

SUPREME COURT OF QUEENSLAND

CITATION: *Attorney-General (Qld) v Falls* [2016] QSC 101

PARTIES: **ATTORNEY-GENERAL FOR THE STATE OF QUEENSLAND**
(applicant)
v
BRETT JOSEPH FALLS
(respondent)

FILE NO: BS 1987 of 2016

DIVISION: Trial Division

PROCEEDING: Originating Application

ORIGINATING COURT: Supreme Court of Queensland

DELIVERED EX TEMPORE ON: 21 April 2016

DELIVERED AT: Brisbane

HEARING DATE: 18, 21 April 2016

JUDGE: Burns J

ORDER: **The court being satisfied to the requisite standard that the respondent, Brett Joseph Falls (also known as Duncanson), is a serious danger to the community in the absence of an order pursuant to Division 3 of the *Dangerous Prisoners (Sexual Offenders) Act 2003 (Qld)*:**

- 1. Orders that Mr Falls be subject to a supervision order incorporating the conditions set out in the Schedule to these reasons until 21 April 2026;**
- 2. Directs that a copy of the reports of Dr Harden dated 30 August 2015, Dr Sundin dated 19 March 2016 and Dr Aboud dated 24 March 2016 as well as a copy of this decision be provided to the person who is, from time to time, Mr Falls' treating psychiatrist.**

CATCHWORDS: CRIMINAL LAW – SENTENCE – SENTENCING ORDERS – ORDERS AND DECLARATIONS RELATING TO SERIOUS OR VIOLENT OFFENDERS OR DANGEROUS SEXUAL OFFENDERS – DANGEROUS SEXUAL OFFENDER – GENERALLY– where there is an application pursuant to Division 3 of Part 2 of the *Dangerous Prisoners (Sexual Offenders) Act 2003* – whether the respondent is a serious danger to the community in the absence of a Division 3 order – where the court may order a continuing detention

order or a supervision order pursuant to s 13(5) of the *Dangerous Prisoners (Sexual Offenders) Act 2003* – whether a supervision order would ensure the adequate protection of the community within the meaning of s 13(6) of the *Dangerous Prisoners (Sexual Offenders) Act 2003*

Dangerous Prisoners (Sexual Offenders) Act 2003 (Qld) s 3, s 5, s 8, s 13, s 16

Child Protection (Offender Reporting) Act 2004 (Qld), s 50

Attorney-General (Qld) v Francis [2007] 1 Qd R 396

Attorney-General v Mitchell [2015] QSC 121

COUNSEL: K Philipson for the applicant
C Reid for the respondent

SOLICITORS: Crown Law for the applicant
Legal Aid Queensland for the respondent

- [1] HIS HONOUR: Today is the full-time release date with respect to a period of imprisonment imposed on the respondent, Brett Joseph Falls, who is also known by the surname Duncanson, for the commission of a serious sexual offence. As such, Mr Falls would ordinarily expect to be released from custody later today, but the Honourable Attorney-General for the State of Queensland has made application for an order pursuant to s 13(5)(a) of the *Dangerous Prisoners (Sexual Offenders) Act 2003* (Qld) which, if made, will have the effect of keeping Mr Falls in custody for an indefinite term for care, treatment or control.
- [2] In the alternative, an order is sought by the Attorney-General to allow for Mr Falls' release from custody on supervision pursuant to s 13(5)(b) of the Act, subject to such conditions as the court considers appropriate. To that end the court was furnished with a draft supervision order containing a number of proposed conditions.
- [3] Although the Attorney-General maintained her application for a continuing detention order, it was conceded by her counsel in written submissions filed in support of the application that the evidence supports the release of Mr Falls on a supervision order, and that concession was maintained at the hearing. It was otherwise submitted that a supervision order, if made, should be for a period of 10 years.

