontations between the Rebels MC and other MCGs, members and nominees call upon each other for support and are required to act in unity. If they fail to do so there may be reprisals, possibly including expulsion from the Club.
38. Rebels MC nominees are not permitted inside the Clubhouse during “Church night” (the night on which the chapter holds its regular meeting). They must remain outside and provide security for the premises. They may possess loaded firearms and other weapons for this purpose. These are not to be used



against Police or members of the public but are intended for use against rival MCGs.

39. Whilst the constitution specifically provides for the imposition of fines and expulsion for members and nominees who fail to obey Club rules, breach of Club rules may also include violence. A clause of the Nominee Rules states in part *“Always treat the club and its members with respect, never talk to any other person outside the club about the way you feel about the club or anyone in it, this is classed as treason and in the days of the pirates, they would make you walk the plank. I hope you understand what this means”*.
40. This clause implies that the culture of the Rebels MC is one of enforced silence and violence where considered necessary.
41. Another clause of the nominee rules also implies that violence is part of club culture. It states in part, *“Be very careful how you perceive the word victimised some people say that unless you are unconscious then you are not being hard done by”*.
42. It is an accepted practice for senior members of the Rebels MC to be involved in obtaining legal representation for members and associates facing criminal charges, and for the Rebels MC to provide funding to meet the legal costs associated with defending such charges.

#### *The incorporated associations*

43. The Rebels MC operating in South Australia has from time to time utilized two incorporated associations to conduct some of its activities. They are Rebels Motorcycle Club Australia (Adelaide) Inc. (called Rebels Motorcycle Club Australia Inc when incorporated) and Rebels Motorcycle Club Australia (Roxby Downs) Inc. These have sporadically and variously been used to apply for liquor licences, to manage Club property (in particular, clubhouses) and as the registered owner of motorcycles.

#### **Membership structure**

44. Membership of the Rebels MC is only open to males.



### *Nominees*

45. Membership of the Rebels MC entails a lengthy nomination process of at least 12 months. Every nominee has a full member who is responsible for them and who sponsors them through the process. At the end of the probationary period the members of the Chapter vote as to whether the nominee should be granted membership. If the vote is not successful either the probationary period is extended or the person leaves the club. The nominee process has been adopted to prevent law enforcement agencies from infiltrating through the use of undercover operatives.
46. A nominee rides with the club, usually behind full members and does menial tasks for any full member. The gang culture demands and expects obedience and subservience from the nominee. The mundane duties included cleaning the clubhouse, working behind the bar on club nights and transporting members to and from various social events.
47. Nominees may be recruited from family members and “hang arounds” and from prison.
48. A nominee wears a sleeveless denim or leather jacket with a Rebels MC nominee patch on the front of his vest over his heart. A nominee is not allowed to wear his full ‘colours’ until after his initiation. Once the nominee receives this he is a fully ‘patched’ member.

### *Full members and colours*

49. Full members of the Rebels MC have earned the right to wear the ‘patch’ or ‘colours’. The ‘colours’ are the official uniform and are held as ‘sacred’ by members and the Club. Colours consist of a sleeveless jacket made from denim or leather that has the Rebels MC emblem on the rear. The emblem currently consists of a confederate flag with a skull wearing a confederate cap and a 1% symbol in the centre, A top ‘rocker’ sits above the emblem. This is a semi circular patch with the word “Rebels” on it. A bottom rocker sits below the emblem. This has the word “Australia” on it.
50. The colours generally bear numerous badges, pins and other memorabilia referred to as patches that have significance to the Club. The constitution



provides that “All club badges must worn in club order, failure to do so will result in \$100 fine and after 3 fines you loose (sic) your colours”.

