

# SUPREME COURT OF QUEENSLAND

CITATION: *A-G for the State of Qld v Francis* [2017] QSC 35

PARTIES: **ATTORNEY-GENERAL FOR THE STATE OF QUEENSLAND**  
(applicant)  
v  
**DARREN ANTHONY FRANCIS**  
(respondent)

FILE NO/S: BS No 3069 of 2004

DIVISION: Trial Division

PROCEEDING: Application

ORIGINATING COURT: Supreme Court at Brisbane

DELIVERED ON: 13 March 2017

DELIVERED AT: Brisbane

HEARING DATE: 13 March 2017

JUDGE: Ann Lyons J

ORDER: **The Court makes Orders in terms of Schedule 1 attached to these reasons.**

CATCHWORDS: CRIMINAL LAW – SENTENCE – SENTENCING ORDERS – ORDERS AND DECLARATIONS RELATING TO SERIOUS OR VIOLENT SEXUAL OFFENDERS OR DANGEROUS SEXUAL OFFENDERS – DANGEROUS SEXUAL OFFENDER – GENERALLY – where the respondent contravened a condition of a Supervision Order to abstain from the use of illicit drugs – where the applicant applies for relief pursuant to s 22 of the *Dangerous Prisoners (Sexual Offenders) Act 2003* (Qld) - whether the Supervision Order should be rescinded and a continuing detention order made or whether the adequate protection of the community can be insured with an amendment to existing Supervision Order

*Dangerous Prisoners (Sexual Offenders) Act 2003 (Qld) s 13, s 22*

*Attorney General for the State of Queensland v Francis* [2012] QSC 275

*Attorney-General for the State of Queensland v Francis* [2013] QSC 321

*Bickle v Attorney-General (Qld)* [2015] QCA 263

*R J Welford, A-G for the State of Qld v Francis* [2004] QSC 233

COUNSEL: A D Scott for the applicant  
D Holliday for the respondent

SOLICITORS: GR Cooper Crown Solicitor for the applicant  
Legal Aid Queensland for the respondent

### **The current application**

- [1] The respondent has been subject to Division 3 Orders pursuant to the *Dangerous Prisoners (Sexual Offenders) Act 2003 (Qld)* (the Act) since 6 May 2004 when his period of imprisonment ended. In September 2006 he was released into the community on a supervision order subject to a number of conditions. Condition (xvi) of his supervision order requires that he “abstain from the use of illicit drugs for the duration of this order”. The respondent has breached that condition on seven occasions since 2007 and on each occasion he was returned to custody pending the hearing of the contravention proceedings. He was ultimately released again on a supervision order on each occasion.
- [2] The applicant alleges that the Respondent once again contravened condition (xvi) in September 2016 by using drugs.
- [3] On 29 September 2016 at a hearing before Justice Martin the contravention hearing was adjourned to a date to be fixed and Mr Francis was detained in custody until the final decision of the Court under s 22 of the Act.
- [4] This is therefore the final hearing of the Attorney-General’s most recent application which was filed on 29 September 2016. The application under s 22 of the Act seeks orders that the Respondent’s supervision order be rescinded and he be subject to a continuing detention order or alternatively that the Respondent be released on the existing supervision order but with amended conditions.
- [5] Two psychiatrists have been appointed to provide Risk Assessment Reports under the Act. Dr Donald Grant’s report is dated 6 November 2016 and Dr Andrew Aboud’s report is dated 24 February 2017.

- [6] The issue in this application is whether Mr Francis has once again shown, on the balance of probabilities, that the adequate protection of the community can be ensured by the existing order, as amended under subsection (7) of s 22(2) of the Act. Section 22 is in the following terms:

**“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).”

### **The Respondent’s history of offending**

[7] The history of the respondent’s offending was outlined by Byrne SJA in *R J Welford, A-G for the State of Qld v Francis*:<sup>1</sup>

“[10] The respondent was born in May 1973. He committed many offences as a juvenile. By the age of 21, he had an extensive criminal history; it included imprisonment for stealing. At 22, he was sentenced to 18 months imprisonment for several offences, including stealing and assault occasioning bodily harm. While serving that sentence, he was brutally assaulted by a gang of other prisoners. He reported being sodomised in the attack. Afterwards, the nature of his offending changed.

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<sup>1</sup> [2004] QSC 233 at paragraphs [10]-[12].