- [4] For Mr Falls, it was accepted that he would be a serious danger to the community in the absence of a Division 3 order and that, as such, he is a person to whom the Act applies. It was submitted in writing on behalf of Mr Falls, that the evidence before the court supports Mr Falls' release on supervision and that the period of the order should be between five and 10 years, although it was frankly conceded by Mr Reid, who appeared for Mr Falls at the hearing, that there was nothing in the material to persuade the court that a period of less than 10 years would be appropriate. Mr Falls also accepted that each of the conditions set out in the draft supervision order would be necessary for the adequate protection of the community in the circumstances of this case.
- [5] Despite the concessions which have been made by the parties it is, of course, still necessary for the court to reach its own view about whether Mr Falls represents a serious danger to the community in the absence of an order providing for his continuing detention or supervision, and if so, whether adequate protection of the community can be reasonably and practically managed by a supervision order, as opposed to an order providing for his continuing detention. However, the concessions that have been made make my task somewhat easier than it would otherwise have been. Nonetheless, in case it may be assumed otherwise, I have undertaken a careful review of the evidence read in support of the application. In that regard Mr Falls was examined for the purposes of this application by three forensic psychiatrists, Dr Harden, Dr Sundin and Dr Aboud, and a written report from each psychiatrist is in evidence.
- [6] In *Attorney-General v Mitchell* [2015] QSC 121, I set out some observations about the scheme of provisions under the Act. There I observed that a prisoner will be a serious danger to the community if there is an unacceptable risk that the prisoner will commit a serious sexual offence if released from custody or if released without a supervision order being made. A serious sexual offence is, of course, defined in the Act to include an offence of a sexual nature against a child. On the hearing of an application such as this, the court may decide that a prisoner poses a serious danger to the community only if it is satisfied, by acceptable cogent evidence and

to a high degree of probability, that the evidence is of sufficient weight to justify such a conclusion. The paramount consideration in deciding whether to make a continuing detention order or a supervision order is the need to ensure adequate protection of the community. In addition, the court must consider whether adequate protection of the community can be reasonably and practically managed by a supervision order and whether the requirements for such orders as specified in s 16 of the Act can be reasonably and practically managed by corrective services officers. Lastly, s 13(4) of the Act sets out a number of considerations that the court must have regard to when deciding whether a prisoner is a serious danger to the community. Subsection 13(5) then goes on to provide that, if the court is satisfied that a prisoner is indeed a serious danger to the community in the absence of a Division 3 order, the court may order that the prisoner be detained indefinitely for control, care or treatment pursuant to a continuing detention order or released pursuant to a supervision order, subject though, to such conditions as the court considers appropriate.

- [7] Mr Falls is 49 years of age, having been born in Tasmania in 1965. He has an entrenched history of sexual offending against prepubertal girls. Mr Falls was raised in a fractured family environment and one which, by his own account, was corrupted by the sexual abuse of his sister. After several episodes of criminal offending and running away from home, Mr Falls was eventually made a ward of the State and sent to a home for boys. Thereafter he attended special schools because of learning difficulties and does not appear to have been enrolled in any secondary schooling. Whilst incarcerated, he has attempted courses in literacy and managed to obtain certification for some types of semi-skilled work. Outside of prison, Mr Falls has worked in furniture removal and landscape gardening and, more recently, in a supermarket.
- [8] The period of imprisonment that comes to an end today was imposed in the District Court at Brisbane on 24 September 2014 after Mr Falls pleaded guilty to one count of grooming a child under the age of 16 years with intent to procure engagement in a sexual act and one summary charge of failing to comply with a reporting obligation in relation to earlier sexual offending. For these offences, he was

sentenced to separate terms of imprisonment of two years and two months respectively. Further, it was ordered that those periods of imprisonment be served cumulatively. A declaration of pre-sentence custody totalling 215 days was also made.