51. The patches worn by members of the Rebels MC include but are not limited to:-
  - RFFR – Rebels Forever Forever Rebels.
  - REBEL POWER – This patch is worn to the front, containing the Rebel emblem with 1 %.
  - 13 – Number 13 in a diamond patch worn to the front. It usually means the member is a drug user and dealer.
  - 10 – Patch with 10 indicates a Rebels life member.
  - ‘Forever’ - Large bottom ‘rocker’ worn to the side front with ‘forever’ - This indicates life membership.
  - 1 % - worn by most MCG members.
52. The statutory declaration contains photographs of 12 members in colours with both the ‘1%’ patch and the ‘13’ patch visible.
53. During de-briefings ex-members have advised that the expulsion from the Rebels MC may result in violence, the seizure of club colours and property, often including a Harley Davidson and that if necessary, affiliated addresses will be entered and the items retrieved.
54. Even if a member leaves the Rebels MC on good terms he is required to surrender his colours as the colours are the property of the Club. This is supported by the constitution. It provides that “any member who decides to leave is fully obligated to hand in his own leather vest with colours intact and any other club properties (sic) to their chapter”.

#### *Supporter gear and tattoos*

55. On occasions instead of wearing colours Rebels MC members wear windcheaters, t-shirts, belts and other clothing bearing the name or emblem of the Rebels MC. ‘Supporter’ paraphernalia of the Rebels MC includes T-shirts,



wind cheaters, belts and jewellery. Wearing of supporter apparel is restricted to members, nominees, associates and hang arounds. During de-briefings, members and ex-members have advised that the wearing of apparel associated with the Rebels MC without approval from the Rebels MC can result in a fine or action as determined by the Rebels MC.

56. Some members of the Rebels MC have Rebels MC tattoos or other insignia indicating membership e.g. R.F.F.R.. The constitution provides that “you are not permitted to have a club tattoo until you have been a member for 5 years and back jobs for ten years this being the term of life membership”. Consistent with the practice of other MCGs, it appears that the Rebels MC require ex-members to either remove or alter tattoos to demonstrate dissociation with the club.

#### *Runs*

57. A ‘run’ is an organised convoy of members on motorcycles. It is generally restricted to members, but nominees and associates can participate on invitation. Normally the senior members of the Rebels MC ride at the front, followed by members, nominees and associates at the rear.
58. On larger ‘runs’ the Rebels MC nominates a ‘Road Captain’ whose role it is to ensure the logistical aspects of the event are maintained and to act as a spokesperson for the MCG. Support vehicles normally contain members who are unable to ride due to being unlicensed/disqualified or for an accepted reason.
59. Some form of ‘runs’ include national runs, memorial runs, anniversary runs, weekend runs and club runs. Females are not permitted to ride motorcycles on these types of runs but may be permitted to ride as pillion passengers on members’ motorcycles. Members and nominees are expected to attend MCG functions which include ‘runs’.

#### *Glorification of violence*

60. The Rebels MC glorify violence and lawlessness. Their official website refers to the Club as “Rebels MC Australia Outlaws Elite”. Patches seized at club members’ homes include a patch depicting a skull with the phrase “REBEL TO THE DEATH” and another patch which features a swastika.



61. The American Motorcycle Association, following an incident that occurred in Hollister, California in 1947, characterised 99% of the country's motorcyclists as clean living people enjoying the pure sport, condemning the other "1% total number of motor cyclists" as the anti-social element. MCGs adopted the 1% as part of their culture and became known as the 'one per centers'. As stated above, members of the Rebels MC have patches which feature the 1% logo.

### **Members**

62. As with any organisation, membership of the Rebels MC fluctuates. As of 1 January 2009 the Rebels MC had 27 known members (including nominees and full members). Four of those members have since left the Club.. However, three nominees have come to SAPOL's attention since 1 January 2009. One of these nominees has recently left.
63. The criminal histories of these members and former members are annexed to the statutory declaration. In total, SAPOL believes there are 25 members of the Rebels MC as of 7 December 2009 (the date upon which the statutory declaration was made).
64. Membership has been ascertained in a variety of ways including:
  - a. sightings of members in 'colours';
  - b. sightings of members in known organisation premises;
  - c. admissions by members;
  - d. the location of 'colours' and organisation material at members homes; and
  - e. observation of tattoos.