[11] In 1996, the respondent committed the serious offences for which he was sentenced in 1999. Violent, sexual assaults were involved: among them, the insertion of a knife handle into the victim's vagina and a broom handle into her anus. The respondent also bit her ferociously, punched her, dragged her by the hair, and committed other degrading acts of physical abuse. The offences were committed over eight occasions.

[12] By March 1997, the respondent was living in New South Wales with another woman. She also suffered sexual violence at his hands. In March 1998, the New South Wales sentencing judge spoke of incidents over about two days involving brutal, sexual misconduct, accompanied by irrational allegations concerning the sexual behaviour of his victim. After a year in prison, he was extradited to Queensland to be dealt with for the 1996 offences.”

- [8] I note that the Respondent has a long history of polysubstance abuse and both sets of offences involved violence within ongoing heterosexual relationships in which both the Respondent and the victims were drug users.<sup>2</sup>

#### **The Respondent's contravention history under the Act**

- [9] The applicant's submissions in support of the current application contain a convenient summary of the Respondent's history which indicates that he was released on 26 September 2006 on a supervision order which required he abstain from drugs. On 2, 8 and 12 March 2007 he tested positive for methylamphetamine and was returned to custody on 27 March 2007 but released on supervision again on 7 November 2007.
- [10] On 18 and 21 March 2008 the Respondent tested positive for cannabis. Then on 30 October 2008 whilst subject to supervised release pending the final hearing in relation to the 18 and 21 March 2008 test results, the Respondent tested positive for amphetamines and methamphetamines. The Respondent was returned to supervision on 28 September 2009.
- [11] On 3 June 2010 the Respondent tested positive for amphetamine, methamphetamine, and cannabis. That contravention was dealt with by Justice Mullins who ordered the Respondent's return to supervision on 9 December 2010. On 11 August 2011 he contravened again by testing positive for methylamphetamine. He was again returned to supervision by Byrne SJA on 13 September 2012 when the supervision order was extended by a further five years.
- [12] On 18 April 2013 he contravened again by returning a sample positive for methamphetamine and was returned to supervision again on 11 November 2013 by

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<sup>2</sup> *R J Welford, A-G for the State of Qld v Francis* [2004] QSC 233 at paragraphs [15] and [18].

Justice Margaret Wilson.<sup>3</sup> A further contravention involving use of synthetic cannabis was dealt with by Justice Jackson on 30 March 2015.

- [13] The current supervision order expires on 13 September 2017 and the applicant argues that the evidence indicates that the Respondent is likely to remain an unacceptable risk to the community after the order's expiry in September 2017. The evidence raises the possibility that the duration of the supervision order should be extended by at least five years<sup>4</sup> and the applicant relies on *Bickle v Attorney-General (Qld)*<sup>5</sup> to argue that whilst the duration of a supervision order cannot be shortened it may be extended upon the finding of a contravention.

### **The current contravention**

- [14] The circumstances of the current contravention are summarised by Dr Donald Grant in his Report dated 6 November 2016 and the summary is as follows:<sup>6</sup>

“On 27 September 2016 Mr Francis was contacted by QCS for the purpose of submitting to a urinalysis test. The first two attempts to contact him were without success (he did not answer). QCS then sent the respondent an SMS directing him to attend the Caboolture Probation and Parole District Office at 10.00 am for a urinalysis test.

Mr Francis responded to this SMS by telephoning QCS. He said he was driving at the time of the call and stated that he was already on his way to the city for a psychological appointment and was therefore unable to attend the Caboolture office. When asked what time his appointment was he advised that it was 4pm that day. He was then directed to turn around and head back to Caboolture District Office or alternatively attend the Wacol Reporting Centre. In response to this order Mr Francis swore, raised his voice and made excuses such as the fact that QCS was costing him a lot of extra petrol money and that he was due to report on 28 September 2016 at the Caboolture District Office. Ultimately he agreed to attend the Caboolture office by 10.30 am.

On 27 September 2016 Mr Francis submitted a urinalysis testing in accordance with condition (xxvi) of his Supervision Order, namely “submit to alcohol and drug testing as directed by a Corrective Services Officer, the expense of which is to be met by the Department of Corrective Services”. At the time of the testing Mr Francis denied any illicit substance use and reported only the use of prescription medication, namely Lyrica and Tramadol.

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<sup>3</sup> *Attorney-General for the State of Queensland v Francis* [2013] QSC 321.

<sup>4</sup> See *The Attorney General for the State of Queensland v Francis* [2012] QSC 275 at [7] per Byrne SJA.

<sup>5</sup> [2015] QCA 263.

<sup>6</sup> Dr Grant's report, pp 2-3.

The urine sample returned positive result to methamphetamines and a faint reading to amphetamine. The testing officer conducted a second test producing the same result. The sample was then sent to the laboratory for confirmatory testing.”

- [15] Counsel for the Respondent concedes that the Respondent contravened a requirement of the supervision order to abstain from illicit drugs.
- [16] Accordingly I am satisfied on the evidence before me that the Respondent has breached condition (xvi) of his current Supervision Order.
- [17] Has the respondent satisfied the onus on him pursuant to s 22(7) of the Act of satisfying the Court on the balance of probabilities that the adequate protection of the community can, despite the contravention, be ensured by the existing order as amended? In this regard I shall consider the report of the two psychiatrists who have been appointed under the Act to assess the Respondent’s risk of re-offending.

### **Dr Grant’s report**

- [18] In his report Dr Grant notes that the Respondent has a “severe Antisocial Personality Disorder and also satisfies criteria for Psychopathic Personality Disorder.”<sup>7</sup> Dr Grant opines<sup>8</sup> “there is insufficient evidence to make a definite diagnosis of Sexual Sadism or any other sexual paraphilia. However, his original offending 20 years ago showed evidence of sadistic, violent sexual assaultive behaviour and it is possible that there remains an element of potential sexual sadistic behaviour...he certainly has quite a deep-seated distrust of women and a tendency to become jealous and controlling in relationships. These attitudinal issues, combined with substance abuse and intoxication, were relevant to his original offending and have been relevant to the instability of more recent relationships. Those attitudinal issues plus difficulties in controlling his anger towards women remain of significance in terms of future risk assessment.”
- [19] Dr Grant continued:<sup>9</sup>

“The most important risk scenario in Mr Francis’ case remains the possibility of violence occurring against a female partner in the context of relationship instability and distrust and jealousy combined with drug abuse, particularly the abuse of amphetamines and/or LSD. The sexual offending would then be motivated by rage, jealousy and a degree of paranoia. The potential victim could suffer significant psychological harm and physical harm, and such physical harm could be serious if these scenarios were to develop.

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<sup>7</sup> Dr Grant’s report, p 17.

<sup>8</sup> Ibid.

<sup>9</sup> Dr Grant’s report, pp 18-20.

Warning signs of any future offending would therefore be a recurrence of ongoing drug abuse, particularly in the presence of relationship difficulties. The risk for sexual violence would be mostly present in these scenarios rather than any more non-specific scenarios involving women in the community.

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Mr Francis has now breached his Supervision Order on eight occasions by the use of illicit drugs. He has in the past undergone some drug and alcohol treatments, but his attitudes and beliefs surrounding drug abuse and violence seem to show a marked lack of real insight. He recognizes that others believe that drugs such as amphetamines significantly raise the risk of sexual violence to women, but he disputes that this is the case. Nevertheless, he does accept that such intoxication was relevant to his serious index sexual offending. Despite having some glimmers of understanding between the relationship of offending and drug abuse, he expresses attitudes about future substance abuse which would indicate an intention to continue using at least mild to moderate levels in the future if he is not on a Supervision Order.

The Supervision Order under which Mr Francis has been in the community over a number of years has served to identify drug abuse early on, such that it is not led, as far as we know, to significant issues in terms of offending. However, given the evident instability of his relationships with women and his negative attitudes, the risk remains that if he were to resume regular use of amphetamines that would significantly raise the risk of sexual violence.

Mr Francis has now been on a Supervision Order for a long time and his Order is due to expire in September 2017. As he is ageing it is possible that his psychopathic personality traits are settling to some extent, with somewhat less overt aggression, but any settling appears to be only in its early stages. He remains quite quick tempered and readily resorts to verbal threats and verbal aggression against women. These personality traits render him vulnerable to the disinhibiting effects of substances such as amphetamines.

