SUPREME COURT OF QUEENSLAND

CITATION:	*Attorney-General for the State of Queensland v Cobbo* [2020] QSC 206
PARTIES:	**ATTORNEY-GENERAL FOR THE STATE OF QUEENSLAND** (applicant) **v** **ADAM JOHN COBBO** (respondent)
FILE NO:	BS No 282 of 2014
DIVISION:	Trial Division
PROCEEDING:	Application
ORIGINATING COURT:	Supreme Court of Queensland at Brisbane
DELIVERED ON:	Orders made 19 June 2020, reasons delivered on 15 July 2020
DELIVERED AT:	Brisbane
HEARING DATE:	19 June 2020
JUDGE:	Davis J
ORDER:	**The respondent be released from custody subject to the requirements of the supervision order of Bowskill J made on 28 May 2018, and to remain subject to those requirements until 28 May 2023.**
CATCHWORDS:	CRIMINAL LAW – SENTENCE – SENTENCING ORDERS – ORDERS AND DECLARATIONS RELATING TO SERIOUS OR VIOLENT OFFENDERS OR DANGEROUS SEXUAL OFFENDERS – DANGEROUS SEXUAL OFFENDER – GENERALLY – where the respondent contravened the supervision order made on 28 May 2018 under the *Dangerous Prisoners (Sexual Offenders) Act* 2003 – where the respondent failed to comply with a reasonable direction of a corrective services officer – where the respondent failed to respond truthfully to enquires by corrective services officers – where the respondent failed to make disclosure to corrective services officers – where the respondent pleaded guilty in the Magistrates Court to breaching the supervision order – where the breaches were related to acts of domestic violence — where the respondent has not committed a serious sexual offence while subject to the supervision order – where the evidence of the psychiatrists is that the risk the respondent poses to the community while subject to the existing supervision order is

low or moderate – whether the respondent should be released subject to the requirements of the existing supervision order without amendment or extension

Dangerous Prisoners (Sexual Offenders) Act 2003, s 2, s 3, s 13, s 20, s 21, s 22, s 27, s 30, s 43AA, Schedule 1

Attorney-General for the State of Queensland v Cobbo [2014] QSC 150, cited
Attorney-General (Queensland) v Cobbo [2016] QSC 156, cited
Attorney-General for the State of Queensland v Cobbo [2018] QSC 131, cited
Attorney-General for the State of Queensland v Ellis [2012] QCA 182, cited
Attorney-General (Qld) v Fardon [2013] QCA 64, cited
Attorney-General (Qld) v Fardon [2018] QSC 193, cited
Attorney-General v Fardon [2019] 2 Qd R 487, cited
Attorney-General (Qld) v Foy [2014] QSC 304, cited
Attorney-General v Francis [2007] 1 Qd R 396, followed
Attorney-General v KAH [2019] 3 Qd R 329, cited
Attorney-General v Lawrence [2010] 1 Qd R 505, cited
Attorney-General v Phineasa [2013] 1 Qd R 305, followed
Attorney-General (Qld) v Sands [2016] QSC 225, cited
Attorney-General v Van Dessel [2007] 2 Qd R 1, cited
Attorney-General (Qld) v Yeo [2008] QCA 115, cited
Bickle v Attorney-General [2016] 2 Qd R 523, cited
LAB v A-G (Qld) [2011] QCA 230, cited

COUNSEL: B H Mumford for the applicant
P Rennick (solicitor) for the respondent

SOLICITORS: GR Cooper, Crown Solicitor for the applicant
Rennick Lawyers for the respondent

[1] The respondent is the subject of a supervision order made by Bowskill J on 28 May 2018 (the supervision order) pursuant to the provisions of the *Dangerous Prisoners (Sexual Offenders) Act* 2003 (the DPSOA).

[2] The applicant alleged that the respondent contravened the supervision order and sought orders under s 22 of the DPSOA. Contravention of the supervision order was admitted by the respondent.

[3] On 19 June 2020, I made the following order:

> "The respondent be released from custody subject to the requirements of the supervision order of Bowskill J made on 28 May 2018, and to remain subject to those requirements until 28 May 2023."

[4] These are my reasons for making those orders.

History

[5] The respondent is an Indigenous man born on 11 January 1987. He is now 33 years of age.

[6] The respondent has a long criminal history. This includes serious driving offences, offences of dishonesty, offences of violence and breaches of court orders.

[7] Significantly for present purposes, on 14 August 2008, the respondent was convicted in the District Court at Brisbane of a number of offences, including four counts of rape and one count of unlawful carnal knowledge of a child under the age of 16.

[8] He was sentenced to five years' imprisonment for the offences of rape, six months' imprisonment for the offence of unlawful carnal knowledge of a child under the age of 16 and two years' imprisonment on other offences. The sentences for the sexual offences were to be served concurrently with each other and the sentence for the other offences was ordered to be served cumulatively on the sentences for rape and unlawful carnal knowledge. The effect of the sentences was that the applicant was imprisoned until 25 June 2014.

[9] The respondent was not released from custody because the applicant applied for orders under the DPSOA. On 11 July 2014, Daubney J made a continuing detention order against the respondent under s 13(5)(a) of the DPSOA.[1] In giving reasons for the making of that order, his Honour described the respondent's sexual offending in these terms:

> "[7] On 14 August 2008, the respondent was convicted and sentenced after being found guilty by a jury for an offence of unlawful carnal knowledge and four offences of rape.
>
> [8] The female victim was 13 years of age at the time of the unlawful carnal knowledge offence and 14 years of age at the time of the rape offences. The respondent and the victim were known to each other.
>
> [9] The four rape offences arose out of a single incident between 21 August and 4 September 2006. The offending against the victim occurred in the public toilet facilities at Kurilpa Park and involved three offences of oral sex and one offence of sexual intercourse. The respondent became angry and used force and threats when the victim resisted. The victim was crying during the incident and was physically sick.
>
> [10] On 14 September 2006, the respondent was interviewed by police. He denied raping the victim in Kurilpa Park. He initially denied knowing the victim but later admitted that in about May 2006 he met the victim in a park in Woodridge and had consensual sex with her. He stated that he had not seen the victim between May and August 2006.

---

1 *Attorney-General for the State of Queensland v Cobbo* [2014] QSC 150.

[11] The offence of unlawful carnal knowledge occurred on a date between 31 May 2006 and 18 July 2006 at Woodridge and predates the rape offences at Kurilpa Park. The respondent was told by the victim that she was thirteen years of age and a virgin at the time of the offence.

[12] The offence occurred late at night in the grounds of a high school. The sexual intercourse lasted about five minutes and stopped when the victim pushed the respondent off. The respondent was found not guilty of rape (oral intercourse) arising from this incident.

[13] On 17 September 2006, the victim participated in a pretext phone call with the respondent. During this conversation, the respondent repeatedly asked the victim to drop the charges.

[14] The sentencing judge said:

> 'So far as the sexual offences are concerned they were the subject of trial before me. You were older than the victim of those offences. She was 13 for the unlawful carnal knowledge offence and 14 for the other offences.
>
> And having heard the evidence and witnessed the proceedings I have no doubt that you exercised a position of dominance over her. Not surprisingly, those offences have had a significant effect on her and there is no indication of remorse on your part.
>
> I have a very helpful report from a psychologist, Ms Perkins, which tells me a great deal about you.
>
> I accept that you took little account of the feelings of that young lady and that, as the psychologist put it, it is likely that you were simply indulging in your own self gratifying sexual behaviour.
>
> I accept generally her view that the influence of alcohol abuse and violence in your upbringing have played a part in your offending. To a large extent the origins of your present predicament probably lie in your upbringing.'"

[10] The continuing detention order was reviewed and affirmed[2] by Burns J on 13 June 2016.[3] It was again reviewed and affirmed by Brown J on 12 June 2017.[4]

[11] Bowskill J rescinded the continuing detention order and released the respondent under a supervision order on 28 May 2018.[5]

---

2 *Dangerous Prisoners (Sexual Offenders) Act* 2003, ss 27 and 30.
3 Order of 13 June 2016; *Attorney-General (Queensland) v Cobbo* [2016] QSC 156.
4 Order of 12 June 2017.
5 *Attorney-General v Cobbo* [2018] QSC 131.

[12] Within weeks of release on the supervision order, the respondent consumed methylamphetamine and amphetamine. The consumption of those drugs constituted a breach of the supervision order. The contravention was detected by a urine drug screen on 8 June 2018. Contravention proceedings were then commenced,[6] however the respondent was released back onto the supervision order on 25 September 2018 by order of Martin J.

