

MEMORANDUM

22 January 2021

Management of contravention proceedings under the *Dangerous Prisoners (Sexual Offenders) Act 2003 (DPSOA)*

His Honour has noticed that a significant number of contravention proceedings under the DPSOA result in the respondent being released back on a supervision order, often with no amendment or extension to the supervision order. Often the contraventions involve the ingestion of illicit substances.

His Honour is concerned about the length of time taken for these matters to be finally determined. Therefore, his Honour will be more closely managing these matters from the commencement of the contravention proceedings.

The return of the section 20 arrest warrant is heard by a judge sitting in Applications. If an order pursuant to s 21(2)(a) of the DPSOA is made upon hearing the application, the order should contain an order listing the contravention proceedings for review on the Friday four weeks after the order under s 21(2)(a) is made. The review will be heard by Davis J with the ordinary DPSOA reviews.

Two business days before the review listing the parties should provide to the Associate to Davis J (associate.davisj@courts.qld.gov.au) a completed Contravention Checklist (which is attached to this memorandum). At the review, his Honour will seek submissions from the parties about the matters disclosed on the Contravention Checklist and how the proceeding can be efficiently determined.

SUPREME COURT OF QUEENSLAND

REGISTRY: Brisbane
NUMBER:

Applicant

**ATTORNEY-GENERAL OF THE STATE OF
QUEENSLAND**

AND

Respondent

CHECKLIST

**Contravention proceedings under the
*Dangerous Prisoners (Sexual Offenders) Act 2003***

1. Date of return of warrant:
2. Date supervision order expires:
3. Nature of the contravention, including supervision order requirements alleged to have been contravened:
4. Whether nature of contravention an identified risk factor:
5. Whether any criminal charges have been laid and status of those charges:
6. Whether any s43AA charges have been laid and status of those charges:
7. Whether psychiatrist(s) have been engaged and timeframes for interviews and reports:
8. Can the reports be done on the papers?
9. Psychiatrist available dates for hearing: