

***Attorney-General for the State of Qld v Sagiba* [2020] QSC 254 (21 August 2020) – Queensland Supreme Court**

‘Contravention of supervision order’ – ‘Sentencing orders’

Charges: Contravening supervision order x 5; Assault occasioning bodily harm x 1 (DFV offence); Deprivation of liberty x 1 (DFV offence).

Proceedings: Contravention of supervision order.

Facts: The respondent was subject to a supervision order made under the *Dangerous Prisoners (Sexual Offenders) Act* (DPSOA). The applicant alleged the respondent contravened a supervision order and sought to extend the period of the supervision order. In early 2020, the respondent was reported to police for allegedly committing domestic violence. The respondent put his female domestic partner in a headlock, strangled and punched her, attempted to prevent her leaving the house and threatened to rape her. The respondent claimed he ‘did not commit an offence of a sexual nature’ on the basis that there was a sexual element to the latest offences, but they were not sexual offences. The psychiatric evidence was that the risk factors that were present when the original supervision order was made remain present.

Issues: Whether adequate protection of the community can be ensured by the release of the respondent subject to a supervision order.

Decision and reasoning: *Supervision order extended for a further five years.*

The respondent has not demonstrated that the adequate protection of the community – specifically from the commission by the respondent of a ‘serious sexual offence’ – can be ensured by his release without him being subject to supervision.