[13] On 10 September 2019, the respondent was again returned to custody upon an allegation of contravention of the supervision order. These contraventions are the basis of the current application.[7]

[14] It is the practice of the applicant to file an application seeking orders under s 22 of the DPSOA upon an allegation of a contravention of a supervision order. While the filing of an application is not necessary to grant jurisdiction to the Court to make orders,[8] the procedure of filing a formal application was approved as a sensible one by Burns J in *Attorney-General (Qld) v Sands*.[9] The contraventions alleged here as appear in the application, are:

> "SUPERVISION ORDER REQUIREMENTS
>
> ALLEGED TO HAVE BEEN CONTRAVENED
>
> (7) comply with every reasonable direction of a corrective services officer that is not directly inconsistent with a requirement of this order;
>
> (16) respond truthfully to enquiries by a corrective services officer about his activities, whereabouts and movements generally; and
>
> (17) disclose to a corrective services officer upon request the name of each person with whom he associates and respond truthfully to requests for information from a corrective services officer about the nature of the association, address of the associate if known, the activities undertaken and whether the associate has knowledge of his prior offending history.
>
> SUPERVISION ORDER REQUIREMENTS
>
> ALLEGED LIKELY TO HAVE BEEN CONTRAVENED
>
> (8) not commit an offence of sexual nature during the period of this order.
>
> FACTUAL BASIS OF CONTRAVENTION
>
> Background:
>
> The respondent is an offender subject to a supervision order pursuant to the *Dangerous Prisoners (Sexual Offenders) Act* 2003 (the Act).

---

6 *Dangerous Prisoners (Sexual Offenders) Act* 2003, s 20.
7 Filed on 12 September 2019.
8 The jurisdiction arises upon the presentation of the prisoner pursuant to the warrant; see ss 20 and 22.
9 [2016] QSC 225 at [4].

On 28 May 2018, Justice Bowskill ordered the respondent be released from custody and be subject to a supervision order under the Act. The supervision order contains 36 requirements to be in force until 28 May 2023.

Since the making of the supervision order, the respondent has been found to have contravened the requirements of the supervision order on one occasion by Justice Martin on 25 September 2018.

Alleged contraventions:

In November 2018, the respondent commenced a relationship with a female, the identity of whom is known to QCS ('Ms S'), and the respondent remained in the relationship with Ms S for the period from November 2018 to June 2019.

Information from QCS indicates that the relationship between the respondent and Ms S was volatile and characterised by behaviours of domestic violence.

On 5 April 2019, and as a result of ongoing concerns by QCS with domestic violence, Ms Kylie Fuller, Senior Case Manager of QCS, issued a verbal direction to the respondent to have no contact with Ms S.

On 11 April 2019, the respondent was issued a written reasonable direction dated 11 April 2019, in accordance with requirement (7) of the supervision order, namely:-

> 'You are not permitted to have any contact, either direct or indirect with [Ms S], unless you have prior written approval from an authorised Corrective Services officer. Should [Ms S] attempt to contact you, notify an authorised Corrective Services officer as soon as possible.'

On 6 June 2019, a QCS Senior Case Manager observed the respondent and Ms S having contact, which has not been approved by any Corrective Services officer and in breach of the written reasonable direction issued to the respondent on 11 April 2019, and the respondent was accordingly issued a warning for the breach of the written reasonable direction.

On 7 August 2019, by way of a closed circuit television ('CCTV') footage provided to QCS by Queensland Police Services ('QPS'), the respondent was identified to have contact with Ms S at Elizabeth Street Bus Stop outside of the Stockland Shopping Centre.

On each day, between 7 August 2019 and 9 August 2019, the respondent was questioned and provided the opportunity to disclose his contact with Ms S, in accordance with requirement (18) of the supervision order, and the respondent failed to disclose his contact with Ms S, until the third occasion when he was questioned on 9 August 2019.

> On 9 September 2019, QCS received information from QPS in relation to respondent's contact with Ms S on 7 September 2019 at Hotel Allen in Townsville ('Hotel Allen'), in breach of the written reasonable direction issued to the respondent on 11 April 2019.
>
> On 10 September 2019, QPS Detective Senior Constable Kinbacher attended the office of HROMU and advised of CCTV footage which shows that the respondent and Ms S had unapproved contact at the Hotel Allen on 7 September 2019.
>
> QCS formed the view that the CCTV footage taken at the Hotel Allen on 7 September 2019 shows the respondent demonstrating aggressive behaviour towards Ms S, including forcefully pulling Ms S towards himself.
>
> Further, on 10 September 2019, the respondent was questioned in relation to his movements and associations and provided the opportunity to disclose his contact with Ms S, in accordance with requirement (18) of the supervision order, and the respondent failed to disclose his contact with Ms S on 7 September 2019."

