

Response to RTI Ref: 171229

1. *The number of persons being detained under continuing detention orders as at 1 March 2017;*

21

2. *The number of persons being detained under preventative detention orders as at 1 March 2017;*

NIL

3. *A de-identified list of the specific reasons for the continuing detention orders or preventative detention orders;*

See Appendix 1

4. *Whether each person on the de-identified list has been charged with an offence and if so the nature of the charge;*

Prisoners are eligible for consideration by the court for an order pursuant to the *Dangerous Prisoners (Sexual Offenders) Act 2003* (the Act) if they are detained in custody and serving a period of imprisonment for a serious sexual offence, or serving a period of imprisonment that includes a term of imprisonment for a serious sexual offence.

For the purposes of the Act, a serious sexual offence is defined as an offence of a sexual nature –

- a) involving violence; or
- b) against a child; or
- c) against a person, including a fictitious person represented to the prisoner as a real person, whom the prisoner believed to be a child under the age of 16 years.

5. *The length of detention for each person on the de-identified list;*

If the court makes a continuing detention order, it must review the order at certain intervals. The hearing for the first review of a continuing detention order must be completed within two years after the day the order first had effect.

There must be subsequent reviews while the continuing detention order continues to have effect and these subsequent reviews must start within 12 months after the completion of the hearing for the last review.

See Appendix 1 for specific detention periods.

6. *The location (state or territory only) of events that led to the detention for each person on the de-identified list;*

Queensland

7. *The location in which the individual concerned is currently detained under continuing detention orders or preventative detention orders;*

Wolston Correctional Centre	13
Townsville Correctional Centre	3
Woodford Correctional Centre	2
Brisbane Correctional Centre	1
Capricornia Correctional Centre	1
Southern Queensland Correctional Centre	1

8-12. *Various*

NIL

Appendix 1

	<u>Reasons for the Continuing Detention Order</u>	<u>Length of Detention</u>
Prisoner 1	The court was not satisfied that the adequate protection of the community could be ensured by a supervision order. Detained for care, control and treatment.	Current CDO issued December 2016
Prisoner 2	Prisoner was a serious danger to the community in the absence of an order, and the court was not satisfied that the adequate protection of the community could be reasonably and practicably managed by a supervision order.	Current CDO issued August 2015
Prisoner 3	The court was satisfied that the prisoner was a serious danger to the community in the absence of an order. Detained for care, control or treatment.	Current CDO issued June 2016
Prisoner 4	Detained for control, care or treatment, to ensure the adequate protection of the community.	Current CDO issued June 2016
Prisoner 5	Detained for control, care or treatment, to ensure the adequate protection of the community.	Current CDO issued March 2016
Prisoner 6	The court was not satisfied that the adequate protection of the community could be ensured by a supervision order. Detained for care, control or treatment.	Current CDO issued September 2016
Prisoner 7	The court was not satisfied that the adequate protection of the community could be assured by a supervision order. Detained for care, control or treatment.	Current CDO issued March 2016
Prisoner 8	Prisoner's risk to the community was unacceptable if released to a supervision order.	Current CDO issued September 2016
Prisoner 9	The court was not satisfied that the adequate protection of the community could be reasonably and practicably managed by a supervision order.	Current CDO issued April 2016
Prisoner 10	The court was of the view the only way to protect the public from the risk posed by the prisoner was to affirm the decision that he was a serious danger to the community in the absence of an order and for him to be subject to a continuing detention order.	Current CDO issued March 2016
Prisoner 11	The court was not satisfied that the adequate protection of the community could be ensured by a supervision order. Detained for care, control or treatment.	Current CDO issued October 2016
Prisoner 12	The court did not consider the adequate protection of the community could be reasonably and practicably managed by a supervision order. Detained for control, care and treatment.	Current CDO issued June 2016
Prisoner 13	The court was not satisfied to the requisite standard that the adequate protection of the community could be ensured by a supervision order. Detained for care, control or treatment.	Current CDO issued January 2017

Prisoner 14	The court, being satisfied to the requisite standard that the respondent was a serious danger to the community in the absence of an order, the court orders that the prisoner be detained in custody for control, care or treatment.	Current CDO issued December 2015
Prisoner 15	There could not be adequate protection of the community by a supervision order and there could only be adequate protection of the community by a continuing detention order.	Current CDO issued March 2017
Prisoner 16	The court was not satisfied that a supervision order could ensure adequate protection to the community. Detained for control, care or treatment.	Current CDO issued April 2016
Prisoner 17	The court was not satisfied that a supervision order would ensure the adequate protection of the community. Detained for care, control or treatment.	Current CDO issued September 2016
Prisoner 18	The court was satisfied the respondent was a serious danger to the community in the absence of an order and that the prisoner's risk to the community was unacceptable if released to a supervision order. Detained for control, care or treatment.	Current CDO issued September 2016
Prisoner 19	The court was not satisfied the adequate protection of the community could be ensured by a supervision order. Detained for control, care or treatment.	Current CDO issued May 2016
Prisoner 20	The court was satisfied to the requisite standard that the respondent was a serious danger to the community in the absence of an order. The risk posed by the prisoner could not be reasonably and practically managed through a supervision order in order to provide adequate protection to the community. Detained for control, care or treatment.	Current CDO issued February 2017
Prisoner 21	The prisoner was an unacceptable risk to the community in the absence of an order. Detained for control, care or treatment.	Current CDO issued October 2016