- [9] The circumstances of this offending may be briefly stated. The complainant was 13 years of age and resided with her mother and sister. Mr Falls made contact with her on Facebook. Mr Falls did not know her. The complainant told Mr Falls that she was 15 years of age. Mr Falls was able to obtain the complainant's telephone number from her Facebook profile and, after exchanging several Facebook messages over a couple of days, Mr Falls telephoned her. This occurred on 5 February 2014. Mr Falls introduced himself as "Pete" and, during the conversation, told her that she had a nice body, that "her boobs were nice" and that she "should wear skirts all the time as she looked nice in them".
- [10] With that, the complainant became concerned, terminated the telephone call and told her sister. Some time later that evening, Mr Falls telephoned the complainant again. He told her that he did not mean to scare her, that he would not try to "get with her" unless she wanted him to do so, that he was 30 years of age and that he wanted to be friends with her. The complainant again terminated the telephone call and switched her telephone off. Undeterred, Mr Falls tried to contact the complainant by sending text messages as well as a Facebook message that conveyed an elaborate story in an attempt to conceal his true intentions. The police became involved and the next day a pretext call was conducted which elicited yet another text message from Mr Falls to the complainant. He was subsequently arrested.
- [11] So far as the summary charge was concerned, Mr Falls was found in possession of four mobile phones, one of which he had failed to disclose to the authorities, in contravention of his reporting obligations under the *Child Protection (Offender Reporting) Act 2004 (Qld)*.
- [12] Mr Falls' criminal history of sexual and other offences spans four Australian states and reaches back as far as 1978. He has numerous previous convictions for offences

of a sexual nature as well as convictions for theft, fraud, burglary, break and enter and trespass. He has also been dealt with for breaches of parole and community based orders.

- [13] Mr Falls was first convicted of a sexual offence in 1980. That was a conviction for indecent assault. At that time Mr Falls was only aged 15. He approached a 13 year old girl and enticed her to go with him so that he could show her some kind of animal. He touched her on the genitals. She screamed and he ran away. In interviews with Dr Harden, Mr Falls said that this was his general modus operandi for much of the sexual offending that occurred in the following years.
- [14] In 1981 Mr Falls was convicted of abduction or detention for sexual penetration, unlawful assault and assault with intention to sexually penetrate a child under the age of 10 years. He was sentenced to 52 weeks' probation. In 1982 he was convicted of indecent assault. The victim was approximately 11 years of age. In 1984 he was convicted in Tasmania of four counts of indecent assault as well as other offences and sentenced to a total of 14 months' imprisonment. There was another conviction for indecent assault in 1987 and then, in 1996, Mr Falls was convicted in Queensland of three counts of indecent dealing with a child under 12 years and sentenced to imprisonment for five years. In that regard he told Dr Harden that he had been taking anti-libidinal medication but had stopped taking it approximately 12 months prior to that offending. The circumstances of that offending should be mentioned. Mr Falls met a child in an area near a beach who was 10 or 11 years of age at the time. He touched her in the genital area on three occasions in different settings, until a member of the general public saw him and called the police who attended and arrested him.
- [15] In 2003 there was another conviction of assault in relation to touching a female child during the course of a break and enter that he committed. He maintained to Dr Harden, however, that he had no sexual motivation in the commission of that offence. He was sentenced to two years' imprisonment. In 2007 he was convicted of indecent treatment of a child under 12 years and was sentenced to 15 months' imprisonment, suspended for five years after serving five months. The circumstances of that offending were, based on what Mr Falls has told Dr Harden,

that he was in a house with some friends, having a few drinks with them. He left the room and went into the bedroom of their eight year old daughter. He touched her in the genital area while she was in bed and she then reported to her parents what he had done.