[15] As previously observed, the contraventions are admitted by the respondent. He was charged under s 43AA of the DPSOA with contravening the supervision order and pleaded guilty in the Townsville Magistrates Court on 28 February 2020, whereupon he was convicted.

[16] The applicant retained experienced forensic psychiatrists, Dr Josephine Sundin and Dr Ness McVie, to examine the respondent and prepare reports for the purposes of the contravention proceedings. That occurred and those reports were before me.[10]

Statutory context

[17] Where "a police officer or corrective services officer reasonably suspects a released prisoner is likely to contravene, is contravening or has contravened, a requirement of the released prisoner's supervision order …", a warrant may issue for the arrest of the released prisoner[11] and the released prisoner is then brought before the Court.

[18] Section 21 of the DPSOA deals with custody of the released prisoner between the time of arrest and determination of the contravention proceedings. It provides:

> "**21 Interim order concerning custody generally**
>
> (1) This section applies if a released prisoner is brought before the court under a warrant issued under section 20.
>
> (2) The court must—
>
> (a) order that the released prisoner be detained in custody until the final decision of the court under section 22; or
>
> (b) release the prisoner under subsection (4).

---

10 Report of Dr Sundin, 30 April 2020; Report of Dr McVie, 12 June 2020.

11 *Dangerous Prisoners (Sexual Offenders) Act* 2003, s 20(1) and s 20(3).

(3) The released prisoner may, when the issue of his or her custody is raised under subsection (2), or at any time after the court makes an order under that subsection detaining the prisoner, apply to the court to be released pending the final decision.

(4) The court may order the release of the released prisoner only if the prisoner satisfies the court, on the balance of probabilities, that his or her detention in custody pending the final decision is not justified because exceptional circumstances exist.

(5) If the court adjourns an application under subsection (3), the court must order that the released prisoner remain in custody pending the decision on the application.

(6) If the court orders the released prisoner's release, the court must order that the prisoner be released subject to the existing supervision order or existing interim supervision order (each the existing order) as amended under subsection (7).

(7) For subsection (6), the court—

(a) must amend the existing order to include all of the requirements under section 16(1) if the order does not already include all of those requirements; and

(b) may amend the existing order to include any other requirements the court considers appropriate to ensure adequate protection of the community."

[19] Final determination of the contravention proceedings is governed by s 22 which provides:

"**22 Court may make further order**

(1) The following subsections apply if the court is satisfied, on the balance of probabilities, that the released prisoner is likely to contravene, is contravening, or has contravened, a requirement of the supervision order or interim supervision order (each the existing order).

(2) Unless the released prisoner satisfies the court, on the balance of probabilities, that the adequate protection of the community can, despite the contravention or likely contravention of the existing order, be ensured by the existing order as amended under subsection (7), the court must—

(a) if the existing order is a supervision order, rescind it and make a continuing detention order; or

(b) if the existing order is an interim supervision order, rescind it and make an order that the

released prisoner be detained in custody for the period stated in the order.

(3) For the purpose of deciding whether to make a continuing detention order as mentioned in subsection (2)(a), the court may do any or all of the following—

(a) act on any evidence before it or that was before the court when the existing order was made;

(b) make any order necessary to enable evidence of a kind mentioned in section 13(4) to be brought before it, including, for example, an order—

(i) in the nature of a risk assessment order, subject to the restriction under section 8(2); or

(ii) for the revision of a report about the released prisoner produced under section 8A;

(c) consider any further report or revised report in the nature of a report of a type mentioned in section 8A.

(4) To remove any doubt, it is declared that the court need not make an order in the nature of a risk assessment order if the court is satisfied that the evidence otherwise available under subsection (3) is sufficient to make a decision under subsection (2)(a).

(5) If the court makes an order in the nature of a risk assessment order, the psychiatrist or each psychiatrist examining the released prisoner must prepare a report about the released prisoner and, for that purpose, section 11 applies.

(6) For applying section 11 to the preparation of the report—

(a) section 11(2) applies with the necessary changes; and

(b) section 11(3) only applies to the extent that a report or information mentioned in the subsection has not previously been given to the psychiatrist.

(7) If the released prisoner satisfies the court, on the balance of probabilities, that the adequate protection of the community can, despite the contravention or likely contravention of the existing order, be ensured by a supervision order or interim supervision order, the court—

(a) must amend the existing order to include all of the requirements under section 16(1) if the order does not already include all of those requirements; and

(b) may otherwise amend the existing order in a way the court considers appropriate—

(i) to ensure adequate protection of the community; or

(ii) for the prisoner's rehabilitation or care or treatment.

