

Monday 4 November 2013

NSW Ombudsman

Consorting provisions – issues paper

NSW Ombudsman Bruce Barbour released an issues paper today as part of his review of new consorting provisions in Division 7, Part 3A of the *Crimes Act 1900*. Anyone with an interest in the provisions and their use is encouraged to make a submission.

‘On 9 April 2012, a ‘modernised’ version of the offence of consorting commenced in NSW’ the Ombudsman, Bruce Barbour, said. **‘It is now an offence punishable by up to 3 years imprisonment and/or a \$16 500 fine to habitually consort with convicted offenders. Our office was tasked with reviewing how the relevant provisions were operating.’**

The consorting provisions have been widely used across NSW since they were introduced, with most uses in the Sydney metropolitan area. The data we have collected suggests there have been more than 1,000 official police warnings issued, and 16 charges laid.

The issues paper provides information about what we know about the uses of the provisions so far, including who they have been used against, where they have been used, and why. **‘We are hoping to receive responses from those who have received an official warning or been charged, those representing people who have been the subject of a warning or a charge, and those who work with disadvantaged and vulnerable groups in the community.’**

There are a number of broad areas we are asking people to consider, including:

- Are the provisions necessary?
- Are the provisions too broad?

We are also asking for comment on a number of questions relating to the potential impact of the provisions if used against disadvantaged and vulnerable groups, as well as how best to evaluate their impact.

Follow the link below to access the issues paper, find out how to make a submission, and to learn more about the review.

[Consorting issues paper – review of the use of the consorting provisions by the nsw police force](#)

Submissions will close on Friday 28 February 2014.