

c2026-173C
GRNS--The Greens

LEGISLATIVE COUNCIL

Crimes Legislation Amendment (Organised and Gang-related Crime Reforms) Bill 2026

First print

Proposed amendments

No. 1 **Criminal associations**

Page 3, Schedule 1. Insert after line 11—

[2A] Section 18(1A)

Insert after section 18(1)—

- (1A) For subsection (1)(g), the following principles apply to the bail authority's consideration of whether the accused person has a criminal association—
- (a) the accused person must not be considered to have a criminal association based only on the fact that the accused person knows, or has an association with, another person who has a criminal record,
 - (b) whether the accused person has a criminal association with another person should be based on a consideration of—
 - (i) the other person's overall criminal history, including the nature and extent of the other person's criminal history and whether the other person has connections or associations with organised criminal activity, and
 - (ii) the association between the accused person and the other person in that context.

No. 2 **Eligible issuing officers for digital evidence access orders**

Page 17, Schedule 7. Insert after line 2—

[1A] Section 46 Interpretation

Omit section 46(1), definition of *eligible issuing officer*.

Insert instead—

eligible issuing officer means—

- (a) for a covert search warrant or a criminal organisation search warrant—an eligible Judge, or
- (b) for a search warrant under the *Crime Commission Act 2012*, section 17(2)—an authorised officer, or
- (c) for another kind of search warrant—an authorised officer, or

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- (d) for a digital evidence access order in connection with a covert search warrant or a criminal organisation search warrant—an eligible Judge, or
 - (e) for a digital evidence access order in connection with a search warrant under the *Crime Commission Act 2012*, section 17(2)—
 - (i) if the specified person for the order is or includes a person who is, or was at the time of the relevant offence, under 18 years of age—an eligible Judge, or
 - (ii) otherwise—an authorised officer, or
 - (f) for a digital evidence access order in connection with another kind of search warrant—
 - (i) if the specified person for the order is or includes a person who is, or was at the time of the relevant offence, under 18 years of age—an eligible Judge, or
 - (ii) otherwise—an authorised officer, or
 - (g) for a notice to produce issued under Division 3—an authorised officer.

No. 3 **Legal privilege—digital evidence access orders**

Page 17, Schedule 7. Insert after line 38—

[6A] Section 76AJ Decisions about applications for digital evidence access orders

Omit “computer.” from section 76AJ(2)(d)(ii).

Insert instead—

- computer, and
- (e) the eligible issuing officer is satisfied the evidential material in relation to which the digital evidence access order is proposed to be issued is not subject to legal professional privilege.

No. 4 **Legal privilege—digital evidence access orders**

Page 18, Schedule 7. Insert after line 15—

[8A] Section 76AP Record of proceedings before eligible issuing officer

Insert after section 76AP(1)—

- (1A) Without limiting subsection (1), the record under subsection (1) must include the following particulars—
 - (a) whether the specified person is or includes a person who is, or was at the time of the relevant offence, under 18 years of age, and
 - (b) whether the specified person is or includes a person who is First Nations,
 - (c) whether the eligible issuing officer who issued the digital evidence access order is—
 - (i) an eligible Judge, or
 - (ii) a Judge of the Local Court, or
 - (iii) a Children’s Judge of the Children’s Court, or
 - (iv) a registrar of the Local Court, or
 - (v) an authorised officer who is an employee of the Attorney General’s Department.