In my opinion, the current risk for future sexual violence remains at least moderate when Mr Francis is sober but would increase to high in the presence of regular recurring substance abuse and severe relationship instability. The risk has been modified by the long term application of his Supervision Order, which has mandated abstinence from alcohol and drugs and has served to detect drug abuse very early on. The continued application of a Supervision Order would in my opinion continue to have that modifying effect, reducing risk, but by no means obliterating risk. The progress and events in relationships over the last two years has not been very encouraging in terms of the risk lessening with time.

In terms of whether the supervision order should be extended beyond September 2017 it is difficult to see that the risk will be any less at the end of that period than it is currently. Mr Francis' attitudes towards substance abuse are also not encouraging. His attitude towards his Supervision Order has always been somewhat adversarial and it remains so.

Taking these considerations into account, it is my opinion that if Mr Francis is to be released in the community, a Supervision Order remains necessary to contain the risk for sexual re-offending. That risk is likely to continue beyond September 2017 and that would indicate that the Supervision Order ought to be extended for a further five years. An alternative path would be to try to assist Mr Francis to address his substance abuse issues more thoroughly and to detain him in custody to undergo the Pathways Substance Abuse course, this being an intensive course that is available only in custody. He is likely to be resistant and uncooperative with such a treatment programme and may render such a course unhelpful. On the other hand, if he does not alter his attitude to substances and recognize more fully the effect that substance abuse has on his risk of sexual violence it is difficult to see the level of risk being reduced substantially in the near future. The only hope would be that his Psychopathic Personality Disorder factors ameliorate more thoroughly over the next 5-10 years, reducing the risk of sexual offending.”

- [20] At the hearing Dr Grant gave evidence in relation to this aspect of his report and indicated that the Respondent's attitude to drugs has not changed and he is unrepentant in relation to this issue. Dr Grant considered therefore that the Respondent would be unlikely to embrace the Pathways Substance Abuse Course and noted that he had previously been evicted from a sex offender programme due to his attitude to the course. Dr Grant considered that given his history of breaches by the use of drugs, the Respondent is likely to breach again in the future and at the time of the breach hearing his risk of reoffending can be further examined at any contravention proceeding.

### **Dr Aboud's report**

- [21] Dr Aboud concluded that after taking into consideration the various actuarial and dynamic assessments of future violence and sexual violence risk that have been applied, he considers that the Respondent's overall risk “would currently be high in respect of sexual violence”.<sup>10</sup>
- [22] Dr Aboud has diagnosed the Respondent with a mixed personality disorder, with prominent antisocial traits and borderline traits. He considers that the former explains the Respondent's anti-authoritarian disposition, wide ranging criminal offending and tendency to breach rules and orders. He considers that the latter explains the Respondent's somewhat fragile emotional state at times. Dr Aboud also notes what he

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<sup>10</sup> Dr Aboud's report, p 13.

considers to be his “clear cut psychopathic traits”<sup>11</sup> which complicates the clinical picture as it infers high long term risk and treatment intractability.

- [23] Dr Aboud also noted that the Respondent’s offending occurred in the context of alcohol and substance abuse and that he met the criteria for alcohol dependence and polysubstance dependence. He also considered that he has underlying sadistic tendencies and that his “obsessive fixations and tendencies...possibly tipped over into psychosis at the time of the [index] offences”<sup>12</sup>. He considers that the Respondent’s risk is high but that it is manageable under a supervision order.
- [24] Significantly Dr Aboud considers that the Respondent is unlikely to benefit from further treatment in custody.<sup>13</sup>
- [25] Dr Aboud considers that the supervision order should be extended for a further five years.

### **Conclusion**

- [26] I am satisfied that the Respondent continues to satisfy the criteria in the Act that he is a person who represents a serious danger to the community in the absence of a Division 3 Order.
- [27] I am also satisfied that the Respondent has satisfied the onus on him of satisfying the Court that, despite the contravention, the evidence indicates that the adequate protection of the community can be ensured pursuant to a supervision order.
- [28] Both of the psychiatrists appointed under the Act to provide risk assessments are of the view that the community will not be adequately protected if, however, the supervision order is not extended beyond its current expiry date of September 2017.
- [29] I am satisfied therefore that if the Respondent is to be released on the supervision order it will be necessary to extend its duration. Based on the opinions of Dr Grant and Dr Aboud I am satisfied that a further period of at least five years is necessary.
- [30] I note that Dr Grant considered an alternative course was to detain the Respondent on a continuing detention order so that he could undergo necessary treatment to enable him to “alter his attitude to substances and recognise more fully the effect that substance abuse has on his sexual violence”. The aim of such a course would be to increase the prospects of the Respondent having a sufficiently reduced level of risk to enable him to live in the community without supervision at some time in the future.