- [16] In 2009, whilst still subject to the suspended sentence to which I have made reference, Mr Falls was convicted of entering a dwelling at night and indecent treatment of a child under 12 years. Dr Harden noted that Mr Falls originally described the victim as being a 12 year old girl, but when this was queried, he agreed that she was in fact four years of age. The occupants of the house were not known to Mr Falls. He broke through a window, saw a child in bed, removed her pyjama bottoms and touched her genital area and, when the child's parent came into the room, he jumped out of the window to escape. He received a sentence of four years' imprisonment which was imposed cumulatively on 10 months that he was required to serve for breach of the suspended sentence.
- [17] The material before me is such that it is difficult to conclude whether alcohol or, indeed, illicit drugs, have played much, if any, part in Mr Falls' past offending. I suspect, however, that alcohol has played some part at different times with some of the offending. I mention this because one of the conditions to be imposed today requires Mr Falls to moderate his intake of alcohol. The reason that condition is to be imposed is to guard against the risk that alcohol has in fact been a factor in at least some of his offending in the past.
- [18] The material, perhaps not surprisingly, is revealing of the difficulties Mr Falls has encountered in the past in forming relationships. He does, however, have a current partner who is supportive of him. Dr Harden, in particular, has expressed the opinion that every effort should be made to support this relationship as it would be a significant risk reduction measure. Dr Aboud also recognised this relationship as a protective factor. Mr Falls was also anxious that, if released on a supervision order, he be permitted to reside with his partner who, I should record, is willing for that to occur.

- [19] However, his partner's home has been assessed by the department and deemed to be unsuitable, given its proximity to schools. The consequence is that, on his release on supervision, an order that I will shortly make, he will be required to reside in the Precinct. There are accommodation difficulties at the Precinct which are detailed in the affidavit material before me. Hopefully they can be overcome by those responsible for providing accommodation for respondents such as Mr Falls, but it is obviously important that Mr Falls is allowed to reside with his partner as soon as possible. Those charged with his care and treatment when on supervision should, in my respectful view, keep this objective at the forefront of their minds.
- [20] That is not to say that the accommodation suggested by Mr Falls, that is, with his partner, is suitable. To the contrary, that accommodation has been assessed as quite unsuitable. It follows that if Mr Falls is to resume his relationship with his partner, at least in the same premises, alternative accommodation will need to be sourced by them if that is at all possible, and then that accommodation assessed by the department as to its suitability.
- [21] In support of the application, Ms Philipson, who appears for the Attorney-General, provided a comprehensive outline of argument. Commencing at paragraph 29, Ms Philipson outlined the major clinical findings, opinions and recommendations expressed by Dr Harden. From paragraph 48, Ms Philipson undertook the same exercise with respect to the clinical findings, opinions and recommendations of Dr Sundin. Lastly, from paragraph 68 Ms Philipson deals with the clinical findings, opinions and recommendations of Dr Aboud.
- [22] I am grateful for that summary of the reports provided by each of the three psychiatrists. In brief, however, it is a concerning feature of this case that Mr Falls has already been given the benefit of, and participated in, a wide range of sexual offender treatment programs, including the HISOP less than two years prior to the commission of the index offences and an SOMP just three months before the commission of those offences. It is also concerning that, at the time of those offences, he was reported to be in stable accommodation and employment, in a relationship with his partner and under the care of a psychologist.