(8) The existing order may not be amended under subsection (7)(b) so as to remove any requirements mentioned in section 16(1)."

[20] Section 22 refers to "the adequate protection of the community".[12] That is a concept which first appears in the DPSOA in Division 3 of Part 2[13] which concerns final orders made on an initial application for orders under the DPSOA. The pivotal section in Division 3 is s 13, which provides:

"**13 Division 3 orders**

(1) This section applies if, on the hearing of an application for a division 3 order, the court is satisfied the prisoner is a serious danger to the community in the absence of a division 3 order (a ***serious danger to the community***).

(2) A prisoner is a serious danger to the community as mentioned in subsection (1) if there is an unacceptable risk that the prisoner will commit a serious sexual offence—

(a) if the prisoner is released from custody; or

(b) if the prisoner is released from custody without a supervision order being made.

(3) On hearing the application, the court may decide that it is satisfied as required under subsection (1) only if it is satisfied—

(a) by acceptable, cogent evidence; and

(b) to a high degree of probability;

that the evidence is of sufficient weight to justify the decision.

(4) In deciding whether a prisoner is a serious danger to the community as mentioned in subsection (1), the court must have regard to the following—

(aa) any report produced under section 8A;

---

12 Section 22(2) and (7).

13 Apart from the objects section; s 3.

(a) the reports prepared by the psychiatrists under section 11 and the extent to which the prisoner cooperated in the examinations by the psychiatrists;

(b) any other medical, psychiatric, psychological or other assessment relating to the prisoner;

(c) information indicating whether or not there is a propensity on the part of the prisoner to commit serious sexual offences in the future;

(d) whether or not there is any pattern of offending behaviour on the part of the prisoner;

(e) efforts by the prisoner to address the cause or causes of the prisoner's offending behaviour, including whether the prisoner participated in rehabilitation programs;

(f) whether or not the prisoner's participation in rehabilitation programs has had a positive effect on the prisoner;

(g) the prisoner's antecedents and criminal history;

(h) the risk that the prisoner will commit another serious sexual offence if released into the community;

(i) the need to protect members of the community from that risk;

(j) any other relevant matter.

(5) If the court is satisfied as required under subsection (1), the court may order—

(a) that the prisoner be detained in custody for an indefinite term for control, care or treatment (***continuing detention order***); or

(b) that the prisoner be released from custody subject to the requirements it considers appropriate that are stated in the order (***supervision order***).

(6) In deciding whether to make an order under subsection (5)(a) or (b)—

(a) the paramount consideration is to be the need to ensure adequate protection of the community; and

(b) the court must consider whether—

(i) adequate protection of the community can be reasonably and practicably managed by a supervision order; and

(ii) requirements under section 16 can be reasonably and practicably managed by corrective services officers.

(7) The Attorney-General has the onus of proving that a prisoner is a serious danger to the community as mentioned in subsection (1)."

[21] Section 13 operates in this way:

(a) The test under s 13 is whether the prisoner is "a serious danger to the community".[14]

(b) That initial question is answered by determining whether there is an "unacceptable risk that the prisoner will commit a serious sexual offence"[15] if no order is made.

(c) If that conclusion is reached, then a supervision order (as opposed to a continuing detention order) can only be made where the adequate protection of the community can be ensured by the making of a supervision order.[16]

(d) Where the "adequate protection of the community" can be ensured by a supervision order, then the making of a supervision order ought to be preferred to the making of a continuing detention order.[17]

[22] The concepts of risk and adequate protection of the community are relevant to the determination of contravention proceedings brought under s 22 of the DPSOA.

The psychiatric evidence

[23] Doctor Sundin diagnosed the respondent as follows:

> "Using the classificatory system of the American Psychiatric Association, DSM-V, I consider that Mr Cobbo meets diagnostic criteria for:
>
> 1. Anti-social Personality Disorder, meets criteria for Psychopathy
> 2. Substance use Disorder - currently in remission on therapeutic replacement programme
> 3. Generalised Anxiety Disorder."