### **Criminal offending of members**

65. Evidence of the serious criminal activity and other significant offending committed during membership by the 27 known members of the Rebels MC as at 1 January 2009, is contained in the statutory declaration.
66. The alleged offending falls into the following categories. Each category includes evidence about convictions, pending charges, matters which did not proceed and offending which has been classified as 'criminal intelligence' for the



purposes of the Act. Consistent with the obligations of the Act, offending classified as such has not been disclosed here.

*Violence against members of the public and Police*

67. Members have been convicted in relation to 18 violent incidents which have occurred during their membership, and there are currently two matters still before the courts. The convictions include those for offences of murder, manslaughter and numerous serious and violent assaults involving the infliction of actual physical harm. Many of the assaults occurred at or near licensed premises. CCTV footage of a number of violent incidents involving members of the Rebels MC are annexed to the statutory declaration.
68. Examples of conduct for which members have been convicted include the following.
69. Most recently in August 2009, a member became involved in a fight with a man at a hotel in Seaford. Two females also became involved. As part of that fight, the member grabbed one of the females and pulled her hair, punched her in the head and then pushed her to the ground. She suffered injury to her right arm and shock. As the other female attempted to shield the victim from further harm, she was punched once to the right eye by the member. She then punched the member, who retaliated by punching her again. She sustained bruising to the right eye and both arms.
70. In January 2007 following receipt of a missing persons report, Police attended a member's home. At that address Police located the decomposing body of the member's partner. The member could not be located. A post-mortem conducted on the body indicated the cause of death was bilateral rib fractures resulting in a flail chest. The investigation into the death of the victim revealed she was the victim of extensive domestic violence. She refused to report the member to Police for this because she feared him. Police also located at the house digital video footage which documented instances of his abuse of the victim. The Rebels MC dissuaded the member from handing himself into Police and the member was only arrested following a 22-hour siege.



71. Between 2001 and 2002, the same member committed a number of sexual offences against a teenage girl, namely, gross indecency, procuring sexual intercourse and nine counts of unlawful sexual intercourse.
72. In July 2002, a member discharged a firearm into the face of a victim. She received a single fatal shot to the area around her left eye. The member later pleaded guilty to manslaughter.
73. Prosecutions for assaults are often withdrawn because a victim does not wish to proceed to give evidence against the member, fearing repercussions should they do so.

#### *Inter-gang violence*

74. Members have been involved in bloody inter-gang rivalry. This includes a violent shoot-out outside the Rebels MC former clubrooms in Wright Street, Adelaide, in which three members died. Often such violence is not prosecuted as members and those of rival gangs refuse to cooperate with Police investigations.
75. An example of inter-gang violence is an incident occurring in May 2008 in which three members of the Rebels MC attended at a Hotel in Lonsdale and assaulted members of a rival gang. A member repeatedly kicked and punched a rival gang member in the head and upper body, rendering him unconscious. As a result of these actions, the rival gang member was admitted to hospital and placed in the intensive care unit on a ventilator. He suffered a broken nose and severe bruising. The victim's fellow gang member attempted to protect him and, in the process, was assaulted by members, who repeatedly kicked and punched him. The members also threw various objects at him, including glassware, bottles, trays and a cash register. Extensive damage was caused to the hotel's property including smashed glass bottles, damaged windows and a damaged cash register.

#### *Firearms, weapons and ammunition offences*

76. Members have been convicted of firearms, weapons and ammunition offences in relation to 20 incidents, while 10 further matters were still before the Court at the time of making the statutory declaration. Members have been found in



possession of loaded handguns in vehicles and on their person in public places. In all cases, members did not hold a licence for the firearms. At times stun guns, tasers and firearms have been discharged or brandished to threaten persons.