- [23] The reason this combination of facts is concerning is that the courses to which I have referred, Mr Falls' living and employment circumstances and his treatment from the psychologist should have worked as protective factors against the commission of further offences. Plainly, they did not and, equally plainly, there is a long way to go in the treatment of Mr Falls' conditions. It is principally for that reason that I was not satisfied that the period of the supervision order should be as short as five years. It will be some time before a court can confidently state that the progression of Mr Falls' treatment is sufficiently advanced to permit his release without the existence of the conditions I am about to impose.
- [24] Mr Falls has been diagnosed with paedophilia as well as a personality disorder with antisocial and avoidant features. It is also important to record, as should be apparent from what I have said about his childhood, that he has borderline intellectual functioning. Dr Harden was of the opinion that Mr Falls' "ongoing unmodified risk of sexual re-offence in the community [was] in the high range", with the greatest risk factors being "his paraphilic interest in prepubertal girls, his emotional identification with children, his poor problem-solving skills and his previous supervision difficulties with breach of community based orders and parole, usually by reoffending". Dr Sundin considered that Mr Falls represented "an unacceptable risk to the community without the benefit of a high intensity supervision order". Dr About gave the opinion that Mr Falls' overall current risk in respect of sexual reoffence against children is high, given "the chronicity of his sexual offending, his sexual deviance, his various breaches, his avoidant and antisocial personality structure, and his broad cognitive and social vulnerabilities".
- [25] Based on those opinions and my review of the material, I am satisfied to the high standard required by the Act that Mr Falls is a serious danger to the community in the absence of an order under Division 3 of the Act. To the point, I am satisfied that there is unacceptable risk that Mr Falls will commit a serious sexual offence, that is, an offence against a child, if released from custody without a supervision order being made.

[26] Being so satisfied, the question then is whether under s 13(5) of the Act there should be a continuing detention order or a supervision order. The need to ensure adequate protection of the community as required by s 13(6)(a) of the Act was explained by the Court of Appeal in the *Attorney-General v Francis* [2006] QCA 324, as follows:

The Act does not contemplate that arrangements to prevent such a risk must be "watertight"; otherwise orders under s 13(5)(b) would never be made. The question is whether the protection of the community is adequately ensured. If supervision of the prisoner is apt to ensure adequate protection, having regard to the risk to the community posed by the prisoner, then an order for supervised release should, in principle, be preferred to a continuing detention order on the basis that the intrusions of the Act upon the liberty of the subject are exceptional, and the liberty of the subject should be constrained to no greater extent than is warranted by the statute which authorised such constraint.¹

[27] I respectfully adopt and follow those observations. Of course, I must also be satisfied that the requirements under s 16 can be reasonably and practically managed by corrective services officers.

[28] Returning then to the opinions offered by the psychiatrists. Dr Harden was of the opinion that Mr Falls' risk of sexual recidivism would be reduced to moderate on a supervision order. Dr Sundin considered that a supervision order had the capacity to reduce Mr Falls' risk to moderate. Dr Aboud gave the opinion that Mr Falls' risk would be reduced to below moderate in the context of a supervision order, prescription of an anti-libidinal medication and an antidepressant in a relatively high dose.

[29] I note that there is the debate amongst those doctors as to whether anti-libidinal medication ought be prescribed. In addition to Doctors Harden, Sundin and Aboud, the material reveals that Dr Rosenthal, an experienced practitioner in this area, has also expressed opinions regarding the desirability of anti-libidinal medication. The short point is that there are some health risks in the nature of cardiac problems associated with the use of that medication in a man of Mr Falls' age, or at least a suspicion that there may be a real connection between the taking of that medication and the development of those sorts of problems. However, the material before me

¹ At [39].

establishes that on Mr Falls' release on supervision, he will be immediately placed under the care of a psychiatrist, Dr Arthur. The view I take is that it is a matter for Dr Arthur to determine the best course of treatment for Mr Falls including what, if any, medication should be prescribed. To that end, a copy of the reports of Doctors Harden, Sundin and Aboud, as well as a copy of this decision should be provided to Dr Arthur. I add that, should Dr Arthur cease being Mr Falls' treating psychiatrist, a copy of the same material should be provided to whomever is appointed to treat Mr Falls in that capacity in the future. I hope that, by the provision of that material, as well as this decision, Dr Arthur and those who may follow him will be assisted in the treatment of Mr Falls.