[24] Doctor McVie's diagnosis was:

> "Given his history, Mr Cobbo would meet criteria for a diagnosis of antisocial personality disorder. His mistrust of authority figures no

---

14 Section 13(1).
15 Section 13(1) and (2).
16 Section 13(6).
17 *Attorney-General v Francis* [2007] 1 Qd R 396 at 405, [39]; *Attorney-General (Qld) v Yeo* [2008] QCA 115; *Attorney-General v Lawrence* [2010] 1 Qd R 505; *LAB v Attorney-General* [2011] QCA 230; *Attorney-General for the State of Queensland v Ellis* [2012] QCA 182; *Attorney-General (Qld) v Fardon* [2013] QCA 64.

> doubt contributes to his continuing presentation. He also meets criteria for a polysubstance use disorder.
>
> There is no evidence to make any diagnosis of any paraphilia in this man."

[25] As to risk, Dr Sundin opined:

> "Mr Cobbo is an individual whose general anti-authoritarian attitudes and ongoing perception of himself as the victim of the white judicial system decreases his inclination to be readily compliant with the necessities of his supervision order. Nonetheless, he has made some progress over the last 12 months and appears to have been doing better when in the more positive relationship with his new partner, AD, than when caught up in the volatility of his relationship with SDS.
>
> Overall, my impression is that the supervision order is serving its purpose in containing the risk that Mr Cobbo poses to the community. The supervision order is reducing his risk of sexual recidivism to moderate/average.
>
> In my opinion, the supervision order does not need to be modified. I recommend that he continue to be engaged with his psychologist, progress through stages as progress is made, and that efforts continue to be made to engage him in a range of pro-social activities such as employment that have the potential to improve his self-esteem and self-confidence.
>
> I therefore respectfully recommend to the Court that Mr Cobbo can be released again into the community under the auspices of the existing supervision order."

[26] Doctor McVie's view of risk was:

> "I would consider that based on my assessment and the history of his sexual offences, the fact he was aged 19 years at the time of commission of the offences and the lack of any clear evidence of other sexual offending or sexual preoccupation, his risk of re-offending sexually is low to moderate. The supervision order would reduce his risk to low.
>
> His risk of general re-offending and of violent re-offending would be at least moderate.
>
> My overall recommendation is that he be returned to his supervision order with strict conditions that he not contact Ms SS and that she be informed of this condition as well."

The position of the respective parties

[27] As the contravention was admitted, and therefore proved, the onus fell upon the respondent under s 22(7) of the DPSOA to establish "that the adequate protection of the community can, despite the contravention … of the [supervision order], be ensured by a supervision order …" in its existing or amended terms.

[28] The applicant conceded that the respondent had discharged the onus under s 22(7). Given the evidence of the psychiatrists, that was a proper concession. The applicant did not press for any variation of the supervision order. The applicant did not press for an extension of the supervision order.[18] There is no evidence suggesting that amendment or extension of the supervision order is appropriate.

[29] The respondent submitted that he has discharged the onus under s 22(7) and sought release back onto the supervision order.

Determination

[30] I concluded that the respondent had discharged the onus cast upon him by s 22(7) of the DPSOA.

[31] "The adequate protection of the community" refers to protection from the commission of a "serious sexual offence" being "an offence of a sexual nature … involving violence".[19]

[32] The current contraventions were not constituted by the commission of sexual offences let alone "serious sexual offences".[20] The contraventions involve violence by the respondent to a woman in a domestic situation and that conduct is deplorable. However, as already observed, he did not commit a "serious sexual offence" against her.

[33] The psychiatrists opine that the supervision order is reducing the relevant risk which under the DPSOA is the risk of the commission of a "serious sexual offence".

[34] I find, based on the respondent's admissions, that the contraventions are proved. I accept the evidence of the psychiatrists. I conclude that the adequate protection of the community is ensured by the release of the respondent on the supervision order without amendment or extension.

[35] For those reasons, I made the orders which I did.

---

18 *Attorney-General v Van Dessel* [2007] 2 Qd R 1, 31; *Attorney-General (Qld) v Foy* [2014] QSC 304, 14; *Bickle v Attorney-General* [2016] 2 Qd R 523, 540, 21-24; and *Attorney-General v KAH* [2019] 3 Qd R 329 at 347, [61].

19 *Attorney-General v Phineasa* [2013] 1 Qd R 305, and see the discussion by Jackson J in *Attorney-General (Qld) v Fardon* [2018] QSC 193; on appeal on another point *Attorney-General v Fardon* [2019] 2 Qd R 487.

20 "An offence of a sexual nature … involving violence"; *Dangerous Prisoners (Sexual Offenders) Act* 2003, s 2 and Dictionary, Schedule 1.