77. An example of conduct for which members of the Rebels MC have been convicted is in May 2007 when a fight erupted outside a city club. The fight involved three members fighting an unidentified group of people. A witness reported to Police that one of the three had brandished a firearm. Shortly afterwards, Police intercepted the three members and, upon searching them, located a silver revolver loaded with 4 rounds in one member's underpants and found a silver Colt semiautomatic .32 calibre handgun loaded with 8 rounds down the front of another member's underpants.
78. Some of the firearms that have been the subject of other firearms convictions include a loaded semi-automatic handgun located at a member's house, a loaded Glock semi-automatic handgun located at a member's house, a loaded 9mm pistol located at member's residence, a loaded semi-automatic pistol located in a bag thrown away by a member while running from Police and a loaded 745 Smith and Wesson Pistol located at a member's house.
79. Firearms have been located at the clubhouse in Ridgehaven and over the fence at the clubhouse in Old Noarlunga.

#### *Drugs*

80. Members have been convicted of numerous drug offences, mainly relating to the possession and production of cannabis. Members have also been convicted for possession of unlawfully acquired steroids.
81. A member has recently pleaded guilty to possessing over 5000 ecstasy tablets for sale and unlawfully possessing \$274, 300 in cash.
82. Two members are currently facing charges for trafficking amphetamine.

#### *Blackmail and property offences*

83. There is evidence that members engage in blackmail.



84. An example of this is in October 2006 when a member of the public and his parents successfully applied for a restraining order against a member. The victim describes how he received threatening phone calls from the member, was followed by the member when he was driving, was punched in the face approximately seven times, had his mobile phone smashed and was 'fined' \$5 000 for maintaining a friendship with the member's girlfriend.

*Interference with public administration and justice*

85. Members corrupt those in public administration and attempt to pervert the course of justice for the benefit of themselves and, at times, for the benefit of the organisation as a whole.
86. An example of this is the conviction of an administration clerk of the Motor Registration Division who, between May 1993 and March 1994, illegally issued 74 driving licences to friends, associates and members of the Rebels MC. A member who obtained at least one of these false licences was convicted of making a false representation to a police officer. However, no member was charged with procuring the employee's corruption as the clerk concerned declined to assist Police in the prosecution of Rebels MC members, fearing repercussions should she do so.
87. In January 2008, Police attended a member's house where they found 3 pages of a State Intelligence Branch Alert. The document related to an investigation of a shooting in which four members (one of whom has since left the organisation) were shot outside a city nightclub. The paper work detailed 4 persons wanted for questioning in relation to the shooting and there were asterisks and ticks on the page. The same leaked Police document had also been located at another member's house.

**Other information**

*Infiltration of management of licensed premises*

88. In 2006, a judge of the Licensing Court of South Australia found that a member had infiltrated the management of a city nightclub. The judge stated in his decision that "[i]t is alarming to note the apparent ease with which criminal



elements are able to infiltrate the ownership and management of licensed premises through which criminal activity is then able to flourish.”

*Fortification of clubhouses and members' homes*

89. Members have fortified their clubrooms and their homes.
90. Clubhouse fortifications include significant perimeter fencing, solid metal gates and/or padlocks, external roller shutters, window and door frames reinforced with steel sheeting and/or solid metal plates, sophisticated camera surveillance systems including CCTV cameras, CCTV monitors and CCTV digital recording devices mounted both internal and external to the premises, alarm systems and sensor lights.
91. The fortification of members' homes include significant perimeter fencing/high walls, electric roller gates, external roller shutters, iron bars on windows, iron gates on external doors capable of being locked and/or entry points involving iron gates secured by chain and padlock or steel frame pedestrian gates, intercom systems, and sophisticated camera surveillance systems (including mounted cameras outside to the premises and screen monitors within the premises).

**Submissions**

92. Members of the public are invited to make submissions about the application. All submissions must be in writing and sent to G.P.O. Box 2852 ADELAIDE SA 5001 by 5pm on Friday 5 February 2010.
93. The disclosure of additional information will depend upon the particular interest of the individual member of the public in the application as disclosed by that person.
94. All inquiries may be made to (08) 8207 1905, by emailing [soc@agd.sa.gov.au](mailto:soc@agd.sa.gov.au) or by writing to the above G.P.O. Box.