- [30] Bearing in mind that the paramount consideration is the need to ensure adequate protection of the community, I have had regard to the considerations specified in section 13(4) of the Act and the opinions expressed by each of the psychiatrists. Having done so, I am satisfied that a supervision order in the terms of the draft supervision order as amended by me will adequately address the risk posed by Mr Falls and that the adequate protection of the community can be reasonably and practicably managed by such an order. For the reasons I have already expressed, the order shall be for a duration of 10 years. I will, therefore, make a supervision order incorporating the conditions appearing in the draft supervision order, as amended by me, for a period of 10 years. I shall also direct that a copy of the psychiatric reports as well as a copy of this decision be provided to the person who is, from time to time, Mr Falls' treating psychiatrist.

SCHEDULE 1**Statutory conditions**

1. Report to a Corrective Services officer at the Queensland Corrective Services Probation and Parole Office closest to his place of residence between 9.00 am and 5.00 pm on the day of his release from custody, and at that time advise the officer of his current name and address;
2. Report to, and receive visits from, a Corrective Services officer at such times and at such frequency as directed by Queensland Corrective Services;
3. Notify a Corrective Services officer of every change of his name, place of residence or employment at least two business days before any such change happens;
4. Be under the supervision of a Corrective Services officer;
5. Comply with any curfew direction or monitoring direction given by a Corrective Services officer;
6. Comply with any reasonable direction under section 16B of the Act given to him;
7. Comply with every reasonable direction of a Corrective Services officer that is not directly inconsistent with a requirement of this order;
8. Not leave or stay out of Queensland without the permission of a Corrective Services officer;
9. Not commit an offence of a sexual nature during the period of the order;

Employment conditions

10. Seek permission and obtain approval from a Corrective Services officer prior to entering into an employment agreement or engaging in volunteer work or paid or unpaid employment;
11. Notify a Corrective Services officer of the nature of his employment, or offers of employment, the hours of work each day, the name of his employer and the address of the premises where he is or will be employed at least two (2) days prior to the commencement of, or any change to, his employment;

Accommodation conditions

12. Reside at a place within the State of Queensland as approved by a Corrective Services officer by way of a suitability assessment and obtain written approval from a Corrective Services officer prior to any change of residence;
13. If his accommodation is of a temporary or contingency nature, comply with any regulations or rules in place at this accommodation and demonstrate reasonable efforts to secure alternative, viable long term accommodation, to be assessed for suitability by Queensland Corrective Services;
14. Not reside at a place by way of short term accommodation, including overnight stays, without the permission of a Corrective Services officer;

Indictable offences

15. Not commit an indictable offence during the period of this order;

No contact with victims

16. Not have any direct or indirect contact with a victim of any of his sexual offences;

Activities and associates

17. Respond truthfully to enquiries by a Corrective Services officer about his activities, whereabouts and movements generally;
18. 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 behaviour;
19. Submit to and discuss with a Corrective Services officer a schedule of his planned and proposed activities on a weekly basis or as otherwise directed by a Corrective Services officer;
20. If directed by a Corrective Services officer, make complete disclosure of the terms of this supervision order and the nature of his past offences to any person nominated by a Corrective Services officer, which officer may contact such persons to verify that full disclosure has occurred;

Motor Vehicles

21. Notify a Corrective Services officer of the make, model, colour and registration number of any vehicle owned or driven by him, whether hired or otherwise obtained for his use;

Alcohol and Drugs

22. Moderate his consumption of alcohol so that at no time shall he have a blood alcohol concentration level above 0.05% (that is, above 0.05 grams of alcohol for every 100 millilitres of his blood) for the duration of this order.