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<sup>11</sup> Ibid, at p 11.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid, at p 14.

- [31] However in my view the evidence indicates that the Respondent's attitudes are such that he is likely to be resistant and uncooperative with such a programme, with a result that it would not only be unsuccessful but also unhelpful. There is also clear evidence that the adequate protection of the community can be ensured under a supervision order as there has not in fact been any sexual reoffending in the last 11 years since the Respondent's release on supervision. Furthermore each breach of his supervision order by the use of drugs has resulted in his continuing detention until the contravention hearing has been held and the Court has determined whether the Respondent has fulfilled the onus on him of satisfying the Court that, despite the contravention, the adequate protection of the community can be ensured by a supervision order.
- [32] There should be an order in terms of the Draft, as set out in Schedule 1 attached to these reasons. For the purposes of clarity the current supervision order is set out in Schedule 2.

## SCHEDULE 1

### ORDER

**THE COURT being satisfied to the requisite standard that the respondent, Darren Anthony Francis, has contravened requirements of the supervision order made on 30 August 2006 by the Court of Appeal, amended by Philippides J on 7 November 2007, amended by A Lyons J on 28 September 2009, amended by Mullins J on 9 December 2010, amended by Byrne SJA on 13 September 2012, amended by Wilson J on 22 November 2013 and amended by Jackson J on 30 March 2015, ORDERS THAT:**

1. **The respondent be released from custody and continues to be subject to the supervision order made on 30 August 2006 by the Court of Appeal, amended by Philippides J on 7 November 2007, amended by A Lyons J on 28 September 2009, amended by Mullins J on 9 December 2010, amended by Byrne SJA on 13 September 2012, amended by Wilson J on 22 November 2013 and amended by Jackson J on 30 March 2015 with the following amendments:**
  - (a) **Insert the following additional requirements:**
    - (xxxii) **advise a Corrective Services officer of the make, model and phone number of any mobile phone owned, possessed or regularly utilised by him within 24 hours of connection or commencement of use, including reporting any changes to mobile phone details;**

**(xxxiii) allow any other device including a telephone to be randomly examined. If applicable, account details and/or phone bills are to be provided upon request of a Corrective Services Officer;**

**(xxxiv) supply to a Corrective Services officer any password or other access code known to him to permit access to such computer or other device or content accessible through such computer or other device and allow any device where the internet is accessible to be randomly examined using a data exploitation tool to extract digital information or any other recognised forensic examination process.**

**(b) Amend order (2) by omitting the words “28 September 2017” currently in order and inserting the following underline words to read:**

**(2) The respondent be subject to the following conditions until 13 March 2022.**

**SCHEDULE 2****ORDER**

**THE COURT being satisfied to the requisite standard that the respondent, Darren Anthony Francis, has contravened requirements of the supervision order made on 30 August 2006 by the Court of Appeal, amended by Philippides J on 7 November 2007, amended by A Lyons J on 28 September 2009, amended by Mullins J on 9 December 2010, amended by Byrne SJA on 13 September 2012, amended by Wilson J on 22 November 2013 and amended by Jackson J on 30 March 2015, ORDERS THAT:**

- 1. The respondent be released from custody and continues to be subject to the supervision order made on 30 August 2006 by the Court of Appeal, amended by Philippides J on 7 November 2007, amended by A Lyons J on 28 September 2009, amended by Mullins J on 9 December 2010, amended by Byrne SJA on 13 September 2012, amended by Wilson J on 22 November 2013 and amended by Jackson J on 30 March 2015 with the following amendments: (the full set of requirements that the respondent will be subject to are set out in the schedule attached to this order):**

**SCHEDULE**

The respondent is released from prison subject to the following conditions until 28 September 2017, or further order of the Court:

The respondent must:

- (i) be under the supervision of a corrective services officer (the supervising corrective services officer ) for the duration of this order;
- (ii) report to the supervising corrective services officer at the Department of Corrective Services District Office closest to his place of residence between 9 am and 4 pm on the day of his release, and therein to advise the officer of the respondent s current name and address;
- (iii) reside at a place within the State of Queensland as a proved by an authorised Corrective Services officer by way of a suitability assessment and not stay overnight at any other address without prior written permission of the supervising corrective services officer;
- (iv) report to and receive visits from the supervising corrective services officer at such frequency as determined necessary by the supervising corrective services officer;

- (v) notify and obtain the approval of the supervising corrective services officer of every change of the prisoner's name at least two business days before the change occurs;
- (vi) notify the supervising corrective services officer of the nature of his employment, the hours of work each day, the name of his employer and the business address of the employer's premises and obtain approval from the supervising corrective services officer prior to entering into an employment agreement or engaging in volunteer work or paid or unpaid employment. The Respondent may work for more than one employer and at more than one location during any day;
- (vii) notify the supervising corrective services officer of every change of employment at least two business days before the change occurs;
- (viii) notify the supervising corrective services officer of every change of the respondent's place of residence at least two business days before the change occurs;
- (ix) not leave or stay out of the State of Queensland without the written permission of the supervising corrective services officer;
- (x) not commit an offence of a sexual nature during the period for which these orders operate;
- (xi) comply with every reasonable direction of a Corrective Services Officer that is not directly inconsistent with a requirement of the order;
- (xii) respond truthfully to enquiries by the supervising corrective services officer about his whereabouts and movements generally;
- (xiii) notify the supervising Corrective Services officer of the make, model, colour and registration number of any motor vehicle owned by, or regularly used by him, whether hired or otherwise obtained for his use;
- (xiv) notify the supervising corrective services officer of all personal relationships entered into by the respondent;
- (xv) abstain from the consumption of alcohol for the duration of this Order;
- (xvi) abstain from the use of illicit drugs for the duration of this Order;
- (xvii) take prescribed drugs as directed by a medical practitioner;
- (xviii) submit to alcohol and drug testing as directed by a corrective services officer, the expense of which is to be met by the Department of Corrective Services;
- (xix) not visit bars, pubs or nightclubs licensed to supply or serve alcohol, without the prior permission of a Corrective Services officer;
- (xx) attend with Dr Tom Hogan or such other psychiatrist or other mental health practitioner who has been approved by the Supervising Corrective Services officer at a frequency and duration which shall be recommended by the treating psychiatrist or other mental health practitioner, the expense of which is to be met by the Department of Corrective Services;
- (xxi) permit any medical, psychiatric, psychological or other mental health professional to disclose details of medical treatment and opinions relating to his level of risk of re-offending and compliance with this Order to the Department of Corrective Services if such request is made in writing for the purposes of updating or amending the supervision order and/or ensuring compliance with this Order;
- (xxii) attend any program, course, psychologist, counsellor or other mental health practitioner, in a group or individual capacity, by decision of the treating psychiatrist and the Supervising corrective Services Officer, the expense of which is to be met by the Department of Corrective Services;

- (xxiii) agree to undergo medical testing or treatment (including the testing of testosterone levels by an endocrinologist) by decision of the treating psychiatrist and the Supervising Corrective Services Officer, and permit the release of the results and details of the testing to the Department of Corrective Services, if such a request is made in writing for the purposes of updating or amending the supervision order, the expense of which is to be met by the Department of Corrective Services;
- (xxiv) not commit an indictable offence during the period of this order;
- (xxv) not have any direct or indirect contact with a victim of his sexual offences;
- (xxvi) attend upon and submit to assessment and/or treatment by a psychiatrist, psychologist, social worker, counsellor or other mental health professional as directed by the supervising corrective services officer at a frequency and direction which shall be recommended by the treating intervention specialist, the expense of which is to be met by Queensland Corrective Services;
- (xxvii) not engage in acts which are intended to dominate or intimidate any other person including interpersonal violence or aggression;
- (xxviii) if directed by his supervising corrective services officer following consultation with any treating medical, psychiatric, psychological or other mental health professional, make complete disclosure of the terms of this supervision order and the nature of his past offences to any person as nominated by the supervising officer who may contact such persons to verify that full disclosure has occurred;
- (xxix) comply with any reasonable direction under s 16B of the Dangerous Prisoners (Sexual Offenders) Act 2003;
- (xxx) comply with a curfew direction or monitoring direction given by an authorized corrective services officer;
- (xxxi) allow any device, including a phone, to be randomly examined. If applicable, account details and/or phone bills are to be provided upon request of a Corrective Services officer.