

2026

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mark Parton)

Crimes (Anti-Consorting) Amendment Bill 2026

A Bill for

An Act to amend the *Crimes Act 1900*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Crimes (Anti-Consorting) Amendment Act 2026*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This Act amends the *Crimes Act 1900*.

**4 Offences against Act—application of Criminal Code etc
Section 7A, note 1**

insert

- s 84 (Consorting)

5 New part 5A

insert

Part 5A Consorting

83 Meaning of *consort*—pt 5A

In this part:

consort means consort in person or by any other means, including by electronic or other form of communication.

84 Consorting

(1) A person commits an offence if the person—

(a) is 14 years old or older; and

(b) habitually consorts with convicted offenders; and

- 1 (c) consorts with the convicted offenders—
 - 2 (i) after being given an official warning in relation to each
 - 3 offender; and
 - 4 (ii) before the official warning stops having effect.
- 5 Maximum penalty: 150 penalty units, imprisonment for 3 years or
- 6 both.
- 7 (2) An official warning stops having effect—
 - 8 (a) for a warning given to a person under 18 years old—6 months
 - 9 after the day the warning is given; or
 - 10 (b) in any other case—2 years after the day the warning is given.
- 11 (3) In this section:
convicted offender means a person who has been convicted of an
12 indictable offence (other than an offence against this section).
13
habitually consort—a person *habitually consorts* with convicted
14 offenders if the person—
15
 - 16 (a) consorts with at least 2 convicted offenders (whether together or
 - 17 separately); and
 - 18 (b) consorts with each convicted offender on at least 2 occasions.
indictable offence includes an offence committed in another
19 jurisdiction that would be an indictable offence if committed in this
20 jurisdiction.
21
official warning means a warning given by a police officer (orally or
22 in writing) to the effect that—
23
 - 24 (a) a stated person is a convicted offender; and
 - 25 (b) habitually consorting with convicted offenders is an offence.

1 **85 Certain consorting to be disregarded**

2 (1) Section 84 (1) does not apply to a defendant if—

3 (a) the consorting occurs in any of the following situations:

4 (i) with family members;

5 (ii) in the course of lawful employment or the lawful operation
6 of a business;

7 (iii) in the course of training or education;

8 (iv) in the course of providing a health service or welfare
9 service;

10 (v) in the course of providing legal advice;

11 (vi) in lawful custody;

12 (vii) in the course of complying with an order of the sentence
13 administration board or a direction or recommendation of
14 a corrections officer; and

15 (b) the consorting was reasonable in the circumstances.

16 *Note* The defendant has an evidential burden in relation to the matters
17 mentioned in s (1) (see [Criminal Code](#), s 58).

18 (2) In this section:

19 ***Aboriginal or Torres Strait Islander person*** means a person who—

20 (a) is a descendant of an Aboriginal person or a Torres Strait
21 Islander person; and

22 (b) identifies as an Aboriginal person or a Torres Strait Islander
23 person; and

24 (c) is accepted as an Aboriginal person or a Torres Strait Islander
25 person by an Aboriginal community or Torres Strait Islander
26 community.

family member, for a defendant who is an Aboriginal or Torres Strait Islander person, includes a person who is or has been part of the defendant's extended family kin according to the indigenous kinship system of the defendant's culture.

health service means—

(a) a medical (including psychological), hospital, ambulance, paramedical, dental, community health or environmental health service; or

(b) another service—

(i) relating to the maintenance or improvement of the health, or the restoration to health, of people or the prevention of disease in, or injury to, people (whether provided as a public or private service); and

(ii) that is of a class or description prescribed by regulation.

welfare service means a service (whether provided as a public or private service) relating to the provision of—

(a) housing, employment benefits, rental assistance or other financial assistance or family support; or

(b) another community welfare service necessary for the promotion, protection, development and maintenance of the wellbeing of people, including any rehabilitation, counselling, drug or alcohol service.

86 Review—pt 5A

(1) The ombudsman must, as soon as practicable after the end of the 2nd year of this part's operation (the ***review period***)—

(a) review the operation of this part; and

(b) give a copy of a report of the review to the Minister and the chief police officer.

- 1 (2) For subsection (1), the chief police officer must ensure that the
2 ombudsman is given information in relation to—
- 3 (a) any official warnings issued under section 84 during the review
4 period; and
- 5 (b) any proceedings brought under this part during the review
6 period; and
- 7 (c) any documents or other information that the ombudsman
8 reasonably requires to enable the ombudsman to undertake the
9 review.
- 10 (3) The Minister must present the report to the Legislative Assembly as
11 soon as practicable after receiving a copy of the report under
12 subsection (1) (b).
- 13 (4) This section expires 3 years after the day it commences.

14 **6 Dictionary, note**

15 *insert*

- 16 • Minister (see s 162)
- 17 • ombudsman

18 **7 Dictionary, new definition of *consort***

19 *insert*

20 *consort*, for part 5A (Consorting)—see section 83.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 21 October 2026.

2 Notification

Notified under the [Legislation Act](#) on 2026.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