23. Abstain from using or consuming any illicit drugs for the duration of this order;
24. Submit to any form of drug and alcohol testing including both random or targeted urinalysis and breath testing as directed by a Corrective Services officer;
25. Disclose to a Corrective Services officer all prescription and over the counter medication that he obtains or has in his possession;
26. Take prescribed medication as directed by a medical practitioner and disclose details of all prescribed medication as requested by a Corrective Services officer;
27. Not visit licensed hotels, clubs, nightclubs or like establishments without the prior written permission of a Corrective Services officer;

Medical treatment

28. Attend upon and submit to such assessment, treatment and/or medical testing by a medical, psychiatrist, psychologist, social worker, counsellor or other mental health professional as may be directed by a Corrective Services officer at a frequency and for a duration as recommended by his treating medical, psychiatric, psychological or other mental health practitioner;
29. Permit any medical, psychiatrist, psychologist, social worker, counsellor or other mental health professional to disclose details of his treatment, their intervention and their opinions which are relevant to an assessment of his risk of committing further sexual offences as well as compliance with this order to Queensland Corrective Services if such a request is made for the purposes of updating or amending the supervision order and/or ensuring compliance with this order;

30. Attend any program, course, psychologist, social worker or counsellor, in a group or individual capacity, as directed by a Corrective Services officer in consultation with his treating medical, psychiatric, psychological or other mental health practitioner where appropriate;

Restrictions on contact with children

31. Not establish or maintain any supervised or unsupervised contact including undertaking the care of any child under 16 years of age except with the prior written approval of a Corrective Services officer other than his son and, in the case of his son, the only contact with his son shall be by way of supervised contact and communications in writing or by telephone, if agreed between the respondent and the guardian of his son, or as may be approved by order of a court under the *Family Law Act 1975 (Cth)*;
32. The terms of the order and nature of offences must be fully disclosed to the guardians and caregivers of any child to whom the preceding condition relates (including his son) before any such contact can take place and Queensland Corrective Services may disclose any information pertaining to him to the guardians or caregivers of any such child as well as to any external agencies (e.g., Department of Child Safety) in the interests of ensuring the safety of the child;
33. Advise a Corrective Services officer of any repeated contact with a parent of a child under the age of 16 years and, if directed by a Corrective Services officer, make complete disclosure of the terms of this supervision order and the nature of his past offences to any person nominated by a Corrective Services officer, which officer may contact such persons to verify that full disclosure has occurred;
34. Not without reasonable excuse be within 100 metres of any kindergarten, preschool, school or child care centre without the prior written approval of a Corrective Services officer;

35. Not visit or attend on the premises of any establishment where there is a dedicated children's play area or child-minding area without the prior written approval of a Corrective Services officer;
36. Not visit any public parks without the prior written approval of a Corrective Services officer;
37. Not be on the premises of any shopping centre, without reasonable excuse, between 8.00 am and 9.30 am or between 2.30 pm and 4.30 pm on school days other than for the purpose of:
 - (a) his approved employment; or
 - (b) attending an approved bona fide pre-arranged appointment with a Government agency, medical practitioner or the like;without the prior written approval of a Corrective Services officer;
38. Not join, affiliate with, attend on the premises of or attend at the activities carried on by any club or organisation in respect of which there are reasonable grounds for believing there is either child membership or child participation without the prior written approval of a Corrective Services officer;

Technology, Telephones and Devices

39. Obtain the prior written approval of a Corrective Services officer before using or accessing a computer or the internet;
40. Supply to a Corrective Services officer any username, password or other access code used by or known to him to permit access to a computer or other device or to content accessible through such a computer or other device (including the internet) and allow any computer or device where the internet is accessible to

be examined using a data exploitation tool or any other recognised forensic process to extract digital information;

41. Supply to a Corrective Services officer details of any email address, instant messaging service, chat rooms, social networking or social media sites or services including user names and passwords;
42. Allow any other device including a mobile telephone or camera to be randomly examined and, for this purpose, to supply account details and/or telephone bills when requested by a Corrective Services officer;
43. Advise a Corrective Services officer of the make, model and telephone number of any mobile telephone owned, possessed or regularly used by him within 24 hours of connection or commencement of use of any such mobile telephone and, further, advise a Corrective Services officer of any change to these details within 24 hours or any such change; and
44. Except with the prior written approval of a Corrective Services officer, not own, possess, or regularly use more than one mobile telephone.